

July 28, 2011

At the special meeting of the Board of Supervisors of Prince Edward County, held at the Court House, thereof, on Thursday, the 28th day of July, 2011; at 7:00 p.m., there were present:

Howard M. Campbell

William G. Fore, Jr.

Don C. Gantt, Jr.

Robert M. Jones

Charles W. McKay

Howard F. Simpson

Jim R. Wilck

Mattie P. Wiley

Also present: Wade Bartlett, County Administrator; Sarah Elam Puckett, Assistant County Administrator; Alecia Daves-Johnson, Planner; William W. Porterfield, Chairman, Planning Commission; Chris Mason, Planning Commission; Samuel Coleman, Planning Commission; Donald Gilliam, Planning Commission; Clifford Jack Leatherwood, Planning Commission; John Townsend, III, Planning Commission; and Sally Gilfillan, Planning Commission.

Chairman Fore called the special meeting back to order, stating its purpose is for a public hearing on a Special Use Request to permit a Truck Yard to be located at 23579 Prince Edward Highway (Hwy 460 Westbound) in Rice.

Planning Commission Chairman William W. Porterfield called the Planning Commission to order.

In Re: Joint Public Hearing – Special Use Request of Timothy R. Tharpe, LLC

Chairman Fore announced that this was the date and time scheduled for a joint public hearing with the Prince Edward County Planning Commission on the Special Use request from Timothy R. Tharpe, LLC to permit a Truck Yard and Construction Sales & Services uses to locate on the property totaling 15.05 acres and located at 13579 Prince Edward Highway, and further described as Tax Map parcels # 40-4-1 & 2, and 41-2-1. Notice of this hearing was advertised according to law in the Friday, July 15, 2011 and

Friday, July 22, 2011 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mrs. Alecia Daves-Johnson, Planner, stated that at its July 12, 2011 meeting, the Board of Supervisors granted a rezoning request received from Timothy R. Tharpe, LLC to change the zoning from A-1 (Agricultural Conservation) to C-1 (General Commercial) on three contiguous parcels totaling 15.05 acres located at 23579 Prince Edward Highway (Highway 460 Westbound) in Rice, where High Bridge Trail crosses over Route 460.

At the same July 12, 2011 meeting, the Board of Supervisors and the Planning Commission authorized a Joint Public Hearing to consider the Special Use Permit application submitted by Timothy R. Tharpe, LLC related to a truck yard use. The purpose of the request is to permit a Truck Yard and Construction Sales & Services uses to locate on the property. The Truck Yard is permitted in the C-1 Zoning District with a Special Use Permit, and Construction Sales & Services is permitted "by-right." Conditions can be applied to the Special Use Permit.

Mrs. Daves-Johnson stated the concerns regarding noise and pollution have been addressed; a letter was received from the High Bridge Trail State Park requesting screening in the form of a vegetated earthen berm. She added staff suggests the following conditions:

- Downward, shielded lighting will be used to reduce any light pollution
- Buffer and Screening of the site shall be in compliance with the Zoning Ordinance section 4-200.3 and Section 4-200.5 and Section 4-200.7. The Buffer Yard Type C Option 1 buffer specifications in combination with the earthen berm screening material shall be implemented along the High Bridge Trail State Park boundary. Preservation of existing woodland and vegetation, as permitted by Section 4-200.9 can be used along appropriate boundaries (north, possibly east). However, perimeter landscaping standards shall be required along the public right of way portion of the southern boundary.
- Fuel Station shall be constructed with containment system in place and will operate following a Fuel Spill Plan in compliance with VDEQ and US EPA regulations.
- Dust Control will be the responsibility of the operator and shall be conducted to prevent dust pollution to neighbors and Highway 460.

Planning Commission member Sally Gilfillan questioned placement of a buffer along Route 460, similar to the one in place at the Luck Stone site in Burkeville; Mr. Tharpe stated there will be products on-site for sale and he would like for them to be visible for sales purposes.

Mrs. Daves-Johnson stated the site is a \$2.5 million investment in Prince Edward County and could result in 25 employees being hired.

Chairman Fore opened the public hearing.

Planning Commission Porterfield asked if the suggested conditions will be part of the package; Mr. Timothy Tharpe, Tharpe Trucking, stated he will meet all regulations.

There being no one further wishing to speak, Chairman Fore closed the public hearing, and stated the deliberation was up to the Planning Commission.

Discussion followed among the Planning Commission members regarding the number of trucks permitted on site. Chairman Porterfield stated the structure of the Conditional Permit allows up to 50.

Chairman Porterfield made a motion to recommend to the Board of Supervisors approval of the Special Use Permit with the inclusion of the suggested conditions presented by staff regarding lighting, buffers, fuel spill containment and dust controls; the motion carried with unanimous favor.

Chairman Porterfield then stated the business of the Planning Commission being complete, the Planning Commission meeting was adjourned.

After some discussion by the Board of Supervisors, Supervisor McKay made a motion that the Board of Supervisors accept the recommendation of the Planning Commission to approve the Special Use Permit with the inclusion of the conditions as set forth by staff.

Mr. Bartlett asked how a determination is made indicating dust control is necessary; Mrs. Daves-Johnson stated if dust is blowing when traffic crosses the lot, there would be a need for dust control. Mrs. Daves-Johnson stated enforcement would be complaint based.

Chairman Fore then called for the question; the motion carried unanimously;

Aye:	Howard M. Campbell	Nay: None
	William G. Fore, Jr.	
	Don C. Gantt	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	Jim R. Wilck	
	Mattie P. Wiley	

On motion of Supervisor McKay and adopted by the following vote:

Aye:	Howard M. Campbell	Nay: None
	William G. Fore, Jr.	
	Don C. Gantt	
	Robert M. Jones	
	Charles W. McKay	
	Howard F. Simpson	
	Jim R. Wilck	
	Mattie P. Wiley	

the meeting was adjourned at 7:20 p.m.