Shown below is a preliminary summary of the actions taken by the Hanover County Board of Supervisors on April 24, 2013. Detailed minutes in final form will be presented to the Board for approval at a future date.

HANOVER COUNTY BOARD OF SUPERVISORS

DRAFT SUMMARY

Hanover County Administration Building
Board Room

April 24, 2013

I. **Call to Order** – 6:00 p.m. – All Board members present.

A. **Invocation** by Mr. Peterson. Mr. Peterson asked those present to keep the family of Susan Courtney, Hanover County Employee at the Montpelier Branch Library, in their prayers during the difficult time of her loss.

B. **Pledge of Allegiance** led by Mr. Hazzard. Mr. Hazzard noted the Fire/EMS workers who were present and the 11 individuals lost this week nationally doing their job and the sacrifices those emergency workers and their families make.

II. **Consideration of Agenda Amendments**

Mr. Davis made a motion to amend the consent agenda to add Item **IV. D.** Approval of Sewer Agreement between Republic National Distributing Company, LLC and Hanover County (Ashland Magisterial District), seconded by Mr. Stanley.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

Agenda Amended.

III. **Citizens' Time**

The Chairman opened Citizens' Time and Offered to anyone who wished to address the Board of Supervisors for up to five minutes on any matter within the scope of the Board's authority that is not on the agenda for that meeting. The following individuals came forward to address the Board:

Oscar Walker, Ashland MD, presented the Board a banner from Hanoverians for Liberty, their goal is to promote liberty for all in matters of taxation. Voluntary Tax Donation Initiative. Mr. Walker

also handed out an article that was in the Times Dispatch today by Walter Williams, related to Taxes Price versus Cost.

Rick Ryan, Cold Harbor MD, addressed the board on the topic of growth.

Seeing no one else come forward, the Chairman closed Citizens' Time and thanked all the Citizens who bring information to the Board at Citizens' Time as it brings the Board's focus to particular areas and it is good for the County.

IV. Consent Agenda

Mr. Stanley motion to approve, seconded by Mrs. Kelly-Wiecek.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

A. Emergency Communications Department – Amendments to Lease with New Cingular Wireless PCS, LLC -

1. Courthouse Tower (Beaverdam Magisterial District)
2. Pole Green Tower (Henry Magisterial District)
3. Georgetown Tower (Henry Magisterial District)

D. Approval of Sewer Agreement between Republic National Distributing Company, LLC and Hanover County (Ashland Magisterial District) Agenda Amendment

Adoption of Proclamation – Eagle Scout - Troop 531 - Matthew Eugene Thomas, Cold Harbor Magisterial District (Removed from Consent Agenda)

On a motion by Mr. Wade, seconded by Mrs. Kelly-Wiecek, the Board adopted the proclamation.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Adoption of Proclamation – Eagle Scout - Troop 531 - Adam Turner, Cold Harbor Magisterial District (Removed from Consent Agenda)

On a motion by Mr. Wade, seconded by Mrs. Kelly-Wiecek, the Board adopted the proclamation.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Adoption of Proclamation – Eagle Scout - Troop 531 - Pierce Ramsay, Henry Magisterial District (Removed from Consent Agenda)

On a motion by Mr. Davis, seconded by Mrs. Kelly-Wiecek, the Board adopted the proclamation.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Adoption of Proclamation – Eagle Scout - Troop 531 - Jacob Lucas Moyar, Henry Magisterial District (Removed from Consent Agenda)

On a motion by Mr. Davis, seconded by Mrs. Kelly-Wiecek, the Board adopted the proclamation.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Adoption of Proclamation – Eagle Scout - Troop 531 - Charles Fordham Wilson, Henry Magisterial District (Removed from Consent Agenda)

On a motion by Mr. Davis, seconded by Mrs. Kelly-Wiecek, the Board adopted the proclamation.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Adoption of Proclamation – Eagle Scout - Troop 531 - Michael Roy Moyer, Henry Magisterial District (Removed from Consent Agenda)

On a motion by Mr. Davis, seconded by Mrs. Kelly-Wiecek, the Board adopted the proclamation.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

Adoption of Proclamation – Eagle Scout - Troop 531 - Matthew Ray Moyer, Henry Magisterial District (Removed from Consent Agenda)

On a motion by Mr. Davis, seconded by Mrs. Kelly-Wiecek, the Board adopted the proclamation.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

Motion Approved.

C. **Appointments** (Removed from Consent Agenda)

Approved as recommended.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

CONSENT AGENDA APPOINTMENTS 04 24 13

COMMITTEE NAME	DISTRICT	FIRST NAME	LAST NAME	TERM BEGINS	TERM LENGTH	EXPIRATION	# OF MTGS HELD IN LAST 12 MOS	# OF MTGS ATTENDED IN LAST 12 MOS	WILLING TO BE REAPPOINTED: YES/NO/PENDING	OTHER	
Cannery Advisory Committee	Cold Harbor	Allison	Coleman	04/01/12	1 year	03/31/13	0	0	Mr. Wade recommends reappointment for 1 year	2cnd trm	
Historical Commission	Cold Harbor	Wanda	Garrett	01/25/12	2 years	12/31/13	5	2	Staff called 3/18 pending		
Cannery Advisory Committee	Mechanicsville	Janice	Henicheck	02/29/12	1 year	02/28/13	1	1	Mr. Peterson receommends reappointment for 1 year		
Hanover County Council on Aging	Mechanicsville	Virginia	Bloch	03/28/12	1 year	03/31/13	n/a	n/a	Mr. Peterson receommends reappointment for 1 year	1st Term	
Historic Courthouse Area Advisory Committee	At-Large	Anne	Cross	03/01/12	1 year	02/28/13			No meetings held in 2012	Staff advised will serve another term	

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CONSENT AGENDA APPOINTMENTS 04 24 13

COMMITTEE NAME	DISTRICT	FIRST NAME	LAST NAME	TERM BEGINS	TERM LENGTH	EXPIRATION	# OF MTGS HELD IN LAST 12 MOS	# OF MTGS ATTENDED IN LAST 12 MOS	WILLING TO BE REAPPOINTED: YES/NO/PENDING	OTHER	
Historic Courthouse Area Advisory Committee	Historical Commission	James	Kastelberg	03/01/12	1 year	02/28/13			No meetings held in 2012	Staff advised will serve another term	
Historic Courthouse Area Advisory Committee	At-Large	Judy	Lowry	03/01/12	1 year	02/28/13			No meetings held in 2012	Staff advised will serve another term	
Historic Courthouse Area Advisory Committee	Hanover Tavern	James	Rice	03/01/12	1 year	02/28/13			No meetings held in 2012	Staff advised will serve another term	
Historic Courthouse Area Advisory Committee	Historical Commission	Brenda	Pennington	03/01/12	1 year	02/28/13			No meetings held in 2012	Staff advised will serve another term	
Historic Courthouse Area Advisory Committee	At-Large	Mary	Leffler	03/28/12	1 year	03/31/13			No meetings held in 2012	Staff advised will serve another term	

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V. **Presentation of Proclamation – James Russell "Rusty" Dempsey Family (Ashland Magisterial District)**

Mr. Via came forward and asked the family of Rusty Dempsey to come forward. Mr. Via then read and presented the proclamation in memory of Mr. Dempsey.

VI. **Final Legislative Update for 2013 Session of the Virginia General Assembly** – Mr. Rives

Board Sheet Background: The County Attorney will review the status of items on the Board's 2013 Legislative Agenda.

In addition, attached is a copy of a Legislative Summary prepared by Virginia Association of Counties and Virginia Municipal League listing bills passed in the 2013 Session of the Virginia

General Assembly that are significant to local governments in Virginia. The last several pages of the Summary set forth certain significant legislation that failed to pass. The County Attorney plans to discuss only those bills that are numbered in the attached Summary. If you would like more information or have questions about any of the other bills included in the Summary, please let the County Attorney know prior to the Board meeting on April 24 in order that he can obtain more detailed information.

Mrs. Kelly-Wiecek and Mr. Rives generally discussed status of the bill related to the possible JLARC Study of VDOT and Mr. Rives will advise after the meeting in an email.

Mr. Davis HB2048 – SB1279 consolidation of stormwater TMDL's the work of Hanover over the past two years related to administering, and reiterated the high cost involved.

The Chairman thanked Mr. Rives for all his hard work during the General Assembly as well as the Legislative Committee.

6:48:28 PM **Recess**

7:00:43 PM **Reconvene** – all Board Members present.

VII. **Planning Public Hearings** – Mr. Maloney, Director of Planning

Rezoning

C-22-92(c) AM. 1-13 MCDONALD'S CORPORATION, Requests an amendment to the proffers and conceptual plan approved with rezoning request C-22-92(c), George A. Hase, III, on GPIN 7796-91-5579, consisting of approximately 1.33 acres, zoned B-2(c), Community Business District with conditions, and located on the northwest quadrant of the intersection of Chamberlayne Road (U.S. Route 301) and Leon Lane (State Route 1364) in the **CHICKAHOMINY MAGISTERIAL DISTRICT**. The subject property is designated on the General Land Use Plan Map as Commercial. The proposed zoning amendment would permit layout modifications to allow for two outside order stations and menu boards for the existing drive-through service.

Mr. Maloney advised there is a request for deferral due to the owners being in receipt of a recommendation from McDonalds Corp which requests fairly significant modifications to the proposed site design. This will be have to re-evaluated and reconsidered by the Planning Commission, Staff is recommending deferral.

Mrs. Kelly-Wiecek made a motion to Defer C-22-92(c) AM. 1-13, seconded by Mr. Davis.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-22-92(c) AM. 1-13 Deferred – no public hearing held.

Conditional Use Permit

CUP-1-13 ANCHOR BAPTIST CHURCH TRUSTEES, Request a Conditional Use Permit in accordance with Chapter 26, Article 3, Section 26-20.21, of the Hanover County Zoning Ordinance to permit a church and its accessory uses on GPIN 8735-00-4331, consisting of approximately 5.0 acres, zoned A-1, Agricultural District, and located on the west line of Walnut Grove Road (State Route 615) approximately 725 feet south of its intersection with Northfall Creek Parkway (State Route 2139) in the **COLD HARBOR MAGISTERIAL DISTRICT**. The subject property is designated on the General Land Use Plan Map as Suburban General (2-4 dwelling units per acre).

Mr. Maloney presented this request.

The Chairman asked if Board Members had any questions. Hearing none, opened the public hearing and asked if anyone wished to address the Board in favor or in opposition. Seeing no one come forward, the Chairman closed the public hearing. Hearing no questions from the Board, the Chairman entertained a motion.

Mr. Wade advised he has heard no complaints related to this case and then made a motion to Approve CUP-1-13, seconded by Mr. Stanley.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

CUP-1-13 Approved.

Mr. Peterson advised that the following cases are related to proffer amendments and there will be joint public hearings on these by district.

Rezoning Proffer Amendment Cases

Mr. Maloney reviewed the following cases concurrently.

C-43-02(c) AM. 1-13 COOLWELL PRESERVATION PARTNERS, L.L.C., Requests an amendment to the proffers approved with rezoning request C-43-02(c), Hanover Plaza Associates (Rogers-Chenault, Inc.), on GPINs 8715-02-1714, 8715-02-0764, 8715-02-0723, 8705-92-9782, 8705-92-9741, 8705-92-9700, 8705-92-8760, 8705-92-8629, 8705-92-7780 and 8705-92-7730, zoned R-4(c), Residential Cluster Development District with conditions, and located on the east line of Shady Grove Road (State Route 640) approximately 1,700 feet south of its intersection with

Meadowbridge Road (State Route 627) in the **CHICKAHOMINY MAGISTERIAL DISTRICT**. The proposed zoning amendment would amend the cash proffer.

C-43-02(c) AM. 2-13 EAGLE CONSTRUCTION OF VA, Requests an amendment to the proffers approved with rezoning request C-43-02(c), Hanover Plaza Associates (Rogers-Chenault, Inc.), on GPINs 8705-92-5810, 8705-92-5891, 8705-92-6841, 8705-92-4739, 8705-92-4870, and 8705-92-5851, zoned R-4(c), Residential Cluster Development District with conditions, and located on the east line of Shady Grove Road (State Route 640) approximately 1,700 feet south of its intersection with Meadowbridge Road (State Route 627) in the **CHICKAHOMINY MAGISTERIAL DISTRICT**. The proposed zoning amendment would amend the cash proffer.

C-20-04(c) AM. 2-12 TL HUNT, L.L.C., Requests an amendment to the proffers approved with rezoning request C-20-04(c), TL Hunt L.L.C., on GPINs 8706-03-6972 (part), 8706-05-2108, 8706-05-7373, 8706-14-6138, 8706-14-6270, 8706-14-6316, 8706-14-6367, 8706-14-7230, 8706-14-7317, 8716-14-7358, 8706-14-8221, 8706-14-8271, 8706-14-8308, 8706-14-8358, 8706-14-8399, 8706-14-9211, 8706-14-9261, 8706-14-9430, 8706-14-9482, 8706-15-1273, 8706-15-3675, 8706-15-4681, 8706-15-4814, 8706-15-4881, 8706-15-5557, 8706-15-5757, **(Removed ~~8706-15-6422)~~**, 8706-15-6477, 8706-15-6523, 8706-15-6715, 8706-15-6781, 8706-15-7277, 8706-15-7521, 8706-15-7658, 8706-15-8321, 8706-15-8367, 8706-15-8626, 8706-15-8692, 8706-15-9263, 8706-15-9402, 8706-15-9569, 8706-23-0791, 8706-24-0230, 8706-24-0273, 8706-25-0321, 8706-25-0367, 8706-25-0526, 8706-25-0593, 8706-25-1570, 8706-25-2204, 8706-25-2330, 8706-25-2447, 8706-25-3404 and 8706-15-1168, zoned RS(c), Single Family Residential District with conditions. This is also a request to amend C-20-04(c), Am. 1-12, on GPIN 8706-03-2706 (part), zoned RM(c), Multi-Family Residential District with conditions. All parcels are within the Rutland community, generally located on the west line of Chamberlayne Road (U.S. Route 301) at its intersection with Atlee Road (State Route 638) in the **CHICKAHOMINY MAGISTERIAL DISTRICT**. The proposed zoning amendment would eliminate the cash proffer.

Mr. Maloney noted on **C-20-04(c) AM. 2-12TL HUNT, L.L.C.**, A copy of the revised Proffers received 04 24 13 was handed out to the Board removing GPIN # 8706-15-6422 Exhibit 2 of 4; Email from Sean Doherty Requesting removal as they will not sign the POA today, Exhibit 3 of 4; Exhibit 4 of 4 Revised Ordinance.

Mr. Maloney advised that related to C-43-02(c) AM. 1-13 COOLWELL PRESERVATION PARTNERS, L.L.C; C-43-02(c) AM. 2-13 EAGLE CONSTRUCTION OF VA it is eliminating the existing cash proffers and submitting revised road impact proffer of $2306 and because there were extensive thoroughfare improvements negotiated as part of the Rutland Development there will be no cash proffers if that case is approved by the Board of Supervisors as there was a credit to offset what would have otherwise been a road proffer within Rutland.

Mrs. Kelly-Wiecek asked Mr. Maloney to review what would be the specific changes for the other two cases and Mr. Maloney advised elimination of the existing cash proffers and substituting a road impact proffer of $2306 for the remaining lots owned by the two entities displayed.

Hearing no further questions from Board Members, the Chairman opened the joint public hearings and asked if there was anyone to address the Board. Seeing no one come forward, the Chairman closed the public hearings and entertained a motion.

Mrs. Kelly-Wiecek made comments that we did have specific conversations today with four applicants that had questions about this process and stated that her position on proffers and concern is well documented and now that the policy is established it would be a dangerous precedent for us to try to treat various developments differently in different districts.

Mrs. Kelly-Wiecek made a motion to Approve C-20-04(c) AM. 2-12 **TL HUNT, L.L.C.**, seconded by Mr. Wade.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-20-04(c) AM. 2-12 Approved.

Mrs. Kelly-Wiecek made a motion to Approve C-43-02(c) AM. 2-13 **EAGLE CONSTRUCTION OF VA**, seconded by Mr. Wade.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-43-02(c) AM. 2-13 Approved.

Mrs. Kelly-Wiecek made a motion to Approve C-43-02(c) AM. 1-13 **COOLWELL PRESERVATION PARTNERS, L.L.C.**, seconded by Mr. Wade.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-43-02(c) AM. 1-13 Approved.

Mr. Maloney reviewed all Cold Harbor Cases concurrently.

C-31-05(c) AM. 1-13 RHYNE RESIDENTIAL DEVELOPMENT, L.L.C., Requests an amendment to the proffers approved with rezoning request C-31-05(c), Family Woesthoff, L.C. (Rhyne Residential Development, L.L.C.), on GPINs 7769-23-7374, 7769-23-9044, 7769-32-0828, 7769-32-3979, 7769-33-2194, 7769-33-2219, 7769-33-1425, 7769-33-0747, 7769-33-0944, 7769-34-8698, 7769-44-0666, 7769-44-2645, 7769-44-4626, 7769-45-9073, 7769-45-2051, 7769-23-6581, 7769-33-0650, 7769-45-4032, 7769-44-8696 and 7769-45-7083, zoned RC(c), Rural Conservation District with conditions, and located on a private road approximately 1,100 feet south of Ashcake Road (State Route 657). The private road is approximately 2,600 feet west of Deer Crossing Trail (private road) in the **BEAVERDAM MAGISTERIAL DISTRICT**. The proposed zoning amendment would amend the cash proffer.

Mr. Maloney this is a request to amend the proffers to eliminate the existing proffer and substitute it with a revised proffer in the amount of $2306 for road impacts. It is rezoning C-31-05(c) AM. 1-13 and the specific project is the Branches at Stony Run. Staff and the Planning Commission are recommending approval.

The Chairman asked if Board Members had any questions. Hearing none, opened the public hearing and asked if anyone wished to address the Board in favor or in opposition. Seeing no one come forward, the Chairman closed the public hearing. Hearing no questions from the Board, the Chairman entertained a motion.

Mr. Stanley made a motion to Approve C-31-05(c) AM. 1-13 subject to Proffers received March 30, 2013, seconded by Mr. Via.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-31-05(c) AM. 1-13 Approved.

C-36-03(c) AM. 1-13 JORDAN WOODS, L.L.C., Requests an amendment to the proffers approved with rezoning request C-36-03(c), Mildred J. Ashworth, on GPINs 8764-00-4855, 8764-01-4823, 8764-01-8561, 8764-10-5541, 8764-10-8756, 8764-11-3388, and 8764-11-8213, zoned AR-6(c), Agricultural Residential District with conditions, and located on the south line of Westwood Road (State Route 619) approximately 600 feet south of its intersection with Cattail Run Drive (private road) in the **COLD HARBOR MAGISTERIAL DISTRICT**. The proposed zoning amendment would amend the cash proffer. (Jordan Woods Subdivision)

C-23-05(c) AM. 1-13 BALDUCCI DEVELOPERS, L.L.C., ET AL., Request an amendment to the proffers approved with rezoning request C-23-05(c), Am.1-10, Balducci Developers, L.L.C., on GPINs 8724-53-0537, 8724-53-0642, 8724-53-0658, 8724-53-0744, 8724-53-0841, 8724-53-0867, 8724-53-0965, 8724-54-0082, 8724-54-1033, 8724-54-2031, 8724-53-2989, 8724-53-2982, 8724-53-2855, 8724-53-2842, 8724-53-2713, 8724-53-2783, 8724-53-3752, 8724-53-4721, 8724-53-5701, 8724-53-5831, 8724-53-5847, 8724-53-5966, 8724-53-7913, 8724-53-7807, 8724-53-6891, 8724-53-6775, 8724-53-6666, 8724-53-6632, 8724-53-5587, 8724-53-5525 and 8724-53-4535, zoned RS(c), Single Family Residential District with conditions, and located on the north line of Morning Glory Road (State Route 1565) approximately 450 feet east of its intersection with Cactus Road (State Route 1560) in the **COLD HARBOR MAGISTERIAL DISTRICT**. The proposed zoning amendment would amend the cash proffer. (Morning Glory Subdivision)

C-14-06(c) AM. 1-13 VIRGINIA LAND DEVELOPMENT, L.L.C., Requests an amendment to the proffers approved with rezoning request C-14-06(c), Brian Edward Rawls and James Ashburn Rawls, Jr., on GPINs 8743-05-7394, 8743-05-7688, 8743-05-9296, 8743-06-4437, 8743-06-5737, 8743-06-6317, 8743-06-7396, 8743-06-7720, 8743-06-8697, 8743-14-5877, 8743-14-7821, 8743-14-8423, 8743-14-9738, 8743-15-0528, 8743-15-1165, 8743-15-2500, 8743-15-3062, 8743-15-3703, 8743-15-4256, 8743-15-5453, 8743-15-5617, 8743-15-6176, 8743-15-8250, 8743-16-1432, 8743-16-1681, 8743-16-3522, 8743-24-0403, 8743-24-1723, 8743-24-3865, 8743-25-0135., and 8743-25-3025, zoned RC(c), Rural Conservation District with conditions, and located on the east side of Cold Harbor Road (State Route 156) approximately 700 feet south of its intersection with Flaherty Drive (State Route 1820) in the **COLD HARBOR MAGISTERIAL DISTRICT**. The proposed zoning amendment would amend the cash proffer. (McGhee's Outlook)

C-6-09(c) AM.1-13 CAROL W. AND WALTER J. RAWLS, TRUSTEES, Request an amendment to the proffers approved with rezoning request C-6-09(c), on GPIN 8743-89-8052 zoned AR-6(c), Agricultural Residential District with conditions, and located on the north line of Rockhill Road (State Route 619) approximately 1,950 feet west of its intersection with Market Road (State Route 630) in the **COLD HARBOR MAGISTERIAL DISTRICT**. The proposed zoning amendment would amend the cash proffer. (Tarwood Estates)

Mr. Maloney advised this is the same request for each case – elimination of existing proffers and submittal of a revised transportation impact proffer in the amount of $2306 for all four cases mentioned.

The Chairman asked if Board Members had any questions. Hearing none, opened the joint public hearings and asked if anyone wished to address the Board in favor or in opposition. Seeing no one come forward, the Chairman closed the joint public hearings. Hearing no questions from the Board, the Chairman entertained a motion.

Mr. Wade made comments related to proffers and history of the vote as he was in the hospital when the vote was taken. Mr. Wade advised he probably would not have voted to do away with all the proffers and advised he did think they were too high and advised this will help developers. Mr. Wade then made a motion to Approve C-36-03(c) AM. 1-13 **JORDAN WOODS, L.L.C.**, seconded by Mr. Stanley.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-36-03(c) AM. 1-13 Approved.

Mr. Wade made a motion to Approve C-6-09(c) AM.1-13 **CAROL W. AND WALTER J. RAWLS, TRUSTEES**, seconded by Mr. Stanley.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-6-09(c) AM.1-13 Approved.

Mr. Wade made a motion to Approve C-23-05(c) AM. 1-13 **BALDUCCI DEVELOPERS, L.L.C., ET AL**, seconded by Mr. Stanley.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-23-05(c) AM. 1-13 Approved.

Mr. Wade made a motion to Approve C-14-06(c) AM. 1-13 **VIRGINIA LAND DEVELOPMENT, L.L.C.**, seconded by Mr. Stanley.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-14-06(c) AM. 1-13 Approved.

Mr. Maloney reviewed all Henry District cases.

C-10-99(c) AM. 1-13 RUDDY DUCK VENTURES, L.L.C., Requests an amendment to the proffers approved with rezoning request C-10-99(c), Henry A. Shield, on GPINs 8716-70-0126, 8716-60-9186, 8716-70-0122, 8716-60-9182, 8716-70-1179, 8716-70-1273, 8716-70-1139, 8716-70-1233, 8716-70-2254, 8716-70-2250, 8716-70-2294, 8716-70-2290, 8716-70-4216, 8716-70-4300, 8716-70-3275, 8716-70-3269, 8716-70-3422, 8716-70-2330, 8716-70-2360, 8716-70-0432, 8716-60-9481, 8716-70-0337, 8716-60-9387, 8716-70-1462, 8716-70-1422, 8716-70-1367, 8716-70-1327, 8716-70-2452, 8716-70-2422, 8716-70-2367, 8716-70-2327, 8716-70-3614, 8716-70-3617, 8716-70-2673 and 8716-70-2666, zoned RS(c), Single Family Residential District with conditions, and located on the east line of Brigadier Road (State Route 2270) approximately 500 feet north of its intersection with Verdi Lane (State Route 710) in the **HENRY MAGISTERIAL DISTRICT**. The proposed zoning amendment would amend the cash proffer. (Bluffs at Bell Creek Section Four)

The first three cases are elimination of all existing cash proffers and replacing them with a road impact proffer in the amount of $2306. The last case did not have a cash proffer associated with it due to improvements to the thoroughfare network that were negotiated as part of that case so C-1-07(c) would not have any cash proffer if approved by the Board of Supervisors.

Mr. Hazzard advised he did not see C-10-99 C AM -1-13 and does not see the $2306 with that one either. Mr. Maloney advised that is correct there were extensive road improvements with Bell Creek as well and no proffers associated with that case.

C-16-04(c) AM. 1-13 GLEBE HILL ASSOCIATES INC., ET AL., Requests an amendment to the proffers approved with rezoning request C-16-04(c), on GPINs 8728-33-2684, 8728-33-1737, 8728-23-7981, 8728-23-6616, 8728-33-0404, 8728-23-8228, 8728-23-5172, 8728-22-3988, 8728-23-1074, 8728-13-4596, 8728-13-4399, 8728-13-6224, 8728-13-7027, 8728-12-8817, 8728-12-9789, 8728-22-1792, 8728-22-0553, 8728-44-8104 and 8728-32-1764, zoned RC(c), Rural Conservation District with conditions, and located at the terminus of Chestnut Church Road (State Route 750) in the **HENRY MAGISTERIAL DISTRICT**. The proposed zoning amendment would amend the cash proffer. (Glebe Hill Subdivision)

C-45-05(c) AM. 1-13 RANDALL SCOTT LOVING, SR., Requests an amendment to the proffers approved with rezoning request C-45-05(c), Hanover Lots Corporation, on GPIN 8718-37-0012, zoned AR-6(c), Agricultural Residential District with conditions, and located on the south line of

Foxal Road (State Route 699) approximately 1,350 feet east of Georgetown Road (State Route 651) in the **HENRY MAGISTERIAL DISTRICT**. The proposed zoning amendment would amend the cash proffer. (Foxal Estates)

C-1-07(c) AM. 1-13 ROGERS-CHENAULT, INC., Requests an amendment to the proffers approved with rezoning request C-1-07(c), Janice and Granville Harris, on GPINs 8725-06-2843, 8725-07-3043, 8725-06-3929, 8725-06-3905, 8725-06-2982, 8725-07-4230, 8725-07-4116, 8725-07-3193, 8725-07-3079, 8725-07-5309, 8725-07-4394, 8725-07-4380, 8725-07-4276, 8725-07-1275, 8725-07-2215, 8725-07-2255, 8725-07-3205, 8715-97-9263, 8725-07-0213, 8725-07-0254, 8725-07-0294, 8715-97-8210, 8715-97-8251, 8715-97-9202, 8715-97-7003, 8715-97-7027, 8715-97-7141, 8715-97-7164, 8715-97-9040, 8715-97-9014, 8715-97-8098, 8725-06-1819 and 8725-06-0972, zoned RS(c), Single Family Residential District with conditions, and located on the east line of Lee-Davis Road (State Route 643) approximately 650 feet south of its intersection with Pole Green Road (State Route 627) in the **HENRY MAGISTERIAL DISTRICT**. The proposed zoning amendment would amend the cash proffer. A copy of the revised Proffers received 04 24 13 was handed out to the Board (Exhibit 2 of 3, A copy of the revised ordinance Exhibit 3 of 3). (Meredith Place)

The Chairman asked if Board Members had any questions. Hearing none, opened the joint public hearings and asked if anyone wished to address the Board in favor or in opposition. Seeing no one come forward, the Chairman closed the joint public hearings. Hearing no questions from the Board, the Chairman entertained a motion.

Mr. Davis stated he has no financial interest nor conflict of interest related to these cases. Mr. Davis then made a motion to Approve C-10-99(c) AM. 1-13 **RUDDY DUCK VENTURES, L.L.C.,** seconded by Mr. Stanley.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-10-99(c) AM. 1-13 Approved.

Mr. Davis made a motion to Approve C-16-04(c) AM. 1-13 **GLEBE HILL ASSOCIATES INC., ET AL.,** seconded by Mrs. Kelly-Wiecek.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-16-04(c) AM. 1-13 Approved.

Mr. Davis made a motion to Approve C-45-05(c) AM. 1-13 **RANDALL SCOTT LOVING, SR**, seconded by Mrs. Kelly-Wiecek.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-45-05(c) AM. 1-13 Approved.

Mr. Davis made a motion to Approve C-1-07(c) AM. 1-13 **ROGERS-CHENAULT, INC**., seconded by Mrs. Kelly-Wiecek.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-1-07(c) AM. 1-13 Approved.

C-42-04(c) AM. 1-13 GODSEY PROPERTIES, L.L.C., Requests an amendment to the proffers approved with rezoning request C-42-04(c), Am. 1-09, Godsey Properties, Inc., on GPINs 8724-58-3624, 8724-58-3644, 8724-58-3665, 8724-58-3686, 8724-58-3715, 8724-58-3735, 8724-58-3746, 8724-58-3777, 8724-58-4606, 8724-58-4648, 8724-58-4669, 8724-58-4689, 8724-58-4718, 8724-58-4738, 8724-58-4759, 8724-58-4870, 8724-58-4946, 8724-58-4976, 8724-58-4987, 8724-58-5700, 8724-58-5720, 8724-58-5787, 8724-58-5795, 8724-58-5837, 8724-58-5845, 8724-58-5853,

8724-58-5861, 8724-58-5908, 8724-58-5929, 8724-58-6703, 8724-58-6711, 8724-59-1118, 8724-59-1139, 8724-59-1159, 8724-59-1170, 8724-59-1191, 8724-59-1271, 8724-59-2112, 8724-59-2133, 8724-59-2169, 8724-59-2245, 8724-59-2253, 8724-59-2262 and 8724-59-5040, zoned R-4(c), Residential Cluster Development District with conditions, and located on the west line of Creighton Parkway (State Route 1015) approximately 1,200 feet south of its intersection with Mechanicsville Turnpike (U.S. Route 360) in the **MECHANICSVILLE MAGISTERIAL DISTRICT**. The proposed zoning amendment would amend the cash proffer. (Village of Pebble Lake)

Mr. Maloney advised this property they are eliminating the existing cash proffer, again there were negotiated offsite road improvements in accordance with the thoroughfare plan so there was no road proffer and therefore if approved there will be no proffers associated with this case.

The Chairman asked if Board Members had any questions. Hearing none, opened the public hearing and asked if anyone wished to address the Board in favor or in opposition. Seeing no one come forward, the Chairman closed the public hearing. Hearing no questions from the Board, the Chairman entertained a motion.

Mr. Peterson made a motion to Approve C-42-04(c) AM. 1-13, seconded by Mr. Via.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-42-04(c) AM. 1-13 Approved.

C-8-06(c) AM. 1-13 TERESA AND ALVIN SHIFFLETT, ET AL., Request an amendment to the proffers approved with rezoning request C-8-06(c), Mitchport Builders Inc., on GPINs 6788-99-4797 and 6788-89-8493, zoned AR-6(c), Agricultural Residential District with conditions, and located on the north line of Pony Farm Road (State Route 702) at its intersection with Pinto Pony Trail (private road) in the **SOUTH ANNA MAGISTERIAL DISTRICT**. The proposed zoning amendment would amend the cash proffer. (Pony Farm Estates)

Mr. Maloney advised this request is to eliminate the existing cash proffer and they have submitted a cash proffer in the amount of $2306 per lot for expected road impacts.

The Chairman asked if Board Members had any questions. Hearing none, opened the public hearing and asked if anyone wished to address the Board in favor or in opposition. Seeing no one come forward, the Chairman closed the public hearing. Hearing no questions from the Board, the Chairman entertained a motion.

Mr. Hazzard made a motion to Approve C-8-06(c) AM. 1-13, seconded by Mrs. Kelly-Wiecek.

	Vote:
W. Canova Peterson	Aye
Sean M. Davis	Aye
Wayne T. Hazzard	Aye
Angela Kelly-Wiecek	Aye
Aubrey M. Stanley	Aye
G. E. Via, III	Aye
Elton J. Wade, Sr.	Aye

C-8-06(c) AM. 1-13 Approved.

VIII. **Announcements**

Mr. Harris advised the next Joint Education Committee School Tour will be on April 29th, 2013 beginning at 7:30 a.m. This will be a tour of the schools in the East End of Hanover. The starting point will be Pearson's Corner Elementary School.

Mr. Peterson welcomed the Patrick Henry High School students in the audience and advised the Board visited their school earlier in the week and were very impressed.

Mrs. Kelly-Wiecek recognized that today is Administrative Professionals Day as recognized by the Board of Supervisors and thanked all those Administrative Professionals in the County on behalf of the Board for the job they each do.

IX. **Adjournment**

At 7:20:36 PM p.m., the Chairman adjourned the meeting to May 8, 2013 - Hanover County Administration Building – 2:00 p.m.