

**NELSON COUNTY PLANNING COMMISSION  
MEETING MINUTES  
May 28, 2014**

**Present:** Chair Phil Proulx, Commissioners Linda Russell, Michael Harman and Mary Kathryn Allen

**Absent:** Emily Hunt

**Staff Present:** Tim Padalino, Director of Planning & Zoning

**Call to Order:** Chair Proulx called the meeting to order at 7:05 P. M. in the General District Courtroom, County Courthouse, Lovingson.

**Approval of meeting minutes:** The Commissioners requested the following revisions:

Page 2 – 2<sup>nd</sup> paragraph, 3<sup>rd</sup> sentence: change **Blue Ridge** to “**Le Bleu**”.

Page 2 – 3<sup>rd</sup> paragraph, 6<sup>th</sup> sentence, beginning with David Thompson / change to read: **Building Official, David Thompson’s** comments...

Page 2 – 3<sup>rd</sup> paragraph, next to last sentence: change **Blue Ridge** to “**Le Bleu**” Ridge.

Page 2 – 5<sup>th</sup> paragraph, beginning with Danielle Savard (Applicant), 2<sup>nd</sup> sentence: change started following classes to “**started to follow classes as Holistic Nutritionist**”.

Page 2 – 6<sup>th</sup> paragraph, beginning with Massie Saunders: change to **Massie Saunders (Saunders’ Surveys – Engineer of Site Plan)**:

Page 2 – 6<sup>th</sup> paragraph, beginning with Massie Saunders: remove first sentence. Change **He** to “**Mr. Saunders**”.

Page 3 – Site Plan for (Class III)... / 1<sup>st</sup> paragraph, 4<sup>th</sup> line down: change **examples** to “**example**”.

Page 5 – BOS Referral... / next to last sentence: remove “**and would figure out the all legality and structuring with that**”.

Page 5 – 3<sup>rd</sup> paragraph, 7<sup>th</sup> line down: remove sentence Commissioner Russell indicated that the email in reference was sent back on March 20, 2014.

Page 5 – 3<sup>rd</sup> paragraph, last sentence, beginning with Mr. Padalino: add “**proposed**” before text amendment.

Page 6 – 5<sup>th</sup> line down page, beginning with Mr. Padalino: add “**initially**” misunderstood that...

Page 6 – Permit Update: Application / 6<sup>th</sup> line down, beginning with Commission Russell: change exact **site** to exact “**location**”.

Page 6 – Policy Update: “Tower Ordinance” / 3<sup>rd</sup> sentence: remove **The Work Session took place**.

Page 7 – 5<sup>th</sup> sentence, beginning with Commissioner Russell / change **Commissioner** to “**Commission**”.

Page 7 – 1<sup>st</sup> paragraph beginning with Commissioner Russell / include the new State laws being discussed at the end of the sentence: “**Senate Bill 51 and Senate Bill 430**”.

Page 7 – 2<sup>nd</sup> paragraph, 1<sup>st</sup> sentence beginning with Commissioner Russell / change **it** to “**Senate Bill 51**” and change **Senate Bill 51** to “**it**”.

Page 7 – 2<sup>nd</sup> paragraph, 10<sup>th</sup> line down, sentence beginning with Chair Proulx / change **is** to “**are**”.

Page 7 – 2<sup>nd</sup> paragraph, 15<sup>th</sup> line, sentence beginning with Mr. Padalino believes / change **intent** to “**intend**”.

Page 7 – 2<sup>nd</sup> paragraph, 16<sup>th</sup> line, sentence beginning with Mr. Padalino believes / change **Boards** to “**Board’s**”.

Page 7 – 2<sup>nd</sup> paragraph, last sentence, sentence beginning with Mr. Padalino indicated / change **its** to “**it is**”.

Page 7 – 2<sup>nd</sup> paragraph, last sentence, sentence beginning with Mr. Padalino indicated / remove “**and to bring context to it**”.

Page 8 – rewrite motion to read: **Commissioner Russell made a motion that the Planning Commission refer the proposed amendments of the Transportation Chapter of the Comprehensive Plan to the Board of Supervisors with our approval.**

**Commissioner Harman made a motion that the meeting minutes from the April 23, 2014 meeting be approved as amended; the vote was 3-0. Commissioner Allen abstained from the vote.**

**1. (Class C) Communication Tower Permit #2014-005 – CV 488 / AT&T Wireless:**

Mr. Padalino stated that this was an application that was deferred last month, at the Applicant’s request, which was granted by the Planning Commission. A new application was submitted with substantial revisions to conform to the newly adopted Tower Ordinance. This is the first application that has been received under the new tower ordinance. Mr. Padalino stated the street address of the proposed site is 301 Drumheller Orchard Lane, Lovington; owned by Mr. Ronald Collins; further identified as Tax Map #67-A-49; consisting of 81 acres; zoned Agriculture (A-1). Mr. Padalino indicated that much of the property is pasture, and the proposed project site is accessed through an existing driveway off of Thomas Nelson Highway.

Mr. Padalino indicated that Site Plan drawings were received in early May and were substantially revised after the initial Site Plan Review Committee meeting on April 9<sup>th</sup>. Commissioner Russell, Mr. Jeff Kessler (Virginia Department of Transportation) and the Applicant, Mr. John Milisitz were all present at that meeting. A second set of revisions were then prepared and submitted to fully comply with the newly enacted ordinance. There is a sixty by sixty (60’ x 60’) lease area with an eight (8’) feet tall fence to match the ordinance requirement. The Applicant has applied for a one hundred thirty (130’) foot tall monopole that has a four (4’) foot lightning rod. Mr. Padalino noted that there is the question as to how this should be processed; as a one hundred thirty (130’) foot monopole or a one hundred thirty four (134’) foot monopole.

Mr. Padalino stated the Site Plan does show the information that was requested in regards to some of the dimensions; specifically, the shortest distance from the monopole out to the edge of the antennas is approximately four and a half (4.5’) foot maximum. He noted that the distance from the monopole to the furthest edge of the sectors/arrays is not provided. Mr. Padalino indicated that the landscape plan was

extensively revised in conjunction with comments received from the Site Plan Review meeting and comments he provided. As part of the application, coverage maps were provided by the Applicant. Mr. Padalino noted that separate reviews by both he and the Applicant confirmed that there are no other Communication Tower Permits within a two-mile radius. Mr. Padalino noted there are other nearby communication facilities that are co-located on existing structures, but those are not subject to the two-mile radius requirement. A balloon test was held in April but due to the new ordinance requirements and timing issues, a second balloon test was conducted on May 16<sup>th</sup>. The Applicant provided photo-simulations (photosims) that were taken at that balloon test.

Mr. Padalino conveyed that the Applicant explained at the Site Plan Review Committee meeting that there is a significant need for improved coverage and improved data transmissions. He then noted that the County is always trying to understand what coverage will be provided by a proposed facility relative to the impacts of a new facility on the surrounding community – and trying to evaluate if there is a balance. He noted that based on the photosims and his evaluation of the balloon test, it does appear that the tower will be visible from most angles. Mr. Padalino recommends that the Planning Commission consider forwarding this application to the Board of Supervisors with a recommendation for approval, pending answers from any questions they may have from the Applicant.

Valerie Long (representing AT&T and Velocitel) and Mr. John Milisitz (Site Acquisitions Specialists with Velocitel, representing AT&T): Ms. Long stated she has hard copies of the photosims if the Planning Commission members would like to view them. Ms. Long indicated that AT&T has worked hard to strike a balance between finding a location that would meet the coverage objectives for AT&T in this location; both in terms of coverage, as well as capacity. The differences are; coverage: can you make a call at all and do you have a signal; and capacity: the number of people trying to use AT&T phones in a certain location at the same time. Ms. Long stated that from a health and safety perspective, AT&T always tries to ensure they have adequate capacity and coverage in locations where there is public gatherings like at the high school. With Route 29, Thomas Nelson Highway, being a major thoroughfare and corridor, AT&T wants to ensure there is coverage along that corridor as well. She noted that AT&T tries to strike a balance between finding a location that has sufficient elevation and could locate a tower there. She noted that Commissioner Russell is correct in noting that there are a few vantage points, from which the tower can be seen.

Ms. Long indicated that AT&T has proposed to add substantial landscaping to three (3) sides of the fence to screen the base of the tower, but it will not, in the beginning screen beyond the height of the fence; it will help to soften and blend the tower into the background. Ms. Long noted that even though the tower site is not located in the trees, the nearby trees do help provide some blending from various vantage points. She noted that the landscaping at the base of the tower will help provide less of a break in terms of vegetation. The pole will be painted brown so that from certain vantage points, the visual impact would be reduced.

Chair Proulx asked the Applicant how a one hundred thirty (130') foot pole with a four (4') foot lightning rod on top becomes a one hundred thirty (130') foot tower, when the ordinance is specific about, "uppermost point including any antenna, beacon, light, lightning rod, or other fixtures" as being included in the tower height calculation. Ms. Long stated she believes that was an error on the part of the Civil Engineer when he prepared the plans; or, it was simply not caught at the time. Ms. Long stated that Mr. Milisitz has indicated that AT&T can reduce the height of the lightning rod from four (4') feet to two (2') feet and can also lower the height of the pole by an additional two (2') feet; so that to the top of the pole measured to the top of the

lightning rod, would be an even one hundred thirty (130') feet to comply with the ordinance. She indicated that AT&T is aware that this would require revisions to the Site Plan and they are happy to do that.

Commissioner Russell stated this was the first application that the Planning Commission has reviewed with such a large platform; what she calls the triangular platform. Commissioner Russell noted the ordinance states that an array can only be three (3) arrays of antennas, not four (4). She stated that she doesn't believe there has been any exceptions requested with this application. Ms. Long stated she believes there are only three (3) arrays, with two (2) for future carriers. Commissioner Russell stated the issue is with the interpretation of an "array." In the ordinance there is a section that states, "the equipment shall be attached as follows: the total number of arrays of antennas attached shall not exceed three (3); each antenna shall not exceed one thousand one hundred fifty two (1152) inches; each array shall contain no more than three (3) antennas." Commissioner Russell stated her interpretation of an array, which she believes AT&T considers a sector; therefore, only three (3) antennas are permitted.

Ms. Long stated that she does believe there are three (3) sectors; one (1) sector on each of the three (3) sides of the triangle, and each of those three (3) sectors has four (4) antennas. The size of the platform has to do with the coverage. When you flush mount the panel antennas, it's harder to have as many antennas because there is not enough physical space, so this facility was designed with a horizontal setoff that increases the coverage objective but which makes each side of the platform longer. Commissioner Russell indicated that she understands that; but it provides a bigger platform, which is a bigger profile. She then reiterated that the ordinance allows for only three (3) antennas, not four (4). Commissioner Russell stated that the pending AT&T application for the proposed Sunrise Drive site only has three (3) antennas.

Commissioner Russell asked if it would be possible to reduce the number of antennas to three (3). Ms. Long stated that Mr. Milisitz indicated that it is possible to do three (3) antennas, although four (4) works best in each of the sectors. Mr. Milisitz stated they will reduce it to three (3) antennas, which will also automatically reduce the size of the platform. Commissioner Russell noted that new measurements of the reconfigured platform and antennas would be needed, including the maximum distance of how far the platform would extend outward from the pole.

Commissioner Russell asked if any trees were to be cut down. Ms. Long stated there are none that are needed or shown to be cut. Mr. Milisitz noted that there are branches along the access road that will need to be cut but nothing else. Commissioner Russell asked what TMA, on sheet C-2 was. Ms. Long and Mr. Milisitz stated that was a component of the antennas; which are located behind the antennas with wires connecting the two types of equipment.

Public Hearing: Chair Proulx opened the public hearing; no comments were made; the public hearing was closed.

Chair Proulx asked Mr. Padalino to clarify the procedure with the two changes that are being made in the drawings, to be sure it goes to the Board of Supervisors correctly. Mr. Padalino stated he does not feel the changes are significant enough to start over with a public hearing at the Planning Commission. He stated to make sure that in the motion that it is clearly stated that pursuant to 20-12-D-4, the maximum number of nine (9) antennas is reflected in the revised drawings. Chair Proulx asked that drawings with the noted revisions be submitted to Mr. Padalino before the Board of Supervisors meeting for review and approval. Mr. Milisitz

indicated that he would have the revised drawings the next day or by June 5<sup>th</sup> as indicated by Mr. Padalino as the deadline.

Commissioner Harman stated that in his opinion the height of the lightning rod may be more important than the height of the tower. Mr. Milisitz indicated that he would check with the engineer for the best approach to get the height down to the correct size.

**Commissioner Russell made a motion that the Planning Commission recommends that the Board of Supervisors approve the Class C Tower Permit #2014-005 based on the application submitted by John Milisitz from Velocitel, Inc. on behalf of AT&T to install a one hundred thirty (130') foot Class C Telecommunication Tower; identified as CV488 on Tax Map Parcel 67-A-49; located adjacent to Route 29 with access at 6391 Thomas Nelson Highway, Lovington, VA. The Planning Commission further recommends that the following conditions be attached to any approval:**

- 1) Clarification that the tower height by Zoning Ordinance regulations be one hundred thirty (130') feet including all attachments (antennas and lightning rod);**
- 2) Antennas per triangular platform leg, or array, or sector by definition be limited to three (3) as seen in Section 20-12-D-4 of the Zoning Ordinance;**
- 3) The landscaping requirement under Section 20-12-D-9, plant materials as submitted under sheet L-1 be maintained annually and replaced so that a thick buffer is continual;**
- 4) The minimum and maximum distance from the pole to the sector or array be shown on the site plan; and**
- 5) A new site plan be submitted to the Planning Director for approval before submittal to the Board of Supervisors.**

**Commissioner Harman seconded the motion; the vote 4-0.**

Chair Proulx stated that she had a question about the requirement for a public hearing; in regards to when the Board of Supervisors makes a referral to the Planning Commission. Referring to the State Code Section 15.2-2285, requires the Planning Commission to conduct a public hearing and provide recommendations back. Chair Proulx indicated that she does not see where there is any reference to a public hearing; it does say it requires a response. Chair Proulx indicated that she is not objecting to hold a public hearing, but that she feels there needs to be better clarity.

Mr. Padalino stated that in preparation for the April 23<sup>rd</sup> meeting, he reviewed Code of Virginia §15.2-2204 and §15.2-2285 and provided the Planning Commission with guidance that if their recommendation does not include any action on proposed amendments, then there is no explicit requirement for a public hearing. He stated that this was because the Commission had concluded that the referred proposed text amendments were not entirely appropriate or compatible, and had decided to recommend to the Board of Supervisors that County Staff continue to work with the County Attorney to develop an alternative set of proposed text amendments. However, after further reviewing that interpretation of Code of Virginia §15.2-2204 and §15.2-2285 with the County Administrator and the County Attorney, it was made clear that the Planning Commission should always hold a public hearing whenever any proposed amendment is referred to them by the Board of Supervisors within 100 days after the first Planning Commission meeting after the referral was made; holding a public hearing and providing the recommendation all within that 100 days, every time.

Chair Proulx stated that she would like to know what the public hearing part is based on. Mr. Padalino referenced Section 16-2-1: “The Planning Commission shall hold at least one public hearing in conformity with notification requirements and may make appropriate changes to the proposed amendments as a result of such hearing.” Chair Proulx indicated that she would like to get more legal comment and clarity from Mr. Payne. Mr. Padalino indicated that he would get with Mr. Payne and Mr. Carter on the issue, and get back with the Planning Commission with his findings.

**Other Agenda Items:**

1. BOS Referral R2014-31: Proposed Amendments to Zoning Ordinance §4 “Agricultural Operations”: Mr. Padalino stated that the proposed amendments relate to the agribusiness and agritourism, breweries and distilleries, and more traditional forms of agriculture, such as agricultural processing facilities. As stated in the memo written by Mr. Payne, these proposed amendments are primarily intended to bring our County Ordinance into congruity with recently enacted laws, such as Senate Bill 51; but to also bring it into better synchronicity with the terminology used in the State Code.

Mr. Padalino noted that with the proposed Agricultural Processing Facility provisions, such a land use would be regulated in two different ways (regular and “major”). For an Agricultural Processing Facility to be considered “Major,” it has to be one that either, “(1) has more than 10,000 square feet of enclosed space or (2) entails the preparation, processing, or sale of food products, or accumulations for shipment or sale of crops and animals, when more than 50% of such crops or animals are not produced in a collocated agricultural operation owned or controlled by the operator of the facility.” For an Agricultural Processing Facility, eighty (80%) percent of crops have to be produced on-site and that use would not pertain to breweries, which would be separately defined and regulated as a different type production facility. Mr. Padalino noted that a Micro-brewery would be a permissible accessory use to a Restaurant. He noted that a Restaurant does require a Special Use Permit in the Agricultural (A-1) District.

Chair Proulx asked if a Restaurant came in and later added a Micro-brewery, would they have to come back and amend the Special Use Permit. Mr. Padalino indicated that would not necessarily require a new zoning permit, but that it might (depending on any conditions of the existing Restaurant Special Use Permit) and that it might potentially require an Amended Site Plan to be submitted and approved.

Commissioner Russell stated that in the Agricultural District, there could potentially be a residential subdivision and they are not made to rezone, which could lead to serious issues. Chair Proulx indicated that she feels that there should be a separate Special Use Permit in conjunction with a Restaurant. Mr. Padalino indicated that the Planning Commission could include that whenever they provide their recommendation; and questioned how much of a difference there is between a restaurant that may serve beer on tap at all times versus a restaurant serving beer that is produced at an on-site micro-brewery. Chair Proulx indicated that a micro-brewery is being referred to as a place that is actually producing the beer as opposed to just selling beer.

Mr. Padalino stated that he was unsure when new activities can be considered an accessory use to a permitted Special Use, and when new activities need to be distinguished as a separate use. Mr. Padalino indicated that this question will in part need to take into consideration the scale, scope, and other details on an individual basis. Commissioner Russell asked if any thought considered to tying an agricultural use to the Land Use tax.

Mr. Padalino noted that his understanding is that a change in the use of a property would result in a change to the property's Land Use taxation status.

Mr. Padalino stated that the proposed amendments include a revised definition for Restaurant, which was taken directly from the State Code language. He noted that this new definition would result in "mobile points of service" being defined and regulated as restaurants. Currently, the County does not regulate food trucks as restaurants, unless the food truck is being used in place of a kitchen within an actual structure; with a recent example being Le Chic Picnic in Afton. Mr. Padalino stated that most food trucks are owned by a third (3<sup>rd</sup>) party that come and go from public or private properties, which is very different from a property owner owning a food truck, keeping it on the property, and remaining open for business most or all of the time. He stated that he believes when those characteristics are present, then the food truck is not really "mobile" and actually starts to function as a land use that is subject to the Zoning Ordinance.

Chair Proulx and Mr. Padalino agreed that mobile-points of service should be looked at more carefully. Chair Proulx indicated that the Planning Commission should go ahead and hold a public hearing and then begin developing their recommendations for the set of proposed amendments.

Commissioner Russell stated that she would like to know what "bona-fide production" is and who defines what it means. Mr. Padalino indicated that the General Assembly defines it – or they leave it up to the localities to define. He stated that the definition may be different for different localities, based on what the local customs, traditions, and historical uses are. Chair Proulx stated that she would like for Mr. Padalino to ask Mr. Payne what is a defensible interpretation of "bona-fide production."

**Commissioner Russell made a motion that Staff advertise a public hearing at the Planning Commission's next meeting in June to consider public comment on the Board of Supervisors Resolution R2014-31 as it pertains to Agricultural Operations in the County.**

**A second was offered by Commissioner Allen; the vote 4-0.**

**Other Business:**

1. Policy Update: BOS actions of May 13<sup>th</sup> in response to PC recommendations for proposed amendments to "Area Regulations" regarding two-family detached dwellings: Mr. Padalino indicated that this has been considered and the Board of Supervisors authorized a public hearing for June 10<sup>th</sup>. Mr. Padalino indicated that it is his understanding that a public hearing will not be held on June 10<sup>th</sup>, and that the Planning Commission has been requested to have a public hearing on June 25<sup>th</sup> at the regular scheduled meeting. He stated that the public hearing needs to be advertised specific to the Board of Supervisors referred proposed amendments; and that once the public hearing is conducted, the Planning Commission may provide the Board of Supervisors with whatever recommendations they determine to be appropriate.

Chair Proulx asked Mr. Padalino if there was a vote taken by the Board of Supervisors referring this back to the Planning Commission to hold a public hearing. Mr. Padalino states that he believes, at the May 13<sup>th</sup> Board of Supervisors meeting, they formally acted to have a public hearing authorized for their next regular meeting on June 10<sup>th</sup>; and as this issue has been since revisited by County Staff, the decision was made for the Board of Supervisors to postpone their scheduled public hearing until the Planning Commission conducts a properly-advertised public hearing. The Board of Supervisors will then hold a public hearing after the Planning Commission's public hearing.

Chair Proulx noted that the ad that was placed for the Board of Supervisors hearing is different from the one the Planning Commission originally referenced, and she stated that she would like to go back to the original referral for their advertising of the public hearing. Commissioner Russell indicated that she does not agree with that and would like to see it broad to see what the public says and then the Planning Commission can make it more restrictive.

Chair Proulx and Mr. Padalino indicated that procedurally, it has to be in conjunction with what the Board of Supervisors referred.

2. Update on Rockfish Valley Area Plan “Scope of Work” (BOS action of May 13<sup>th</sup>): Commissioner Russell asked if there were any time constraints on this plan. Mr. Padalino stated that he was able to set the proposed timeframe and the sequence; and that the specific timeframe was not a currently the focus of discussion. Mr. Padalino stated that he will be reviewing those details with TJPDC’s new Executive Director, Mr. Chip Boyles, and Mr. Will Cockrell of TJPDC to identify specific deliverables, dates, and deadlines.

Chair Proulx asked Mr. Padalino what he perceives the Planning Commission’s role is in this project. Mr. Padalino stated that he is not exactly sure at this point; but that he does feel the Planning Commission has an important role in the project. Mr. Padalino asked if the Planning Commission would want to be involved at the earliest stages for efforts such as defining the deliverables; identifying and summarizing the existing plans; preparing the asset inventory; and developing the area assessment. Chair Proulx indicated that she is more interested in reviewing draft deliverables and then making recommendations or suggestions once they are ready for review.

Chair Proulx noted that in the asset inventory, she would like to see included is potential developable land; or property that could be developed for commercial use with or without rezoning. Mr. Padalino stated that some of the feedback from the Board of Supervisors includes a belief that there is not a lot of developable land in this area, and that this issue would be included in the Phase I: Area Analysis.

Mr. Padalino stated that regarding the Project Scope, he felt it was important to analyze not just the Route 151 corridor but also Beech Grove, since it complements the Nellysford and Afton areas as one cohesive portion of the County. He also stated that although there may not be a lot of readily developable land on River Road, it is also an important part of the Rockfish River Valley; and that Woods Mill does have some development potential; and that it should be included in the study area. He also stated that it was important to extend the study area to Woods Mill to establish a nexus with Route 29.

Mr. Padalino referred to page five (5), noting that the Board of Supervisors drew a distinction between Phase I: Area Analysis and Phase II: Area Planning. The Board only authorized Staff to proceed with Phase I and then revisit the project to see if they will proceed with Phase II. Mr. Padalino stated that Phase I would develop a clear and in-depth understanding of current trends and future potential. Phase II would contain all the actual community planning efforts, such as developing strategic recommendations, and identifying potential appropriate policy revisions and proposed amendments.

Mr. Padalino indicated that public input is very important, and proposed that some outreach would occur in Phase I; either by community survey or public meeting (including the possibility of a Planning Commission meeting or workshop). Chair Proulx asked if Mr. Padalino had thought about the mechanics of the survey. Mr. Padalino stated that he intends to conduct a survey that will be made available in a variety of formats,



including online as well as more traditional methods. Mr. Padalino stated that he understands the survey needs to be done very thoughtfully, and include clear language that can bring focus to the area issues that this project intends to analyze. Mr. Padalino welcomes all feedback as to how this project can be done with meaningful and strategic input from the Planning Commission.

Commissioner Russell noted that as a result of the AT&T application, there are a few things she would like the Planning Commission to consider as text amendments to the Zoning Ordinance. AT&T advertised the balloon test for the Collins property in the Daily Progress, which is legally correct; however, the spirit of advertising the balloon test is to notify people that live in the area, where the tower would be located – and this was not achieved. Commissioner Russell indicated that she would like to see Section 20 be amended to require the balloon test be advertised in the Nelson County Times. Mr. Padalino agreed that it is appropriate to advertise balloon tests in the Nelson County Times; and noted that the required balloon test advertisement is not subject to Code of Virginia §15.2-2204 notification requirements, but is a unique requirement in the local Zoning Ordinance. Mr. Padalino indicated that if any new tower permit applications are received, he would notify the applicant to advertise the balloon test in the Nelson County Times and to plan accordingly with respect to timing considerations.

Commissioner Russell indicated there is also an issue in terminology in Section 20. She indicated that the Planning Commission has never used the word “array” in any previous telecommunication ordinance. She suggests checking the terminology and consider replacing the word “array” with “sector.” She also suggested looking at the definition of “array” as it applies to both telecommunication towers and to the personal wireless communication systems. Commissioner Russell also noted that in Section 20-13-D-1, there is a reference to “agent” but the Planning Commission does not define “agent” or use that term anymore. Commissioner Russell noted that “agent” was changed to “Planning and Zoning Director” and that the tower ordinance language should reflect that.

Mr. Padalino stated that in reference to procedures for initiating proposed text amendments, Zoning Ordinance Section 16-1-3 contains a provision for the Planning Commission to make a resolution to propose an amendment. Mr. Padalino indicated that he would check to see what the next step would be if the Planning Commission wanted to pass a resolution of intent. Commissioner Russell stated that she believes her suggestions need to be evaluated and discussed in more detail before she would be ready to make any proposed amendments. Commissioner Allen stated that there needs to be more investigating into what terminology the Planning Commission is going to use that fits the consistency with other laws and definitions.

**Adjournment:**

At 9:17 P.M. Commissioner Allen made a motion to adjourn.

Respectfully submitted,

Stormy V. Hopkins  
Secretary