

**MINUTES**  
Planning Commission  
County of Prince George, Virginia

November 16, 2023

County Administration Building, Board Room, Third Floor  
6602 Courts Drive, Prince George, Virginia 23875

**CALL TO ORDER.** The Regular Meeting of the Prince George County Planning Commission was called to order at 6:30 p.m. on Thursday, November 16, 2023, in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Ms. Elder, Chair.

**ATTENDANCE.** The following members responded to Roll Call:

Alex Bresko	Present
Stephen Brockwell	Present
Tammy Anderson, Vice-Chair	Absent – Arrived at 6:40
Jennifer Canepa	Present
Imogene Elder, Chair	Present
Clarence Joyner	Present
Brian Waymack	Present

Also present: Robert Baldwin, Planning Director; Tim Graves, Planner II; Koty Gray, Planner I; Madison Sobczak, Planning Technician

**INVOCATION.** Ms. Elder provided the Invocation.

**PLEDGE OF ALLEGIANCE TO THE FLAG.** Mr. Brockwell led in the Pledge of Allegiance to the United States flag.

**ADOPTION OF THE AGENDA.** Ms. Elder asked the Commissioners for a motion to approve the Agenda for the November 16, 2023, Planning Commission meeting. Mr. Bresko made a motion to approve the Agenda and Mr. Brockwell seconded the motion.

Roll Call:

In favor: (6) Brockwell, Canepa, Elder, Joyner, Waymack, Bresko

Opposed: (0)

Absent: (1) Anderson

**PUBLIC COMMENT PERIOD.**

At 6:31 p.m., Ms. Elder opened the Public Comment Period to anyone who wished to come forward to speak to the Commissioners on topics that were not on the Agenda as Public Hearings. Citizens were asked to limit their comments to three (3) minutes.

With no one present indicating they wished to speak, the Public Comment Period was closed at 6:32 p.m.

## **COMMISSIONERS' COMMENTS.**

Ms. Elder asked the Commissioners if they had any comments they would like to share. Mrs. Elder welcomed Mr. David “Koty” Gray as the new Planner I in the Planning Department.

## **ORDER OF BUSINESS.**

### **A-1. Adoption of the Work Session Minutes – October 23, 2023**

Ms. Elder asked the Commissioners to review the Work Session Minutes from October 23, 2023. Ms. Canepa made a motion to approve the October 23, 2023, Work Session Minutes. The motion was seconded by Mr. Waymack.

Roll Call:

In favor: (6) Canepa, Elder, Joyner, Waymack, Bresko, Brockwell

Abstain: (0)

Absent: (1) Anderson

### **A-2. Adoption of Business Meeting Minutes – October 26, 2023**

Ms. Elder asked the Commissioners to review the Minutes of the October 26, 2023, Planning Commission meeting. Mr. Brockwell made a motion to approve the October 26, 2023 Meeting Minutes as written. The motion for approval was seconded by Mr. Waymack.

Roll Call:

In favor: (6) Canepa, Joyner, Waymack, Bresko, Brockwell, Elder

Opposed: (0)

Abstain: (0)

Absent: (1) Anderson

- A-3. SUBDIVISION WAIVER SW-23-02:** Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into six “family subdivision lots without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-724(d)(3) which limits residential development on private roads to no more than three lots, and the applicant requests a waiver of §70-724(d)(3)iii which requires that private roads shall meet minimum design standards as given in the latest edition of the VDOT Subdivision Street Design Guide. The subject property is zoned (R-A) Residential Agricultural, is located on an existing private road that accesses South Crater Road approximately 2,500 feet south of the intersection with Eagle Rock Road, and is identified as Tax Map 430(0A)00-086-0. The proposed subdivision plat is filed in the Planning Department under Application ID # S-23-26. – [4] **Tim Graves**

Mr. Graves presented SW-23-02 to the Commissioners. (The staff report materials including the application materials are posted on the Planning Department website in the Planning Commission Meetings section.)

Mr. Graves stated the applicant, Mr. Tim Stewart, was in attendance to answer any questions the Commissioners may have.

Mr. Ronald Stewart introduced himself and his son, Mr. Tim Stewart, and provided information and asked the Commissioners to consider approving the Subdivision Request for the following reasons:

- He, his brother, and his father purchased this land originally and divided it into three 34-acre parcels.
- He is trying to honor a promise he made to his grandchildren that they would be able to build their own homes on the land.
- Has tried for three years to be able to subdivide the land without going in front of Planning Commission and it never worked out.
- He has already invested over \$20,000 for surveys and soil samples.
- The land would only be for his six grandchildren that are listed on the application and would not be used for anything else.
- Years ago the roadway was paved but it has since wore out but he would have no problem meeting standards set for the roadway and paving the roadway again.
- He presented a letter from Chief Scott Campbell of the Carson Fire Department stating he had gone and looked at the roadway and that it was plenty wide and graveled allowing for proper ingress and egress for emergency vehicles to access all of the properties on the roadway.
- He was quoted \$400,000 dollars as an estimate to build the road.

Mrs. Elder asked if the two grandchildren that are listed on the application and currently living in North Carolina also have the last name Stewart.

Mr. Stewart stated their last names are Stewart and they are his youngest son's children.

Ms. Canepa asked what happens if more grandchildren are born and want to have a piece of the land as well.

Mr. Stewart explained that the grandchildren listed on the application are the only grandchildren that he wanted to subdivide the land for, not for any additional grandchildren that may come later.

Mr. Bresko asked if the land is currently in timber and in land use.

Mr. Stewart affirmed it is.

Mr. Bresko asked if he changed this, would he would have to pay back taxes.

Mr. Stewart stated he was unsure and would have to ask the County, but if he was required to pay it, he would. He then stated the timber was appraised at \$35,000 and he was informed by a Health Inspector that if he were to timber the land it would damage the drainfields and had no interest in doing that.

Ms. Elder asked if the Subdivision Waiver got approved if the land would then go into each grandchild's name.

Mr. Stewart confirmed the land would be put in each grandchild's name.  
Mrs. Elder asked how that would work for the two underage grandchildren.  
Mr. Stewart explained the land for the two underage grandchildren would be put into a trust and go to them when they are of age.

Mr. Bresko asked what's to keep them from selling the land once Mr. Stewart gives it to them?

Mr. Stewart explained that all of them want to live there. He then explained two of the grandchildren have already bought property hoping that this would have been approved prior but it never worked out, but they both have explained they want to come back and live on the property if the request is approved. Mr. Stewart said he has emphasized to all of the grandchildren that he expects the land to stay in the family, for them to build houses on the land, and for then to raise their children on the land as well.

Mrs. Elder asked if they currently have a road maintenance agreement.

Mr. Stewart stated they do not currently have one in writing and it was more a verbal agreement with everyone else on the road, but he would not have an issue getting one per the Staff-suggested conditions of approval.

Mr. Waymack made a motion to "Adopt the resolution to approve the Subdivision Ordinance Waivers requested in SW-23-02 for the following reasons:  
Strict adherence to the general regulations in this ordinance would result in injustice or hardship, specifically citing the estimated cost to bring the county road standards to \$400,000; and  
It does not appear there is any prejudice to the health and safety of the surrounding citizens due to the documentation submitted; and  
This approval is subject to the conditions recommended by Staff in the Staff Report as presented by Mr. Graves."  
Mr. Brockwell seconded the motion.

Roll Call:

In favor: (7) Elder, Waymack, Bresko, Joyner, Brockwell, Anderson, Canepa

Opposed: (0)

Absent: (0)

- A-4. SUBDIVISION WAIVER SW-23-03:** Request to waive standards contained in Article VII of the Subdivision Ordinance, as authorized under § 70-208, to permit a subdivision of one lot into two lots without adhering to all of the design standards of Article VII. Specifically, the applicant requests a waiver of §70-716 which requires a newly subdivided lot to have direct access from an improved street and a waiver of §70-720 which requires a newly subdivided lot to abut on a public street. The subject property is zoned (B-1) General Business, is located at 16430 Sunnybrook Road, and is identified as Tax Map 510(OA)00-026-F. The proposed subdivision plat is filed in the Planning Department under Application ID # S-22-32. – [5] **Tim Graves**

Mr. Graves presented SW-23-03 to the Commissioners. (The staff report materials including the application materials are posted on the Planning Department website in the Planning Commission Meetings section.)

Mr. Graves stated the applicant was in attendance to answer any questions the Commissioners may have.

Ms. Canepa stated the comment that they received before the meeting was about cutting down trees that separate two properties. She asked Mr. Patel if he planned on clearing the whole parcel of trees or if he planned to only clear the trees that are needed for the drain field.

Mr. Patel explained he only wanted to clear enough trees for the drain field, and he wanted to preserve as many trees as he could.

Mr. Bresko asked where the present drain field is located.

Mr. Patel stated it is on a neighboring property near the Holiday Inn and the septic system is in an easement. He then explained the water is going into a state watershed and DEQ informed him the current system is too big for the hotel currently, and he needed to install a drain field.

Mr. Patel stated if this request does not get approved, he will be out of business and his family will not have an income since this hotel is his only business.

Ms. Canepa made a motion to “Adopt the resolution to approve the Subdivision Ordinance Waivers requested in Application SW-23-03 for the following reasons:

There is an unusual situation, specifically: Because the proposed parcel will only be used for a drain field, it does not need to abut on or have direct access to a road. Instead, it can be accessed directly from the hotel property; and

Strict adherence to the general regulation in this ordinance would result in substantial injustice or hardship specifically: If the request is denied, it will almost certainly result in the closure of the hotel and a financial hardship for the hotel owner and his family; and

There is no prejudice to the health and safety to the surrounding citizens; and

This approval is subject to the conditions recommended in the report.”

Mr. Brockwell seconded the motion.

#### Roll Call:

In favor: (7) Elder, Bresko, Brockwell, Waymack, Canepa, Anderson, Joyner

Opposed: (0)

Absent: (0)

### **COMMUNICATIONS.**

#### **C-1. Actions of the Board of Zoning Appeals (BZA)**

- There were none. November meeting was canceled.
- There will be a meeting in December.

#### **C-2. Actions of the Board of Supervisors (BOS)**

- There was no Planning items that happened at the November 15th meeting.
- Three items are on the agenda for November 28<sup>th</sup>.

**C-3. Upcoming Planning Commission Cases for December**

- There will be at least one Rezoning case and one Special Exception case.

**ADJOURNMENT.**

At 7:19 p.m., Ms. Elder asked the Commissioners if they had any additional questions. If not, she would entertain a motion to adjourn. Mr. Bresko made a motion to adjourn, and Ms. Anderson seconded the motion. Roll was called on the motion.

Roll Call:

In favor: (7) Waymack, Bresko, Anderson, Joyner, Canepa, Elder, Brockwell

Opposed: (0)

Absent: (0)