

The Smithfield Planning Commission held its regular meeting on Tuesday, July 12<sup>th</sup>, 2022, at 6:40 p.m. at the Smithfield Center.

**Members present:**

Charles Bryan – Chairman

Julia Hillegass – Vice Chair

Raynard Gibbs

Michael Torrey

**Members absent:**

Randy Pack

Dr. Thomas Pope

Michael Swecker

**Staff present:**

Tammie Clary - Community Development & Planning Director

William H. Riddick, III – Town Attorney

T. Carter Williams – Mayor

Valerie Butler – Town Councilwoman

Jeff Brooks – Member, Board of Zoning Appeals

Jack Reed – Director of Public Works and Utility

Nadya Jaudzimas – Administrative Assistant

**Press:** Stephen Faleski - The Smithfield Times

**Citizens:** 7

Chairman Bryan welcomed everyone to the meeting. All in attendance stood for the Pledge of Allegiance. He informed all present that there were several of the members of the Commission not present at the meeting, and five (5) members were required to be present to have a quorum.

There was general discussion between the Commission members about whether four members would be enough to have a quorum.

The Town Attorney reported that for voting purposes five (5) members needed to be present.

Chairman Bryan stated that there was a public hearing on the agenda for the evening and the Planning Commission would allow members of the public who had come for that purpose a chance to speak. He continued that the administrative items would have to be delayed until the next scheduled meeting, adding there would be a continued meeting next Tuesday, July 19<sup>th</sup>, 2022 at 7:00 pm.

**Community Development & Planning Director's Report:**

Tammie Clary, Community Development and Planning Director, reported that the Town Council adopted the Updated Comprehensive Plan and the Planned Mixed-Use Development (PMUD) Zoning District at the Tuesday, July 5<sup>th</sup>, 2022 Town Council meeting.

She stated that at next month's Planning Commission meeting there would be a public hearing added to the agenda to correct a clerical error in the Zoning Ordinance that had the parking minimum and maximum amounts reversed.

**Upcoming Meetings and Activities:**

Tuesday, July 19<sup>th</sup>, 6:30 PM – Board of Historic & Architectural Review Meeting

Tuesday, July 19<sup>th</sup>, 7:00 PM –Planning Commission Meeting (Continued)

Monday, July 25<sup>th</sup>, 3:00 PM – Town Council Committee Meetings

Tuesday, August 2<sup>nd</sup>, 6:30 PM – Town Council Meeting

Tuesday, August 9<sup>th</sup>, 6:30 PM – Planning Commission Meeting

**Public Comments:**

Chairman Bryan explained that the public was invited to speak to the Planning Commission on any matters, except scheduled public hearings and to please use the sign-up sheet. Comments are limited to five (5) minutes per person. Any required response from the Town will be provided in writing. He reported that there had been no one formally signed up to speak, and inquired if there was anyone present who wished to speak.

Bob Hines of 216 Washington Street in Smithfield asked the members of the Board to please make sure that they are speaking into the microphones provided so that all present may hear what is being said.

Chairman Bryan asked if there were any other members of the public who wished to speak. Seeing and hearing none the public comments section was closed.

**Planning Commission Comments:**

Chairman Bryan reported that Mr. Pack had given him notice that he would be absent from this Planning Commission meeting and also August's meeting. He gave encouragement to the other Planning Commission members to make every effort to attend.

Chairman Bryan reported that he had been present at the Town Council meeting last week and relayed to the Commission members that Mayor Williams and the Town Council members had expressed their gratitude to the Planning Commission for their work for the past several months Comprehensive Plan and the new Zoning Ordinance. Chairman Bryan expressed his thanks to the members for their work as well.

**\*Public Hearing\* Special Use Permit Application (Zero Lot Line Residential Units Permitted for New Construction) and Site Plan Approval – Corner of Washington Street and James Street – Ted Miller, applicant.**

Mrs. Clary reported that the applicant is seeking site plan approval for eight (8) residential lots, four (4) single family detached dwellings (by-right use through SZO Article 3.D Section B.1) and four (4) duplex residential dwellings. At the Tuesday, November 1st, 2021 Town Council meeting the applicant successfully acquired a Special Use Permit (SUP) to facilitate the construction of four duplex residential dwellings, in accordance with Smithfield Zoning Ordinance (SZO) Article 3.D. Section C.3. As part of the same project, the applicant plans on constructing thirteen (13) parking spaces for the Veteran of Foreign Wars building located at 233 Washington Street (by right through SZO Article 3.D Section B.2.). This parking lot will connect Washington Street to Clay Street. The proposed project also contains the extension of Clay Street, connecting to it James Street. Along Clay Street the applicants will connect an eight-inch (8") water main to the existing four-inch (4") water main. And connect an

eight-inch (8") sanitary sewer main to the existing eight-inch (8") sanitary sewer main. She continued that a new fire hydrant will also be added to the site on Clay Street. Mrs. Clary reported that the purpose of the public hearing was that in addition to site plan review and approval, the applicant was seeking an SUP to allow for zero lot residential units, in accordance with SZO Article 3.D Section C.24., to accommodate the proposed dwellings on Lot 1, Lot 2, Lot 3, Lot 4, and Lot 8.

Mrs. Clary stated that Town Staff advised a favorable recommendation to Town Council, conditioned on the approved site plan dated June 1st, 2022 (staff approved June 3rd, 2022). She reported that any modification/ deviation from the approved site plans, would require a new SUP. Town Staff recommend that this site plan application be approved under the following conditions: (1) The Town must be furnished with a cost estimate that will be verified by the Department of Public Works and Utilities, and a bond in the amount of 120 percent of the total scheduled value shown in the above-mentioned approved cost estimate. (2) The Town must be furnished with a landscaping cost estimate, and a bond in the amount of 120 percent of the total value shown. (3) The Town must be furnished with the payment of the requisite inspection fees for the road infrastructure and water and sewer infrastructure, based upon percentages of the above-mentioned approved cost estimate. (4) The completion of a zoning permit application and payment of a seventy-five-dollar (\$75) zoning permit fee for the installation of infrastructure. (5) The Town must be furnished with no less than five (5) signed copies of the subdivision agreement (once presented and approved by Town Council), along with the requisite recordation fee for Isle of Wight County Courthouse. Page three (3) of the subdivision agreement must be updated with the value noted in item two (2) above. (6) The deed of drainage and utility easement that is to accompany this final plat at recordation, must be submitted to the Town Attorney for review, and must be revised (if necessary). The Town must be furnished with no less than five (5) signed copies of this deed. (7) Once confirmed with Isle of Wight County Courthouse, the amounts of the additional recordation fees will be provided to the applicant, along with recordation receipts once recorded.

Chairman Bryan reported that there had been no one formally signed up to speak, and inquired if there was anyone present who wished to speak.

Bob Hines of 216 Washington Street in Smithfield stated that it was his understanding that the pecan tree at the end of Clay Street had been requested for removal, and inquired if there would be any other trees removed as part of the development.

Chairman Bryan stated that he had reviewed the plans and had also noted that there would be trees removed, and thought that their removal would be to allow space for the Clay Street extension.

Mr. Hines inquired if it was known which trees would be removed.

Chairman Bryan stated he did not specifically know; however, he did know that the two trees on the corner facing James Street would be protected.

Mr. Hines reported that those two trees were mainly what he had been concerned about.

The Town Attorney reported that when the original application had been approved, one of the conditions was the preservation of the two Cypress trees in question.

Mr. Hines stated that he wanted to ensure that there would not be a request to change this later on in the process.

The Town Attorney confirmed that there would be no changes or updates to this aspect of the plan.

Chairman Bryan asked if there were any other members of the public who wished to speak. Seeing and hearing none the public hearing was closed.

The Town Attorney reported that there was not any other business that may be completed, and recommended that the meeting be recessed and continued until Tuesday July 19<sup>th</sup>, at 7:00 pm.

Chairman Bryan inquired if this would require a motion.

The Town Attorney advised that it did.

Vice Chair Hillegass made a motion to recess the meeting and continue until July 19<sup>th</sup>, 2022 at 7:00 pm. Mr. Gibbs seconded the motion, and questioned if a vote could be called for if there was not a quorum.

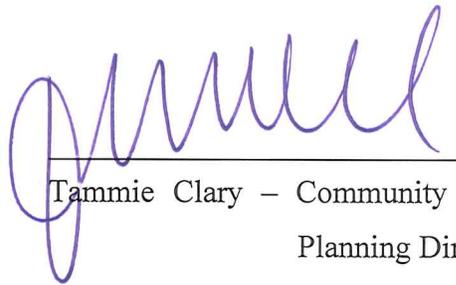
The Town Attorney stated that the motion could be voted on as it was a procedural and substantive.

Chairman Bryan called for the vote. On call for the vote, four members were present. Mr. Gibbs voted aye, Mr. Torrey voted aye, Vice Chair Hillegass voted aye, and Chairman Bryan voted aye. The motion passed.

Chairman Bryan expressed his appreciation to all attendees, apologized for situation, and invited all to attend next Tuesday's continued meeting.

The meeting adjourned at 6:55 p.m.

  
Charles Bryan - Chairman

  
Tammie Clary – Community Development &  
Planning Director