

NELSON COUNTY PLANNING COMMISSION
MEETING MINUTES
January 28, 2015

Present: Chair Philippa Proulx, Commissioners Linda Russell, Mary Kathryn Allen, Mike Harman, and Robert Goad.

Absent: Larry Saunders (Board of Supervisors Liaison) and Stormy Hopkins, Secretary

Staff Present: Tim Padalino, Director of Planning & Zoning

Call to Order: Chair Proulx called the meeting to order at 7:00 P. M. in the General District Courtroom, County Courthouse, Lovingston.

Election of Officers: Commissioner Russell made a motion to elect Philippa Proulx as Chair; Michael Harman as Vice-Chair; and Stormy Hopkins as Secretary to the Planning Commission. Commissioner Goad provided a second; the vote 5-0.

Approval of Minutes – December 17, 2014: Chair Proulx asked to postpone the approval of minutes until next month's meeting. The Planning Commission members agreed.

Chair Proulx stated that there are no public hearing items; and noted that there are items that will be discussed but will not be open for public comment.

1. Major Site Plan #2014-005 – Ms. Ammy George / Roudabush, Gale and Associates “Zenith Quest International”

Mr. Padalino stated that the Planning & Zoning Department received revised Site Plan materials for Major Site Plan #2014-005 at the end of December. He noted that this resubmittal represents the applicant's responses to the initial Site Plan Review Committee and Planning Commission meetings; which were conducted in October. Mr. Padalino provided an overview of the resubmittal, which contained the following:

- a revised Site Plan (which addresses many of the issues identified in the original drawings);
- a lighting plan, which is contained on sheets 18 and 19;
- a photograph showing the size and appearance of a proposed new sign; and
- architectural drawings showing the preliminary plans and elevations for the proposed warehouse facility and future office building

Mr. Padalino noted that the applicant provided narrative responses to each of the review comments that were originally provided by the County. He also noted that, he too, provided updated comments to the applicant's responses. Mr. Padalino then indicated that there are some topics that still require further review by the Planning Commissioners. Those topics include: landscaping and improved screening of industrial uses; color and material of the warehouse structure, including exterior walls and the roof; ability to use Family Lane for secondary emergency access purposes; and the need to establish a developers bond for all the required improvements prior to final approval of the Site Plan.

Mr. Padalino provided updated comments from the Site Plan Review Committee members, as follows:

- Mr. Jeff Kessler of Virginia Department of Transportation (VDOT) stated that the, “traffic report is acceptable and that, neither a right turn lane or a left turn lane would be warranted for a commercial entrance on Route 151.”
- Ms. Alyson Sappington of the Thomas Jefferson Soil & Water Conservation District, which provides review of the Erosion & Sediment Control Plan (E&S), indicated on January 9th that the E&S Control Plan was acceptable, and that she was prepared to provide her approval signature on the final plan

- drawings. She also reminded the applicant of the need to obtain permit coverage through the Virginia Department of Environmental Quality (DEQ) for the Storm Water Management Program.
- Mr. Tom Eick of the Health Department noted that he has not received permits and has only approved a permit for a “IIIB well”, which does not appear to satisfy the whole project. The applicant team indicated that they would be submitting those permit applications to the Health Department sometime this week.
 - Mr. David Thompson, Building Code Official, confirmed that the layout of the proposed fire access road is sufficient and it does meet code requirements. It would be a twenty (20) foot wide (gated) gravel road, accessing the rear of the property. Mr. Thompson also confirmed that the secondary emergency access provides acceptable access to all areas of the warehouse, with respect to maximum distances allowed between the end of the emergency access road and the farthest extent of the building footprint.
 - Mr. Kenneth L. Kent, Assistant Fire Marshall in the Western Region of the State Fire Marshall’s Office, clarified that they do not get involved in plan review; they only do walk-throughs after a building is permitted and constructed; and only engage in any necessary enforcement activities after buildings are planned, permitted, constructed and operated.

Mr. Padalino showed various slides to summarize the location and characteristics of the subject property and its surroundings. Mr. Padalino also showed excerpts from the revised resubmitted Site Plans.

- The Existing Conditions sheet shows the topography; some of the drainage areas; adjoining properties; and the long frontage on Critzer Shop Road.
- The General Site Layout Plan shows the 80,000 square foot warehouse with multiple loading docks, and a two-story office building that will be constructed in the future as a second phase. The site would be accessed from a new commercial entrance from Route 151. There will be a gated and fenced access road up to a large loading area to access docks and an employee parking area.
- The Grading Plan shows a large Stormwater Management facility.
- The Landscaping Plan has been significantly revised since the first submission, with a lot of positive improvements. There have been a lot of plantings added along the road (including both trees and shrubs, as well as canopy trees). There is an interesting mix of native plants, including some species that are not that common. However, the majority of those proposed canopy trees along the road frontage are deciduous, and are arranged in a single linear format. Mr. Padalino stated that he believes the proposed Landscaping Plan would not provide effective screening for a large portion of the year, due to the layout and the deciduous foliage. There is a recommendation to revise this portion of the Landscaping Plan; to include additional evergreen trees that could be staggered behind the proposed deciduous trees and shrubs to provide greater depth of vegetation materials, which would provide year-round foliage, and thereby create more effective screening. Mr. Padalino also explained that there are no proposed landscaping materials to screen the loading area or the parking area adjacent to the warehouse. He noted that staff recommends trying to incorporate additional landscaping areas along the warehouse, situated in between the loading dock areas, to provide more effective screening of the very large warehouse façade without interfering with the building’s operations. Mr. Padalino then noted that the applicant recently submitted an updated “sketch” offering additional landscaping and screening considerations. The sketch shows additional coniferous vegetation along the right-of-way, and some landscaping along the parking lot and loading area. Mr. Padalino deferred to the applicant to further comment on the updated sketch.
- The Lighting Plan shows a photometric plan to portray that the lights will not leave the property; there will not be a glare on adjoining properties or on the right-of-way; which is required by the ordinance. On Sheet 19, there are details specific about the type of light fixtures that will be used.
- Mr. Padalino showed images that were provided by the applicant to show the proposed roof color; which appears to be light in color. Images were also provided to show the details of the proposed sign.

Ms. Ammy George, Roudabush, Gale and Associates: Ms. George indicated that she represents the clients for Zenith Quest International. Ms. George stated that in regards to the landscaping and screening, they have agreed to add evergreen trees along Route 151, which will be staggered behind the evergreen shrubs to add a second layer to screen the building. She also noted that they are proposing canopy trees, low growing shrubs and ornamental grasses. She indicated that security is a big concern and visibility is key in that area, which is why they went with the low growing shrubs.

Ms. George noted that in regards to concerns with the face of the building not having any landscaping, it is not typical to have landscaping along the front of a building in a situation such as this with a loading area. She noted that due to the compaction of the soil, there is not a lot of root zone area for anything to grow or survive in the loading area or parking lot. She also noted that having landscaping adjacent to the building would create a blind spot for the employees that would be looking out from the inside of the building, which would add to the security concern.

Chair Proulx asked about the scale of the proposed evergreens. Ms. George noted they were looking at Virginia Pines, Scotch Pines and Red Cedars. The Virginia & Scotch Pines grown to be about thirty (30) to sixty (60) feet in height at maturity. The Red Cedars grow to be about twenty-five (25) to thirty (30) feet in height. She noted that both the Virginia Pines and Red Cedars are fast growing.

Commissioner Russell asked about the dumpster. Ms. George noted that the dumpster would be enclosed with a board-on-board fence with no landscaping. She also indicated that a color had not been chosen for the fencing. Chair Proulx asked about the color of the roof. Ms. George stated that it would be the off-white color and they have considered other colors but that is the preference due to cost.

Ray Miles, Zenith Quest International: Mr. Miles stated that they are working with Harman Construction in Harrisonburg on the colors. He noted that the roof is a Galvalume roof that already comes pre-coated. The basic color is the off-white and it could be a different color for an additional cost. For the colors of the side walls, they are thinking of trying to go with more of an earth tone as opposed to an off-white or tan.

Commissioner Harman asked if the sign out front would be lighted. Ms. George stated that the sign would have lighting on it; and it would be small. Commissioner Russell asked about the private road issue and if there was more information. Ms. George stated that they have been talking with some of the Fire Chiefs in the area to discuss whether they needed legal access to enter the rear of the building property. Mr. Miles noted that back in September, the Building Official, David Thompson, deferred to the Fire Chief. He also noted that he met with Tommy Harvey and Don Fitzgerald, former Fire Chief at Wintergreen; and they came up with the option to have a back gate with a driveway. He stated that during conversation, it was asked several times if an easement was needed for Family Lane due to it being a private property. He noted that Mr. Harvey and Mr. Fitzgerald stated that from their experience, fire or emergency services do not need an easement to go anywhere during an emergency. At that point, he did not pursue an easement. He noted that he later met with Mr. Harvey, who stated that he should meet with David Graves of the fire department and Don Fitzgerald and share the proposed plans. From that meeting, he stated that Mr. Graves indicated that he did not know of anything that would prohibit the fire company to go anywhere they needed to in order to fight fire; so he didn't see a need for an easement. He stated that Mr. Graves reviewed the plans and stated that a lock box should be put up so that the crews could get through the gates. He noted that he has not met with Mr. Fitzgerald. Mr. Miles indicated that he plans to go back to Mr. Harvey and request something in writing from the Rockfish Valley Fire Department.

Chair Proulx asked about any outstanding issues with the Health Department. Ms. George stated that the permit for the septic field will be turned in to the Health Department within the next week. Chair Proulx asked if the fence is going to be angled with wire on top. Ms. George stated that had not been decided.

Commissioner Russell stated that as one member of the Planning Commission, she appreciates all of the work that Ms. George, Mr. Miles and various others have done to try to comply with the regulations of the County and with the concerns that the people in the County have for the proposed project. She also noted that she does not feel prepared to approve the landscaping plan, but does not have a problem deferring to the Planning Director for his review and approval. She stated that she is still concerned with the fire issue and unseen hazards, and is personally uncomfortable with approving this without some assurance that the County is not going to be held liable for lack of preparation, should there be some sort of issue.

Chair Proulx asked Commissioner Allen if she knew about the availability of HAZMAT teams should such an instance need arise there. Commissioner Allen stated that a HAZMAT crew would be called out of Charlottesville; and noted that she feels the Rockfish department should be trained and would be capable of

handling such a situation. Mr. Padalino indicated that he reached out to the Nelson County Emergency Services Coordinator, Ms. Jaime Miller, and she clarified that a big part of the issue is awareness and having local fire crews understand what the facility is used for and what materials are inside, in order to be able to respond safely and correctly. The other point that Ms. Miller shared was that, upon permits being obtained and the facility being constructed, she would perform a walk-through with Zenith Quest to understand how to then train and coordinate with local emergency crews. Mr. Padalino stated that as far as HAZMAT is concerned, Ms. Miller informed him that ammunition is not considered the highest grade hazardous material.

Commissioner Russell made a motion in relation to the Major Site Plan application #2014-005 for construction of an 80,000 square foot storage warehouse, which would be one-story and a 10,000 square foot two-story attached office for storage of ammunition and light assembly of handheld guns. Supporting documents including a nineteen (19) page submittal by Roudabush, Gale & Associates, dated September 19, 2014, revised December 19, 2014; and preliminary building plans submitted by Harman Construction Company dated November 26, 2014, consisting of pages A101 and A201. This project is approved with the following conditions:

- 1. The roof and siding colors shall be non-reflective and blend with the surrounding area to reduce impact on designated public overlooks, along Scenic Byways and the Blue Ridge Parkway. Final approval with rest with the Director of Planning & Zoning.**
- 2. Additional plantings to soften the overall impact must be provided. Final approval with will rest with the Director of Planning & Zoning with advice from the Chairman of the Planning Commission. This should also include particular attention to heavy screening of the dumpster in the front of the warehouse.**
- 3. A written clarification should be provided of the availability of Family Lane as a legal access for Nelson County fire department.**
- 4. This approval is also subject to final approval by required state agencies, such as, but not limited to the Department of Conservation and regulations for a VSAP permit, and Health Department for septic and drainfield permits.**

Commissioner Harman provided a second; the vote 5-0.

2. Major Site Plan #2014-008 – Mr. Michael Penny / Pennywell, LLC

Chair Proulx indicated that this application was postponed at the applicant's request.

3. Two Applications for Addition(s) to Existing Agricultural and Forestal District – Davis Creek AFD

Application for Addition(s) to Existing Agricultural and Forestal District – Dutch Creek AFD

Application to create new Agricultural and Forestal District – Afton / Greenfield

Mr. Padalino provided an overview of the AFD review process that was discussed at the December Planning Commission meeting. He began with the two applications for additions to the Davis Creek AFD, which were submitted by Mr. Bolton and Mr. Derdeyn. Mr. Padalino showed maps of the existing AFD's. Mr. Derdeyn's application was received on January 9, 2015. Mr. Bolton modified his application and resubmitted it on January 20, 2015, with the addition of a sixth landowner, which would make a total of two hundred sixteen (216) acres. Mr. Derdeyn's acreage did not change.

Mr. Padalino stated that there is also an application for an addition to the Dutch Creek AFD, and he provided a map for that existing AFD area. The application was received on January 15, 2015 for the proposed addition of three (3) property owners, which includes eleven (11) parcels, for a total of seven hundred thirty-one (731) acres.

Mr. Padalino noted that the County also received an application for the creation of a new district, titled the Greenfield AFD, submitted by Ms. Joyce Burton, on January 16, 2015. There are thirty-eight (38) property

owners, with fifty-nine (59) parcels, for a total area of two thousand three hundred four (2,304) acres. Mr. Padalino then showed a map of the proposed Greenfield AFD.

Mr. Padalino then summarized the next steps for processing the AFD applications. He noted that Planning Commission accepts the applications and refers them to the AFD Advisory Committee for their review and comment. The Planning Commission also directs staff to provide legal notice of the applications to adjoining property owners per State Code. Mr. Padalino indicated that the Advisory Committee conducts a review of the applications, and provides the Planning Commission with their recommendations. The Planning Commission would then hold a public hearing on the applications and the Advisory Committee's recommendations. The Planning Commission would then forward the applications to the Board of Supervisors (BOS) with their own recommendations. He noted that this same process would be repeated at the BOS level where final action would then be made on the applications.

Chair Proulx and Commissioner Russell inquired about the process of notifying adjoining property owners. Commissioner Russell referenced the State Code and noted that it was her understanding that the Advisory Committee needed to verify the properties and owners, before any notification could be sent to adjoining property owners. Mr. Padalino stated that he does not see a conflict with that.

Chair Proulx asked if the applicants would like to add anything.

Susan McSwain, Secretary to the AFD Advisory Committee: Mrs. McSwain stated that the Advisory Committee has agreed to meet on Saturday to tour the proposed Greenfield AFD, and that an Advisory Committee meeting is scheduled on February 12, 2015 to review all the applications. That date was selected in order to allow the committee to give the PC their report and recommendations by the February meeting. Ms. McSwain suggested that the PC could plan to conduct the public hearing in March, since they would have the Advisory Committee's report and it would save some money by only having to do one notice.

Commission Russell made a motion that the Planning Commission accepts the Agricultural and Forestal District (AFD) application #2015-01 for an addition to the Davis Creek Agricultural and Forestal District submitted by the applicant, James Bolton, dated January 20, 2015. This application is referred to the Advisory Committee. After, staff should be prepared to notify the adjacent property owners under Section 15.2-4307 of the State AFD Code after receiving recommendation from the Advisory Committee.

Commissioner Allen provided a second; the vote 5-0.

Commission Russell made a motion that the Planning Commission accepts the Agricultural and Forestal District (AFD) application #2015-02 for an addition to the Davis Creek Agricultural and Forestal District, such application dated January 9, 2015. This application is referred to the Advisory Committee. After, staff should be prepared to notify the adjacent property owners under Section 15.2-4307 of the State AFD Code after receiving recommendation from the Advisory Committee.

Commissioner Goad provided a second; the vote 5-0.

Commission Russell made a motion that the Planning Commission accepts the Agricultural and Forestal District (AFD) application #2015-03 for an addition to the Dutch Creek Agricultural and Forestal District, such application dated January 15, 2015. This application is referred to the Advisory Committee. After, staff should be prepared to notify the adjacent property owners under Section 15.2-4307 of the State AFD Code after receiving recommendation from the Advisory Committee.

Commissioner Goad provided a second; the vote 5-0.

Commission Russell made a motion that the Planning Commission accepts the Agricultural and Forestal District (AFD) application #2015-04 for the creation of the Greenfield Agricultural and Forestal District, application dated January 16, 2015 and refers this to the Advisory Committee for their review. Upon receipt of this review, staff is authorized to notify all adjoining property owners specified under State Code Section 15.2-4307.

Commissioner Allen provided a second; the vote 5-0.

Other Business:

1. Review draft recommendations for possible ordinance amendments re: “artists community”:

Mr. Padalino summarized this Staff Report noting that he took everything into consideration at last month’s meeting in crafting two (2) options regarding the proposed “artists community” definitions. He noted that there were a few main issues that needed to be addressed. One was how to address the proposed not-for-profit language, and whether that was a conflict and if it should be maintained or excluded. Another issue was trying to achieve the ideal level of specificity to make for good clear policy and enforceable regulations. The third issue involved revising the terminology of the proposed use to “artist community” in singular form, as a way to simplify the grammar and pronunciation.

Commissioner Harman asked if Mr. Payne expressed any reservations regarding the not-for-profit language. Mr. Padalino noted that Mr. Payne stated that it was not a legal issue, but simply a matter of policy and preference. Mr. Padalino also reminded the PC that it was previously discussed that not defining it as such would leave it open to be a commercial venture, which might create an opportunity for people to circumvent the ordinance when they otherwise should be applying for other land uses. Commissioner Harman stated that the safest thing to do would be to define it as being a not-for-profit. Mr. Padalino stated that doing so would keep it more narrow. Commissioner Allen then stated that it was her understanding that the not-for-profit language was preferred by Mr. Greg Smith of the Virginia Center for the Creative Arts, who initiated the inquiry into “artists community” land uses; and the money that they did get, was to support the artists that came; and not about them making money. Commissioner Harman asked what would be done with the for-profits that wanted to come in. Commissioner Goad replied they could be eligible for a Special Use Permit application. Chair Proulx added that such a proposal would have to fit a land use category that was listed in the ordinance.

Commissioner Russell stated that she has an issue with the language “not at the artists’ home base.” She explained that she does understand why “Artists Community Residencies” can’t be for an artist that lives in Nelson County. Mr. Padalino stated that he thinks that language is simply trying to draw a distinction between an artists’ regular home studio or professional studio, and the artists community residencies. He stated that, if he understands it correctly, it’s trying to suggest residencies are a stand-alone, one-time, not in your familiar environment, residency. Chair Proulx stated it was more about location.

Commissioner Russell indicated that she has a problem with the ninety (90) days. She suggests stating ninety (90) consecutive days or three (3) consecutive months, whichever is greater. Chair Proulx stated that she prefers the three (3) consecutive months. Commissioner Goad stated this would allow for a person to choose when they come and depending on the months they choose, there would be different durations. Mr. Padalino agreed that months are variable and less specific and more complicated enforce. The Commissioners agreed to ninety-five (95) days.

Chair Proulx stated that after last month’s meeting, she was approached by someone who suggested that one could go away for two (2) days and then come back and do another ninety (90) days; and whether within a twelve (12) month period, there should be something to restrict that or not. Commissioner Allen stated that since an artist has to go through an application process, wouldn’t they have to go through the competitive application process if they left and came back again. Chair Proulx stated that would depend on the way the organization dealt with it. Commissioner Harman stated it would depend on the period of time. Commissioner Russell stated that it should be left as it reads; and since it’s permitted by Special Use Permit, it could be addressed at that time.

Chair Proulx made a motion that the Planning Commission directs Staff to provide a clean copy with the noted change - Option A: Artists Community Residencies - change 90 consecutive days to 95 consecutive days; and to advertise for a public hearing for the proposed amendments for recommendation to the Board of Supervisors.

Commissioner Russell provided a second; the vote 5-0.

2. Review “Wayside Stand Permit” application and review procedures:

Chair Proulx asked if there was an update from Virginia Department of Transportation (VDOT) regarding the issue of requiring a “sketch” site plan versus requiring a scaled site plan prepared by a licensed professional. Mr. Padalino stated that the feedback that he received is that VDOT does not explicitly require an engineered plan, but do require some type of site plan drawn to scale.

Commissioner Russell indicated that “Wayside Stand” is defined as any structure and perhaps that’s where the PC should distinguish between a “Wayside Stand,” which is temporary, and a “Road Side Stand.” She asked if VDOT distinguishes between primary roads and secondary roads as far as their requirements. Mr. Padalino noted that some of the criteria that would factor in would be the posted speed limit; but added that he is not sure if traffic counts or if primary versus secondary roads are a factor. He noted that might be a distinction in how the PC makes a recommendation. Mr. Padalino also noted that he’s seeing a trend of individuals who want to operate a new business where the heavy traffic currently is, which makes sense but which also contributes to the transportation issues of traffic volumes and road safety. He added that if someone wants to do off-site sales, it’s no longer considered part of the “on-farm agricultural operations” but rather off-farm retail sales or “wayside stand.” He raised the concern that wayside stands may have the unintended effect of circumventing the ordinance, when such a use might be more appropriately interpreted to be a retail store as opposed to a traditional wayside stand. He clarified that the ordinance provisions for the two similar uses may be a contradiction; and that his primary concerns with those questions relate to safety and traffic issues.

Mr. Padalino stated that it’s unfortunate that the old definition of “Wayside Stand” doesn’t explicitly make the distinction that this is “off farm sales”; but it has to be interrupted that way with respect to the new State Code amendments that happened last year. Commissioner Russell stated that the size of the property should have something to do with it, too. Chair Proulx noted that according to the State Code, in the Agriculture zoning district, on-site sales cannot really be regulated with some limited exceptions. In that case, Chair Proulx thinks there needs to be better definition to make it clear that they are not trying to regulate activities that are now explicitly protected by the new State Code changes. Commissioner Russell suggested changing the definition and to not use the word “structure.” Mr. Padalino pointed out that the definition also states, “or land.” Commissioner Harman stated that this would also limit someone who leased the land and grew crops to sell. Mr. Padalino suggested changing it to read, “produced by the owner or the owners’ family on their farm or on an agricultural operation under their control.”

Commissioner Harman asked how other counties are handling this. Mr. Padalino stated that Albemarle County had recently undertaken an amendment process on these issues, and noted that Albemarle County staff were very supportive when contacted. He specified that it was actually Mr. Brady Nicks who reached out to Albemarle County and collected a lot of information with the assistance and support of Mr. J. T. Newberry, County Planner. Commissioner Russell stated that Albemarle has numerous land use distinctions, including farm sales, farm stand, farmers market, accessory merchandise, and value added products. She also pointed out that, for a wayside stand in Albemarle County, there has to be a preliminary site plan and VDOT approval. She continued to read the regulations that Albemarle requires.

Chair Proulx asked that Mr. Padalino do a revised definition of “Wayside Stand,” as well as a set of recommended requirements for applying for such a permit.

Other (as determined by Planning Commission members / as applicable):

Mr. Padalino stated that in regards to the Blue Mountain Brewery Amended Site Plan #2014-007, the applicant previously agreed to submit a traffic summary report to VDOT. The report has since been submitted; however, VDOT requested revisions to that traffic summary, which is currently pending. During the postponement and the revised traffic summary process, there has been some question as to what the appropriate review process should be. Mr. Padalino asked the Planning Commission for their take on this matter, and whether the amended site plan should return to them for their review, or if it should be reviewed administratively. Chair Proulx stated that she does not see what role the Planning Commission would play at this point, as the plan being submitted shows what is already there, not a proposed expansion, and she thinks ~~and that~~ staff could do the approval.

Commission Russell made a motion that stated the Planning Commission does not normally concern itself with Amended Site Plans and has previously referred this determination to the Director of Planning & Zoning. Therefore, in the matter of the Amended Site Plan application #2014-007 for Blue Mountain Brewery, the Planning Commission wishes to continue this policy. However, the Commission understands that this application will be subject to comment and approval by certain State Agencies represented on the Site Plan Review Committee.

Commissioner Allen provided a second; the vote 5-0.

Mr. Padalino stated that Virginia Distillery Company, in Eades Hollow in Lovington, received administrative approval for their amended site plan, pending the establishment of the developers bond for the required improvements.

Mr. Padalino then noted that the Village at Glen Mary is also going through an Amended Site Plan process, which was handled administratively from the beginning. He noted that revised final plans were received by the Planning & Zoning office this morning, which should presumably address all the review comments that were previously provided. Mr. Padalino stated that he was told by the applicant that approvals have been obtained from some regulatory agencies, such as VDOT and Soil & Water Conservation District for the Erosion & Sediment Control Plan; but that there are a few other pending approvals, which are expected to be obtained by Friday.

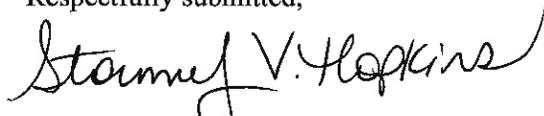
Commissioner Russell asked about Page's Palette. Mr. Padalino stated that he reached out to Mr. Jeff Kessler last week and he has not received an updated report from Mr. Morris Foster. Therefore, Mr. Kessler had no new information or review comments. Mr. Padalino noted that he did receive a message from Mr. Kessler today stating that he and Mr. Foster have been playing phone tag, but does have an update.

Commissioner Russell stated that she would like the minutes to reflect that on January 6th, the Department of Planning & Zoning received an email from Ms. Cheryl Taylor, who is the representative for AT&T in their request for a Class III Communication Tower Permit #2013-007. This email conveyed the applicant's request to withdraw the application. Commissioner Russell stated that the PC had given Ms. Taylor a deferral, and then had asked staff to notify Ms. Taylor that the PC was considering terminating this deferral.

Adjournment:

At 9:12 P.M. Commissioner Harman motioned to adjourn.

Respectfully submitted,



Stormy V. Hopkins
Secretary, Planning & Zoning