Albemarle County Planning Commission
May 1, 2001

The Albemarle County Planning Commission held a meeting and a public hearing on Tuesday, May 1, 2001 at 6:00 p.m. at the County Office Building, 401 McIntire Road, Charlottesville, Virginia. Members attending were: Dennis Rooker, Chairman; William Rieley, Vice-Chairman; Tracey Hopper, Rodney Thomas; William Finley, and Pete Craddock. Absent from the meeting was Jared Loewenstein. Other official present were: Stephen Waller, Yadira Amarante, Greg Kamptner, and Wayne Cilimberg, Director of Planning and Development.

A quorum was established and the meeting called to order.

Other Matters Not Listed on the Agenda from the Public

Mr. Rooker asked for additional matters from the public, there being none, the meeting proceeded.

Review of Board of Supervisors Meeting – April 25, 2001.

Mr. Cilimberg reviewed the Board of Supervisors Meeting. The Special Use Permits for Spring Hill were approved. The wireless communications facility was approved. ACAC at the North Fork research park was approved.

Consent Agenda

Mr. Rooker asked if there was any item the commission would like removed from the agenda.

a. **Addition to Blue Run Agricultural/Forestal District** - The Blue Run District is located in the vicinity of Batesville. This proposed addition, described as Tax Map 35 Parcel 28A and portions of Tax Map 35 Parcel 29, is located east of Route 641, approximately 1.25 miles southeast of the intersection with Route 20. The parcel is located in the Rivanna magisterial district, is designated as Rural Area in the Comprehensive Plan, and is zoned RA Rural Areas. (Scott Clark) ***PLANNING COMMISSION MUST ACCEPT APPLICATION.***
b. **SUB-2001-073 Beekman D. & Terry M. Beavers Waiver Request -** Request to waive Section 14-505, Access from lot onto a public street or private road, which requires a joint driveway (private road) for lots created by subdivision pursuant to Section 14-505(B). (Francis McCall)
c. **Approval of Minutes** – March 13, 2001, March 20, 2001, and March 27, 2001.

Mr. Finley moved for approval of the consent agenda.

Mr. Thomas seconded the motion, which passed unanimously. Ms. Hopper was not present for the vote.

Item Requesting Deferral

a. **SP-2000-52 John Adams (Triton PCS) (Sign #51, 52, 53) -** Request for special use permit to allow a personal wireless facility, including a 91 foot high wooden pole, antennas, and ground equipment on a 30' by 30' lease area, in accordance with Section 10.2.2.6 of the Zoning Ordinance which allows for microwave and radio-wave transmission and relay towers. The property, described as Tax Map 59 Parcel 20, contains 140.982 acres, and is located in the Samuel Miller Magisterial District 785 Verdant Lawn Lane, west of Rt. 250 and Rt. 677. The property is zoned RA Rural

Area. The Comprehensive Plan designates this property as Rural Area 3. (Joan McDowell) ***DEFERRED FROM THE APRIL 10, 2001 PLANNING COMMISSION MEETING. APPLICANT REQUESTS DEFERRAL TO MAY 22, 2001.***

Mr. Rooker opened the item for public comment, there being none, the meeting proceeded.

Mr. Thomas moved to accept the applicant's request for deferral to May 22, 2001.

Mr. Craddock seconded the motion, which passed unanimously.

Deferred Item

a. **SP-2001-003 T.E. Wood (Triton PCS) (Sign #92, 93)** - Request for a special use permit to allow construction of a personal wireless facility with a 96-foot tall wooden monopole (86 feet above the height of the tallest tree within 25 feet), in accordance with Section 10.2.2.6 of the ZO which allows for microwave and radio-wave transmission and relay towers in the Rural Areas. The property, described as Tax Map 88, Parcel 26, contains approximately 71.34 acres and is located in the Samuel Miller Magisterial District on Arrowhead Valley Road (Rt. 745), just east of Rt. 29S. The property is zoned Rural Area and EC and is designated as Rural Areas in the Comprehensive Plan. (Stephen Waller) ***DEFERRED FROM THE APRIL 10, 2001 PLANNING COMMISSION MEETING.***

Mr. Waller presented the staff report.

Mr. Rooker asked for the difference of the elevation at the point of the tower vs. the top of Dudley Mountain.

Mr. Craddock asked for the location of the existing tower.

Mr. Waller said it was further to the right of that picture.

Mr. Thomas asked when the pictures were taken.

Mr. Waller replied approximately 2 months ago. The first series was take 2 months ago, follow-up shots were taken 1 ½ months ago.

Mr. Thomas asked what the visibility would be today.

Mr. Waller said that at this point, the tower would likely not be visible.

Mr. Rieley stated that you could see the existing one with the leaves on the trees, not the pole itself, but the antenna.

Mr. Rieley asked how far the site was from the boundary with the property under conservation easement.

Mr. Waller stated that the site was 99 feet away.

Mr. Rieley asked if that boundary was under easement.

Mr. Waller said yes, the boundary is part of the parcel that is under easement.

Mr. Waller showed the boundary lines of each of the properties involved in the photos.

Mr. Rieley pointed out that the packet includes several letters of concern and a petition from nearby residents. He asked if the owner of the property under conservation easement had sent a letter.

Mr. Waller said that the letter from the property owner is Attachment E, page 1. He pointed out that the petition was submitted in regards to the previous monopole.

Mr. Rooker pointed out that the petition was signed in 1998.

Mr. Waller said yes.

Mr. Craddock said he noticed in the report that no alternate sites were proposed or discussed.

Mr. Waller stated that staff reviewed what was submitted.

Mr. Rooker opened the public hearing on the item.

Mr. Rieley said that he is curious about the difference in the elevation between the existing tower and the proposed tower, and the difference in height from the base to the tip.

Mr. Valerie Long, applicant, stated that she did not know the answer to that question. The tree height is estimated to be 75 to 100 feet.

Mr. Rooker pointed out the height limit of 6 feet above the height of the tallest tree within 25 feet.

Mr. Waller said that was also a requirement of the ARB, which also required extension of the tree preservation area.

Ms. Long commented on the date the balloon tests were conducted, which was the first week of February. The petition that was submitted was sent in 1998 in regards to the previous tower. This site was considered from the very beginning because it resulted in the least amount of visibility and impact on the land. This provided the most appropriate levels of visibility, despite its location near the conservation easement property and the agricultural/forestal district. In the beginning, the applicant did not realize that the agricultural-forestal district had been expanded to the point that it was adjacent to the property. That change has not yet been reflected on the County's tax maps. Agreed to limit the height to 6 feet above the tallest trees. The site is located within a small clearing. Only a dead tree and some low-lying underbrush would need to be cleared. It is very difficult to find properties like this, that provide a wooded backdrop. There is a road already in place. The facility would have very limited impact and visibility. There is a short distance where there is no backdrop on Route 29 going south. We were never able to see the facility from the nearby residences.

Mr. Thomas asked if the closest residence was 1100 feet.

Ms. Long said the closest property line is the Arrowhead property, which is just under 100 feet away. The closest point of that property line of the agricultural/forestal district is 700 feet. There would be no setback waiver. The pole would fall completely within the Wood's property if it collapsed. Wireless facilities of this kind can be located in avoidance areas as long as they are minimally visible.

Mr. David van Roijn, a neighbor, Mr. Woods was unable to be here tonight so he also speaks on

his behalf. This is not a new issue. Thetower that already exists was the result of many, many battles, which they believed to be the last word. The conservation easement on this property is a lot stricter than the agricultural/forestal district. The applicant initially said they would not cut anything or disturb any trees within 1000 feet of the area. Putting a second tower in violates that agreement. The Commission should vote against this application to preserve the integrity of the 1000 foot buffer that was established.

There being no further public comment, Mr. Rooker closed the public hearing.

Mr. Rieley asked what would be considered tree removal in this instance.

Mr. Waller said a tree would be 6" in diameter or greater.

Mr. Rieley stated that there is one tree being removed that is greater than that.

Mr. Waller said that it was dead.

Mr. Rooker asked if Mr. Waller had found the difference between the elevations requested.

Mr. Kamptner said that the top of Dudley Mountain was 1560'

Mr. Rooker said that the tower was about half way down the mountain.

Mr. Cilimberg pointed out that top of this tower is at 860 feet.

Mr. Kamptner said that the first tower has a height of 77.2 feet. That information is on page 21.

Mr. Rieley said that the elevation of that is 828 feet.

Mr. Kamptner said it was 828.8.

Mr. Rooker stated that the Commission does not generally allow for co-locations. We should not discriminate against carriers. Under federal law they have the right to provide service within their area. The focus of the tower policy is on visibility. We have denied applications in the past because of visibility. This application meets virtually every facet of the manual. We need to look to the tower manual to determine what it calls for. We have tried to take a different route in Albemarle County and have spent years developing the policy reflected in the manual. The trade-off is that there will likely be more towers. We have tried to protect rural lands, lands in conservation easements and agricultural/forestal districts. The proposed tower would be less visible than the nearby power lines.

Mr. Finley stated that once you cross the boundary, there is no requirement to protect the conservation easement.

Mr. Rieley stated that he agreed with Mr. Rooker, with a couple of caveats. He asked If we have a top elevation of 860.7 is that the governing elevation, is that the top of the mast. 6 feet below that would be 854.7, he does not see any tree that big.

Mr. Cilimberg replied that that elevation is when the tower was proposed at 10 feet.

Mr. Rooker said that the condition is related to the height of the nearby trees.

Mr. Rieley said he just wanted clarification.

Mr. Cilimberg said that they are allowed to increase the height of the tower if the trees grow.

Mr. Rieley asked for the correction to be made on the height of the tower, from 97' to 94'.

Mr. Waller said they would correct that information.

Mr. Rieley would like to cover that in writing.

Mr. Cilimberg said the applicant will provide them with new plans and elevations before it goes to the board.

Mr. Craddock stated that he would like some clarification on size of the base on the lightning rod.

Mr. Rooker said that the conditions govern.

Mr. Rieley hopes that the Board's decision on the Weber property will not encumber us from continuing to try to limit multiple sitings. He believes that this site will be substantially more visible than the current pole. He thinks the existing pole is one of the least visible anywhere. He thinks this is an acceptable application.

Mr. Rooker said that additional conditions have been included for protection of the nearby property.

Mr. Thomas stated his agreement with the previous comments. He is pleased that there is no setback waiver request necessary.

Ms. Hopper joined the meeting and the end of the discussion and abstained from voting on the item.

Mr. Finley moved for approval with conditions.

1. The top of the pole, as measured Above Sea Level (ASL), shall never exceed six (6) feet above the top of the tallest tree within twenty five (25) feet of the facility at or below the same base elevation as the pole, measured Above Sea Level (ASL). No antennas or equipment, with the exception of the grounding rod, shall be located above the top of the pole.

2. The facility shall be designed, constructed and maintained as follows:
   a. The metal pole shall be painted a brown that is consistent with the color of the bark of the trees;
   b. Guy wires shall not be permitted;
   c. No lighting shall be permitted on the site or on the pole, except as provided by condition number nine (9) herein;
   d. The ground equipment cabinets, antennas, concrete pad and all equipment attached to the pole shall be dark brown in color and shall be no larger than the specifications set forth in the attached plan entitled "Wood-Arrowhead (Triton PCS)";
   e. A grounding rod, whose height shall not exceed two feet and whose width shall not exceed one-inch diameter at the base and tapering to a point, may be installed at the top of the pole.

f. Prior to the issuance of a building permit, the applicant shall provide a statement to the Planning Department by a registered surveyor certifying the height of the two trees that have been used to justify the height the monopole;

g. Within one month after the completion of the pole installation, the applicant shall provide a statement to the Planning Department certifying the height of the pole, measured both in feet above ground level and in elevation above sea-level (ASL);

h. The pole shall be no taller than the height described in condition number 1 of this special use permit without prior approval of an amendment to this special use permit.

3. The facility shall be located as shown on the attached plan entitled "Wood-Arrowhead (Triton PCS)"

4. Equipment shall be attached to the pole only as follows:
   a. Antennas shall be limited to the sizes shown on the attached plan entitled "Wood-Arrowhead (Triton PCS)";
   b. No satellite or microwave dishes shall be permitted on the monopole;
   c. Only flush mounted antennas shall be permitted. No antennas that project out from the pole beyond the minimum required by the support structure, shall be permitted. However, in no case shall the antennas project out from the pole more than 12 inches.

5. Prior to beginning construction or installation of the pole or the equipment cabinets, or installation of access for vehicles or utilities, a tree conservation plan, developed by a certified arborist, specifying tree protection methods and procedures, and identifying any existing trees to be removed on the site both inside and outside the access easement and lease area shall be submitted to the Director of Planning and Community Development for approval. All construction or installation associated with the pole and equipment pad, including necessary access for construction or installation, shall be in accordance with this tree conservation plan. Except for the tree removal expressly authorized by the Director of Planning and Community Development, the permittee shall not remove existing trees within one thousand (1000) feet of the lease area, or the vehicular or utility access. A special use permit amendment shall be required for any future tree removal within the two hundred-foot buffer, after the installation of the subject facility.

6. The pole shall be disassembled and removed from the site within ninety (90) days of the date its use for wireless telecommunications purposes is discontinued.

7. The permittee shall submit a report to the Zoning Administrator one time per year, no later than July 1 of that year. The report shall identify each user of the pole and shall identify each user of the pole and identify each user that is a wireless telecommunication service provider.

8. No slopes associated with construction of the pole and accessory uses shall be created that are steeper than 2:1 unless retaining walls, revetments, or other stabilization measures acceptable to the County Engineer are employed.

9. Outdoor lighting shall be limited to periods of maintenance only. Each outdoor luminaire shall be fully shielded such that all light emitted is projected below a horizontal plane running though the lowest part of the shield or shielding part of the luminaire. For the purposes of this condition, a luminaire is a complete lighting unit consisting of a lamp or

lamps together with the parts designed to distribute the light, to position and protect the lamps, and to connect the lamps to the power supply.

10. The permittee shall comply with section 5.1.12 of the Zoning Ordinance. Fencing of the lease area shall not be required.

11. Access road improvements shall be limited to drainage improvements and minimal grading necessary to improve the travel surface and the application of grave. Should installation of the facility require provision of greater access improvements , these improvements shall be removed or reduced after installation is completed.

12. The applicant shall execute an agreement with CFW and the property owner, in order to ensure that all of the responsibilities for maintaining the access road in a condition safe are shared evenly.

13. The applicant shall submit a revised set of site drawings to the Department of Planning and Community Development. Prior to the issuance of a building permit for construction of the facility, Planning staff shall review the revised plans to ensure that all appropriate conditions of the special use permit have been addressed in the final revisions of the construction plans.

Mr. Craddock seconded the motion, which passed 5-0 with Ms. Hopper abstaining.

Mr. Thomas moved to approve the site plan waiver with conditions.

1. Approval of an erosion and sediment control plan prior to the issuance of a building permit;
2. The applicant shall provide adequate area for one parking space;
3. The applicant shall submit a revised set of site plans to the Department of Planning and Community Development. Prior to the issuance of a building permit for construction of the facility, Planning staff shall review the revised plans to ensure that all appropriate conditions of the special use permit have been addressed in the final revisions of the construction plans.

Mr. Craddock seconded the motion, which passed 5-0 with Ms. Hopper abstaining.

Public Hearing Item

a. **ZTA-2001-05** – Ordinance to amend Zoning Ordinance § 4.10.3.1 to allow telecommunications facilities owed or operated in whole or in part by the County in a residential district to have a height exceeding 100 feet; and to amend zoning Ordinance § 30.6.8 to clarify that the Board of Supervisors may issue a certificate of appropriateness upon a finding that a public safety facility is a public necessity. (Wayne Cilimberg)

Mr. Cilimberg presented the staff report.

Mr. Rooker asked for the amount by which these towers exceeded the height limit.

Mr. Cilimberg said one is 10 and one is 5 feet.

Mr. Rooker asked if we should amend it to a specific number that would include those towers.

He is not in favor of an open-ended number on tower heights.

Mr. Cilimberg stated that these would be public towers, they will be considered based on what we, as a public body need to provide.

Mr. Rooker said this is somewhat of a one-time circumstance at this point.

Mr. Cilimberg according to what we now know.

Mr. Rooker stated his belief that there would be a long lead-time between now and whatever might occur in the future. He is not comfortable supporting an unlimited tower height. At some point the tower height is so obtrusive you have to look for alternatives.

Mr. Cilimberg said that that had happened to these applications even before the commission saw them.

Mr. Thomas said that 110' came through a lot of engineering studies.

Mr. Kamptner said this item would not negate the commission's ability to limit the height by special use permit. It would allow them to proceed without going to the Board of Zoning Appeals for a variance.

Mr. Rooker said he would be in favor of adopting this with a change in the limit to 115 feet.

Mr. Rieley stated that he would support that.

Mr. Finley asked what would happen if the governing body finds the tower needs to be 116'. A public safety facility is a public necessity.

Mr. Rooker said that with the limitation the applicant might work a little harder at restricting the height.

Ms. Hopper stated that this is just a way to encourage the applicant to try for the lowest height possible.
Mr. Finley asked if the commission was talking about 120' or 115'.

Mr. Rooker said he proposed 115'.

Mr. Thomas said he would support that, though 120' would not make much difference as a maximum height.

Mr. Rooker opened the item for public comment, there being none, the meeting proceeded.

Mr. Craddock asked what was around Scott Stadium.

Mr. Cilimberg said it was R-1, the light towers are in excess of 200 feet.

Mr. Cilimberg said that as a state agency, they do not fall under our jurisdiction.

Mr. Cilimberg said that the tower at Klockner is being provide for a local purpose, not a state purpose.

Ms. Hopper moved for approval of the item with the establishment of a height limit of 115 feet.

Mr. Thomas seconded the motion, which passed unanimously.

Mr. Rieley raised the issue of sectional diagrams. There was previously a consensus on that request. He hopes to get those in the future. He stated that the Commission should give some thought to the diameter of the poles themselves, a wider pole is more visible.

Mr. Waller asked if he meant the base diameter or something else.

Mr. Cilimberg said with the wood poles the tower was the same height throughout.

Mr. Rooker said he thought that was a good point as the metal poles should be smaller in diameter compared to the wood poles.

8. Regular Item:
   a. **SUB 00-214: Oldham Farm Waiver Request:** Proposal to create one (1) 27.7-acre lot with a building site which does not conform to Section 4.2.2.1(a)of the Zoning Ordinance. The Property is described as Tax Map 57, Parcel 79B and is located on U.S. Route 250 (Ivy Road) approximately 1,500' east of its intersection with State Route 680 (Browns Gap Turnpike). It is located in the Samuel Miller Magisterial District, zoned RA (Rural Areas), and is designated for Rural Area uses in Rural Area 3 as identified in the Comprehensive Plan. (Yadira Amarante)

Ms. Amarante presented the staff report.

Mr. Rooker asked for the size of the building site.

Ms. Amarante stated it is approximately 89,000 feet. The building site itself contains critical slopes.

Mr. Rooker asked how much of the building site is on critical slopes.

Ms. Amarante said that she had not had adequate time to determine that number. She said that it is a pretty significant amount.

Mr. Rieley asked for the source of the numbers.

Mr. Cilimberg said it is a new aerial map.

Mr. Rieley verified that the map had been received the day before. He asked how long ago the application had been submitted.

Ms. Amarante said since October.

Mr. Cilimberg stated that the County is just now getting the product of our contract.

Mr. Rieley asked what are slopes in yellow.

Ms. Amarante stated they are 25% or greater. She thinks they are pretty close to a 40 foot run.

Mr. Rooker asked if this application would need two waivers.

Ms. Amarante said yes.

Mr. Rooker asked how often we have waived the critical slope on building sites in the past.

Ms. Amrante said the house site is not on the critical slopes, but disturbing the slopes would be necessary to establish the house site.

Mr. Cilimberg pointed out that there is only one waiver before the commission. If the waiver is granted, it may eventually necessitate a critical slopes waiver.

Mr. Finley asked if the map provided was done before the discovery of the critical slopes.

Ms. Amarante said yes.

Ms. Hopper clarified that the rectangle requirement is not about critical slopes at all.

Mr. Finley asked if there was any existing building on the site.

Ms. Amarante stated there is nothing there now.

Mr. Thomas said the house almost fronts 250.

Ms. Amarante said yes.

Mr. Rieley talked about this a little bit among the commission. Asked staff to explain the rationale for the rectangle requirement, particularly on a large parcel.

Mr. Cilimberg said that there is an amendment in the works that would allow some discretion. That is not something we are really pushing to the limits, we are exercising some reasonable discretion.

Mr. Rooker opened the public hearing.

Mr. Fred Bainbridge, owner of Oldham Farms, stated that he had submitted building plans to the commissioners. This would amount to 2 houses on 148 acres. He insisted that the property is at a 10-15% slope. He asked Mr. Rieley for his opinion, as he has visited the site.

Mr. Rieley said that the real issue is the waiver of the shape of the lot. The critical slopes waiver would be a separate issue.

Mr. Bainbridge said that on a property this size, he wanted to get away from the strict rectangle. It all fits within the 1-5 ratio. The plan has no 25% slopes, and is way over the 30,000 square foot requirement.

Ms. Hopper asked if any of his property is in conservation easement.

Mr. Bainbridge stated that it is not currently, but would be. In the future there would be a continuous easement almost to Mechum's River.

Mr. Rooker asked about other possible building sites that were not explored.

Mr. Bainbridge said that he preferred this site because it is elevated, has panoramic views, is out of sight and is totally screened from the other house.

Mr. Thomas verified that it was a dramatic site.

Mr. Bainbridge said that the floodplain has not been such in the time he has lived on the property. It is family property, it has been in his family for 160 years. He will certainly not do anything to denigrate or change the property. His wish is to keep the agrarian aspect of the property.

Mr. Rooker asked if there is anything that would prevent further subdivision.

Mr. Bainbridge said he could subdivide more but it is not likely, he might gift a smaller 50 acre parcel to his children. The counter sites mentioned in the report are not desirable. One site is next to the highway in a pasture.

Mr. Finley asked if he had seen the field flood.

Mr. Bainbridge said he did not.

Mr. Finley pointed out that he can have the maps amended if they are not correct.

Mr. Bainbridge said it is potentially a floodplain even if he hasn't seen it happen.

Mr. Finley stated that we would be setting a precedent by waiving the requirement.

Mr. Rooker addressed Ms. Amarante's previous statement, in which she said the parcel has 4 theoretical division rights remaining.

Mr. Bainbridge said that there would not be any in the future.

Mr. Rooker asked if he would be willing to include a condition that there would be no further division on the property 79B.

Mr. Bainbridge said he would do that for 79B, but he might want to give some parcels on 79A to his children.

Ms. Hopper asked how many acres were in 79B.

Mr. Bainbridge replied 98 or 99.

Ms. Hopper asked if engineering would be reviewing the issue of the drainfields. She asked if they would do something to limit the risk of effluent spreading in a flood.

Ms. Amarante said that it up to their discretion.

Mr. Bainbridge pointed out that the two drainfields are a considerable distance above the floodplain.

Mr. Rieley said that if this site was a rectangle, their would be nothing to prohibit the drainfields from being next to the house.

Ms. Amarante said she was trying to state that the primary drainfield was located on slopes of about 19%. The ordinance states that we prefer them to be located on slopes of less than 20%.

Mr. Bainbridge said both drainfields are at 20% or 21%.

Ms. Hopper asked if slopes of 21% were forbidden.

Ms. Amarante said they were not.

Mr. Bainbridge passed around letters commenting on the property.

Ms. Hopper thanked Ms. Amarante for her work.

Mr. Bill Gordon, contract buyer, does not want to get bogged down in the technicalities. He has had the property under contract for the last year. He understands the technical issues, but perhaps they were intended for higher density subdivisions. He believes there may be a discrepancy.

Mr. Finley asked who chose the location of the drainfields.

Mr. Gordon replied that the soil scientists chose those sites.

Mr. Rooker asked if he would object to a condition to further limit subdivision.

Mr. Gordon stated that he would not have any further division rights. As a practical matter, a substantial portion of the property is on the floodplain and would not be developable. The field that fronts Route 250 is the worst possible place for development from an aesthetic point of view. It may work on paper and fit within regulations, but does not benefit the community.

Ms. Katie Hobbs, County resident, said that the Commission should not forget that the state of Virginia has the weakest septic system laws in the United States.

Mr. Phil Marks, County resident and adjacent landowner, stated that the plan works well within that area, it really is a beautiful site. He would love to see it stay at the current density level.

Mr. Rooker asked for further comment, there being none, he closed the public hearing.

Mr. Rooker asked if there would be any further division rights on the property.

Ms. Amarante said unless Mr. Bainbridge were selling the development right along with the parcel, it would not be able to be further developed.

Mr. Rieley said that he had visited the site with Mr. Bainbridge and Mr. Gordon, he believes that this is an instance in which the strict application does not forward the goals of the comprehensive plan. Irregularly shaped sites can have the reverse effect. This does not seem to be an instance in which the 1-5 requirement applies reasonably. He does not think it is fair to introduce new topography the critical slopes issue at this moment.

Ms. Hopper asked if he agreed with an amendment to disallow further division rights.

Mr. Rooker said that the site did not retain development rights, so the amendment would not be necessary.

Mr. Rieley said that this is creating a building site with no additional development rights.

Mr. Rooker stated that the commission needed to be sensitive to the fact that drainfields can

pollute the water, but this site has substantial room for drainage fields.

Mr. Rieley moved for approval of SUB 00-214.

Mr. Thomas seconded the motion, which passed unanimously.

Old Business

Mr. Rooker asked for any old business, there being none, the meeting proceeded.

New Business

Mr. Rooker asked for any new business.

Ms. Hopper mentioned that her mother-in-law sent pictures of different methods they use to conceal the towers in Florida, including concealment with artificial tree structures.

Mr. Cilimberg said that silos are being erected in some rural areas.

There being no further business, the meeting adjourned at 7:55 p.m.

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V. Wayne Cilimberg, Secretary

Recorded and transcribed by Lynda Myers, Recording Secretary