



**KING WILLIAM COUNTY
PLANNING COMMISSION
REGULAR MEETING OF JUNE 4, 2024**

A regular meeting of the Planning Commission of King William County, Virginia, was held on the 4th day of June 2024, beginning at 6:30 p.m. in the King William County Board Room of the Administration Building.

Agenda Item 1. Call to Order

Chairman Sluder called the meeting to order at 6:30 p.m.

Agenda Item 2. Electronic Participation Approval

Not needed.

Agenda Item 3. Roll Call

The members of the Planning Commission were polled:

Darrell Kellum – Vice Chair	Absent
Bonnie Hite	Present
Otto Williams	Present
Ben Edwards	Present
Mathew Sluder - Chairman	Present

Also in Attendance:

Sherry Graham, Director of Planning
Barbara Trimmer, Planning Secretary
Ashley Gault, Planning Assistant

Agenda Item 4. Moment of Silence

The Chairman called for a moment of silence.

Agenda Item 5. Pledge of Allegiance

The Chairman led the pledge of allegiance.

Agenda Item 6. Review And Adoption of Meeting Agenda

Commissioner Williams moved for the adoption of the meeting agenda; Commissioner Hite seconded the motion. The Chairman called for any discussion.

The members were polled:

Bonnie Hite	Aye
Otto Williams	Aye
Ben Edwards	Aye
Darrell Kellum – Vice Chair	
Mathew Sluder – Chairman	Aye

Agenda Item 7.a. Approval of Minutes

Commissioner Hite moved for the approval of the May 7, 2024, meeting minutes. Supervisor Edwards seconded the motion. The Chairman called for any discussion. All were in favor with none opposed.

8. Citizens Comment Period

Chairman Sluder opened the Citizen Comment period.

With no additional speakers, Chairman Sluder closed the Citizen Comment period.

Agenda Item 9. Public Hearing

9.a. Amendment to Boathouse Requirements

Director of Planning discussed the amendment to the Ordinance to allow residential boathouse by-right in the A-C, R-R and R-1 zones with a height no greater than 16'. Boathouses and boatsheds are required to obtain approval from VMRC, the ACOE and a zoning and building permit.

Supervisor Edwards made a motion to send the new requirements to the board for approval, seconded by Commissioner Williams. The members were polled:

Bonnie Hite	Aye
Otto Williams	Aye
Ben Edwards	Aye
Mathew Sluder – Chairman	Aye

9.b. Amendments to the TCO Ordinance

The Planning Commission discussed the TCO Ordinance amendment to include the title change from Transportation Corridor Overlay to Business Management Area. Verbiage was added to clarify that the BMA is to help enhance the appearance of the main corridors to make them more inviting and to include landscaping to help reduce the visual impacts of development in the area. The amendment adds that the entrance of the property will determine the frontage. If the frontage is on a secondary road, the property owner will not need to adhere to the BMA requirements; however, a vegetated buffer will be required where the property abuts route 360; existing trees may be included to meet all or part of the tree canopy requirements; landscaping shall not obstruct the view of motorist, driveways or the approach to any street.

(5) Other modifications and exemptions to the BMA may be granted by the Planning Commission.

(7) Wording was changed to include the site shall meet VDOT requirements. Under roofs: a minimum of a 2/12 pitched roof was added and a parapet wall shall be provided to screen any roof mounted equipment.

Commissioner Williams asked questions regarding new pitch requirements; Director Graham clarified that no requirements had previously been noted. A brief discussion was held regarding flat roofs, the new 2/12 pitch requirements and parapet walls by the commissioners and director before Chairman Sluder opened the citizen comment period.

No comments by the public. Citizen Comment period was closed.

A motion was made by Supervisor Edwards to move the TCO Ordinance to the B.O.S. seconded by Chairman Sluder. The members were polled:

Bonnie Hite	Aye
Otto Williams	Aye
Ben Edwards	Aye
Mathew Sluder – Chairman	Aye

9.c. Amendments to the PUD Ordinance

The Planning Commission amended the PUD Ordinance under section 86-347; Gross floor area, minimum square footage was added to single family detached single story 1,400 sq. ft. and 1,800 sq ft. for two-story, single family attached 1,300 sq. ft. with a minimum of 950 sq. ft.

Sec. 86-349 no more than 50% of residential units shall be issued building permits until at least 25% of commercial property has been developed.

Sec. 86-350, guarantee of completion; require certified check, or cash escrow or bond with surety to certify completion of the project.

Sec. 86-351 Discontinuation of a project; if applicant fails to complete project within 2- years of final approval, the project shall be deemed null and void unless an extension is granted by the B.O.S.

A brief discussion was held regarding the purpose of a PUD, deciding it is a workable community with a mixture of housing types and businesses. Chairman Sluder providing Kennington as an example and Commissioner Williams brought up concerns about economic growth.

No other voter or public comments were made during Chairman Sluder's Citizens Comment period.

Supervisor Edwards made a motion to bring forward the PUD Ordinance to the B.O.S. seconded by Commissioner Hite. The members were polled:

Bonnie Hite	Aye
Otto Williams	Nay
Ben Edwards	Aye
Mathew Sluder – Chairman	Aye

Chairman Sluder ruled a 3:1 vote passes.

9.d. Michael Lemcke- CUP Request for Campground

Lemcke's CUP permit is to operate 2 campsites with 2 additional campsites for personal use on his 4.7 acres of property located at 914 Old New Castle Road, zoned A-C.

Director Graham explained Mr. Lemcke's new request to allow overnight stays in self-contained camping units with a maximum of 14 days per visit, noting that Mr. Lemcke has installed gravel mats, electricity and water on 4 sites, after the fact and without permits. Mrs. Graham also reviewed VDOT's statement that this would be a low volume commercial entrance that appears to meet the stopping sight distance so it would be treated as a private driveway, needing no further requirements from the department of transportation.

The Director also recognized the Planning Departments current open court case for an illegal campground that is in continuation until June 20, 2024.

Mr. Lemcke informed Mr. Becker in the health department that he would in fact reduce the number of campsites to two so he would be under proper requirements.

Mr. Lemcke submitted another site plan; however, it is incomplete with incorrect information.

Mr. Lemcke was notified the Planning Commission may not find the new site plan suitable for CUP 60-2023, Request for 4 Campsites.

Staff recommended denial due to the zoning of the property stating that although zoned A-C, it is a non-conforming lot and does not meet the minimum of 5 acres which is required in the A-C zoning district; A campsite permit would be an expansion of a non-conforming lot, the plat does not provide all required information and contains incorrect information, that this is an after-the-fact application and that the four sites were added without approval or any permits or inspections.

Diagrams and pictures were presented to show the current arial view of the Old New Castle property and the site plans Mr. Lemcke submitted with the application. Street view pictures were also presented to show the current layout.

Complaint letters were reviewed.

Commissioner Williams asked general knowledge questions and a brief discussion was held clarifying the layout of the parcel and property. Chairman Sluder raised concerns about sewage and water hook ups.

The comment period was opened by Chairman Sluder when Mike Lemcke withdrew his current request; stating that after having conversations with the Director and the local community surrounding the properties, Mr. Lemcke wants to revise his consideration with the extension of 2 Air B&B. Chairman Sluder asked for an outline of the new proposal.

County Administrator Ashcraft recognized that Mr. Lemcke was withdrawing his current application, noting that if accepted there is no need for a public hearing and the request is no longer valid, and that is new request would be a brand-new application. Mr. Lemcke confirmed.

Request for CUP 06-2023, Request for 4 Campsites was withdrawn by Mr. Lemcke.

Agenda Item 10. Unfinished Business

10.a. C.U.P. 01-2024, Charles Snead (Cont. from March 12, 2024)

Mr. Snead came before the Planning Commission on March 12, for his request to operate a campground on his property located at 281 Roane Oak Trail, tax map # 29-72D, zoned A-C and consists of 35.8 acres. His request included a one room B&B, (which is currently permitted,) cabins, RV and primitive campsites, food service, a bathhouse and daily visitor passes, requesting inclusion of 99 total guests. VDOT's office reviewed the referenced plan per the minimum standards as received on 5-23-24, suggesting that the preliminary plan review, provide projected daily vehicle trips and that the ITE Code and calculations must match the County's approved uses, the brick hatching for the entrance paving is not shown on the plan view but appears that limits of wetland hatching are shown instead, the installation of the southwestern entrance radius may create a steep slope near the existing cross culvert, and pipe extension and grading may be necessary. VDOT recommends that any access or ingress/egress easements be

shown on the plan and Mr. Snead should provide sealed/signed plans of a professional licensed in the Commonwealth of Virginia.

Mr. Snead submitted new plans on June 4, 2024, and comments are pending.

Plan layouts were discussed for the new entrance way.

Supervisor Edwards asked questions regarding the current permits and up to date inspections. Commissioner Graham confirming some do, some do not. Chairman Sluder asked about current capacity approvals for the overnight guest stays, which is a maximum of 14 and for the applicant to explain his new plan submissions.

Mr. Snead noted that VDOT made it very clear they wanted one, single commercial entrance for his guest at the campground and the six residential properties on Roane Oak Road. His plan for the entranceway to be in the center of the property, with him assuming all costs for construction and paving was rejected by the neighbors, highly expressing their disagreements sharing an entrance way with Mr. Snead. Mr. Sneads new proposal is for the asphalt paved entranceway, with concrete curbs, to be solely on his property, with a 50 ft. wide entranceway, meeting VDOT requirements of 35 feet on each end, and a throat of 24ft, proposing the neighbors' driveways branch off.

Convenience was discussed regarding VDOT approval and the neighborhood entrance way between Supervisor Edwards, Mr. Snead and Chairman Sluder. Supervisor Edwards pointing out Mr. Sneads new entry would entirely cut out the neighbors' driveways and was completely inaccurate with what the builders had in mind when Roane Oak trail was developed.

Chairman Sluders' question regarding compacity of sewage was discussed. Mr. Snead claims out of the 99 people he is requesting, 40 of those people would be using the dump station in the RV area, 22 people could use his personal dump station and the remainder would be using a new septic system being designed but has not been submitted to the County. The drain field was questioned. Mr. Snead said the Perk test was acquired but details were not clear on the outcome.

Commissioner Hite asked about the potential new septic system affecting the proposed new entranceway and if it were possible to design an entrance to accommodate 99 people without affecting the neighbors existing entrances.

Mr. Snead addressed the noise complaints from the neighbors stating he too heard the loud music, but it was coming from the Ruritan Club across route 30.

Mr. Snead also states he is willing to negotiate his request for 99 people upon an agreement with the Commissioners. Chairman Sluder reminded Mr. Snead the proper permits would still be required regarding the number of guests regardless, if over the current allotted amount.

Chairman Sluder opened the public speaking period.

Steven Hoy was called first from the 2nd district, he is a neighbor of Mr. Snead. He is in support of the CUP application and the new proposed entryway.

Mr. Don Wagner stood up, out of turn stating his issues with Mr. Snead and the property. Mr. Wagner wants a positive barrier to put in place and the project discontinued until Mr. Snead is compliant with all requirements.

Mr. Victor Eingesso, district 2, Roane Oak Trail resident wants absolutely no changes to Roane Oak Trail or Roane Oak Road.

Mr. and Mrs. Mason of district 2, Roane Oak Trail resident both spoke against the new CUP with concerns of the noise and commodity of 99 people at Mr. Sneads property. VDOT approvals were also mentioned without resolution and some discretion on his measurements for the new entryway.

Sally Johnson, nonresident of King William County spoke in favor of Mr. Sneads new proposal. Saying the site is peaceful, quiet and there is more noise from route 30 traffic than any private activities on site.

Victoria Nation, district 2 supported Mr. Sneads advised CUP for potential economic growth and wants reconsideration of why the application was denied with details.

Stephen Greenwood, 3rd district, supports the CUP noting several of Mr. Sneads actions to make the existing property up to code and abide any legal requirements. Believes the campground is wrongfully judged and the neighbors are antagonists.

Richard, district 2, Roane Oak Trail resident, says he and his wife oppose the CUP and Mr. Snead has no right to tamper with Roane Oak Trail.

After the public hearing, a brief discussion was held, and Mrs. Hite asked about the recreational permit. To conclude, it was no longer in the current settlement. Mrs. Hite also suggested that Mr. Snead work on the errors that denied previous applications and ensure all new structures have proper permits.

Mr. Williams inquired VDOT's approval stating that this is a "minor subdivision by rights nightmare!"

Supervisor Edwards concluded that per the number of outstanding issues needing to be addressed and requests for Mr. Snead to have all his details in order before coming to the Board, he motioned to deny moving forward. Mrs. Hite seconded the motion. The members were polled. All were in favor with none opposed.

10.b. Review of the Solar Ordinance

The Solar Facilities Ordinance had been amended to include definitions for accessory, roof mounted standards and ground mounted standards; supplementary standards; principal – wholesale generational and distribution including utility scale standards, small scale standards, site design standards, environmental considerations, battery energy storage systems (BESS), and fiscal consideration.

Added to solar ordinance was to cap coverage at 3%.

Upon the Planning Commission's review, staff requested this be placed on the July 2nd meeting agenda for the public hearing.

11. New Business

No New Business

12. Directors Report

The Solar Ordinance Public Hearing was scheduled for July 2, 2024.

13. Commission Members Requests and Comments

Commissioner Hite thanked everyone for coming, noting the agenda, CUP, Ordinances and applauded Mr. Snead for his intelligence and work ethic. She reiterated the request for denial was in no way based upon personal influence; her concerns are strictly related to the lack of permits and current violations. Commissioner Hite noted that the health and welfare of the citizens of King William County are her and the rest of the board members' top priority and hopes to come to an agreement suiting all parties. Commissioner Hite thanked the Director and staff, acknowledging Mrs. Grahams hard work, suggesting meeting packets be sent out in a timelier manner prior to the adjourning meeting. Chairman Sluder concurred, although both were appreciative of all the Director's efforts.

Commissioner Williams agreed with Commissioner Hite. Acknowledging Mr. Snead first but sharing the prior concerns of incomplete data in front of the Commissions Board. Commissioner Williams thanked everyone and the Director of Planning and staff.

Supervisor Edwards thanked the public and attendees, the staff and Director Graham for coming to the meeting and all the work done by the department. He also made a point to recognize Mr. Sneads efforts to contribute to his existing property and reiterated that the denial was not due to personal or ethical reasons. Supervisor Edwards commended Mr. Snead for all he has done and suggested having all affairs in order before returning to the Planning and Commissions board.

Chairman Sluder agreed with Supervisor Edwards statements, adding that denying any request is not an easy decision. Chairman Sluder noted the amount of public commenting meant the community cared for the development of the county and the Board does their very best trying to appease everyone. The Chairman welcomed Ms. Ashley Gault as the Planning Assistant and thanked Mrs. Trimmer for her services to the department, welcoming her to attend future meetings. Chairman Sluder thanked County Administrator Mr. Ashcraft for always attending, noting his character for doing so, thanking the staff and fellow commissioners.

14. Adjournment

Chairman Sluder entertained the motion to adjourn the meeting.

Supervisor Edwards seconded the motion. All were in favor with none opposed.

Meeting adjourned at 8:24pm

APPROVED NOT SIGNED

Mathew Sluder, Chairman

Barbara Trimmer, Commission Secretary