

**MINUTES OF THE MEETING OF THE ISLE OF WIGHT COUNTY
PLANNING COMMISSION HELD ON THE TWENTY-SEVENTH DAY OF
FEBRUARY IN THE YEAR TWO THOUSAND AND TWENTY-FOUR**

CALL TO ORDER

Bobby Bowser, Chairman, called the Isle of Wight County Planning Commission meeting to order at 6:00 PM on February 27, 2024, in the Board of Supervisors Room at the Isle of Wight County Courthouse, Isle of Wight, Virginia.

INVOCATION

Bobby Bowser delivered the invocation.

PLEDGE OF ALLEGIANCE

Chairman Bowser invited everyone present to join in the Pledge of Allegiance.

ROLL CALL/DETERMINATION OF A QUORUM

PRESENT

Bobby Bowser, Chairman
Brian Carrol
Cynthia Taylor
James Ford
Jennifer Boykin
George Rawls
Rick Sienkiewicz
Raynard Gibbs
Matthew Smith

ABSENT

Thomas Distefano, Vice-Chairman

A quorum was determined.

ALSO IN ATTENDANCE

Bobby Jones, County Attorney
Randy Keaton, County Administrator
Don Robertson, Assistant County Administrator
Amy Ring, Community Development Director
Trenton Blowe, Planner II
Nicole Talton, Economic Development Coordinator
Amanda Landrus, Secretary

ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING AGENDA ITEMS

Chairman Bowser asked if there were any requests to table or withdrawal agenda items. Amy Ring, Community Development Director, stated there were no requests.

APPROVAL OF AGENDA

Chairman Bowser called for a vote to approve the agenda. Commissioner Taylor made the motion to make an amendment to the agenda to combine the public hearings for the two Tidewater Logistics Center applications. Commissioner Gibbs seconded the motion, which was adopted by commissioners Bowser, Boykin, Ford, Rawls, Taylor, Sienkiewicz, Gibbs, Smith and Carroll voting in favor of the motion and no commissioners voting against the motion (10-0).

APPROVAL OF CONSENT AGENDA

Chairman Bowser called for a vote to approve the consent agenda. Commissioner Ford made a motion to approve the consent agenda, Commissioner Boykins seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

CITIZENS' COMMENTS

There being no comments, Chairman Bowser closed citizens' comments.

PUBLIC HEARINGS

Chairman Bowser called for both public hearing items.

Application (LUP-1-23) of the Industrial Development Authority of Isle of Wight and Hollowell Holdings, LLC, property owners, and Meridian Property Purchaser, LLC, applicant, for a Comprehensive Plan Amendment for 154.3 acres located on properties with tax map numbers 54-01-086J and 55-01-013 to amend the Comprehensive Plan Future Recommended Land Use Map designation from Mixed Use to Planned Industrial

Application (ZA-4-23) of the Industrial Development Authority of Isle of Wight and Hollowell Holdings, LLC, property owners, and Meridian Property Purchaser, LLC, applicant, for a change in the zoning district from Rural Agricultural Conservation to Conditional Limited Industrial for approximately 154.3 acres on tax map numbers 54-01-086B, 54-01-086J, and 55-01-013 to allow the following uses: Custom manufacturing, Industry Type 1, Warehousing and Distribution, Industry Type II, and Reconstructed Wetland

Trenton Blowe, Planner II, gave the following presentation.

Tidewater Logistics Comprehensive Plan Amendment LUP-1-23

**Planning Commission Regular Meeting
February 27, 2024**

SITE DESCRIPTION

Tax Map ID#: 54-01-086J and 55-01-013

Current Zoning: RAC

Election District: District 4

Request: Application (LUP-1-23) of the Industrial Development Authority of Isle of Wight and Hollowell Holdings LLC, property owners, and Meridian Property Purchaser, LLC, applicant, for a Comprehensive Plan Amendment on 154.3 acres located on properties with tax map numbers 54-01-086J and 55-01-013 to amend the Comprehensive Plan Future Recommended Land Use Map designation from Mixed Use to Planned Industrial

BACKGROUND

- Properties are located on the north side of US Route 460 and currently consist of agricultural fields and timberland. County GIS images indicate that both parcels 54-01-086J and 55-01-013 have historically been used for agriculture.
- Both parcels 54-01-086J and 55-01-013 were found to have historic cemeteries on them.
- Parcel 55-01-013 is the current location for the historic home known as the Henry Saunders House which is listed on the National Register of Historic Places.

PROJECT DESCRIPTION

- In order to support the associated application for a change in zoning from RAC to Conditional-Limited Industrial, the applicant has submitted this comprehensive plan amendment application.
- Applicant bases their request on the significant and growing demand for warehousing and distribution centers in the Hampton Roads region.
- Applicant asserts that establishing the future land use designation for the subject property would be consistent with the industrial designation south of 460 and create a much more consistent and compatible land use scenario

LUP-1-23 - Comp Plan Amendment - Location Map



LUP-1-23 - Comp Plan Amendment - Closeup Map



LUP-1-23 - Comp Plan Amendment - Land Use Map



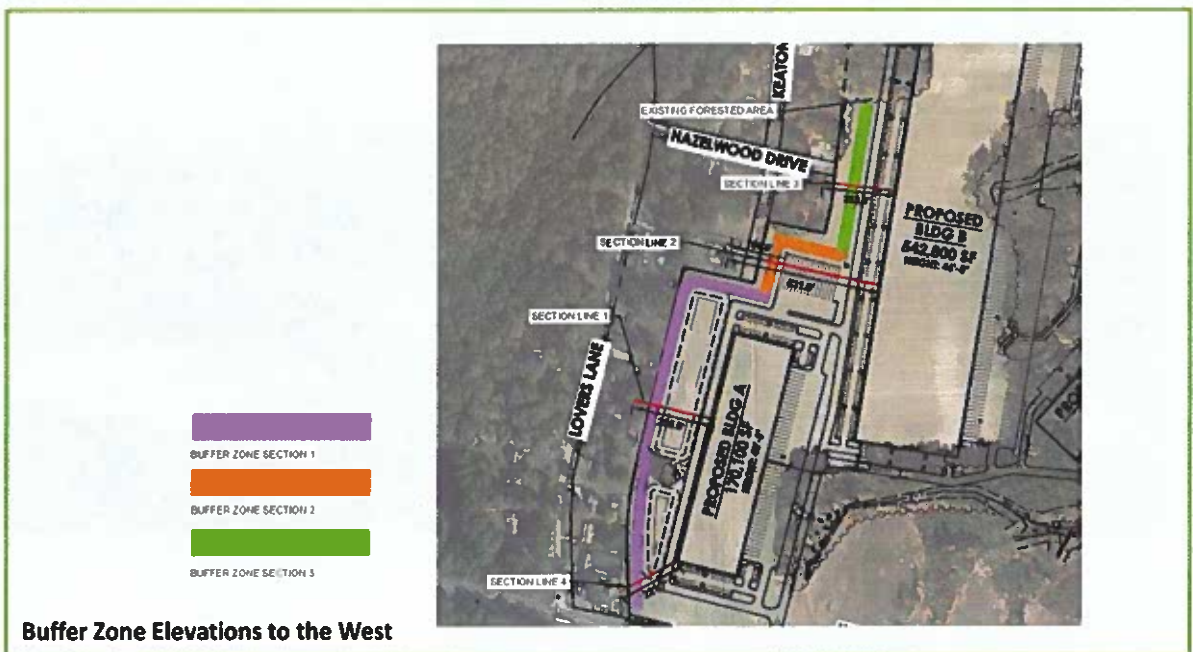
LUP-1-23 - Comp Plan Amendment - Zoning Map



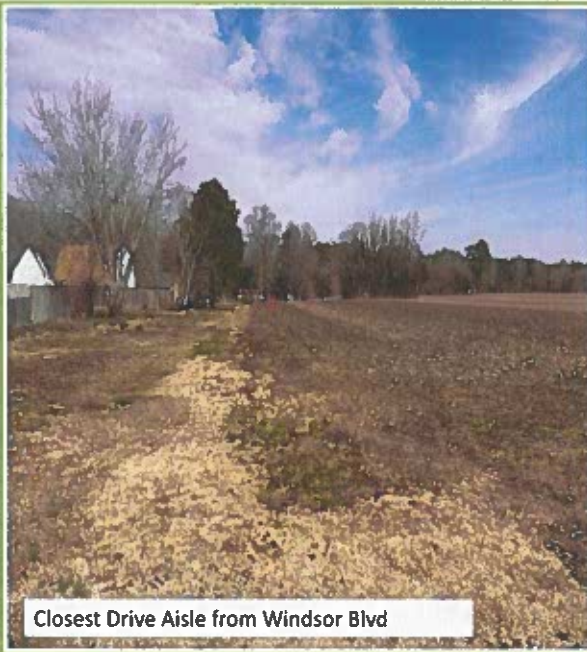




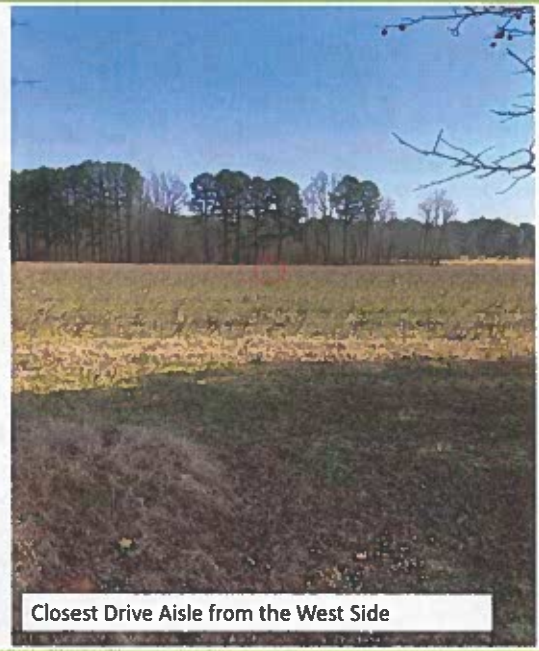
Conceptual Elevation West Side



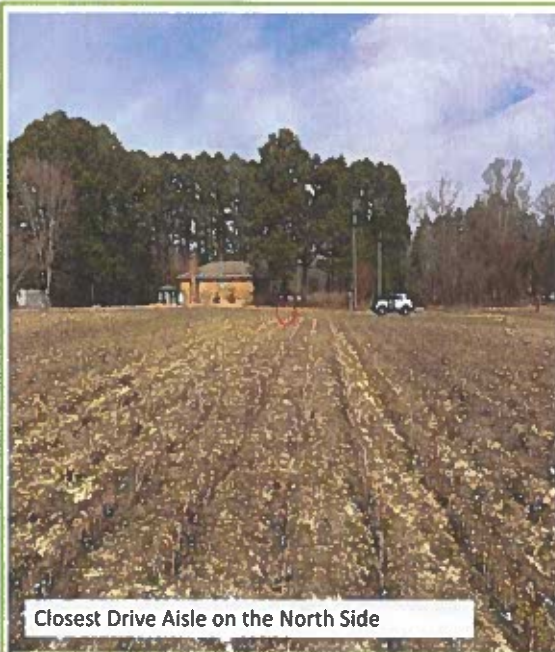
Buffer Zone Elevations to the West



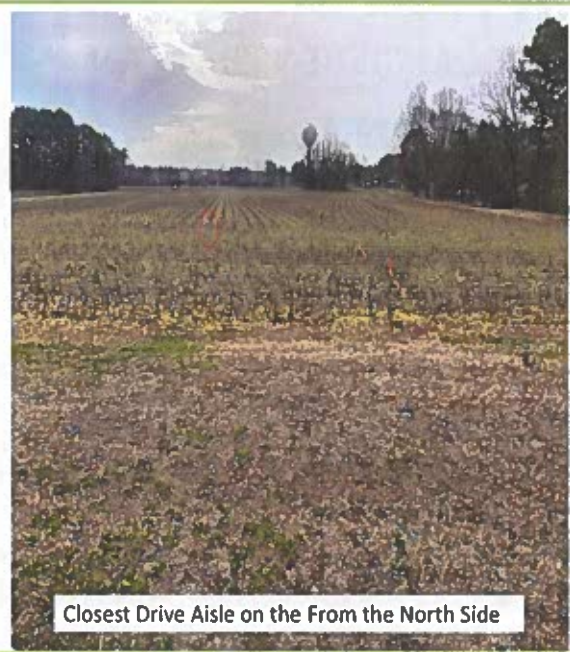
Closest Drive Aisle from Windsor Blvd



Closest Drive Aisle from the West Side



Closest Drive Aisle on the North Side



Closest Drive Aisle on the From the North Side



COMPREHENSIVE PLAN

- Comprehensive plan future recommended land use designation for the property is currently a combination of Mixed Use (MU) and Environmental Conservation (EC).
- Applicant seeks to change the designation from MU to Planned Industrial (PI) to support the associated application to change the zoning district of the properties to Conditional-Limited Industrial (C-LI).
- Plan recommends that PI areas be developed in a way to provide good access for materials and workers while buffering residential land uses.
- Expected development in PI might include light and heavy manufacturing, warehousing, distribution, rail-dependent uses, and other uses that may impact surrounding development due to noise, smell, dust, or similar features.

COMPREHENSIVE PLAN

Staff reviewed the application for the change in the future recommended land use designation from MU to PI and found the proposed designation to be generally consistent with the Plan's recommended location criteria but noted a concern with the proximity of existing adjacent residential uses and potential impacts to environmentally sensitive features as shown on the concept plan.

STAFF ANALYSIS

Strengths:

1. The proposed land use location recommendation is consistent with the location criteria as recommended in the County's Comprehensive Plan.
2. The proposed PI designation is located within the Windsor DSD..
3. The proposed PI designation would encourage job creation and additional nonresidential tax revenue for the County to support future public service needs.

Weaknesses:

1. Expected development in PI might include light and heavy manufacturing, warehousing, distribution, and other uses which may impact surrounding development due to noise, smell, dust or similar features without adequate buffers.
2. The concept shows impacts to Resource Protection Area buffers for parking lots that do not meet exception criteria included in the Chesapeake Bay Preservation Area Ordinance.

STAFF RECOMMENDATION

Staff recommends approval of the application dependent on the implementation of adequate mitigation measures to protect adjacent residential uses from noise, smell, dust, intrusive lighting, or other detrimental impacts.

Tidewater Logistics Conditional Rezoning Request ZA-4-23

**Planning Commission Regular Meeting
February 27, 2024**

SITE DESCRIPTION

Tax Map ID#: 54-01-086B, 54-01-086J, and 55-01-013

Current Zoning: RAC

Election District: District 4

Request: A change in the zoning district from Rural Agricultural Conservation to Conditional Limited Industrial for approximately 154.3 acres on tax map numbers 54-01-086B, 54-01-086J, and 55-01-013 to allow the following uses: Custom manufacturing, Industry Type 1, Warehousing and Distribution, Industry Type II, and Reconstructed Wetland

BACKGROUND

- Properties are located on the north side of US Route 460 and currently consist of agricultural fields and timberland. County GIS images indicate that both parcels 54-01-086J and 55-01-013 have historically been used for agriculture.
- Both parcels 54-01-086J and 55-01-013 were found to have historic cemeteries on them.
- Parcel 55-01-013 is the current location for the historic home known as the Henry Saunders House which is listed on the National Register of Historic Places.

PROJECT DESCRIPTION

- Applicant requests conditional LI zoning for the subject parcels.
- Proffered conditions will limit the permitted uses to the following: Custom manufacturing, Industry Type 1, Warehousing and distribution, Industry Type 2, and Reconstructed wetland.
- Proffers specifically prohibit the following uses: Fertilizer Storage Assembly and Repair of Storage Equipment, Forestry, Silvicultural, Agricultural Farming Operation, Timbering, Sawmill, Adult Care Center, Adult Entertainment Establishment, Laundry, Lawn and Garden Services, Mini Warehouse, Motor Vehicle Repair Service/Major, Construction Yard, Convenience Center, Meat Packing, Recycling Center, Abattoir or Livestock Processing, Asphalt Plant, Industry Type III, Industrial Landfill, Rubble Landfill, Transfer Station, Resource Extraction, Scrap and Salvage Service, Petroleum Storage for resale purposes, Manufacture of production of aluminum, Sand, gravel, or brick operations, and General Aviation Facility.

PROJECT DESCRIPTION CTD.

- Findings of the traffic impact analysis are based on the warehousing and manufacturing use types. Also listed in the narrative for the project.
- Warehousing and distribution is defined as uses including storage, warehousing and dispatching of goods within enclosed structures, or outdoors. Typical uses include storage warehouses, truck terminals and moving/storage firms.
- Some other uses possible based on supplemental materials are Industry Type I and Industry Type II

PROJECT DESCRIPTION CTD.

- Industry Type I uses - include enterprises engaged in the processing, manufacturing, compounding, assembly, packaging, treatment, or fabrication of materials and products, from processed or previously manufactured materials, such as the assembly of electrical appliances, bottling and printing plants, and the manufacturing of paint, oils, pharmaceuticals, cosmetics, solvents and other chemicals, production of items made of stone, metal or concrete.
- Industry Type II uses - include businesses in which goods are generally mass-produced from raw materials on a large scale through the use of an assembly line or similar process, usually for sale to wholesalers or other industrial or manufacturing uses, such as involved in processing and/or refining raw material such as chemicals, rubber, wood or wood pulp, forging, casting, melting, refining, extruding, rolling, drawing, and/or alloying ferrous metals, and the production of large durable goods such as automobiles, manufactured homes, or other motor vehicles.

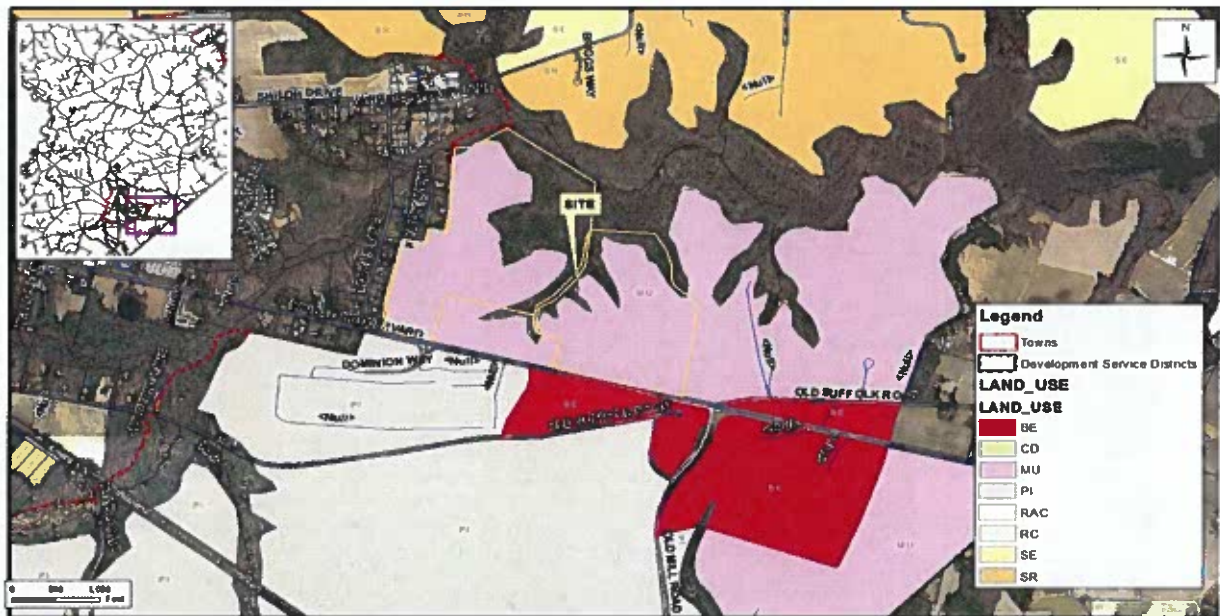
ZA-4-23 - Conditional Rezoning - Location Map



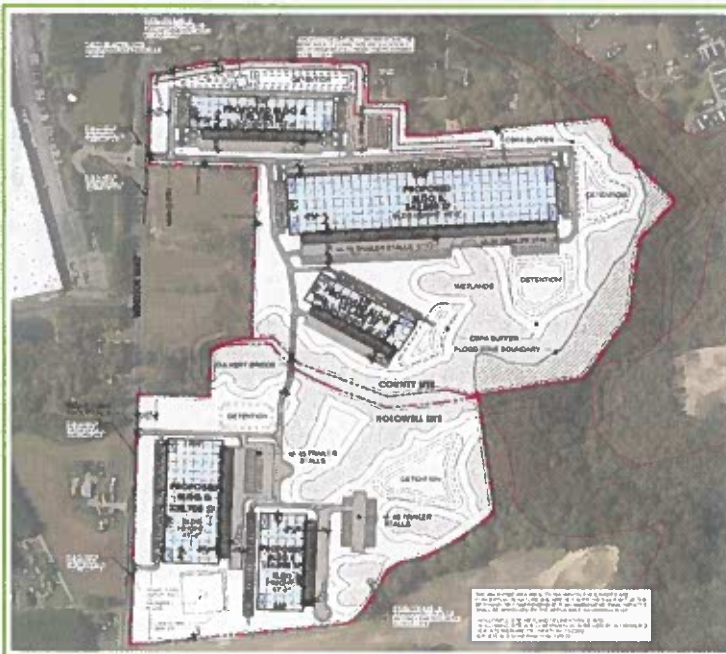
ZA-4-23 - Conditional Rezoning - CloseUp Map



ZA-4-23 - Conditional Rezoning - Land Use Map



ZA-4-23 - Conditional Rezoning - Zoning Map



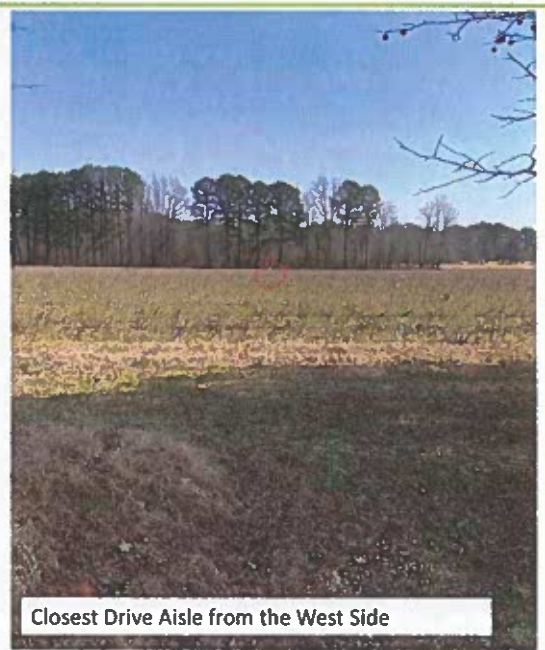
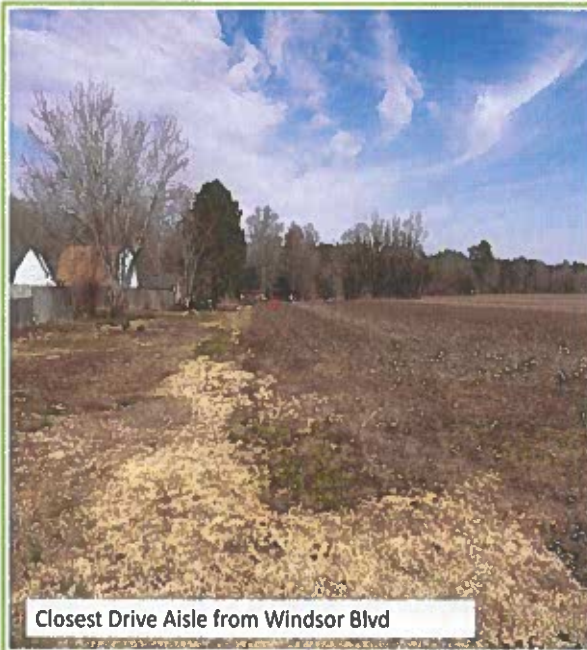
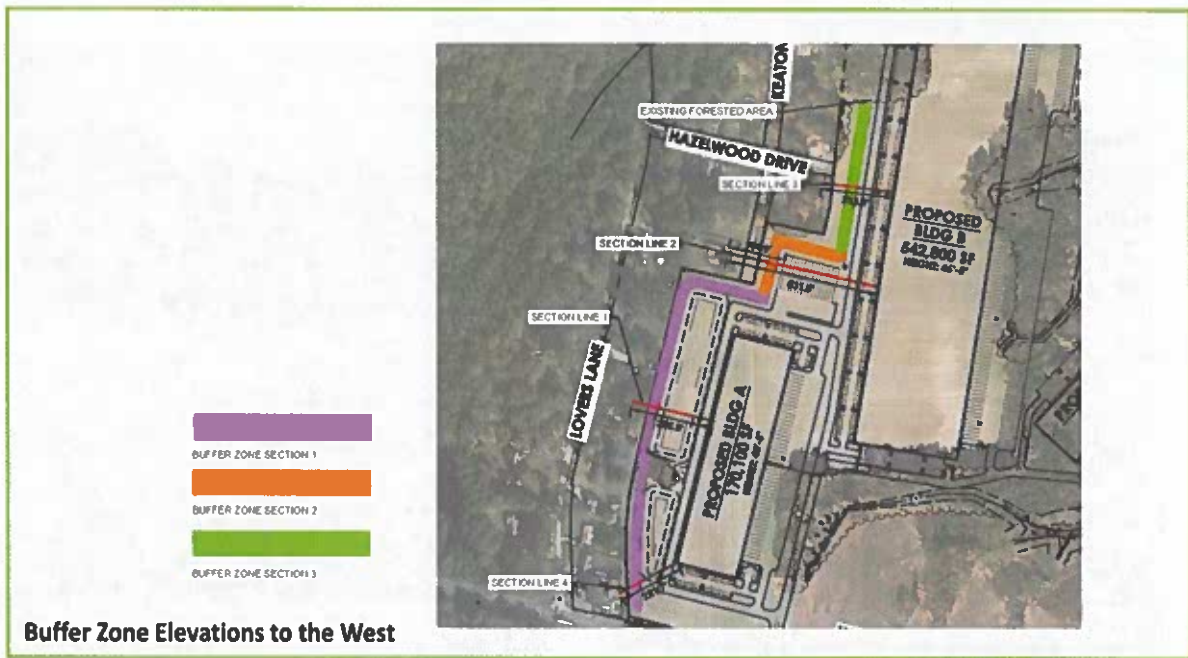
Concept Plan



Conceptual Aerial Elevation

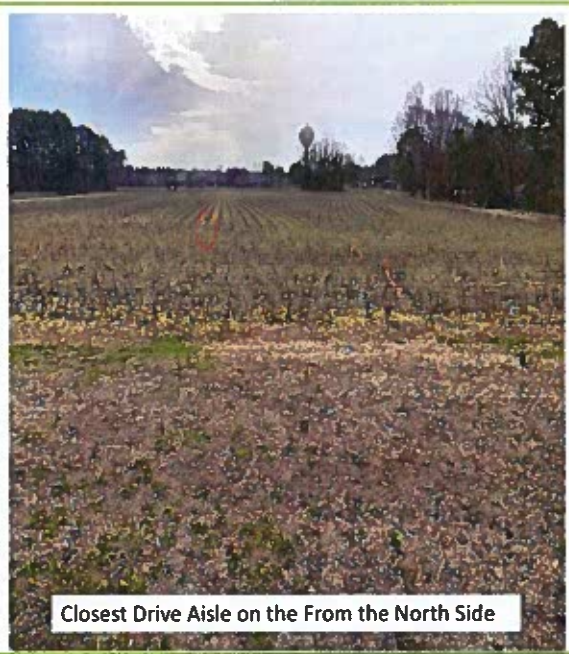


Conceptual Elevation West Side

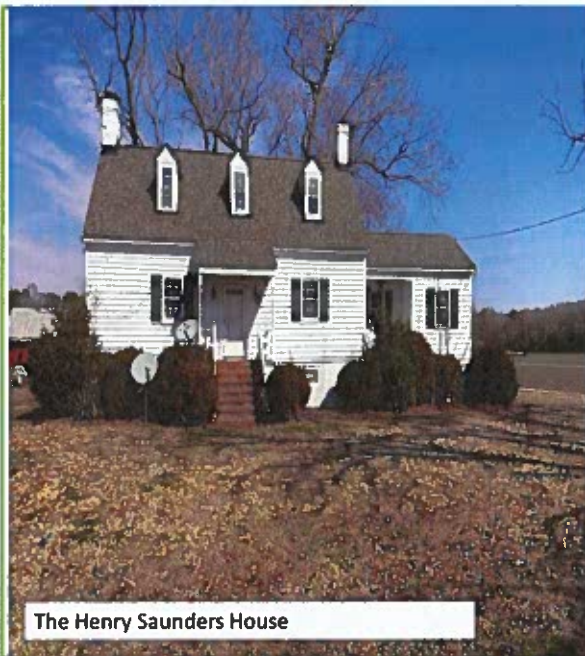




Closest Drive Aisle on the North Side



Closest Drive Aisle on the From the North Side



The Henry Saunders House



Remainder of Parcel 55-01-013

STAFF ANALYSIS – ENVIRONMENTAL RESOURCES

- Concept plan shows potential impacts to several environmentally sensitive areas throughout the project site. Parking and loading areas are shown to impact buffers on all parcels included in the application.
- Parcel 54-01-086B is shown to be completely wetlands.
- Because of the need for state permits and local exceptions for any proposed environmental impacts, the design of the site could shift in order to achieve final site plan approval.

STAFF ANALYSIS – HISTORICAL RESOURCES

- Both a Phase I and II studies performed for the project area.
- Henry Saunders House is located within the project area and is included on the National Register for Historic Places (NRHP).
- A family cemetery was identified along the forested area to the east of parcel 55-01-013.
- A cemetery known as the Butler-Jones cemetery is located along the western edge of parcel 54-01-086J. Permanent fence has been proposed for both cemeteries, so that they remain undisturbed.
- The Virginia Department of Historic Resources (VDHR) sent review comments that expressed concerns about potential additional archeological resources that were not identified in the report based on a site visit and analysis by VDHR staff.

STAFF ANALYSIS – TRANSPORTATION

- Access to and from the proposed development will be a full access movement that forms the north leg of the existing signalized intersection with World Market and a new proposed right-in/right-out unsignalized intersection with Route 460.
- The proposed Tidewater Logistics Center development has the potential to generate a total of 2,349 daily weekday trips. Out of the total weekday daily trips, 223 driveway trips occur during the AM peak hour and 246 driveway trips occur during the PM peak hour.

STAFF ANALYSIS – PUBLIC FACILITIES

- The proposed development will be connected to public water facilities via the 16 inch water main in the Route 460 right-of-way.
- Two sewer sheds have been proposed for the site, dividing it into eastern and western portions whose systems will connect to the existing 20 inch force main.

STAFF ANALYSIS – ECONOMIC IMPACT

- Site improvements include five industrial warehouses including offices, employee and truck parking, and storm drainage system.
- The projected total number of jobs is 5,198 direct and indirect jobs. The jobs have been categorized as 1,200 direct jobs and 3,958 indirect and temporary construction jobs.



STAFF ANALYSIS – ENVIRONMENTAL IMPACT

- The concept plan shows potential impacts to several environmentally sensitive areas throughout the project site.
- Because of the need for state permits and local exceptions for any proposed environmental impacts, the design of the site could shift to achieve final site plan approval.



STAFF ANALYSIS – VISUAL IMPACT

- The Henry Saunders House which is listed on the NRHP is located on the southeastern side of the proposed project area. A 10' landscape buffer has been proffered along the boundary of the house and outbuildings.
- The property lies in the Highway Corridor Overlay (HCO) District, and future development will have to meet nonresidential design criteria.



COMPREHENSIVE PLAN

- Current recommended future land use designation for all properties is Mixed Use (MU) and Environmental Conservation (EC).
- This application is associated with an accompanying application for a comprehensive plan amendment from MU to Planned Industrial (PI).



DEPARTMENT AND AGENCY REVIEW

Staff distributed the application to the following departments for review and comment:

- Commissioner of the Revenue: The Economic Impact Analysis prepared for Tidewater Logistics Center by Hickey uses investment expenditures to estimate tax revenue impacts based on state-wide and regional data. While the economic impact analysis may be completely sound for the state and region, I have no basis for estimating the impact on Isle of Wight County. Additionally, since no specific entity has been selected to be built on the location, it is nearly impossible to determine real estate or personal property assessments and tax revenue.
- Town of Windsor: Comments attached to the staff report
- Virginia Department of Historic Resources: Comments attached to the staff report.

Please note that, should the conditional rezoning request be approved, the project will be subject to site plan review and approval from all necessary agencies.

DEPARTMENT AND AGENCY REVIEW

Staff distributed the application to the following departments for review and comment:

- Economic Development: The EDA and the Economic Development Department support these applications and view this property as an extension of Shirley T. Holland Intermodal Park. Amending the Comprehensive Plan from Mixed-use to Planned Industrial and Rezoning from RAC to C-LI makes the land use and zoning consistent with the existing park.
- Emergency Services: Fire Rescue has no comments, concerns, or questions at this time.
- General Services: No concerns were expressed with this application.
- Isle of Wight County Museum: The viewshed of the Saunders House will not be impacted greatly by the project's construction because of the trees already in existence on the property. However, the addition of an enhanced landscape with appropriate vegetative choices to match the trees currently behind the house – to further protect the viewshed is encouraged. Additional comments are provided in a letter attached to the staff report.
- Virginia Department of Transportation (VDOT): No concerns with the application, provided that the proffered transportation conditions are followed.

Please note that, should the conditional rezoning request be approved, the project will be subject to site plan review and approval from all necessary agencies.

STAFF ANALYSIS

Strengths:

1. The proposed uses are consistent with the proposed C-LI zoning district.
2. The proposed project would create additional jobs and generate additional nonresidential revenue to help cover the costs of future public services and facilities.
3. The applicant has proffered conditions to address concerns listed in the February 12, 2024, VDHR letter with potential impacts to historic resources.

Weaknesses:

1. Buildings on the western portion of the project area are in close vicinity to the residential development along Lovers Lane and Keaton Avenue, however, the applicant has proffered several mitigation measures to include a six-foot tall, 42-foot-wide landscaped berm and a sound study as well as a condition not to exceed 80 dBA during daylight hours and 65 dBA during nighttime hours.
2. The historic resource known as the Saunders House is less than 200 feet from the proposed buildings and parking areas and the applicant has proffered additional screening measures to minimize visual impacts to the resource.

STAFF RECOMMENDATION

Based on the findings listed on the previous slide, staff recommends approval of the application with the conditions proffered by the applicant.

Chairman Bowser opened the public hearing and invited the applicant to speak.

Tom Boylan, representing the applicant, gave the following presentation.



TMG

Tidewater Logistics Center

February 27, 2024



Applicant / Project Team



TMG

Over its 30-year history, TMG (Applicant) has acquired and developed approximately 20 million square feet of industrial, retail, office, and residential uses with expertise in land planning and commitment to ESG



Kimley»Horn

Kimley-Horn is a key member of the project team with best-in-class civil engineering, transportation, landscaping and environmental services



ARCO
DESIGN/BUILD

ARCO Design/Build is a leading design-build construction company in the United States, ranked #3 by *Engineering News-Record* in 2023 as a top domestic builder of distribution centers and warehouses

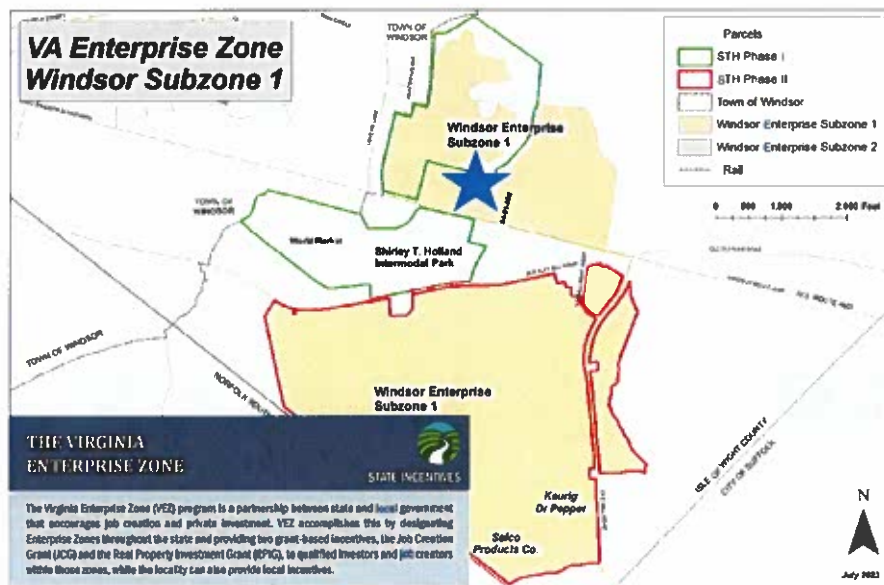
TMG

Property Aerial



TWG 2

Enterprise Zone



TWG 3

[illegible]

Aerial Rendering



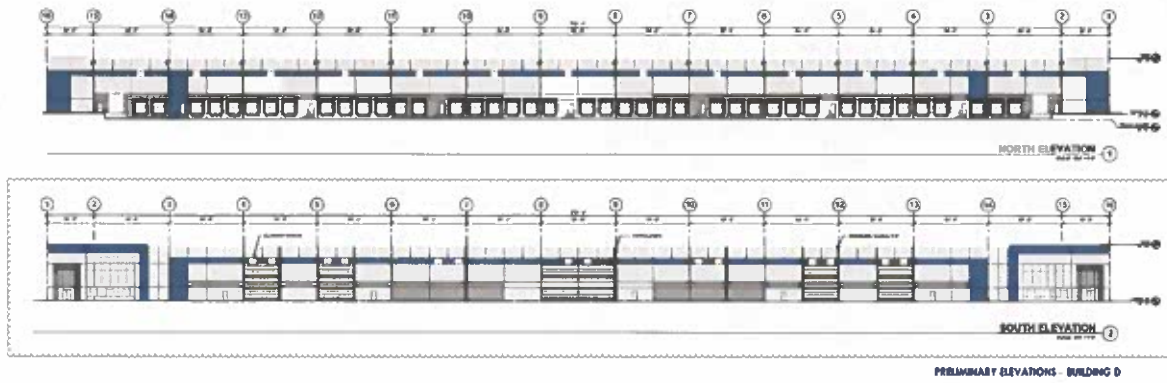
FIG. 9

Building Rendering



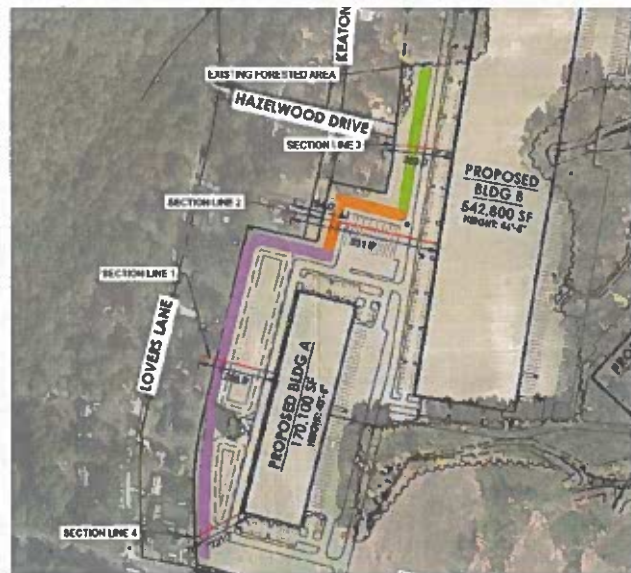
FIG. 1

Building Elevation



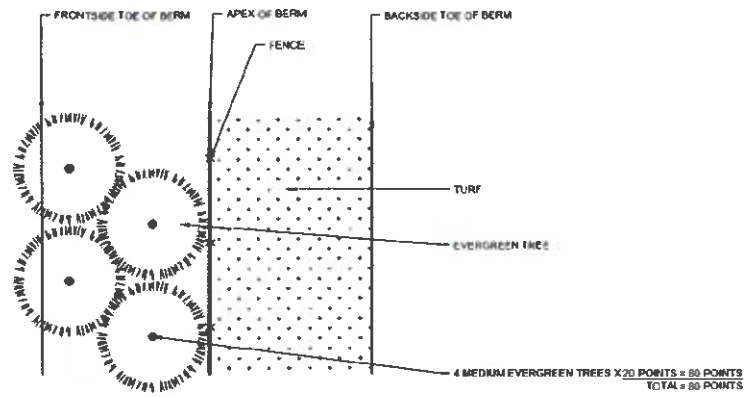
TWO: 5

Landscape Buffer Zone



TWO: 9

Landscape Buffer Zone Enhanced Screening

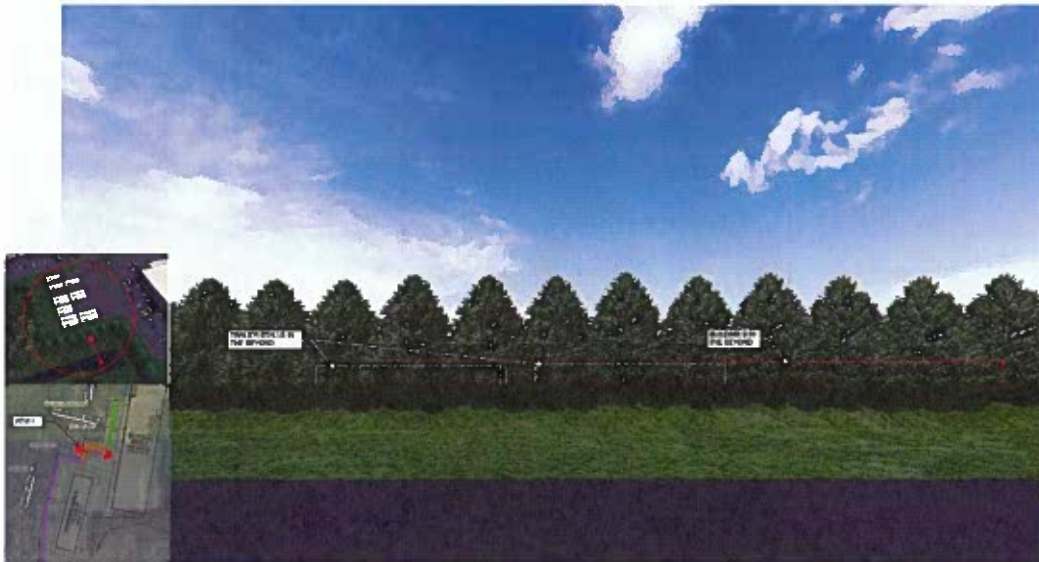


EVERGREENS ARE 10' HEIGHT AT INSTALLATION
AND 30-70' HEIGHT AT MATURITY

PROPOSED BUFFER IS NOT IN COMPLIANCE
WITH CODE PROFFER REQUIRED

TW-10

Landscape Buffer Rendering – Enhanced Screening View Towards Trailer Storage and Building B



TW-11

TMO 12

TMS 13

Landscape Buffer – Evergreen Tree and Conceptual Noise Wall Options



Evergreen Buffer Example

Evergreen Buffer Example

Evergreen Buffer Example



Wood Fence



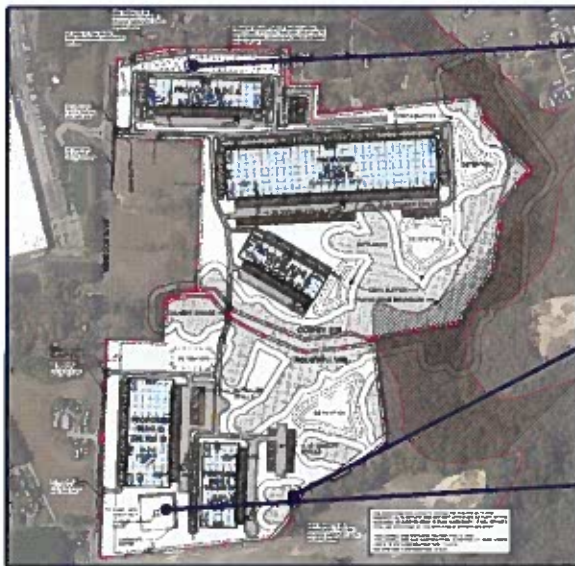
Aluminum sound wall, source: Durisol walls



PVC sound wall, source: Durisol walls

FIG. 14

Cultural Resources



Cemetery Site 046-5628



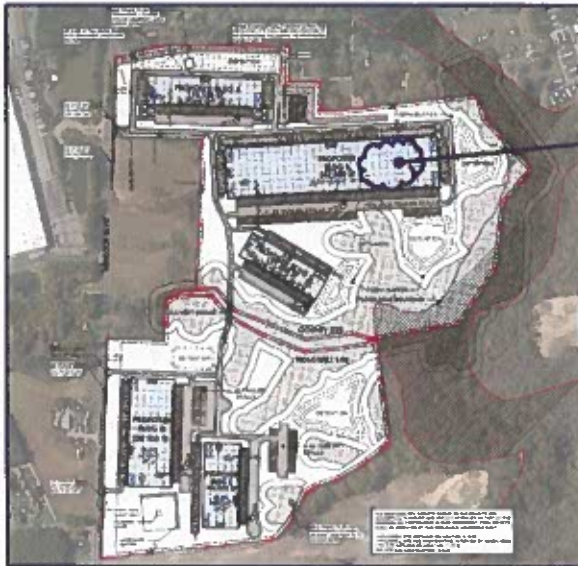
Cemetery Site 046-0006



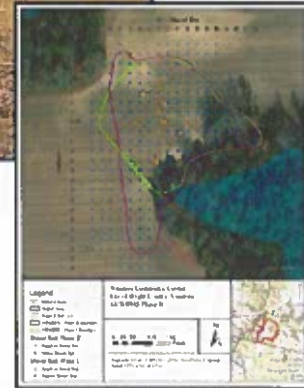
c. 1796 Henry Saunders House Site 046-0006

FIG. 15

Cultural Resources



Site 44W0395 – Existing Conditions



Site 44W0395 – Phase I & II Surveys

TMC 11

THANK YOU

TMC 12

Chairman Bowser invited anyone that wished to speak for or against the application to come forward.

Marlin Sharp, 23408 Courthouse Highway, member of Windsor Town Council, stated he made a proposal to the Town Council following the meeting in November to table the item, until they received more information. He stated they are still waiting for that information. Mr. Sharp stated

Windsor Town Council is not in support of the application and passed out the following email from David Adams.

2/27/24, 3:37 PM

Gmail - Fw: Isle of Wight Planning Commission Meeting



Marlin Sharp <sharpmarlinw55@gmail.com>

Fw: Isle of Wight Planning Commission Meeting

Marlin Sharp <msharp@windsor-va.gov>
To: "sharpmarlinw55@gmail.com" <sharpmarlinw55@gmail.com>

Tue, Feb 27, 2024 at 3:37 PM

From: David Adams <dadams@windsor-va.gov>
Sent: Saturday, February 24, 2024 8:24 AM
To: Marlin Sharp <msharp@windsor-va.gov>
Cc: William Saunders <wsaunders@windsor-va.gov>
Subject: Re: Isle of Wight Planning Commission Meeting

Good morning Marlin and thanks for attending the upcoming planning commission meeting. I believe we had scheduled the working session prior to the announced planning commission meeting. I will try to make it after the town council meeting.

As I stated during one of the previous town council meetings, I believe it was October, I do not support this project. There will be no positive economic impact and there will be an extremely adverse effect to the residents whose houses are on the east end of town. This will negatively affect all people who travel the 460 corridor. I would rather the county consider using this land for a park. There are no parks in the southern or western areas of the county, save the fairgrounds. This could be the Nike Park equivalent on the southern end of the county.

Thanks,

Dave

Mr. Sharp read the following letter from George Stubbs, Mayor, Town of Windsor.

To: Chairman and Members of the Isle of Wight County Planning Commission

From: George Stubbs, Mayor, Town of Windsor, Virginia

Date: February 26, 2024

Subj: Tidewater Logistics Conditional Rezoning, Application (ZA-4-23)

Chairman, Bowser and members of Isle of Wight Planning Commission.

I wanted to reach out to each one of you and provide you with some information that I have been made aware of, in reference to the requested rezoning for the Tidewater Logistics Development. It has been brought to my attention that Mr. Boylan, who represents the developer, has given the Planning Commission the impression that I'm on board with this project. I have never spoken to Mr. Boylan or discussed this project in any manner with him. **His statements about my being on board with this project are not true.**

I'm not opposed to Development. There are several issues that have come up in reference to the impact this development will have on the residents of Lovers Lane, Hazelwood Dr. and Keaton Ave which are concerning to me. I have met with Property owners on several occasions and the one thing they have requested is to be given some consideration before destroying their property value, building large warehouses, installing retention ponds and putting in a BERM that is Three (3) foot high to **Help** reduce noise levels. These and other issues were provided to the developers at the meeting that was held at the Windsor Town Center. None of the concerns of the residents have I seen any actions on. The proposed development has remained as it was presented in the beginning. Moving the warehouse farther away from the residential homes, no action has been taken, making a Berm larger than three (3) feet high, no action. World Market, south side of Rt.460 across from proposed Tidewater Logistics has Berms approximately 20 FT high, they were put in when World Market was developed.

The question would be what is driving this development so hard that no one seems to want to work with the residents that live adjacent to the proposed development area.

I'm asking the Isle of Wight planning Commissioners. If you lived in this neighborhood. Would you want this development built next to your home or property as purposed at this time?

There are other issues/questions that have been brought to my attention and Town Council. The increased traffic that flows on Route 460 from this area. The Town of Windsor at the present time has a six-way intersection in the center of town that is very congested now. Additional traffic will only add to this problem.

As previously stated, I'm not opposed to Development. I would ask the Isle of Wight Planning Commissioners to look at some of the concerns that have been discussed before making a final decision on the rezoning request.

Note: Attached you will find a copy of a letter sent to the Isle of Wight County Planning Commission on August 31, 2023. This letter was drafted after the Town of Windsor Planning Commission reviewed the Application for a change in zoning classification, Meridian Property Purchaser LLC, Tidewater Logistics Center on August 23, 2023. Highlights that emerged from that review are included in the letter.

George Stubbs

Mayor, Town of Windsor, Virginia

Phone No. 757-650-4473

E Mail: gstubbs@windsor-va.gov

P.O. Box 807
6 R Windsor Blvd.
Windsor, VA 23487

TOWN OF WINDSOR



Department of
Planning & Zoning
757-942-4888

August 31, 2023

Isle of Wight County Planning Commission
17140 Monument Circle
Isle of Wight, Virginia 23397

**RE: Application for an amendment to the Comprehensive Plan
Application for a change in zoning classification
Meridian Property Purchaser LLC, Tidewater Logistics Center
Parcels 54-01-086J, 54-02-086B, 55-01-013**

Dear Isle of Wight County Planning Commission:

The Isle of Wight County Planning Department recently referred the above referenced applications to our attention for review and comment. As these applications border the corporate limits of the Town of Windsor and will have substantial impacts upon the Town, we are appreciative of the opportunity to review these proposals.

The Windsor Planning Commission reviewed these applications at their meeting on August 23rd and asked that I summarize their discussions and forward these comments to your attention. We understand our comments are advisory in nature, however, we ask that the County Planning Commission give due consideration to the highlights that emerged from our review.

Comprehensive Plan Amendment Application

The Isle of Wight County Comprehensive Plan was adopted in January 2020. This plan identifies the above referenced parcels as Mixed Use. According to the plan, Mixed Use designations will provide for housing, mixed with office, commercial and other uses. The Mixed Use (MU) land use consists of one or multiple detached or attached single family homes, multi-plex and apartment style housing options, along with office or commercial uses. As such, this designation is more compatible with the established neighborhoods along Lover's Lane, Hazelwood Drive and Keaton Avenue, all located in the Town of Windsor.

We understand that the Comprehensive Plan is not an ordinance, but rather a guide for future land use decisions. This plan is enacted through changes to zoning classifications and applying specific regulations. However, to request an amendment to the County Comprehensive Plan to Planned Industrial seems to negate the considerable efforts that went into developing the plan.

Records indicate that Parcel 54-01-086J is currently owned by the Industrial Authority of Isle of Wight County (IDA). The question arises as to why the IDA did not advocate for a future land use designation of Planned Industrial during this Comprehensive Plan development, as the IDA has owned the property since 2008. To amend the Comprehensive Plan to a Planned Industrial designation appears to negate sound planning principles especially as they relate to nearby existing residential uses. Planned Industrial areas should be as they state, "planned". In this particular application, it appears that this concept is not being followed. The Mixed Use (MU) designation is more appropriate for this specific location.

Zoning Amendment Applications

This zoning application raises a multitude of effects for the Town of Windsor and Isle of Wight County. Please keep in mind, residents of the Town are also residents of the County. Some of the impacts associated with this application may provide benefits to the Town and County and also produce negative effects. As with any application of this size and scope, careful review and/or modifications should be considered. As this proposal will be located in close proximity to established neighborhoods, specific considerations should be addressed. This application provides many more questions than answers.

Proximity to Residential Uses:

Is there adequate buffering with earthen berms and landscaping?

The site exhibit does not show any proposed lighting. Any lighting near the residences should be limited or prohibited to avoid unnecessary impacts.

The location of stormwater retention basins should away from residential uses and adequate aeration provided to prevent stagnation and mosquitoes.

Increased buffering should be considered to reduce adverse noise impacts given the potential for 24/7 operations of such warehousing facilities, including diesel trucks idling, loading and unloading activities, and backup chimes on vehicles.

Infrastructure Improvements:

This application intends to utilize a sewer pumping station. However, this station is located too close to the existing residential uses. No amount of buffering will prevent the undesirable odors from infiltrating these neighborhoods. The pumping station should be relocated away from the residences. While we appreciate the County studying the nearby areas for the potential future expansion of sewer services, the proposed location of this pump station should be revisited.

Transportation:

After reviewing the Traffic Impact Analysis (TIA) for this application, it was noted there is a glaring omission. Most of the intersections along Windsor Boulevard were studied for possible impacts, however, the intersection of Windsor Boulevard and Lovers Lane was not included. This is the intersection closest to the traffic signal at Dominion Way/Windsor Blvd., the primary entrance and exit for the site. Additionally, the application includes adding a 200' turn lane with a 200' taper eastbound on Windsor Blvd. This turn lane and taper will be very close to the intersection of Windsor Blvd. and Lovers Lane. Undoubtedly, this will be a friction point and lead to increased accidents, injuries and possible fatalities. A study of this intersection should be provided and in coordination with VDOT, possible mitigation strategies suggested and enacted.

The application will provide substantial impacts to Windsor Blvd., especially through the corporate limits of the Town of Windsor. Improvements to the existing intersections throughout the Town should be studied with positive enhancements suggested to improve the flow of traffic, including synchronizing the existing signals.

Public Safety:

The Isle of Wight Sheriff's Office maintains law enforcement responsibility throughout the County and performs a commendable job with the limited resources they have. Through a mutual aid agreement, the Windsor Police Department also responds to multiple 911 dispatches that fall within the County yet are in close proximity, including the Shirley T. Holland Intermodal Park. This site would also fall within the mutual aid area. With the proposed number of employees, truck freight and other uses intended for this site, this will only add to the number of calls that the Windsor Police Department will respond to. Consideration should be given to establishing revenue sharing protocols to reimburse the Town for services provided.

The Windsor Volunteer Fire Department serves the central area of Isle of Wight County. The department relies on volunteers to ensure adequate response to incidents both near and far. The Town of Windsor is very proud of the dedicated service of these volunteers. While we understand that the Windsor Fire Department falls under the purview of Isle of Wight County Emergency Services, we are fortunate to have the station within the Town limits.

With a proposal of this size and scope, there will be additional calls for service from the Windsor Fire Department. In reviewing the Isle of Wight County Capital Improvement Plan (CIP), there appears to be limited capital investment in the fire department for the next 5 years. Phased investments primarily consist of replacing station equipment. With the existing industrial development in the Shirley T. Holland Intermodal Park and with this proposed application, due consideration should be given to begin the process of updating the CIP to include providing the Windsor Fire Department with a ladder truck. Additionally, preliminary design work should be included for the replacement of the Windsor Fire Station. Isle of Wight County owns the corner parcel at Hidden Acres Circle/Windsor Boulevard (next to the existing fire station). This would be an ideal site for a new fire station.

The Windsor Rescue Squad serves the central area of Isle of Wight County and provides excellent service. They also fall under the purview of Emergency Services. Consideration should be given to amending the CIP to provide the resources and space they will need to provide the level of service expected, now and in the future. Long term planning will allow the Rescue squad to relocate to the existing fire station, once a new fire station is constructed.

Proffers:

We have reviewed the proffer statement submitted by the applicant. A brief synopsis provides that the applicant will only proffer the improvements that they will be required to do, including the transportation improvements. If industrial development really pays for the services they require including law enforcement, fire protection, and rescue squad calls, why is there such limited funding in the CIP for investments in these vital agencies? This application and its proffers should involve a more robust effort to address the public safety funding inadequacies.

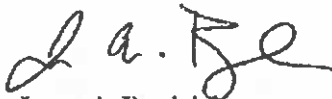
Environmental:

The application proposes impacts to the 100' wetland Resource Protection Area (RPA) buffers in several locations. In reviewing the proposed site layout associated with this application, it appears that revising the layout would alleviate or remove these encroachments. Additionally, County ordinances and regulations limit maximum site coverage to a specific percentage. Questions arose during our review as to what areas this would be applicable to; will all the undevelopable wetlands be considered in deriving this maximum lot coverage percentage? It appears that the site layout may be in conflict with County ordinances.

In conclusion, the Town of Windsor Planning Commission thanks you for the opportunity to review these applications. Careful consideration should be given to any Comprehensive Plan amendment in order to maintain the integrity and usefulness of the plan. This site adjoins an established neighborhood; therefore the proposed site layout can and should be modified to limit any and all impacts to these residences. An adequate transportation study should be performed to reduce potential friction points and to provide for safe traveling for all who pass through the Town and County. The proffers suggested should be revisited to ensure that all development, including industrial, provides its fair share to the public safety services they require.

As always, we look forward to assisting the Isle of Wight County Planning Commission make sound recommendations that reflect our commitments to serving the public. Should you have any questions or need additional information, please feel free to contact me.

Sincerely,



James A. Randolph
Planning & Zoning Administrator

Cc: Town of Windsor Planning Commission

Tony Ambrose, 12296 Keaton Avenue, spoke against the application and amending the comprehensive plan and addressed the Isle of Wight County Code dated November 6, 2023. Mr. Ambrose shared the following printout with the Planning Commission.

- **Article I. - General Provisions.**

- **Sec. 1-1000. - Title.**

This ordinance shall be known and may be cited as the Isle of Wight County Zoning Ordinance as adopted by the Isle of Wight County Board of Supervisors on July 7, 2005, effective August 30, 2005. (7-7-05; 7-19-18.)

- **Sec. 1-1001. - Authority.**

- A. This ordinance is adopted pursuant to the provisions of Title 15.2, Chapter 22, Article 7, of the Code of Virginia, as amended.
- B. Whenever any provision of the ordinance refers to or cites a subsection of Title 15.2, Chapter 22, Article 7, of the Code of Virginia and that section is later amended or superseded, the ordinance shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section. (7-7-05; 7-19-18.)

- **Sec. 1-1002. - Purpose.**

The purpose of this ordinance is to implement the Isle of Wight County Comprehensive Plan and promote and protect the health, safety, and general welfare of the present and future residents and businesses of the county by:

- A. Giving effect to policies and proposals of the Isle of Wight County Comprehensive Plan;
- B. Dividing the unincorporated area of the county into districts of distinct community character according to the use of land and buildings, the intensity of such use (including bulk and height), and surrounding open space;
- C. Preserving and enhancing the county's rural and agricultural character and resources;
- D. Preserving and protecting the county's natural resources and protecting the waters of the Chesapeake Bay and Blackwater River and their tributaries;
- E. Regulating the location and use of buildings, structures, and land for trade, industry, residences, and other uses;
- F. Lessening the danger and congestion of traffic on the road and highways; limiting excessive numbers of intersections, driveways, and other friction points; minimizing other hazards; and insuring the continued usefulness of all elements of the existing highway system for their planned function;

As of November 6, 2023

- G. Providing nonvehicular, multipurpose pathways in order to promote the health and safety of our citizens;
- H. Securing safety from fire, panic, flood, and other dangers;
- I. Providing adequate light and air, and protecting against the overcrowding of land and undue density of population in relation to the community facilities existing or available;
- J. Protecting the tax base by facilitating cost-effective development within the county;
- K. Promoting economy in local government expenditures;
- L. Protecting the values of property throughout the county;
- M. Protecting landowners from adverse impacts of adjoining development;
- N. Providing future land uses with adequate public facilities;
- O. Protecting against the destruction of or encroachment upon historical areas.

Each purpose listed above serves to balance the interest of the general public of the county and those of individual property owners. (7-7-05; 7-19-18.)

• **Sec. 1-1008. - Relationship to comprehensive plan.**

It is the intention of the board of supervisors that this ordinance implement the planning policies and objectives for the county as reflected in the comprehensive plan. While the board of supervisors reaffirms the commitment that this ordinance and any amendment to it be in conformity with adopted plans, the board of supervisors hereby expresses the intent that neither this ordinance nor any amendment to it may be challenged on the basis of any nonconformity with any planning document. (7-7-05; 7-19-18.)

Mr. Ambrose stated he would rather have mixed-use zoning over industrial use. He also shared concerns about the health side effects from exposure to diesel fuel.

Wade Beal, 12284 Keaton Ave., read the following letter.

Good evening,

Thank you for giving us the opportunity to speak tonight. My name is Wade Beale, and I reside at 12284 Keaton Avenue, Windsor, VA. I am here on behalf of my family and neighbors to speak in vehement opposition to the comprehensive plan change and the rezoning of the property immediately behind our homes. I've tried to figure out what I wanted to say for weeks now. My family and I recently started going to a new church. This past Sunday, during worship, a testimony was given about having trust in God and how at times that is difficult to do. I've felt an immense amount of emotions regarding this "project" since learning about it last August. I've been anxious, angry, worried, and saddened, to name a few. Additionally, our preacher spoke about facing storms, and to be able to stand and face a storm, we need to kneel before God. Our storm has been this project, and I wasn't trusting God to protect us from this. These two messages resonated with me and almost immediately brought peace over me because I remembered God has a plan.

"Plans" was the statement that stuck with me. Just as individuals place their trust in God's plans, communities develop comprehensive plans to guide their future endeavors. These plans serve as roadmaps, outlining goals, strategies, and actions aimed at fostering growth, sustainability, and prosperity for all members of the community. Just like the plans spoken of in the Bible, community plans are crafted with careful consideration and foresight, taking into account the needs and aspirations of its members. IOW County has a plan. A plan that was put into place just a few short years ago. Unfortunately, I've come to learn that within just about a year or so of this plan being adopted, the groundwork for this project was beginning.

I've read through the plan, and I've read through the County's codes regarding planning/zoning, and I found so many contradictions that would occur if this amendment and rezoning are approved. Specifically, I wanted to note a handful of examples of how this project goes against the purposes and guidelines set forth in the zoning section of our county's code of ordinances and comprehensive plan:

Sec. 1-1002.A. - Giving effect (to implement) policies and proposals of the Isle of Wight County Comprehensive Plan:

- An industrial rezoning next to a residential neighborhood, the Town of Windsor, and the Henry Saunders historical home contradicts the Comprehensive Plan's goals, which emphasize the preservation of historical sites and the promotion of compatible land uses within residential areas.

Sec. 1-1002.C. - Preserving and enhancing the county's rural and agricultural character and resources:

- This project undermines efforts to preserve the rural and agricultural character of the county by allowing incompatible land uses for land that has rich and productive soil, as evident by yearly harvests by local farmers.

Sec. 1-1002.D. - Preserving and protecting the county's natural resources:

- Industrial activities entail environmental impacts such as pollution and habitat destruction, which will degrade the natural resources and waterways this land inhabits.

thus contradicting the ordinance's aim to protect the waters of the Chesapeake Bay, Blackwater River, and their tributaries.

Sec. 1-1002.G. - Providing nonvehicular, multipurpose pathways to promote the health and safety of our citizens:

- Industrial zoning eliminates the creation of nonvehicular pathways and recreational spaces that would be found in a mixed-use setting, thus hindering the promotion of health and safety for citizens.

Sec. 1-1002.H. - Securing safety from fire, panic, flood, and other dangers:

- Introducing industrial activities adjacent to a residential neighborhood and watersheds poses risks of fire, chemical spills, and other hazards associated with industrial operations, therefore compromising the safety and well-being of residents and contradicting the ordinance's goal of securing safety from various dangers.

Sec. 1-1002.L. - Protecting the values of property throughout the county:

- Industrial zoning next to a residential neighborhood will diminish property values and undermine the investment and value of nearby residential properties, again contradicting the ordinance's aim to protect the values of property throughout the county.

Sec. 1-1002.M. - Protecting landowners from adverse impacts of adjoining development:

- Rezoning exposes neighboring landowners to adverse impacts such as noise, pollution, and decreased property values, failing to protect them from the negative effects of adjoining development as outlined in the ordinance.

Sec. 1-1002.O. - Protecting against the destruction of or encroachment upon historical areas:

- This rezoning directly adjacent to the Henry Saunders historical home will inevitably jeopardize the preservation and integrity of the historical site by introducing incompatible land uses that will detract from its significance and cultural value.

Almost two years ago, my wife and I purchased our home. While considering this home as a suitable option for our family, we did our due diligence. With the help of our realtor, we researched the property behind our home. Phone calls were made to county offices, and we were assured this land was zoned Rural Agricultural and under a lease with a local farmer. Additionally, we reviewed the comprehensive plan before offering on our home and were comfortable with the future plans of this land as mixed-used. We envisioned potentially having neighbors, parks, and commercial business behind us. Not once did we consider a massive warehouse and industrial facility immediately behind our home. Why would that have been a consideration for us? What is the purpose of a comprehensive plan if it isn't going to be followed? We never would have purchased this home had we known that this project was a possibility. I hope that you will all recognize the clear and obvious contradictions that this proposal brings. Please stick to the plan and vote no. Thank you for your time.

Walter Freeman, 12215 Keaton Ave., spoke against the application stating the buffer proposed is not adequate to mitigate noise and lighting impacts.

James Jarvis Villers, 12262 Keaton Ave., spoke against the application calling it a wolf in sheep's clothing and stated it is a burden on limited resources. Mr. Villers stated that industrial use should not be next to a residential neighborhood.

Rachell Myhr, 23408 Courthouse Highway, former resident of Lovers Lane, spoke against the application stating the infrastructure is not able to support this development. Ms. Myhr stated her concerns on impacts to schools, increases in housing prices, traffic, and decreased values of properties next to this development.

Glen Willis, 24219 Lovers Lane, spoke in opposition to the application due to adverse effects from diesel exhaust, noise, and property values. Mr. Willis stated he had concerns about the ability to enforce the noise complaints. Glen Willis shared a fish he caught 55 years ago in Ennis Pond and shared his concern that in time, no fish would be in the pond due to pollutant run off from the development.

Jamie Babb, 24347 Lovers Lane, speaking for the Babb Family, 3B's Land, 5B's Land, and Babb Farms, Inc., in opposition to this application. Mr. Babb asked when will the rezoning end, and when will there be not enough land to feed America. He added that decisions made tonight will affect the next generation's future.

Ron Treager, 24358 Lovers Lane, spoke against the application with concerns of the noise. Mr. Treager stated he can hear noise from Shirley T Holland which is a further distance than the proposed development. Mr. Treager shared a concern that his property value will decrease and restated that he opposes this application.

Chris Gullickson, Director of Development and Transportation Policy, Port of Virginia, 101 West Main Street, Suite 600, Norfolk, Virginia, stated that the Port of Virginia's success is driving new growth and opportunities for our area. Mr. Gullickson stated the project proposed by the applicant is a significant opportunity for Isle of Wight County with new non-residential tax revenue and jobs. Mr. Gullickson stated the Port supports this application.

Lewis Edmonds, 24327 John Henry Street, stated he opposes this application stating that it is destroying the natural barrier between residential and industrial. Mr. Edmonds stated that information in the application is being cherry-picked and not accurate. He also shared his concern that the industrial development in Suffolk will impact Route 460 in Windsor.

Richard Holland, 12 Randolph Drive, stated this meeting is meaningless and only a formality. Mr. Holland stated that the County overpaid for this land and is trying to save face. He stated that this will destroy the community. Mr. Holland stated the County should be trying to protect its citizens and not choosing money over what is right.

David Tribby, 12387 Windsor Blvd., stated he opposed the application and is concerned with the disturbance to the wetland and wildlife and believes that area should not be developed.

John Hollowell, representing the property owner, stated his family owns the property and has been paying taxes on it for over fifty years. Mr. Hollowell asked for approval of this application and believes it will be good for the County by providing needed jobs, and the tax revenue will be worth it.

Loren Pantschyschak, 12308 Keaton Avenue, stated new isn't always better and is concerned the only benefit expressed with this application is money. She stated she picked her house because of the rural character of Windsor and doesn't believe this is the right location for an industrial use. Ms. Pantschyschak also stated her safety concerns for women living alone next to an industrial facility and asked what kind of background checks would be done for employees hired.

Jennifer Ritz, 24433 Lovers Lane, expressed concern with who will be providing emergency services for the warehouse and asked if they would be able to handle the additional workload. Ms. Ritz also shared her concern with the traffic on Lovers Lane and stated it will only get worse with the new development. She asked who will be responsible for ensuring the landscaping is taken care of as well as the ponds and potential for mosquito population problems. Ms. Ritz addressed the employee deficit in Windsor and Suffolk to work at the proposed facility.

Jason Dially, no address given, shared his concerns with the traffic study and the lack of availability to expand the roads. He stated that with the increase of tractor trailers on 460, the traffic at the lights is going to become a problem.

Ron Turner, 12406 Windsor Blvd., shared his concern with the increased traffic and accidents currently and multiple damages to his mailbox. He stated it will worsen with the proposed development. He also said that if this application is approved, he will move, and he would not be the only one.

Tom Boylan, representing the applicant, thanked the residents for sharing their concerns and is happy to answer these questions. Mr. Boylan stated he was misquoted and misjudged and has been honest about this application.

There being no further comments, Chairman Bowser closed the public hearing and asked for discussion from the Commissioners.

Commissioner Carroll stated the letter from Candice Carr will be entered into the minutes as the other letters received had the authors speak during the public hearing as well.

From: [Candice Carr](#)
To: [Planning Commission: Amanda M. Landrus](#)
Cc: [Raynard Gibbs](#); [Matthew Smith](#); [Cynthia Taylor](#); [Thomas J. Disefano](#); [Bobby A. Bowser](#); [James Ford](#); [George Bawls](#); [Rick Sienkiewicz](#); [Brian Carroll](#); [Jennifer Boykin](#)
Subject: Public Hearing February 27, 2024
Date: Tuesday, February 27, 2024 11:34:20 AM

Caution: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

I am writing to express my strong opposition to 2019-0317, the proposed rezoning the tax map property numbers 54-01-086J and 55-01-013. While the local community may be unable to prevent development, this action in itself will be detrimental to the area. I am opposed to commercial/residential construction in this area for warehouses, or other structures for numerous reasons:

1. Safety impact on the traveling public
2. Loss of wildlife habitat.
3. Impact of property values
4. Stormwater runoff impacts
5. Viewshed impacts
6. Noise impacts

Traffic and safety of drivers in this area are major areas of concern. Increasing traffic issues by adding another facility that requires semi trucks to enter and leave their facilities in Windsor in, addition to what already accesses Route 460 for the Shirley T Holland Intermodal Park and Cost Plus World Market. By increasing semi traffic in this area, you put the traveling public at a huge risk of accidents causing injury or death. This risk is even greater for the teenage drivers and senior citizens that live in this immediate area. As trucks will have to access the stoplights at the intersection of Route 460, Route 610 and Route 603 during the mornings and afternoons of the school year when the most **inexperienced** drivers will be accessing this intersection for going to school. While the traffic may be lighter on average, the local neighborhood traffic will disproportionately surge during morning and evening rush hours, causing traffic issues during critical times for the existing travelers and young inexperienced drivers to Windsor High School. Also, as you are aware Route 460 has no median or shoulders which without the added semi traffic already poses a concern for daily travel as it is nearly impossible to correct once a vehicle gets off of the side of the road. There have been many semi's, as well as other vehicles, who have made the mistake of getting too close to the side of the road without a shoulder in front of Windsor Woodworking and end up in the ditch. Which leads to another traffic concern, what is your plan for the diversion of traffic when there is an accident on Route 460 with the increased traffic to another warehouse? Do you plan to divert to Five Forks or Old Suffolk? If so, have you

traveled these smaller back roads during an accident where the semi trucks were also accessing this road? It is nearly impossible to be safe in a smaller vehicle much less in a work truck or farm equipment. The roads are narrow and rounded for water run off; how would increased traffic during accidents, to include semi's, navigate these roads in the best of conditions much less if it were raining or snowing. These roads also do not have shoulders and deeper ditches that will increase potential for more accidents and injury to our county residents. What would be included in budgets to maintain these routes in good driving conditions as they are not in the best of driving conditions for regular traffic during optimal weather . The City of Suffolk also have their wide load escort drivers sit on the IOW site at CabinTowne to wait for the wide load trucks to come through Windsor, slowing down the flow of traffic coming out of Windsor within a mile of the speed limit turning 55 mph.

The original design of Rte. 460 did not take into account the size of current semi-trucks. Approving this commercial development will increase the amount semi-trucks traveling on this already overly congested roadway and further impact the safety of the traveling public; particularly those that live in the immediate area and travel the roadway numerous times every day. Additionally, has a traffic count analysis been conducted to determine if this roadway can even support the increase in semi-truck traffic with the addition of this commercial site?

Wildlife is often observed in this area and any development will destroy their habitat. Any planned development of the property should consider the continuing impact to local wildlife habitat. Flocks of Canadian Geese inhabit this area during Spring months while they lay and hatch their young. They travel back and forth from Cost Plus World Market to the farmland behind Lover's Lane. Nesting areas for Canadian Geese are protected through the Migratory Bird Treaty Act of 1918.

In more recent years human encroachment has lead to a reduction of natural habitats for Canadian Geese.

Construction of commercial warehouses and associated infrastructure will have a negative impact on property values. Property values are likely to go down in the area if warehouses etc are built. This is an impact that surrounding property owners should not have to endure.

What is the plan for stormwater runoff on this site? As part of the Chesapeake Bay Preservation Act, this area is subject to other restrictions to prevent damage to water sources, requiring water runoff into a retention pond etc. If there are plans to use the pond already located on this site for retention, it would need to be plugged. If not, the additional stormwater runoff from the increased impervious area would result in run off from this pond onto my property. Any additional run-off would result in soil erosion and have a negative impact to my property. Has water runoff been discussed or studied?

The City of Norfolk owns the surrounding areas of the swap that makes up the Ennis Pond tributary. Stormwater flows from this drainage area flow into Lake Prince; which is part of the City of Norfolk's drinking water system. Given that stormwater runoff from the proposed commercial site drains into the City of Norfolk's water system; has the City of Norfolk been consulted concerning the potential impact to their drinking water supply?

There is also a family cemetery that straddles my property and that of the Hollowell Farm(Hollowell Holdings LLC), as these two properties used to be all owned as one farm by the Nelms family at one time. What will be done to conserve and not desecrate the cemetery?

As an adjacent property owner and lifelong resident of Isle of Wight County, I place a high value on the way of life I cherish in this quiet rural community. Construction of the proposed commercial property would have a negative impact on my viewshed and noise impacts. What is being done to rectify negative viewshed impacts and noise impacts on adjacent property owners such as myself?

Given the numerous negative impacts that the proposed commercial development will have on my property, wildlife and the citizens of Isle of Wight County, I urge you to disapprove the proposed rezoning. Thank you for your continued service and support of our communities.

Respectfully,

Candice Jones Carr
55-01-012 (Candice Jean Jones)

Sent from [Mail](#) for Windows

Commissioner Boykin shared her concerns with the traffic impact analysis not including Suffolk or Lovers Lane.

Trenton Blowe stated the Lovers Lane TIA was submitted and should have been included in the staff report.

Commissioner Boykin asked if comments were requested from the Town of Windsor fire and police.

Mr. Blowe stated the application was sent to the Town of Windsor for review, and the applicant and Town representatives were in discussions throughout the review process of the application.

Commissioner Boykin asked why a noise study has not been done yet.

Mr. Blowe stated there is a proffered condition to perform a noise study, if the application is approved.

Mr. Boylan stated the Lovers Lane TIA was submitted to the Town of Windsor and to Isle of Wight with the conclusion that the proposed development will improve the movement from Lovers Lane to Route 460 versus a no-build scenario. Mr. Boylan stated a noise study will be done at site plan submission.

Commissioner Taylor stated there is not a contract for a specific use, and asked if they are expecting it to be some type of warehouse use, and if there could potentially be a cross dock facility.

Mr. Boylan responded that if a cross dock was added, it would not be in compliance with the proffered conceptual plan.

Commissioner Taylor asked if there was an enterprise zone incentive package associated with this project.

Mr. Boylan said yes, for the end users, not the developers.

Commissioner Gibbs stated he did a site visit and stood on Mr. Freeman's front porch and doesn't believe a berm could be built high enough to block the visual impact.

Mr. Boylan stated the viewshed study was conducted from the property at ground level, not from the neighboring properties or houses.

Commissioner Taylor asked how many tractor trailers can fit in the left hand turn into the facility.

Kimely Horn representative stated it is based on VDOT standards, and four at most during every light cycle.

Commissioner Taylor expressed her concern with during a busy time the potential to block Lovers Lane.

Commissioner Boykin made the motion to table both applications until a noise study is submitted.

Commissioner Carroll agreed on tabling these applications and added his concern about the Commission of Revenue's comment and asked for comments from Emergency Services.

Commissioner Carroll amended the motion to add his concerns on application LUP-1-23. Commissioner Boykin seconded the motion, which was adopted with Commissioners Carroll, Boykin, Taylor, Sienkiewicz, Gibbs, Smith and Bowser voting in favor of the motion and Commissioner Rawls voting against and Commissioner Ford abstained. (7-1-1).

This application will be tabled until the March 26, 2024, Planning Commission Meeting.

Chairman Bowser called for the vote on application ZA-4-23.

Commissioner Carroll made the motion to table this application with comments from the previous application. Commissioner Gibbs seconded the motion, which was adopted with Commissioners Carroll, Boykin, Taylor, Sienkiewicz, Gibbs, Smith and Bowser voting in favor of the motion and Commissioner Rawls voting against and Commissioner Ford abstained. (7-1-1).

Commissioner Bowser asked for direct feedback from the Town of Windsor Town Manager's office.

This application will be tabled until the March 26, 2024, Planning Commission Meeting.

OLD BUSINESS

Amy Ring confirmed there were no old business items to discuss.

NEW BUSINESS

Chairman Bowser called for the following new business item.

2023 Planning Commission Annual Report

Amy Ring asked for any recommended changes or approval of the 2023 Annual Report.

Commissioner Taylor made the motion to accept the Annual Report as presented. Commissioner Ford seconded the motion, which was adopted with commissioners Bowser, Boykin, Ford, Rawls, Taylor, Sienkiewicz, Gibbs, Smith, and Carroll voting in favor of the motion and no commissioners voting against. (9-0)

COUNTY ATTORNEY'S REPORT

Bobby Jones addressed a recent FOIA violation in Northern Virginia and clarified three or more Planning Commission members cannot meet if discussing public business, and if a member of the Planning Commission would like to share something with the Planning Commission, it must be channeled through the zoning administrator or county attorney to be shared with the group as they are not subject to that restriction.

PLANNING DIRECTORS REPORT

Chairman Bowser asked for the Planning Director's Report Item

Recreational Vehicle (RV) Ordinance Discussion

Amy Ring stated that the Board and Planning Commission individually have discussed the current restrictions of the use of recreational vehicles (RVs) as a temporary or permanent residential use. Ms. Ring stated staff has found it difficult to find other localities in Virginia that allow RVs for temporary residential use, and that most localities prohibit it outright due to building code safety issues and Health Department waste management rules. Ms. Ring shared the following proposed ordinance revision.

Proposed Zoning Ordinance Revisions Revised February 27, 2024

The draft revisions are listed by section below. New, proposed language is in red underlined text. Language proposed to be deleted is shown in ~~red text with strikethrough~~ markings.

Article V, Supplementary Use Regulations

Sec. 5-1001. - Prohibited uses.

The following uses are specifically excluded from all districts:

Replace current language:

~~A. Unless otherwise expressly permitted, the use of a recreational vehicle as a temporary or permanent residence.~~

With the Following (see Section 86-111 of Louisa County Ordinance):

Recreational vehicles, tents, and the like shall not be used for permanent or full-time dwellings in any district, unless otherwise permitted by the Ordinance and in accordance with the Virginia Department of Health, whether or not connected to utilities, wells or septic systems. For the purposes of this section, permanent means available for occupancy for 30 consecutive days or more per year regardless of actual use.

Sec. 5-2000. - Supplementary density and dimensional regulations.

L. Recreational vehicles and watercraft. In all districts it shall be permissible to store out-of-doors recreational vehicles and watercraft as an accessory use only in accordance with the following:

1. Such vehicles or watercraft shall be placed in the rear or side yards only, and shall be located at least five (5) feet from all property lines. This provision shall not apply to recreational vehicles or watercraft stored within completely enclosed structures.
2. Recreational vehicles shall not be used as permanent or full-time living quarters and may only be otherwise occupied in accordance with zoning district regulations and the Virginia Department of Health. For the purposes of this section, permanent means available for occupancy for 30 consecutive days or more per year regardless of actual use.

Ms. Ring stated it will become difficult to enforce and track.

Commissioner Ford stated he doesn't think we should open the door.

Commissioner Carroll stated he would like to see a limit on the number of RVs allowed and questioned the Department of Health regulations regarding waste management.

Commissioner Ford asked whether staff could research how localities in other states, specifically in the western states, address the issue.

Ms. Ring stated she would perform additional research and present her findings to the Commission at a future meeting.

CLOSED MEETING

Chairman Bowser confirmed there were no items to discuss in closed meeting.

ADJOURNMENT

There being no further information to discuss, Chairman Bowser adjourned the meeting at 8:45 PM.

Adopted this 26 day of March, 2024

Bobby A. Bowser

Bobby Bowser, Chairman, Isle of Wight County Planning Commission

Attest: Amanda Landrus

Amanda Landrus, Secretary

