

VIRGINIA: At the Continued and Public Hearing of the Bland County Board of Supervisors held at the Bland County Courthouse located in Bland, Virginia, on the nineteenth day of September 2005, 7:00 p.m., the following duly elected and qualified members were present or absent.

PRESENT: John C. Thompson, Karen H. Hodock, Jason R. Ramsey, Henry M. Blessing

ABSENT: None

ALSO PRESENT: Jonathan D. Sweet, County Administrator, Carol Hall, Deputy Administrator,
Frank Slavin, County Attorney

HEARING PRECEDURE SET

Chairman John Thompson announced the procedure to be followed for each registered speaker and the time set for each speaker prior to the public hearing.

CALL TO ORDER

OPENING OF CHUPP PUBLIC HEARING

Chairman John Thompson called the meeting to order and opened the Public Hearing to receive public comment on the application from Daniel Chupp to rezone 2.5 acres of agricultural zoned property to industrial to conduct a cabinet shop.

SPEAKERS

Daniel Chupp, Owner, approached the Board with his plans to rezone a tract of property located off Rt. 670 and make cabinet doors. Mr. Chupp advised that waste from the cabinet shop would be used for bedding in the barns or burned in cook stoves. Product would be sent out unfinished (no varnish or stain on site). Two-three employees would operate the shop, approximately three tractor trailers per year comes on site, approximately two deliveries per month on 24 ft. box trucks would be used to bring in deliveries, the working area would be 3900 sq. ft., a 90 H.P. motor with a muffler, would be placed in the back of the shop between the building and a retainer wall inside an insulated cinder block building to also help reduce the noise.

PUBLIC SPEAKERS

The following persons spoke in favor of the board's approval of Mr. Chupp's application to rezone from Agricultural to Industrial with a Conditional Use Permit:

1. Sam Chupp
2. Kirk Jeys
3. Jerry Williams
4. Eli Kissinger
5. Robin Morris
6. Jerry Kenley

The following persons spoke in opposition of Mr. Chupp's application to rezone from Agricultural to Industrial with a Conditional Use Permit:

1. John Pluth
2. Karen Pluth
3. Written response from James & Pauline Walker was presented
4. Written response from Julie Mingus was presented
5. Darrel Tyeryar
6. Doug Wiley
7. Ronald Clemons
8. Raymond Clemons
9. Danny Bogle

CHUPP PUBLIC HEARING CLOSED

Chairman Mr. Thompson closed the public hearing to public comment.

BOARD OF SUPERVISOR'S DISCUSSION

Mr. Daniel Chupp and Eli Kissinger addressed questions and concerns from the board members which included electricity, another suitable site, taxes and any benefit to the county as the result of the rezone.

CHUPP REZONE APPLICATION DENIED

*****MOTION to approve of Daniel Chupp's application to rezone 2.5 acres from agricultural to industrial, to conduct a cabinet shop operation, as permitted in Sec. 62-262, (9), on a site located on Rt. 670, 2.5 miles from Rt. 42, tax parcel # 71-A-16-C with the following conditions was made by Karen Hodock, seconded by Henry Blessing:

1. Traffic- Tractor trailers are permitted to deliver materials or transport product to or from the site for the purpose of public safety and well-being between the hours of 10:00 a.m. to 2:00 p.m.
2. That the applicant used noise abatement measures for the 90 H.P. diesel engine to employ as necessary and reduce the sound of operation to the maximum extent feasible. Decimal levels at the adjacent residence shall not exceed presently existing ambient levels.
3. Work Hours – The working hours for the diesel engine would be limited from 7:00 a.m. to 6:00 p.m., five days a week (Monday- Friday only) to reduce the noise and impact on surrounding neighbors.
4. View Shed – An adequate amount of trees are to be planted and strategically placed to conceal the facility from the adjoining landowners, i.e. along the front side of the property as needed.
5. Fire Protection – A minimum of seven (7) extinguishers, being of proper class, are to be placed throughout the facility for the purpose of public health and safety.
6. Facility Size – that the facility not be expanded above its original dimension of 56'x120', or to exceed employment of more than five (5) persons.
7. Waste Disposal – To properly dispose of all hazardous by-products and materials associated with the operation for the purpose of public health safety and well-being.
8. Requirements – To comply with all local, state, and federal laws.
9. Reversion – If the approved use (cabinet shop) fails to operate for more than six months, i.e. then the property will revert back to its original zoning designation of agriculture and the conditional use permit will be null & void.
10. Fuel capacity on site – not to exceed a 250 gallon fuel storage tank to be encapsulated in an adequately accommodately concrete dike.

Call Vote on this motion was as follows: Karen Hodock, yes; John Thompson, no; Henry Blessing, abstain; Jason Ramsey, no. The motion did not pass.

ADJOURNMENT

This meeting was adjourned until the regular monthly meeting scheduled for 5:00 p.m., September 27, 2005.

John C. Thompson, Chairman

Jonathan D. Sweet, County Administrator