

**MINUTES OF THE CUMBERLAND COUNTY  
PLANNING COMMISSION  
Regular Meeting  
Cumberland County Circuit Courtroom  
Monday, March 20, 2023  
6:30 p.m.**

**PRESENT:** Steve Rosen, District 1, Chairman  
Hubert Allen, District 4, Vice-Chairman  
Stephen Donahue, District 2  
Bill Burger, District 3  
Michael Schember, District 5  
Kevin Meadows, At-Large  
William Flippen, At-Large

**ALSO PRESENT:** Stephany S. Johnson, Planning and Zoning Administrator, Planning  
Commission Secretary  
Gene Brooks, Board of Supervisors (arrived at 6:32 p.m.)

**ABSENT:** None

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**CALL TO ORDER AND ROLL CALL**

Chairman Rosen called the Planning Commission's regular meeting of Monday, March 20, 2023, to order at 6:27 p.m. and a quorum was established.

**APPROVAL OF AGENDA**

**MOTION:**

Commissioner Allen made a motion to approve the agenda as presented. Commissioner Burger seconded. The motion carried unanimously with a vote of 7-0.

**APPROVAL OF MINUTES**

**MOTION:**

Commissioner Allen made a motion to approve the minutes from February 6, 2023 and February 27, 2023. Commissioner Donahue seconded. The motion carried unanimously with a vote of 7-0.

**CAPITAL IMPROVEMENTS PLAN FOR FYE23-FYE28 PRESENTATION**

County Administrator, Derek Stamey, provided a PowerPoint presentation on the proposed Capital Improvements Plan for FYE23-FYE28, and reviewed the requests.

**ZONING WAIVER ZW 22-01 BOOKER**

Mr. & Mrs. Booker have owned land on Putney and Swann Road since the 1970's. In 2002, Mr. & Mrs. Booker intended to gift deed 2-acres each to their two daughters. At the time the subdivision was being planned, the proposed two 2-acre lots met the code requirements for a minor subdivision with 150 feet of road frontage. Surveys were drafted, and the Bookers believed that both had been approved. However, only one survey and deed for Ms. Yolanda Booker, was ever recorded. The Booker's now wish to remedy this issue and finalize the gift of the final 2-acres to their daughter, Mrs. Vickie (Booker) Jackson.

The minor subdivision survey that was submitted to the Planning Office for approval in October 2022, does not meet current code requirements for road frontage. However, had this plat been recorded in 2002, it would have met the code requirements at that time as the road frontage requirement was only 150 feet.

The applicants are requesting a waiver from Cumberland Code Section 74-137 to allow a minor subdivision of TM# 74-A-20 to create a new 2-acre parcel lot, TM# 74-A-20B with 150-feet of road frontage.

**MOTION:**

Commissioner Allen made a motion to approve Zoning Waiver ZW 22-01 Booker as presented. Commissioner Donahue seconded. The motion carried unanimously with a vote of 7-0.

**SET PUBLIC HEARINGS**

N/A

**PUBLIC HEARINGS**

N/A

**GENERAL CITIZEN COMMENT**

None

**OLD BUSINESS**

**Code Amendment 22-03 Short-Term Rentals**

Ms. Johnson provided the Commission with the revised language for CA 22-03 Short-Term Rentals as the Commission recommended at their February 27, 2023 meeting.

Commissioner Donahue stated that the proposed section regarding penalties is confusing as it is inconsistent with the penalties listed in the current ordinance under 74-13, and state code section 15.2-2286.A.5, and he recommends 74-16.B.1 be removed. Staff offered to provide Commissioner Donahue comments to the County Attorney for his review and opinion. Staff will provide the revisions at the next Commission meeting to be held on April 17, 2023.

On a motion Commissioner Donahue and seconded by Commissioner Allen, the Commission postponed action on CA 22-03 pending further direction from the County Attorney. The motion carried unanimously with a vote of 7-0.

#### Comprehensive Plan update

Summit Design and Engineering Services continues to work on the update of the County's Comprehensive Plan. The Comp Plan website is a work in progress but is currently live. As of the date of this meeting, there have been over 70 responses to the survey. There are business cards with a QR code that can be scanned on a smart phone for a direct link to the Comp Plan website. The citizen survey is also live on the website, which staff encourages everyone to utilize. The survey only takes about 5-minutes to complete.

### **NEW BUSINESS**

#### Monthly Updates

The monthly Planning update and Building Inspections reports were provided for information.

#### Central Virginia Services, Inc. (Firefly) Lease and Dark Fiber Installation

Central Virginia Services, INC. (Firefly) requested a location on County property to house a fiber hut that is needed as part of their fiber install throughout portions of the county. The lease agreement is for approximately 0.17-acres located on Commerce Road, between the Maintenance Shop and EDA Shell Building. In exchange for the lease agreement, CVSI has agreed to install, at no charge, 8 strands of dark fiber for the County to utilize. This additional fiber installation will save the County approximately \$670,00 in operating and future capital costs associated with the upcoming radio system project.

#### VDOT recommendation for safety upgrades on Rt 45 / 616 / 684 Intersection

The Board of Supervisors requested VDOT complete a safety review of the intersection of Cartersville Road, Cartersville Extension and Deep Run Roads. VDOT has recommended they remove or lower the embankment along the northwest side of Cartersville Road to increase visibility of the intersection, and revised signage.

#### Request to Rezone the Cumberland Industrial Park from M-1 to M-2

Staff will bring forward a request to rezone the Cumberland Industrial Park from M-1 to M-2 soon. There has been some interest in the land from developers, but most uses are permitted in M-2 rather than M-1, and staff believes it would be more marketable as an M-2 Zoned property.

### **GENERAL COMMISSIONER COMMENTS**

N/A

### **ADJOURNMENT**

#### MOTION:

Commissioner Allen moved to adjourn to April 17, 2023, at 6:30 p.m. or as soon thereafter as may be heard. Commissioner Schember seconded. The motion carried unanimously with a vote of 7-0. The meeting adjourned at 7:30 p.m.

Attested:

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Planning Commission Chairman

\_\_\_\_\_  
Date

\_\_\_\_\_  
Planning/Zoning Administrator

\_\_\_\_\_  
Date