

**ACTIONS**  
**Board of Supervisors Meeting of January 14, 2004**

January 15, 2004

<u>AGENDA ITEM/ACTION</u>	<u>ASSIGNMENT</u>
<p>1. Call to Order.</p> <ul style="list-style-type: none"> <li>Meeting was called to Order at 6:00 p.m., by the Chairman, Mr. Dorrier. All BOS members present. Also present were Bob Tucker, Larry Davis, Wayne Cilimberg and Georgina Smith.</li> </ul>	
<p>4. From the Public: Matters Not Listed on the Agenda.</p> <ul style="list-style-type: none"> <li>Sherry Buttrick, in reference to Item # 5.2, suggested the Board amend the ACE Ordinance to prevent similar situations in the future.</li> <li>Linda Lloyd thanked the Board for proceeding with the affordable housing policy.</li> <li>Forbes Reback, spoke about paving Route 795 and introduced Tom Sullivan, the property owner.</li> <li>Peter Mellon, spoke in opposition to paving Route 795.</li> </ul>	
<p>5.2 Acquisition of Conservation Easements (ACE) Waiver of Income Determination Method.</p> <ul style="list-style-type: none"> <li><b>APPROVED</b> staff's recommendation that the purchase price for the Henley Forest, Inc. ACE easement be \$237,644 by applying the weighted income approach, rather than the aggregate income approach set forth in the ACE ordinance and</li> <li><b>REQUESTED</b> staff to review the need for an ordinance amendment and to work with the ACE Committee in providing a recommendation back to the Board.</li> </ul>	<p><u>Ches Goodall</u>: Proceed as directed.</p>
<p>5.3 <b><u>SP-2003-71. Vernon or Jackie Shiflett-Alltel (Sign # 56.)</u></b></p> <ul style="list-style-type: none"> <li><b>ACCEPTED</b> the applicants request to refer back to the Planning Commission.</li> </ul>	<p><u>Planning Staff</u>: Reschedule for agenda when ready to move forward.</p>
<p>5.4 Set public hearing for February 4, 2004 on Community Development Block Grant Citizen Participation.</p> <ul style="list-style-type: none"> <li><b>SET</b> public hearing for February 4, 2004.</li> </ul>	<p><u>Clerk</u>: Advertise the public hearing.</p>
<p>6. <b><u>SP-2003-64. Verulam Farm-VA32344 Omnipoint (Signs # 12, 13 &amp; 14).</u></b></p> <ul style="list-style-type: none"> <li><b>APPROVED</b> SP-2003-064, by a vote of 6:0, subject to the twenty-five conditions recommended by the Planning Commission, and amended at the Board meeting.</li> </ul>	<p><u>Clerk</u>: Set out conditions of approval. (Attachment 1).</p>
<p>7. <b><u>SP-03-68 Northridge Community Church Amendment (Sign #7).</u></b></p> <ul style="list-style-type: none"> <li><b>APPROVED</b> SP-30-68, by a vote of 6:0, subject to the three conditions recommended by the Planning Commission, and amended at the Board meeting.</li> </ul>	<p><u>Clerk</u>: Set out conditions of approval. (Attachment 1).</p>
<p>8. <b><u>SP-03-70 Gregory R. Gallihugh-Nextel Partners (Sign #59).</u></b></p> <ul style="list-style-type: none"> <li><b>DEFERRED</b>, to February 11, 2004 Board meeting.</li> </ul>	<p><u>Clerk</u>: Schedule on February 11, 2004 agenda.</p>
<p>9. <b><u>SP-2003-73 Foundations Child Development Day Care (Sign #90).</u></b></p> <ul style="list-style-type: none"> <li><b>APPROVED</b> SP-2003-73, by a vote of 6:0, subject to the five conditions recommended by the Planning Commission and amended at the Board meeting.</li> </ul>	<p><u>Clerk</u>: Set out conditions of approval. (Attachment 1).</p>
<p>10. From the Board: Matters Not Listed on the Agenda.  Sally Thomas:</p>	

<ul style="list-style-type: none"> <li>Mentioned that she attended a meeting of the Foundation for Virginia. She said the main topic of discussion was education</li> </ul> <p>Ken Boyd:</p> <ul style="list-style-type: none"> <li>Would like the Board to revisit joining the Thomas Jefferson Economic Partnership. He also would like to schedule a public hearing to receive comments for sometime in June, 2004.</li> </ul>	
<p>11. Adjourn.</p> <ul style="list-style-type: none"> <li>At 7:40 p.m., the meeting was adjourned.</li> </ul>	

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Attachment 1 – Conditions of Approval.

**Attachment 1**

## APPROVAL OF CONDITIONS

**SP-2003-64. Verulam Farm-VA32344 Omnipoint (Signs #12,13&14).** Public hearing on a request to allow construction of personal wireless fac w/wooden monopole, approx 101 ft in total height & 10 ft above height of tallest tree w/in 25 ft. The proposed fac includes flush-mounted panel antennas & ground equipment. This application is being made in accord w/Sec 10.2.2.6 of the Zoning Ord. TM74, P17, contains 356.26 acs. Znd RA. Loc on Rt 677 (Bloomfield Rd) approx .75 mls from the intersec of Rt 637 & Rt 677. Samuel Miller Dist.

The facility shall be designed, constructed and maintained as follows:

1. With the exception of any minor changes that would be required in order to comply with the conditions listed herein, the facility including the monopole, the ground equipment building, and any antennas shall be sized, located and built as shown on the concept plan entitled, "Crown Communications CAP Operations, LLC (McGuire #2)", dated July 24, 2003 and provided with Attachment A;
2. The calculation of pole height shall include any base, foundation or grading that raises the pole above the pre-existing, natural ground elevation;
3. The top of the pole, as measured Above Mean Sea Level (AMSL), shall never exceed ten (10) feet above the top of the tallest tree within twenty-five (25) feet. In no case shall the pole exceed one hundred and one (101) feet in total height at the time of installation without prior approval of an amendment to this special use permit or personal wireless facility permit;
4. The monopole shall be made of wood and be a dark brown natural wood color;
5. The ground equipment cabinets, antennas, concrete pad and all equipment attached to the pole shall be the same color as the pole and shall be no larger than the specifications set forth in the application plans;

6. Only flush-mounted antennas shall be permitted. No antennas that project out from the pole beyond the minimum required by the support structure shall be permitted. However, in no case shall the distance between the face of the pole and the faces of the antennas be more than twelve (12) inches;
7. No satellite or microwave dishes shall be permitted on the monopole;
8. No antennas or equipment, with the exception of a grounding rod not to exceed one (1) inch in diameter and twelve (12) inches in height, shall be located above the top of the pole.
9. No guy wires shall be permitted;
10. No lighting shall be permitted on the site or on the pole, except as herein provided. Outdoor lighting shall be limited to periods of maintenance only. Each outdoor luminaire shall be fully shielded such that all light emitted is projected below a horizontal plane running through the lowest part of the shield or shielding part of the luminaire. For the purposes of this condition, a luminaire is a complete lighting unit consisting of a lamp or lamps together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply;
11. The permittee shall comply with section 5.1.12 of the Zoning Ordinance. Fencing of the lease area shall not be permitted;
12. The plans shall be revised so that information identified as APN# on the cover sheet of is labeled as the tax map and parcel number;
13. The electrical transformer and telephone pedestal shall be located within the confines of the lease area;
14. The locations and heights of all trees within fifty (50) feet of the facility that are relied upon for screening and camouflaging shall be shown on the plans;
15. Size specifications and other details, including elevation drawings of the antennas and ground equipment and concrete pad shall be included in the construction plan package;
16. Site grading and all construction around the facility shall be minimized to only provide the amount of space that will be necessary for placement of the monopole and equipment cabinets; and
17. Details and cross sections for any plans to upgrade the existing dirt logging road shall be provided in the construction plan packet and is subject to review and approval by the County's Engineering Department.

Prior to the issuance of a building permit, the following requirements shall be met:

18. Certification by a registered surveyor stating the height of the reference tree that has been used to justify the height of the monopole shall be provided to the Zoning Administrator;
19. Prior to beginning construction or installation of the pole, the equipment cabinets or vehicular or utility access, an amended tree conservation plan, developed by a certified arborist shall be submitted to the Zoning Administrator for approval. The plan shall specify tree protection methods and procedures, and identify any existing trees to be removed on the site - both inside and outside the access easement and lease area. All construction or installation associated with the pole and equipment pad, including necessary access for construction or installation, shall be in accordance with this tree conservation plan. Except for the tree removal expressly authorized by the Director of Planning and Community Development, the permittee shall not remove existing trees within two hundred (200) feet of the pole and equipment pad. A special use permit amendment shall be required for any future tree removal within the two hundred (200) foot buffer, after the installation of the subject facility; and
20. With the building permit application, the applicant shall submit the final revised set of site plans for construction of the facility. During the application review, Planning staff shall review the revised plans to ensure that all appropriate conditions of the special use permit have been addressed.

After the completion of the pole installation and prior to the issuance of a Certificate of Occupancy or to any facility operation, the following shall be met:

21. Certification by a registered surveyor stating the height of the pole, measured both in feet above ground level and in elevation Above Sea Level (ASL) using the benchmarks or reference datum identified in the application shall be provided to the Zoning Administrator;

22. Certification confirming that the grounding rod: a) height does not exceed one (1) foot above the monopole; and, b) width does not exceed a diameter of one (1) inch, shall be provided to the Zoning Administrator; and
23. No slopes associated with construction of the facility shall be created that are steeper than 2:1 unless retaining walls, revetments, or other stabilization measures acceptable to the County Engineer are employed.

After the issuance of a Certificate of Occupancy, the following requirements shall be met:

24. The applicant, or any subsequent owners of the facility, shall submit a report to the Zoning Administrator by July 1 of each year. The report shall identify each personal wireless service provider that uses the facility, including a drawing indicating which equipment, on both the tower and the ground, are associated with each provider; and
25. All equipment and antennae from any individual personal wireless service provider shall be disassembled and removed from the site within ninety (90) days of the date its use is discontinued. The entire facility shall be disassembled and removed from the site within ninety (90) days of the date its use for personal wireless service purposes is discontinued. If the Zoning Administrator determines at any time that surety is required to guarantee that the facility will be removed as required, the permittee shall furnish to the Zoning Administrator a certified check, a bond with surety satisfactory to the County, or a letter of credit satisfactory to the County, in an amount sufficient for, and conditioned upon, the removal of the facility. The type of surety guarantee shall be to the satisfaction of the Zoning Administrator and the County Attorney.

**SP-2003-68. Northridge Community Church Amendment (Sign #7).** Public hearing on a request for an amendment to SP-2000-58 Northside Community Church, to allow pre-school/day care & an after school program, in accord w/ Sec 10.2.2.7 of the Zoning Ord. TM21, P11A, contains 9.92 acs. Znd RA. Loc at 5100 Rt 606 (Dickerson Rd) approx 1,200 ft mls from the intersec of Dickerson Rd & Rt 20N (Seminole Trail). White Hall Dist.

1. Exterior changes to the exterior building and site except for those depicted on and approved as part of the final site plan, SDP-2001-022, are prohibited unless authorized by an amendment to this special use permit. Prohibited exterior changes include changes to any architectural feature, color, texture or materials, play area, and landscaping, but do not include repairing or replacing any portion or element of a building provided that the repaired or replaced portion or element has the same architectural feature, color, texture and materials approved as part of SDP-2001-022;
2. The maximum enrollment for the pre-school/day care shall be restricted to eighty (80) children and the maximum enrollment for the after school program shall be restricted to sixty (60) children; and
3. The hours and days of operation shall be restricted to the following: day care/pre-school program 7:30 AM to 2:00 PM, Monday through Friday; after school program from 2:30 PM – 6:00 PM Monday through Friday.

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**SP-2003-73. Foundations Child Development Day Care (Sign #90).** Public hearing on a request to allow a day care center in accord w/Sec 16.2.2.7 of the Zoning Ord. TM45, P112F, contains 1.541 acs. Znd R-6. Loc on Rt 1403 (Berkmar Dr), approx .5 mls N of the intersec of Berkmar & Woodbrook Rd. Rio Dist.

1. The site shall be developed in general accord with the concept plan entitled, *Foundations Child Daycare Center*, dated September 25, 2003;
2. The maximum number of children shall not exceed one hundred and twenty-five (125) or the number of students as approved by the Virginia Department of Social Services, whichever is less;
3. VDOT approval of a commercial entrance;

4. The remaining slopes should not be more than 3:1 to allow for re-vegetation and stability, provided that the slope may be increased to a maximum of 2:1 if approved by the County Engineer.
5. The following minimum setbacks shall be maintained: thirty (30) foot building and ten (10) foot parking setback from Berkmar Drive and fifteen (15) feet building setback from the southern property line.