

The Smithfield Planning Commission held its regular meeting on Tuesday, August 11<sup>th</sup>, 2015. The meeting was called to order at 6:30 p.m. Members present were Mr. Bill Davidson, Chairman; Ms. Julia Hillegass, Vice Chair; Mr. Charles Bryan, Mr. Mike Swecker, Mr. Randy Pack, Dr. Thomas Pope, and Mr. Michael Torrey. The staff members present were Mr. William G. Saunders IV, Planning and Zoning Administrator and Mr. William H. Riddick III, Town Attorney There were approximately one hundred (100) citizens present. The press was represented by Ms. Alyse Stanley with The Smithfield Times.

Chairman Davidson – I would like to welcome everyone to the August 11<sup>th</sup>, 2015 Planning Commission meeting. If everyone will please stand, we will say the Pledge of Allegiance.

*Everyone present stood and recited the Pledge of Allegiance.*

Chairman Davidson – For those of you who would like to remain standing, I will give a brief prayer. Lord, as this commission meets tonight, we ask for the gift of discernment and wisdom as we discuss matters that affect all of the residents of Smithfield. Amen. The first item tonight is the Planning and Zoning Administrator's Activity Report.

Planning and Zoning Administrator – Thank you, Mr. Chairman. I have one item to report tonight. The Cypress Creek Phase VII-B & C plan review has been resubmitted as of today. The review is back underway and hopefully we will have it back to you soon.

Chairman Davidson – Our next item is Upcoming Meetings and Activities. On August 18<sup>th</sup> at 6:30 p.m. we will have the Board of Historic and Architectural meeting. The Board of Zoning Appeals meeting for August 18<sup>th</sup> has been cancelled. The Town Council Committee meetings will be held on August 24<sup>th</sup> and 25<sup>th</sup> at 4:00 p.m. On September 1<sup>st</sup> at 7:30 p.m. there will be the Town Council meeting. Town offices will be closed on September 7<sup>th</sup> in observance of Labor Day. Our next Planning Commission meeting will be on September 8<sup>th</sup> at 6:30 p.m. The next item on our agenda is Public Comments. The public is invited to speak on any matters except scheduled public hearings. There is a sign-up sheet on the table. Comments are limited to five minutes per person. Do we have anyone signed up for public comments? Is there anyone who

would like to make any statements that have not signed up on items that do not involve the public hearing? Hearing none, we will move to Planning Commission Comments. Are there any comments from the Planning Commission members? Hearing none, we will move to Public Hearing – Comprehensive Plan Future Land Use Map Change Review – Cary & Main (Pierceville) Subdivision – William G. Darden, Hearndon MC Builders, LLC, applicants. Could we have a staff report please?

Planning and Zoning Administrator – Thank you, Chairman. The first public hearing tonight is on a possible change to the future land use map in the Comprehensive Plan. There is a rezoning application to rezone property that is not consistent with the current map in the Comprehensive Plan. Therefore, the Comprehensive Plan would have to be changed in a manner that is appropriate to accommodate that rezoning. If you refer to the Cary and Main future land use exhibit you can see the area and parcels that are subject to this action. They are outlined in red. The green background is currently the future land use of Parks and Recreation in our 2009 Comprehensive Plan map. The orange background is currently Downtown future land use designation which is mixed use commercial. All of those parcels are subject by your actions tonight to potentially be changed to Suburban Residential. Suburban Residential is a medium density single family detached residential designation. It would accommodate the Downtown Neighborhood Residential zoning that the applicant proposes for your next action. The project that is the topic for this debate is the Cary and Main project. This would encompass potentially up to one hundred and fifty-one single family homes on a gross acreage of approximately fifty-eight acres. These would be single family detached homes. They would be subject to Downtown Neighborhood Residential zoning which the majority of the historic district is currently zoned. There were a number of comments from outside agencies in your packets as well as a staff report. They gave a lot of information about the proposal.

Chairman Davidson – Mr. Riddick, would you please explain to us where we are in the process?

Town Attorney – Mr. Chairman and members of the Planning Commission, it has been approximately ten years since the Town of Smithfield has had an application for a major rezoning such as this. The last one was in 2006 or 2007. It was the Mallory Pointe

Subdivision. We have an entirely new Planning Commission now. I do not believe anyone on this Planning Commission was involved in that. Of course there are a lot of new citizens as well. You may or may not be familiar with the process. Tonight there are two public hearings that are set for tonight's docket as action items. The first is on the proposed amendment to the Comprehensive Plan. The second public hearing will be on the application for rezoning. The public hearing is an opportunity for the public to be heard. You have the right to make comments about the applications that are before the Planning Commission. We would appreciate it if you agree with what someone has said before you then you can simply state that you agree. It is not helpful or best use of everyone's time to repeat the same thing over and over again. If you have new comments please make them. The Planning Commission is here to hear your input. It is helpful if you would bring up new things that would be of interest to them or of a concern to you. This is not a debate. It is not a question and answer forum. It is an opportunity for you as citizens to say what you wish about the applications that are pending tonight. At the conclusion of the public hearings the Planning Commission may vote but they may choose to table this until next month. They will have to vote by next month because it is within the one hundred day window. Depending on how things go tonight they may choose to vote or choose to defer that action until the next month. You are limited to five minutes. The Chairman has a timer and he is going to hold you to the time limit that is imposed by everyone. The applicant is going to be given the opportunity to make a presentation. They get more than five minutes. It is only fair. It takes longer than that for them to put their best foot forward and to make their application clear to the Planning Commission members. I think I have covered everything but if anyone has any questions I am happy to answer them.

Chairman Davidson – Next we will hear from the applicant. Do you intend to speak one time for both items?

Mr. Jones – My name is Robert Jones with Jones and Jones PC. I am at 1600 South Church Street in Smithfield. I am the attorney for the applicant, Hearndon MC Builders LLC. I also have Melissa Venable with Land Planning Solutions with me. She is much more versed in the actual design of this project than I am as far as utilities, traffic, and layouts. She also has a presentation as well. With the indulgence of the Board and

the approval of the Town Attorney, I would propose to speak one time to address both the Comprehensive Plan and the rezoning for the subdivision. I believe it would be difficult to talk about land use change when we are only asking the change for one specific use with the conditional rezoning application that is also pending. It is two separate line items for the commission but I would ask that we present one time for the whole project. We will be available in the second phase to answer questions. We would just rely on what we are specifically setting forth both times in the interest of time. This project started when Ms. Mary Crocker moved from her home which is commonly known as the Pierceville Manor or Pierceville home. She placed it on the market along with about fifty-eight acres for sale. Her home is one of the oldest structures in Smithfield. It is in pretty bad shape and is deteriorating rapidly. Hearndon came along and had some ideas about the property. In their initial discussions with staff and members of the town it was stressed to them that one of the most important things about this if anything was going to be done was the preservation of that home. After what has been a fairly lengthy process so far we are not complaining it is just the way things are. We had a number of meetings with staff, representatives of the town, and lots of various organizations and individuals. The initial plan that we put forward has been morphed and modify to what you have before you. We are asking that the Comprehensive Plan be amended to allow the rezoning of the property, as conditioned with the proffers, to a single family development up to one hundred and fifty-one homes. The proffered conditions which you have before you set forth that the development will be substantial in conformity with what the design package that you have. If it were to change significantly in the eyes of the town then it would have to come back to the Planning Commission and Town Council for those approvals. I think what is important as far as the proffers are concerned for the purpose of the rezoning and the amendment to the Comprehensive Plan is that this is going to be a development that has a Homeowner's Association. There are many developments that have those. As part of the Homeowner's Association there will be an architectural review committee. It is not something that is meant to supersede the town's ability to regulate development in the historic district. We met with the Board of Historic and Architectural Review to go through this with them. The idea being that the town's historic guidelines would be the

minimum allowed in this development. You cannot get around the town's requirements so that would be the minimum. Part of this project is outside the historic district but the architectural review committee will have the governance of the entire project. The entire project will conform to the historic district in the Town of Smithfield. In fact the architectural review committee quite possibly is going to be stricter on certain items than what would be allowed in the historic district. The proffers set forth some design standards as far as finish, roofing, and things of that nature. I will not go over each one of those. What I do believe is important in the proffers is that the proffers cannot be changed as it pertains to development and historic review without the town's approval. If ten years from now the homeowner's association wants to change those then they would have to come back to the town in order to modify those. It maintains the town's requirement and governance over those proffers. We understand that a number of people are opposed to this project. We have tried to meet with many of them and address their concerns. We will talk more about that in a minute. I want to stress that the reality is that some people would not have a care about what goes there and other folks do not want any development at all. They would prefer it to remain green space or a park or something of that nature. It is their right to express their opinion before you. I believe as the Planning Commission collectively you should listen to everyone's opinion but it is not a popularity contest. If a number of people do not like the project that is fine but it is not a popularity contest. The issue is whether the amendment to the Comprehensive Plan and the approval of a conditional rezoning of this property promotes the health, safety, and general welfare of the citizens of the Town of Smithfield and the town in general. I do not believe there are any real issues presented from the comments that I have heard that say this project would be unsafe or detrimental to the health of the community. I do not think that is the issue. There are some comments from the VDOT that we received in the last five or six days that Ms. Venable can address better than I can. They are issues about the traffic impacts. I believe she is able to address some of those. If it is an issue we would ask at the appropriate time to reserve the right to be able to address those. If you table this process because there are unanswered questions regarding some of these recent issues we are able to work with staff and the appropriate agencies to get an answer and

address the concerns that were just brought up in the last five or six days. One of the items that you will notice that we have addressed is the traffic on Grace Street near Christian Outreach. There is a ninety degree downhill turn. It will be straightened out as you can see on the conceptual plan to make a traditional "T" intersection. It is just one of the items that we are addressing from a safety standpoint. Overall I do not think that is the issue. I think the real issue is whether or not this project and the amendment to the Comprehensive Plan would be in the general welfare of the town. Does it promote the town or is it a detriment to the town? One reason that we believe this is a general benefit to the town and appropriate is the preservation of the Pierceville Manor. As you can see in the proffers we have made a specific condition that upon rezoning immediate steps will be taken to preserve or mothball is the word that Frazier and Associates used pending the ability to have the structures restored. The idea in the proffers is that the developer would attempt to find someone to restore the home as a single family residence in an appropriate manner. If he is unable to find that person within a year then the developer would take that project on himself. It is beneficial to the town. The reason I believe that it is beneficial is because the town has done a wonderful job of restoring the downtown area over the past decade. The downtown area that has been revitalized from a tourist standpoint is basically from Smithfield Station's bridge to Grace Street along Church Street to about the post office on Main Street. I drive it every afternoon going home from work and that is where you see the tourist walking. It is the strip where the tourist walk has been done well but it could be better. The shops could benefit from more people. This project would certainly bring more people within walking distance to the shops. It is about a ten minute walk from this project to the intersection of Main Street and Church Street. As far as tourism is concerned there is a second gateway to historic Smithfield which is the bypass. When you come in the bypass right now you see a closed grocery store and a parking lot. Then you have the historic schoolhouse and the church that has been redeveloped. The apartments have been redone. You have a strip of not a whole lot. Some businesses are trying to pop up past the post office now. The development proposed does not impact tourism in a negative way. I believe it would impact it in a positive way in that as you can see from the conceptual plan the project comes all the way to Main Street and what is out to Main Street all the way back

to Grace Street is a public park. When you drive down Main Street you will see a public park. You really are not going to see any homes at all from Main Street. It is buffered with trees. It is a long way from Main Street. As you pass the intersection where Grace Street comes back out there are buildings that would prevent that from being seen now anyway. From a tourism standpoint it beautifies Main Street but it does not impact tourism in taking away from the historic nature of Smithfield which is why people come to downtown Smithfield. It is the historic feel of the town. The other impact that it has is on the community itself. I know that one hundred and fifty-one homes is a large project. But when you look at the developments conceptual plan from Grace Street you will notice that almost every home along that strip has a buffer between it and the highway. When you turn down Cary Street there is a buffer along the property line for the backyards of the homes currently on Cary Street. When you get to the vacant property on Cary Street towards Goose Hill there is a very large buffer. We have taken into account the comments we have received from people about what they would see. The buffer has been greatly increased. The entrance along Cary Street now has a roundabout set there. Anyone pulling out from other neighborhoods are not going to see any homes. Again, from the sides that would matter, it is buffered and does not take away from the historic character of the town. We are obligated to build homes that meet the historic zones mandate based on what we have proffered. The homes themselves while not historic will be historic in design. We have tried to work with staff to come up with the language that would accomplish that. The project will not be built over night. It will be phases of twenty-five homes at the time or something of that nature. We have proffered that all of the amenities have to go in up front so it is not half developed and not looking well. From the standpoint of impacting the town from that prospect I do not believe there are any real concerns. Ms. Venable can address the comments that Mr. Saunders has been sending out I think better than I can. I would like to stress that this project is going to infuse the town over time with a life blood of new residents that will benefit the town overall. They will greatly benefit the commercial district of Main Street district. These will be folks that are homeowners that are shopping, going to restaurants, and paying taxes in town. I believe this is a project that will ultimately benefit everyone because the more people shopping on Main Street the more shops there will be on

Main Street which will increase tourism on Main Street. I think it is a benefit all around. I am available to answer any questions at the appropriate time. I will now turn it over to Ms. Venable.

Chairman Davidson – Does anyone have any questions for Mr. Jones? Thank you.

Ms. Venable – Good evening commissioners. My name is Melissa Venable. I am with Land Planning Solutions. I am the agent on the application before you this evening. My address is 5857 Harbourview Boulevard in Suffolk, Virginia. At the June meeting there were several questions about market and existing projects that are here in town today. I wanted to address those. I want to address the Pierceville Manor and the home itself. I may duplicate some efforts of Mr. Jones but I will go through that briefly if I do. Some of the comments that you asked me were specifically about the market and concerns about two new home condominium communities that sit in town today. The communities that you referenced have had very little sales. One has gone bankrupt and has been repurchased. They have been problematic for the town and the surrounding property owners. It is a difficult situation for sure. I wanted to point out what makes the Cary and Main project different. The difference between the builders and why the projects are conceivably very different and why we believe this project will be much more successful. It starts with Hearndon MC Builders LLC. They have a combined eighty-five years of experience. They have not ever had a failed community. They understand the markets they enter. They understand their costs fully and most importantly they understand the current home buyer. I can only give you what I know is reasonable and fair to create a good community that will have a good end result. The bottom line I would say it is creating real opportunity for real homeownership. It is important throughout the country particularly in small towns such as Smithfield. There are three current examples. I invite you to visit communities that they are building right now. Dominion Meadows in Chesapeake has an average home sale of \$326,000.00 to \$450,000.00. They are the same size homes that are being proposed in our package. Since opening five months ago they have had an incredible sales pace. They have had twenty-nine sales and contracts in that community. We are not suggesting that the pace would be the same for Cary and Main. I wanted to offer it to you because it is a very

high demand area in Chesapeake. There is another project that our pace would be more similar to I believe. In Tanglewood, Elizabeth City it opened in 2011. It would sell at a more similar pace as Cary and Main. One hundred homes have sold in four years. The price points are a bit lower and the house size a bit smaller but that is due to the demographics there and its location. In Saddlebrook, Suffolk average sales are from \$270,000.00 to \$340,000.00 with forty-seven closings in two years. Again, that is a similar pace to what we are talking about. Hearndon is a local builder. Hearndon has consistently ranked nationally as a Top 400 builder. They understand the market. They understand jobs and housing needs in the community they are entering. That is very important when you start a project like this specifically in the downtown area. I can strongly state that the Cary and Main proposed project would not be proposed by Hearndon with the amenities and the architectural package and such if there was any uncertainty at all. The second question is pertaining to the Pierceville manor and home and the guarantees about remodeling the home to bringing it back to a good condition. You have received our updated proffers that address this directly and commit Hearndon to the preservation of the home to be completed with a one hundred twenty day subsequent to the success of the rezoning with \$100,000.00 letter of credit posted to the town. Further within a years' time of the property acquisition the developer will complete the renovation of the home. As I am sure you have read the proffer language is very specific and shall be in accordance with the guidelines set forth by the Board of Historic and Architectural Review. We need to address the density and number of units. The Downtown Neighborhood Residential zoning we are requesting allows for lot sizes consistent with the existing lots found throughout the Town of Smithfield. We are not asking for the minimum lot sizes or the minimum widths of this district but instead looking at what is consistent with the existing lots and consistent to what today's consumer is seeking to purchase. The number of units proposed affords us many things. It affords a new pump station and eliminates the need to use any of the existing capacity in the closest pump station adjacent to Goose Hill. It provides for remediation of a drainage problem at Main Street. It realigns a difficult curve on Grace Street and provides a second ingress and egress at Grace Street with the anticipation of additional commercial at a later date on the commercial property that is in front of our site. It

extends and loops the water system on and off site to ensure good pressure for both the proposed neighborhood and surrounding existing areas. It affords a number of neighborhood amenities and parks and most importantly the ability to provide an entry park along Main Street for the entire community to enjoy. This would include landscape, hardscape, benches, bike racks, walking trails, and connections to two historic properties. Both an historic school that is there today and the future renovated Pierceville Manor house. It will enhance the southern entrance onto Main Street from Route 10 and provide a revitalized pedestrian vehicular gateway on Main Street. They are slightly higher densities than what the community behind it is anticipating but it is still at the gross density under three dwelling units per acre. In general planning talk anything under four dwelling units per acre is considered low density. I know that we will hear contradictions to that but suburban low densities are usually four and below dwelling units per acre. We are looking at a gross density of 2.8 dwelling units per acre. I might further add that the majority of visitors to historic Smithfield come from Williamsburg via the ferry or Route 10. It is the bulk of your visitors. You know what that entrance looks like today. It is the easier way to get to downtown Smithfield. The improvements we are proposing will certainly have a positive ripple effect for the town in many different ways specifically the visitors coming in. Lastly, I will touch upon schools. Contrary to the letter we received from the Isle of Wight Planning Department yesterday in the spring I had requested from the facilities department of Isle of Wight schools capacity of the specific schools in this district. I received on April 3<sup>rd</sup>, 2015 a current report of capacity versus enrollment for all nine schools in Isle of Wight. I provided the report in the rezoning package. According to that report there are two schools that are at capacity which are Smithfield High School and Westside Elementary. The remaining schools fall within fifty-one percent to eighty-six percent of capacity. As you know these facilities are costly to maintain and each enrolled pupil represents state and local funding of about \$10,000.00. Simply stated with additional enrollment and additional funding we will be better able to maintain these facilities. This was information that I was given in April. I am not coming up with those numbers. You should have all that in your packages. The traffic impact analysis was done in February. I cannot talk to just Smithfield but I can talk to the region as far as Chesapeake, Suffolk, Isle of Wight, and

many of the other jurisdictions we work in. For a zoning and traffic impact analysis report we can give them general numbers for daycares, churches, and apartment complexes. As a rule there are general numbers of trip generations for those types of projects. They are the generalized numbers we use for the traffic impact analysis. Because the counts were done in February as opposed to doing counts in the middle of two snow storms we used generalized numbers. The counts were done on February 17<sup>th</sup>. There was a snowstorm two weeks prior to that and it kept the kids out of school for a few days. There was subsequently a snow storm after that which kept the kids out of school for about a week. Needless to say you did not want me to have the consultant use those actual numbers so we used generalized numbers. Speaking to some of the folks in Goose Hill since there are retirees in there they used general numbers for the intersection of Cary and Goose Hill. For a typical neighborhood you would have two working parents and school bus children but in that neighborhood you do not have that. There was an over generalization for the trip generation at that intersection. We can go back and get the actual numbers in September when school starts. The traffic impact consultant was going to talk to VDOT in regard to their comments. As I said across the board generalization numbers are accepted at a rezoning but those actual counts can be taken for sure. There will not be a big discrepancy. We are talking about levels of service of "B" and "C". Even if those numbers change a little bit they were not close enough to change the levels of service to anything less than that. We feel real certain that the levels of service if they change at all will improve a little bit but it certainly would not change the grade. The grade will stay as it is. I hope that helps clarify a little bit in regards to those comments. We received them six days ago so I could not do anything except make a public comment in regards to that. I did my research in the last two days. It is the information that I was able to gather for you. The proposed units are not going to all come at once. We are not going to have one hundred and fifty units appear out of nowhere. We are going to be at a pace that will be about two units selling per month. This is what we predict with the market and where we are. That is twenty-four units per year. This would come on slowly over a six year time period. It will not be a big punch in the gut that all of these homes and people are going to show up all of a sudden. It is going to be in slow incremental controlled growth. In June I told you how much I enjoyed

this town. It is the truth. Not long after I ran into a few of you at a Friday evening event with my family. It was well attended but there was room for more. I fear that if you do not invite some natural growth that keeps offices and retail shops vibrant then we face deterioration. A few more restaurants would be nice. I have heard that from a lot of the neighbors. Adding to the downtown residential community seems to be a natural progression. I hope you will see the benefits of our proposals. I would ask you for a positive recommendation this evening. I am happy to stand by for additional questions. Thank you.

Dr. Pope – Do you know the total net development of this property? You have given me the whole acreage but do we know the net development.

Ms. Venable – Yes. It is about 3.2 dwelling units per acre. The way you calculate is a little bit different than most jurisdictions. I have to pull out the right-of-way and critical areas such as wetlands and ponds. When we do that calculation the net density is about 3.2 dwelling units per acre.

Dr. Pope – Do you know what that breaks down to in acreage? Do you know what that is off the top of your head?

Ms. Venable – Yes. I have it. The net site area is 45.7 acres.

Dr. Pope – I am a little confused on the commercial development at the front. Do we know how many acres are in that part? Is it fifty- eight acres minus those commercial properties? What is the size of that?

Ms. Venable – The fifty-eight includes that but the net acreage does not include that. It is one acre of our property. I am not accounting for the Little's property. It is one acre of those fifty-eight acres that is set aside for commercial.

Planning and Zoning Administrator – Chairman, I would like to clarify that please. I think there is a plus or minus two acres of the small lots in the front that are currently commercial. Half of them were removed from the original application to leave them as commercial in case something happens with the Little's Supermarket property. It would kind of round that corner off. About half of those were left in the application and they are subject to this rezoning to go from commercial to residential. If you look at the exhibit that I gave you it shows you which ones are subject to the rezoning. If you look at the

ones that kind of round out that corner of the larger Little's Market property those will be left as commercial.

Ms. Venable – It was a very intentional thing that we did. I think you all know that we made an offer to purchase the Little's property as well so we could have a full mixed use community that we were bringing to you. We were not successful in pursuing that property. We went at it three times and were not successful in engaging Mr. Little. But we feel really strongly that the corner needs to be a commercial corner. I believe that eventually it will be a beautiful office building or nice retail that is in line with what we see downtown. We did not want to compromise the site. We did not want to back lots up to that commercial piece and cause it to be a difficult development. Being true to that mixed use idea we aligned the street adjacent to it so access would be simple. We kept that whole rectangle open so that there are many opportunities to come whether it is a nice small boutique type grocery store, additional shops, or maybe an office building that is associated with Smithfield Foods. Regardless of what it may end up being we did not want to compromise that site with having residential homes backing up to it. The way we aligned those streets was very intentional and carving out some of that property to be set aside for commercial so that it could be developed the right way. It was intentional. I hope you see it that way.

Dr. Pope – Maybe I am premature in asking this question but how are you going to access that property? Will it be an extension of your road through there or is it coming across the Little's parking lot? Maybe it is not the right gesture but I am trying to figure out how this fits in with the rest of this development.

Planning and Zoning Administrator – I think it is kind of assumed that the Little property would be in play when that is developed at whatever time in the future. All that would be designed and developed later.

Ms. Venable – That is right. We would not have a way to access that. We have cut our access essentially unless it comes from our main road coming into the development. The school sits on Main Street. We cannot compromise the school site so access would have to be into the entire parcel which would be from behind the school or direct access from Main Street.

Mr. Pack - How many different types styles or designs of homes are you proposing?

Ms. Venable - I believe there are seven different homes. The architect from my office that had presented this to the architectural review committee did a very good job from what I gather. He went through this specifically. I wish he were here tonight. A lot of those things were addressed that evening but I believe there are seven different homes with multiple elevations for each. As we move forward hopefully getting through the rezoning process more can be developed. There is a certain scale of economy. The town wants us to put so much forward and we do not want to continue to develop plans not knowing what our outcome will be tonight in moving forward.

Mr. Pack – It is my understanding that there are technically fourteen because you can flip flop the house. I am not an architect.

Ms. Venable – I think each home has two very different elevations. You can do things like flip flop them and change materials. You can have many different looks but I would say there are a minimum of fourteen elevations.

Mr. Pack – Will there be any homes built before they are sold? Will there be spec homes?

Ms. Venable – No. We will have a couple of models built but Hearndon does not do spec homes. They will do models for a phase and then sell out of those models. They will receive contracts and move forward at that point. They do not build spec homes.

Dr. Pope – Will Hearndon be the only allowable builder in the development?

Ms. Venable – At this time, yes.

Chairman Davidson – Are there any other questions at this point? We have had the staff report and the exhibit. We will now open the public hearing for the Future Land Use Map change review. I have a signup sheet and the first one is Mr. Mike Waters.

Mr. Waters – I live at 308 Grace Street in the historic district. I appreciate your time and consideration to my comments. The residents and business owners as well as the Planning Commission are all stewards of this historic district with the responsibility to maintain its beauty, ambience, and charm for generations to come. My wife and I have chosen to embrace these responsibilities. We are asking you to also make this

choice by opposing this proposed land use change. I am not alone in asking you to make this choice. There are one hundred and eighty-four residents including fifteen brick and mortar store front business owners who have signed a petition opposing the Comprehensive Plan modification and the Pierceville development project. This petition represents an overwhelming majority of the historic district residents who will be impacted directly by the outcome of your choice. Nearly every resident of Cary, James, and Grace streets have signed the petition as well as numerous residents of Church, Main, Cedar, Institute, Mason and Washington streets as well as Jericho Estates. No matter how hard a builder tries you cannot make a new home truly look old. While there may be a place for the proposed development effort in Smithfield building within the historic district is not the right place. This land use change and development would bring more traffic traversing the historic district making it less safe and desirable for tourists and pedestrians such as bicycles or joggers with an increase of approximately fifteen hundred vehicle trips per day. Finally, there are many studies on home value depreciation. Some would lead you to believe that the impact of a development such as this would be minimal. However, when you read the details of these studies you see there are many influences on home values and construction can positively or negatively affect a community simply because of what it removes. For example, housing that displaces a desirable feature such as a park or green space would likely have a negative impact on value. In my opinion, so many new track houses would diminish Smithfield as an historic district having an adverse effect on tourism and historic property values. There are many nice track home neighborhoods in Smithfield outside of the historic district. Adding one at Pierceville would compromise the lure of our historic district. I ask that you please give consideration to these concerns as you make your decision on this effort. Thank you.

Chairman Davidson – Thank you. Next we have Mr. Chris Torre.

Mr. Torre – I live at 32 Main Street across from the Episcopal Church. I was a general contractor. My home office was in San Diego. I had a branch office in Nashville, Tennessee. I had a license in Hawaii, Florida, and everywhere in between where I needed one. I think the developer has put you folks in a difficult position. He is asking for your approval without specifically telling you what you are going to get. From a

construction cost point of view that you request from the developer specific drawings, plans, renderings, elevations, sections, cuts, and technical specifications so that you can tell for sure that once the developer has completed any one of these seven different floor plans what the end result will be. There is a lot associated with the cost of a house that does not show on the surface. If the developer says that he is going to sell the house for \$250,000.00 and it is going to be a two thousand square foot house he is allowed \$125.00 per square foot for his construction costs. From that \$125.00 per square foot comes all of antecedent cost, development cost, the Planning Commission hearing cost, land cost, conceptual development, subdivision maps, architectural plans, architectural studies, and soil report. Also the impact studies report fees for water, sewer, traffic, schools, architectural fees, plan development costs for the homes, engineering fees associated with the development of the parcel, and the engineering fees associated with the utilities. He will have to have plans for electrical service, water lines, water meters, fire main, fire hydrants, telephone, and cable service, sanitary sewer mains, laterals for the homes and all the other infrastructure associated items that detract from the \$125.00 per square foot of construction costs on a two thousand square foot house. By the time all of that is added up and subtracted it from the cost of each house what budget is left? What are you going to get? What is he asking your approval for? That is just the upfront cost. That is before he ever turns a shovel. That is before he starts his grading, building the roads, and curbs and guttering, sidewalks, driveways, installing the utilities, and all of those costs that are associated with houses are deducted from his construction budget which is driven by the sales price. I suggest you get real specific information and see what it is that you are approving. Thank you.

Chairman Davidson – Next we have Mrs. Carolyn Torre.

Mrs. Torre – Thank you very much for allowing me this opportunity to speak to you. I am Carolyn Torre of 32 Main Street here in Smithfield. We moved here a little over two years ago. There is not a day that goes by that we do not wake up and deeply thankful that the powers of the universe that we are here. I grew up in a charming, small New England farm town in New Hampshire. They wrecked it. I just took my thirteen year old daughter to see it a week ago. There was pity in her eyes as she watched me survey the damages done. The beautiful old brick school house that I attended is

rotting. There are old homes moldering in ruin. There are lots and lots of ugly fast food operation and big box stores. This must not happen to a place as timeless and historically important as Smithfield. Bad planning and bad zoning is where blight like that begins to creep up on a town. Before living here we lived in San Diego. People think it is paradise but it is not. Over building and tract home neighborhoods line both sides of all of the freeways. Topography is flattened out for five houses or more per acre. They are far too close together. The schools are overcrowded with not enough teachers per student. Any natural beauty is erased too often. Almost no tree is natural. Traffic is all you hear everywhere. We fled southern California to raise our daughter in a real place with real trees, real history, and a sense of place like Smithfield. This proposed development will never feel as if it belongs. It will never look like it belongs in this historically significant area. It would detract from it. My husband's hometown in northern California got it right though. They planned its growth so carefully. They fought rezoning and overbuilding. They cherished and preserved their history first and foremost. They only go back one hundred and twenty-five years or so unlike here. The residents and visitors have a timeless beauty of a town in his hometown. It is a town like Smithfield with parks like Windsor Castle and the kind of tourist that are eager to focus their time and money on downtown. They have visitors who want to come and never leave because it is so beautiful and rare like Smithfield. We are lucky to be here. Let us not destroy the lovely historic land right here in the downtown area. The town deserves better. Present and future residents deserve better. Building out Pierceville so drastically would not add to that but detract at best. It would destroy at worst the very things that make Smithfield an incomparably, desirable place to live, and raise families. This is a place where you can still hear birds in the morning and crickets at night not ceaseless and congested traffic. In June the developer's own representative called the unspoiled beauty of this place picture perfect. Who messes with picture perfect? Why? Only the greedy or the short sighted or both would do that but not in our town. My family has come here but we have been there. We see what it was like when it was done wrong or even in paradise when it is not done well enough. We have also seen where it has been done well and that is nice too. Let us not be one day wishful for what was. We may be sorry to have done what cannot be undone. Thank you.

Chairman Davidson – Next we have Beth Haywood.

Ms. Haywood – Good evening. I live at 224 Cary Street in Smithfield. I am going to say it twice because I really would like for you to let it sink in. There is a need to maintain a strict balance between residential growth development and services. The balance between residential growth and services is something that we really need to think about. It is not to say that all development is bad but the question about residential growth is what we are questioning. The argument that residential development is necessary for the healthy economy of a town is fundamentally flawed. If that were true we would have to continue growing forever to avoid an economic downfall. This town was colonized in “1634” and currently is considered one of the best small towns in Virginia. It is an honor and responsibility to preserve this history for future generations. Does the town want to continue with the small town charm or are we trading it in for suburban sprawl within town limits? I have heard some comments when I was reading over the Planning Commission staff report that one of the strengths that you all propose of the Pierceville project is that it would create construction jobs within the town as well as provide new residents with benefits and local businesses with town and tax revenues. It is true that we would have some new jobs but that would only be during the construction of the project. Most people here travel out of Smithfield to work and then come back in here. I would like to respectfully disagree with Mr. Jones’s statement that this project does not pose a safety concern. Traffic is a safety concern. Hopefully you took the time to read the VDOT comments that were posted on your website about their concerns with the easements and traffic. I hope you will take that into consideration. It is a safety issue with the amount of traffic we have right now. Another strength that the committee said was that this proposed project would provide additional water customers to offset the impact of the potential loss of Gatling Pointe water customers. I also heard Ms. Venable say that they are offering the town this new pump station, drainage problem fixes, and a new water system. I am asking again if you are selling out for suburban type homes in our town to fix water problems that you are experiencing now. I hope you are not selling out our history to fix any kind of water problems that have occurred because of maybe poor planning or overspending. The other strength that you claim is that this project will halt the demolition and neglect of the Pierceville manor

house. I am saying that as a town we have a wonderful historical committee that could do that without having to build all of those homes. There are other ways to solve the problems with the house falling. There are other ways to grow economically. I am just challenging this Board to think that building more homes is the solution to this problem.

Thank you.

Chairman Davidson – Next we have Terry Mulhern.

Ms. Mulhern – Chairman Davidson, members of the commission, our town employees, and our elected officials who are present, thank you for giving us the chance to speak about this. We have been waiting a long time. I am a proud citizen of Smithfield. I chose to move here. Smithfield matters to me. I left Hampton where you do not even need a light at night because there is that much light. I chose this community for a reason. I am going to challenge you to make sure that you are maintaining that small town which is why I chose here. I can kill two birds with one stone since I signed up for both public hearings. I am challenging the commission in accountability; follow through in ethics and conflict of interest. In accountability the Pierceville property is in disarray. I do not even know how you are going to fix it. How did that happen? We have rules about that. We have codes against that and yet it happened. The same goes for the water runoff, the Little's property, and all of the unsold houses in Smithfield. Development is along the corridors that relate to Main Street, Church Street, and yet other areas of historic district are left alone. Mr. Saunders directly knows that I have done my best to make my fifteen hundred square foot starter home look like an old home, be respectful of water runoff, and yet not everybody does that in our town. I think we have to look at ourselves and the leadership we have provided before we can make decisions about changing zoning and changing future land use. We have not been good stewards of the land that we currently have. I think that is what your interest is. In terms of conflict of interest and ethics this is a major project. It is going to generate money. I think that is fraught with the chance for maybe a little back door profits. Please take an introspective look at who may be impacted. I am a nurse. I would be crazy to say my company would not be impacted. Of course it would be impacted by the addition of this development. Who is impacted and how it is going to affect the way you vote whether it is a town person receiving donations to their campaign or it is within businesses or

within members of commissions. I think a real assessment of that needs to be done. I know you just submitted your conflict of interest statements to the state. I am going to take a look at them. I think you need to take a look to see if they may need to be done again. The requirement is twice a year. Do you need to do them more often than that based on this project? What that is the ethics and telling the truth when there is a conflict of interest and the requirements within the codes for what you should say if indeed you feel a conflict of interest. The one thing that strikes me about our town is we build a lot of projects but we do not necessarily follow through. We do not necessarily ask the citizens if it worked. Look at the corner of James Street and Church Street. It does not work. It is horrible if there is ice or snow. Today it was under water. You have to drive all the way out onto Church Street just to make that turn. In all of our other projects has there been a reassessment done? Have we gone back to try to learn from our mistakes so that future development does not create the same errors? I live on Washington Street and work on the Peninsula. I do not travel Route 10 unless there is a hurricane or Nor'easter or a bad snow storm. What is the traffic impact on the rest of the town across the bridge at the Smithfield Station? I do not know. I know what the impact is on my house because people race to get to the YMCA or try to cut off a second or two when trying to get to Cary Street because they live beyond. There is about a thirty foot skid mark right on Washington Street from a driver who narrowly missed a child on a bicycle. Look at our accountability, look at what we have built, examine our ethics, do some introspection on it, who is benefitting, and what do we need to do to protect the interest as a result of that. I also want to say that this is a better project than was proposed for James and Washington streets. You have a real chance. Thank you.

Chairman Davidson – Our next speaker is Mr. Bob Hines.

Mr. Hines – Thank you, Chairman and committee members. My name is Bob Hines. Mark Gay went out and canvassed. You have heard the results. There are a lot of people that say they do not want this. These folks are making a sales pitch. The bottom line is that it is profit driven. I understand that. There is nothing wrong with making a profit and nothing wrong with business. Everybody in here has worked for a living at one time or another or may still be. But is profit more important than what citizen's request? Think about what the citizens are asking for. We had this situation

some years ago over at Windsor Castle. Where is Joe Luter when you need him? It was going to be one major fiasco. People raised cane and it was set aside. I am asking you to do the same thing with this. The most I could see going in over there would be fifty homes. I understand that it would just raise prices. The heavy concentration just like over at Windsor Castle we do not need another Town of Smithfield. We do not need another mini Town of Smithfield. Listen to the citizens please. There is a large amount of people saying they do not want this. Thank you.

Chairman Davidson – Next is Ms. Betty Clark.

Ms. Clark – Good evening. I live at 120 North Church Street. I have lived in Smithfield all my life. What is Pierceville? To some it is just a piece of land to be chopped up with little saltbox houses. To others, Pierceville is a piece of Smithfield's history to be restored and cherished. Once this piece of our history is destroyed it cannot be revived. How many almost three hundred year old houses are there in Virginia? There are approximately twenty older than 1750 that are on the historic houses in Virginia list. I have a copy for you all to see. Pierceville can be a very important part of the history of this great state as well as to our town. Can you imagine how many thousands of people will come to see this restored property? If it is a working farm many school buses within a hundred mile radius will bring children eager to learn the inner workings of an original early eighteenth century farm. Can you imagine the first time a child sees a cow milked by hand or possibly for the first time tries to milk that cow? Maybe that child would like to feed the chickens or the goats. As most of you know since the death of my daughter I have owned Mansion on Main Bed and Breakfast. I have heard firsthand how much people love seeing and being a part of history. Everyone enjoys going through the house and becoming immersed in its history. When you ask tourism you will be told that people continually ask if there are old period houses to tour. I have been told that a Smithfield 20/20 report indicates that almost all Smithfield business owners have signed a survey approving the housing development of Pierceville. I was never asked to sign any document. I never saw any such document despite owning two businesses in town. Several other business owners have told me that they too never saw that document. This town has a fantastic

opportunity to create a living legacy for future generations. Ladies and gentlemen let us not blow it. Thank you.

Chairman Davidson – Next we have Mr. Tommy Gehring.

Mr. Gehring – Thank you, Chairman. I live at 215 Cary Street. I have been a resident for thirty years now. Thirty years ago when I first moved here there was one stoplight in Smithfield and most of Isle of Wight County. It was at Church and Main Streets. Now look what we have for all of the growth. The traffic on Cary Street is going to increase. Around 1990 a neighbor of mine at 218 Cary Street had a traffic survey done. I cannot remember exactly how long it was but there were speeds up to seventy miles an hour that were documented. The reason he was able to get this done was because he was a spokesman for VDOT back then. He had it done because of the speeding on Cary Street. The traffic will increase. The boy who lives across the street from me is in his upper twenties now. When he was little he was hit by a pickup truck going down the street. He was airlifted to CHKD. If you put a lot more kids trying to cross over to the YMCA it is going to be bad. Right now I am dealing with the town on drainage and flooding issues at my property. The places that I saw where there are retention ponds on the plans are not where the water drains. The water drains through my yard. I have pictures of it. A couple of years ago we had a Nor'easter come through and where I usually do not have any issues the water was thigh deep. It went under my house. Drainage is going to be an issue. The impervious soil will be covered up with houses, driveways, and roads. Where will that water go? In the Town of Smithfield over near my neck of the woods is all natural drainage going down through ditches and culvert pipes. They get clogged up because nobody seems to clean them. You can go behind Christian Outreach and see how overgrown that is. Years ago the Sheriff's department used to have people come in and clean that out. It has not happened in years. Once you get all of those other houses and drainage issues I just do not see how that is going to work. Thank you.

Chairman Davidson – Next we have Ms. Linda Spady.

Ms. Spady – I live at 221 Cary Street. I am a Smithfield native. I have been here since childhood. Sixteen months ago I moved into downtown Smithfield for retirement. I am going to speak briefly on four points that I know personally. It is the traffic on Cary,

Main, and Grace Streets. These streets are old. They are quaint. They have 25-35 mph speed limits. After the YMCA Cary Street turns into a country road. It takes you out to Mill Swamp, Wrenns Mill, Moonlight, Orbit, and all of those populated areas and farms out there. I can best speak on Grace and Cary streets. The traffic is very heavy. I am yet to back out of my driveway without somebody about running over me coming from the country into town. There are cars, trucks, school busses, big UPS trucks, construction trucks, and equipment. There are citizens with dogs. There are children on bicycles. There are children walking and skateboarding oftentimes in the middle of the street because Cary Street has a partial sidewalk. It is only on one side of the street. It does not go all the way to the YMCA. I feel we already have a dangerous situation on Cary Street at least from my standpoint. Cary Street is extremely narrow. If you turn from Grace Street you often cannot even get on Cary Street without stopping if you are meeting another car. Cars are stopping constantly in front of my house because there is a car parked on the street. The first five houses on Cary Street do not have a driveway. It is a narrow street. You cannot meet a car. I really cannot see how Cary Street can take another car. My third point is that Cary Street does not have any drainage. I do not think I have ever been on a street that does not have a ditch. I am a country girl but you do have ditches. Cary Street does not have a ditch on either side of the street. On my side of Cary Street when it rains we are flooded. The water does not run off. It is a problem. I do not see how we could handle more homes with that water drainage problem. My final point is that speed is a problem on Cary Street now. I have seen people pulled but not often enough. I do not think that they sit regularly on Cary Street. Keep in mind that Cary Street is the main corridor out into the country. It goes out to Mill Swamp, Wrenns Mill, and all of those places. People are routinely travelling ten to twenty miles faster than the speed limit especially during morning, lunch, and evening rush hours. It is unbelievable. I wish I had a counter. I think we have a responsibility to look at what traffic would look like on that part of our downtown from the bridge where Cary Street turns into a country road and from Grace Street down to Main Street. I feel like it would be a dangerous situation more so than it is now. I would just like to say that it appears that Smithfield residents do not want this because our little town cannot

handle it safely as we would like for all of children and citizens to be in this community. I

just hope that you will consider not putting more traffic on Cary Street. Thank you.

Chairman Davidson – Our next speaker is Mr. Mark Gay.

Mr. Gay – Chairman, I would like to defer until last if possible.

Mr. Mark Hall – I would like to defer until last.

Chairman Davidson – You are last.

Mr. Hall – I know. Does he mean after this hearing?

Town Attorney – Mr. Chairman, he has been recognized. Now is time for him to speak. You cannot play a game like that.

Mr. Gay – I am not playing a game.

Town Attorney – You signed up. You can speak now or you can speak later. You are being called in the order that you signed up. Those are the rules of the Planning Commission. You can abide by them or you can choose not to speak.

Mr. Gay – Thank you, Chairman. I live at 110 Goose Hill Way. There were others, as you know, trying to sign up as a moving target in the order which they wanted to speak. Others had planned to sign on this sheet but signed on the second sheet. Be that as it may what you are going to hear later on is we are not talking about just any open space long standing farm. We are talking about attractive land that is part of the original land grant of 1634 that was Goose Hill. Captain Pierce bought it from the Goose Hill land grant. We are not just talking about a three hundred year old structure but a nearly four hundred year old piece of property and the last standing fifty-eight open acres. It is very important to collectively think through the best use of that land going forward. I have made comments at previous hearings about the green space. We have heard comments about the working farm. There is a beautiful cotton farm there right now. It is a magnificent cotton field. It adds a lot of environmental and grace to our town. It attracts the admirable comments of a lot of folks who visit. We have told you repeatedly since early February that we understand that there may be a need to develop that property someday. We asked that you do it responsibly so that it complements the work of the historic district of Smithfield and Goose Hill. We had that discussion on March 8<sup>th</sup> as I recall. We have not had a chance to re-engage since then. What we have done is reached out to see what else could be done with it. Part of it is

Parks and Recreation right now. Some of you have seen emails that I sent to the County Parks and Recreation that Mr. Bob Fry, our neighbor in Goose Hill, also shared with the Peninsula YMCA and with the town Parks and Recreation Committee. Part of the activity going on now when we have these large triathlons, special events, and swim meets the YMCA is bursting out already. When nobody is looking they park on Pierceville and put their tents up. The long bicycle races are healthy. There is a natural outgrowth of the YMCA to part of that property that would return a lot more revenue to the town over the next twenty-five to thirty years. There is a large way to increase revenue and do it in an environmentally responsible way that preserves the unique heritage of that property that addresses the traffic, water runoff, and sewage issues that we have all been talking about these last four months. I talked to two or three Washington Street residents yesterday. I was chastised earlier today because I used the word elderly while referring to them. They both reminded me that when they were children they went to the circus at the Pierceville farm. They saw the elephants. Both wanted to sign the petition even though one has had a stroke and could not use his right arm. I walked a bit further to Clay Street and knocked on a lady's door. She was in her gown with a bald head because she had just left her chemotherapy appointment over at Port Warwick. I excused myself for bothering her but she wanted me to tell her why I was there. She wanted to sign the petition. I lost both of my parents at an early age to cancer so I told her I would say a prayer for her tonight. She said she would pray that we do not put those houses on Pierceville. I am asking you to consider that we are dealing with a very special piece of property and I trust your judgement to do the right thing. Thank you.

Mr. Hall – Thank you. My name is Mark Hall. I am a resident at 7432 Barton's Landing with offices at 405 Grace Street. I am an independent business person and an investor in Smithfield both the historic district and the town at large. Regarding the application, I would like to express a positive view. Anyone who says that Hearndon is developing low income housing is either misinformed or is part of the one percent. They are proposing \$240,000.00 to \$320,000.00 new homes. We would expect to find a fairly wide range of people I think in a neighborhood like this. We would certainly expect to find people like firefighters, police, paramedics, teachers, and active and retired military.

It would be new life for our community. We would have new customers for our restaurants, shops, and services. There would be new members for the VFW, the American Legion, Rotary Club, Ruritans, Kiwanis, the Arts League, the YMCA, and more. This proposal brings with it the opportunity to address four major issues for which there are currently no solutions. The first is that we would see immediate improvement to the entrance corridor. What Hearndon has proposed would be a great improvement. The second is that we could vastly improve the opportunities for development of the former Little's Supermarket property currently looking a little less than inspiring when you come into town. Thirdly, we would bring about a situation where we could renovate and preserve the historic landmark that was the original Thomas Pierce house also known as Pierceville. Lastly, we could bring about a transformative boost of economic vitality not just to the historic district but to greater Smithfield at large. This development, in my view, would positively impact basically every business in Smithfield. These are not issues that are going away. The questions are if not this then what? If not now then when? What are we afraid of? In the 1970's there was no Smithfield Station. There was the run down Pagan Pines Restaurant. I use that term very loosely. There was a tiny restaurant on wobbly stilts on the other side that the Booth's ran. Putting it mildly the Smithfield Station, marina, hotel, and shops are a massive improvement. Prior to the 1980's Gatling Pointe was peanut fields. In the 1990's where we stand now was a rundown eyesore of an old shopping center. Cypress Creek was the Barlow farm better known to my family as Shady Lawn. In the 2000's there was no footbridge across the marsh landing at the end of Mason Street. There was not a handsome park entrance. There was just a little house there. I would say at this point that I would like to see in this development more architectural diversity. I would encourage the Planning Commission and the Town Council in any way possible perhaps if there could be a mix of custom built houses with the homes that they are proposing and more architectural diversity. I think that would be great. There could be opportunities to encourage that within this process. But with that said progress is not evil and is not to be feared. Progress is to be managed and embraced for the greater good. I said in the beginning that I am an investor and a lifelong resident here. I lived elsewhere for a little while but I have been here mostly since 1961. I am an independent business person. I also happen to be a

business representative to Smithfield 2020. I want to make sure I disclose that. In closing, residential development of the Pierceville property would be a good thing. I thank you for your positive consideration of the plan.

Chairman Davidson – Thank you. This concludes the first part of the signups for changing the Comprehensive Plan Land Map. Is there anyone else that would like to speak on that subject?

Mr. Kline – Thank you, Chairman, members of the Board and members of the audience. My name is Jim Kline. I originally was number two on the list but I moved my name to the other list. I bought my house three years ago at 207 North Mason. Three years ago, as Mr. Saunders knows, it was one of his problematic homes. We have subjected our neighbors to two years of reconstruction and scaffolding but it is pulling together. It has made us really believe in the new town motto “Genuine Smithfield”. I was looking into the age of my house and my neighbor said that it was built in 1898. I told them that the county said it was built in 1935. We spent hours looking through county land records, county deeds, and historical sources. We did find out that it was built in 1898 but the land on which it sits was much more interesting. It came from the Grove built by J.O. Thomas who bought the land in 1873. He built four of our houses together. The Grove was built when a house was built by the younger Thomas Pierce in an old grove of Oak Trees. They were cut down during the Crimean War but originally belonged to the land of Thomas Pierce. He bought what is known as Pierceville in 1730. I found out that originally it was patented to Joseph Cobbs. I will read the land deed from Isle of Wight County deed book #2. It states: Joseph Cobbs four hundred acres dated 4<sup>th</sup> August 1637 in a branch of New Town Haven (which is now the Pagan River) north on Back Creek (which is now Mount Holly Creek) parting from John Vassar’s. I would like to point out that Joseph Cobbs, in his will, left his wife four hundred acres titled Goose Hill Plantation. I found several other deeds referring to Goose Hill plantation being adjacent to that of Arthur Smith. Mrs. Segar Dashiell stated in her book that Goose Hill Plantation extended all the way out to the current Waterworks Road. It seems like the entire issue preservation of Pierceville skips the reminder that this is a three hundred and seventy-eight year old plantation which is one of the first in Smithfield. Please consider the history of this plantation not only the house.

Chairman Davidson – Is there anyone else who would like to speak to the change in the map?

Mrs. Gay – My name is Susy Gay. I live at 110 Goose Hill Way. I have a couple points as we have been talking about everything and discussing this for the last several months that I think needs to be brought out. It is interesting when we were talking about the buildout a few months ago of eight to twelve years. Now it is six years. There are sewage problems. Our property is the third lot going into Goose Hill. It is the original house in Goose Hill. The back of our property faces and abuts to the access road behind the YMCA and the pump station. At least two times now we have had raw sewage pumped onto our property. I think there is a problem with the sewage drain off. There are retaining ponds in the plan for the development. This past March a young boy in Suffolk died because he fell into a retaining pond. We all know that a lot of times that parents may not be closely watching their children as they should be. You are going to have a lot of kids in that area if you put one hundred and fifty-one houses in that area and have retaining ponds. Think about that. As far as historic details, I agree with Mr. Hall on talking about architectural diversity. How many houses in the historic district have real chimneys that work? I am not sure there are many of these houses in this development that have any chimneys. There are some really interesting ones in Smithfield too if you really look. There is one that is round. I love that one. Let us talk about the park that is going to be near the schoolhouse on Main Street. As you drive up the little hill there you are going to see a park. It is lovely and good for tourist but what about all the people who are on Cary Street and in Goose Hill who will see everything else. The people on Mill Swamp Road will drive down every day and see it with all the traffic problems. They are concerned about the traffic problems. How come the residents in the historic district have to comply with the requirements of that historic district and the town and the developer does not have to? It is something that we have heard talked about several times. According to some figures that I heard there are around eight hundred approved lots in and around Smithfield at this time. Some of them are in the county. No one is building on those. They are not selling. My last comment is about retirees in Goose Hill. I take exception to that. My husband and I both have business licenses here in Smithfield. There are a lot of other people in our

neighborhood who work hard for where they are and what they do. Even those that are semi-retired or fully retired come back and forth out of Goose Hill quite frequently during the day. We have a lot of people bike riding and walking in Goose Hill. They love the area. Think about what you are going to do if you allow a developer to come in and put a bunch of houses on it. It will change Smithfield forever. Thank you.

Mrs. Joyner – My name is Betty Joyner. I had not planned on speaking either. My husband and I have owned a home on Cary Street in Smithfield for fifty-six years I feel like I have a right. We lived there for ten years. I will not go into the traffic problems because everybody has heard about that. One thing I have not heard anyone speak of is crime. I live in the county now. Gatling Pointe is on one side of me and Gatling Pointe South is in front of me. When they had those nice homes built there we did not think there would be any crime. There is crime there. We have a fifty-eight acre farm. Young people from Gatling Pointe come over and destroy our property. If you put a hundred and fifty-one homes on this property there will be crime. There will be young people that need some place to play not just a small playground. They get bored especially in the summer when the parents are working and they are home. They have to have something to do so be prepared if you approve this to have more crime. Be prepared to have to spend more money to fix up things that they destroy because it will happen. We also saw in the Smithfield Times that there are drug problems. We already have that. I live close to Battery Park and we have it there. Anytime you bring in people from outside you have to think about the crime issues. We have nice restaurants and nice facilities. It is a nice town the way it is now. I knew the Delks when they lived there. They had cows on the farm. The Littles and Delks are wonderful people. I have no problem with what they are trying to do but I ask you to reconsider to find something else for this property. The children need playgrounds. Cary Street needs help as far as sidewalks. Every time we try to do something to our home we have to come before the town to get it approved. We tried to put a new roof on our house but we could not because it was a tin roof and it had to stay that way. Everything that we do to our home cost us money. As property owners we want to adhere to what the rules are. Obviously, the people who owned Pierceville did not adhere to the rules. I would ask you to reconsider this and come up with something better to do with this property. Thank you.

Mr. Joyner – I have something to add. My name is L.D. Joyner. I own 206 Cary Street. I was raised in Smithfield. I have lived around this area all my life. In the early 1940's I lived with my parents at 204 Cary Street. I went to Smithfield High School when everybody knew everybody black and white. It did not make any difference. Everybody knew everybody in town. It went from that to a better stage and the people progressed. It was great. Then we became a place like Williamsburg which was great also. We brought the tourist in. They brought money into Smithfield. The restaurants and businesses profited. Everybody did well. If you bring more people in here there is no telling what kind of people will come. You cannot control that but I agree with what a lot of people have said. I agree with what Mr. Hall said about the businesses and everything but we want to keep Smithfield as is. People come to Smithfield because they love to cross the bridge or come to Smithfield to see Smithfield not for what it is going to be but for what it is right now. If we do a lot more progress or whatever you want to call it what will it become? Will it become a Newport News, Hampton, or Portsmouth? That is not what we want. Thank you.

Ms. Cole – My name is Paula Cole. I live at 334 Grace Street. I have a business at 337 Main Street. I am truly concerned about the preservation of historic Smithfield. I do not see a track home development downtown as being a positive for Smithfield. If anything I would think that we would first need to make a plan before we even talked about how many homes and if they would be in line with the historic design. It would seem to me to make more sense to focus on preserving the farm house. I like the idea of making it an area of bringing in the animals, preserving the barns and the grounds for children and adults to learn about the history. If we decide to put homes in there would it not be better to have them fall in line with the historic homes that are there now. They could be more customize homes and customize lots. Every home could be different. We do not have a track home area. Why would we want a track home area bringing in that many homes without a plan to begin with? Thank you.

Ms. Gardner – My name is Kim Gardner. I live at 233 Cary Street. I also have a swamp in my driveway that technically should not be there. I was told by my neighbor who works for the town that my driveway should have been built higher. He was told that by the town engineer. I do not know why that has not been addressed but I am not

going to go into that. I realize this is not a Planning Commission problem. It is a county problem but Westside Elementary has eight hundred students. Have any of you tried to go in and out of Westside's parking lot? It is not built for eight hundred students. The parents, teachers, and the buses share a parking lot. The traffic going down Main Street towards the courthouse gets back up because cars cannot get in the parking lot. Cars cannot leave the parking lot because traffic is so backed up. It is the same thing in the afternoon. I live close to school so I take my son to school. I am not going to put him on a bus for forty-five minutes before school starts which will be another problem. We have high school students that are getting on the bus before 7:00 a.m. Some of them are getting on at 6:00 a.m. because there are so many kids. We are sharing buses between all of the schools. We have kids so far out they are riding the bus for more than an hour to get to school and we are going to add how many kids to this bus route. What are we thinking here with one hundred and fifty families that are potentially going to be young families with young children? The student/teacher ratio at Westside is eighteen to one. It is over the state average by three students already. While Hardy Elementary and Smithfield Middle School are at average the high school is sixteen to one and Westside is eighteen to one. I also would like to say that Westside floods. I have been there and seen the flooding in the hallways. I have seen the flooding in the classrooms. We have a school where children have to leave classrooms because the ceiling and floors are wet. They have to reroute them through different hallways to exit the school at the end of the school day because the floor is wet. Again, I realize that is not a Planning Commission problem. How can we consider putting more kids in there when it is a safety issue? There is mold in the ceiling. You can see it when you walk in the door. Our kids are sick. There is a lot of sickness at Westside. If you did a study on that you would be surprised. It is a safety issue. We are going to bring more kids in and put them in a school that was built in the 1960's. We will have to build another school which means we will all be paying taxes for another school to accommodate all of the children. This is my biggest concern along with the water on Cary Street. Thank you.

Mr. Game – My name is David Game. I live at 130 Goose Hill Way. I spent a lot of time this afternoon coming up with this five minute speech. I am a bottom line kind of person. I have only lived here for two years. I am trying to figure out what this is really

all about. I kind of came to the conclusion that I think is resonating with a lot of these people and that is that they love this town. The things that they love about it are things that they really do not want changed. I do not think that is necessarily a function of fear. It is a matter of embracing the history of what has been here. They want to preserve it and hold on to it as long as they can. People are at an emotional level talking about this. They are pleading with their last effort to try to get you to say no. When I look at what is going on in the proposal, honestly, I am not going to bash the builder. I think not very much of this has been about the builder. Nobody is saying these are low income houses and that it will be a trashy place. They are just saying that as leaders of this community in a Planning Commission position you need to be leading. They are not quite sure what they want this to be yet. They have some ideas about what it ought to be. What they seem to be putting together here is that this is not it. This property has been sitting here for hundreds of years. It will not hurt us to wait a couple of more years just to be sure we get it right. That is one main point that I wanted to make. The other point is I am a technical person. I scoured through all the data that was there. It is not all that bad. There are some things that are misleading though. I would ask you to do some common sense calculations on some of these things. For example, they look at things like it generating \$420,000.00 in taxes. Do some real broad calculations about what it is going to take to support one hundred and fifty homes. You will find that the \$420,000.00 is going to go real fast. I could go through those because I have them in my document but my point simply is that I would like to hear some more objective discourse. Here is the good and here is the bad and let us weigh these things. I do not want to offend anybody in the Smithfield 2020 group. I do not even know anyone in that group but it seems like everything they were saying was just trying to come up with positives. To be a leader for this community you need to look at the positive and the negative and weigh those things out. A little more discourse with balance in it than just positive statements about why this is a good thing. Everything is not one sided. This is not one sided. You have a difficult decision. Thank you.

Chairman Davidson – Would anyone else like to speak on the future land use change review? Hearing none, the public hearing is closed on the Comprehensive Plan Future Land Use Map change review. We will have consideration. I would recommend

that we table consideration until we finish the second half unless there is someone who has statements to make at this time. We have been going for almost two hours. I think we should take a short break.

Dr. Pope – Can we hear the second set of comments because I think they are going to be few and far between. Perhaps I am wrong.

Town Attorney – No that is fine but it is the Chairman's prerogative to take a break.

Chairman Davidson – We will take a brief recess and reconvene at 8:30 p.m.

*The Planning Commission recessed at 8:22 p.m.*

*The Planning Commission reconvened 8:30 p.m.*

Town Attorney – We need a motion to table consideration until later in the meeting.

Mr. Pack – Chairman, I would like to make a motion that we move the consideration for the public hearing portion of the Future Land Use Map until we have the public hearing for the rezoning review for Cary and Main Subdivision.

Mr. Swecker – Second.

Chairman Davidson – A motion has been made and properly seconded that we table consideration until we complete rezoning review on Cary and Main Subdivision. All those in favor say aye, opposed say nay.

On call for the vote, seven members were present. Mr. Bryan voted aye, Dr. Pope voted aye, Mr. Pack voted aye, Mr. Swecker voted aye, Vice Chair Hillegass voted aye, Mr. Torrey voted aye, and Mr. Davidson voted aye. There were no votes against the motion. The motion passed.

Chairman Davidson – The motion passed. Next we have the Public Hearing: Rezoning Review – Cary & Main (Pierceville) Subdivision – William G. Darden, Hearndon MC Builders, LLC, applicants. Could we have a staff report please?

Planning and Zoning Administrator – I will add a little more from the first one. This relates to the one hundred fifty one detached home proposed subdivision of the Cary and Main project. The first public hearing related to the change in the Future Land Use Map. Some parcels are from Parks and Recreation and other parcels are from Downtown to Suburban Residential future land use. This public hearing relates to the

actual rezoning of the property. If you will refer to your exhibit in the rezoning portion of your packet you will see the outline of the lots that are shown that are subject to this proposal. The larger portions of lots with the green background are Community Conservation which is our lowest density residential zoning district in the town. It also accommodates agricultural. It is the closest thing to an agricultural zoning district that we have in the town. The lots with the purple background are currently zoned "D" for Downtown which is a mixed use zoning district which is downtown on Main Street. The proposal would have you rezone the subject properties to Downtown Neighborhood Residential (DNR) which is our most dense single family detached residential zoning district. It is not our most dense residential district but it is our most dense detached residential zoning district.

Dr. Pope – How many units per acre?

Planning and Zoning Administrator – I want to say it is up to five per net developable acre although what is proposed is a conditional rezoning. This rezoning is subject to being in substantial conformity to what is proposed. The density would not go over one hundred and fifty-one single family home regardless of the fact that the underlying zoning district itself would accommodate more. It is up to five per acre.

Chairman Davidson – To be fair does the applicant wish to read further statements?

Mr. Jones – My name is Robert Jones. I live at 1600 South Church Street. I am the attorney for the applicant. You have heard the comments from me and Ms. Venable earlier. We would ask to have that stand for this portion of the hearing. I do not believe it would be appropriate to start a question and answer session where we would address the comments that we heard from the audience at this point. I do not think it is the way these meetings work. We would address those at the appropriate time with staff or a work session as we work through them. We will stand on what we presented earlier.

Chairman Davidson – I now declare the public hearing open on the rezoning review for the Cary and Main subdivision. I have a list of speakers. You are limited to five minutes. I would ask if you are going to continue to say the same thing over and over that you would defer. If you have new information we would be glad to listen to you. The first speaker is Mr. Dennis Arinello.

Mr. Arinello – Good evening. I live at 113 Goose Hill Way. It is fortuitous for me tonight because one year ago today we moved from Virginia Beach to Smithfield. I am speaking on behalf of the seventeen residents that are living in Goose Hill. One neighbor of mine Mr. Robert Fry that lives at 125 Goose Hill Way could not be here tonight. He took the time to write a letter to the Board. I will provide that after my comments. I want to summarize what the residents of Goose Hill are concerned about. I would like to thank the commission for your service, leadership, and more importantly your compassion to finding the right solution to make this town better. I have seen nothing but total professionalism from this Board and what goes on in this town. It is not a question about Hearndon and the builder. I was one of the folks that the architect visited at my house. I have seen her once or twice in town on a Friday evening and chatted. They have been professional. It is not about the quality of what they build. It comes down to one big question whether this land will be developed. All of us who reside at Goose Hill Way and the neighbors from Cary Street, Grace Street, and Main Street truly recognize that it will. It is about how this property is going to be developed. I think the commission knows that we simply do not recognize the density of the land and the property with Suburban Residential with medium density. Mr. Fry talks about a characterization of Smithfield of being "Genuine Smithfield". Are we really building to fulfill a developer's profit? Are we building for the purpose of what this town has been built on and trying to maintain the historical significance of the town? From an economic perspective we all understand what development brings to the town. The majority of the historical district businesses that you have heard from tonight anticipate a positive economic impact. The concerns are about the cultural impact which has been raised in the previous session. It is going to be developed. We all understand that but we have a chance to determine what should go on this property. I appreciate Hearndon's characterization about knowing the health and wellbeing of the property and the town. Let me take a page out of the playbook of Isle of Wight 2040 and Smithfield 2020. I went back to the town's citizen survey results of August 2009. I have two concerns. One is the Frazier study and the other has to do with one of the results of this study. In regard to encouraging continued growth in the town there was a definite split back in 2009. Forty-four percent of the constituents that responded talked in terms of strongly

agreeing that there should be some growth. There were fifty-six percent that disagreed.

With regard to sufficient existing housing to meet the need of the citizens of Smithfield over seventy-five percent of the citizens in this study strongly agreed that there was already adequate housing. However, I would be remiss in not pointing out that conversely there was a split in the number where fifty-four percent questioned that there was not enough affordable housing to serve low and moderate income residents. Fifty-seven percent stated that affordable housing should be a requirement for any new development. We talk about Hearndon understanding the characteristics of "Genuine Smithfield" what happens when we phase and do not sell? What do we inherit? I am worried about the affordable housing piece. I am worried about the grants and understanding the laws that afford the builder, if not properly subsidized, to get subsidization and the taxation benefits that he gets and we get stuck with the houses we cannot sell. In the July 29th Smithfield Times they quoted the Frazier group where they talked about the one hundred and fifty-one houses and the restoration of the property. The developer said that they would be passing the home off for someone else to repair.

Chairman Davidson – Your time is up.

Mr. Arinello – Thank you.

Chairman Davidson – Next we have Ms. Sharla Braunhardt.

Ms. Braunhardt – I live at 101 Goose Hill Way. I am against the rezoning and the development as proposed. A developer makes his money based on the number of units sold. The more units sold the more money in his pocket. High density is in the developer's interest and not ours. High density development does not belong in historic rural communities. It belongs inside a large city where infrastructure exists to compliment the urban lifestyle. Certainly track homes have no place in or near a historic district. I chose to live in this rural historic community fourteen years ago. I have not met a single person who moved here in the hopes of living near a high density track home development. They moved here to get away from that. The developer's proffers he is offering are just under \$2,500.00 per unit for the proposed one hundred and fifty-one units. It is only \$378,000.00 which is supposed to cover rescue squad, fire, police, traffic concerns, stormwater issues, and many more. This seems strange that the developer

does not think that this prime historical location is worth more. Our taxes will undoubtedly increase to offset the huge burden of this high density development. How does this make sense? I had something I wanted to say about the historic buildings on this property but Ms. Betty Clark was so eloquent in what she said that I will let that stand. Another ludicrous thing about this proposal is the traffic issues. According to the developer flawed traffic analysis is to restripe a lane. He wants to add three hundred cars to the downtown historic area and he proposes to restripe a lane. The analysis is flawed because the majority of the traffic counts are estimates not actual counts and two years of traffic numbers are totally left out. This ridiculous analysis insults our intelligence. Where is the common sense? Where do I go to recoup my lost investment on my home? The Smithfield 2020 report suggest that I will not lose money in my home but it uses data from 2007 and 2009 which was before the effects of the economic collapse of the real estate market. What cannot be ignored is the ever growing number of residents and business owners who are dead set against this development. Well over ninety percent of residents have voiced their strong opposition to this zoning change and development proposal. People are calling every day to ask to sign the petition. If common sense is applied this all will be resonantly denied. Are you going to ignore our voices? Thank you very much.

Chairman Davidson – Do you have something new to add Mr. and Mrs. Torre?

Mr. Torre – No we do not.

Chairman Davidson – Ms. Spady, do you have anything to add from your previous comments?

Ms. Spady – No I do not.

Chairman Davidson - Next we have Ms. Amy Witten.

Ms. Witten – Good evening Mr. Chairman and members of the Planning Commission. I live at 227 James Street. We bought our home last spring in 2014. We love Smithfield. We are very excited to raise a family in this small historic town. We know our neighbors. We feel safe here. We also lived in San Diego for a while and decided that Smithfield is the kind of place where want to raise a family. Rezoning the Pierceville land to have it developed would truly be a tragedy that would lead to increased traffic, unsafe for children to play, and take us further away from our

agricultural roots as a community. We have a couple of ideas for your consideration to keep it zoned for Community Conservation. We thought about a community garden, public outdoor pool, splash pad as an extension of the YMCA, a space for historical reenactments, or farming demonstrations. There could be an open air market with a roof to replace the current Farmer's Market tent. If this property gets developed we feel that it would detract from the historic district by just being another development even though the home may be restored. Please vote to keep this beautiful piece of land zoned as Community Conservation so future generations can enjoy it. Thank you.

Chairman Davidson – Next we have Mr. Richard Rudnicki with Isle of Wight County Planning.

Mr. Rudnicki – Good evening. I am the Assistant Director of Planning and Zoning for Isle of Wight County. I sent you an email outlining our points. The cash proffer amount of \$2,496.13 is short of the cash proffer study developed by the County. It neglects multiple areas of impact created by this development. There has been no cash proffers identified for the school system. Based on the cash proffer study, this development would generate twenty-seven elementary students, ten middle school aged students, and twenty high school aged students. Using the June 2015 school capacity numbers, we have determined there is already an overage at the elementary schools. Therefore the proffer amount of \$4,504.00 per unit for the elementary schools should be considered. Based on those current enrollment numbers, Smithfield Middle and High schools are at capacity. Based on the Boards position relating to this we would not consider those proffers appropriate. The proffer statement says that proffers related to EMS and fire services would go to the town. It should be clarified since the County provides those that the proffers will go to the County. The proffer statement does not account for impacts to libraries, animal control, or courts which are all services directly impacted by this development. The total related to that is \$675.56 as I outlined. Based on the changes the total cash proffer amount should be \$7,675.69 to directly reflect the impacts created by this development. One of the speakers stated that schools are not the town's issue. It is really an incorrect statement. The town may not pay for the schools but if you are considering a development which puts children into the schools every citizen of the town is also a citizen of the County and those schools

should be considered very carefully. We have concerns about affordable housing which I heard mentioned. There should be some consideration for that. The reality is the price range listed is not a reasonable expectation for most first time homebuyers. If your target market is beyond that then that is fine. If you consider it to be entry level then that is not realistic. We also had some design considerations related to both the layout and the architectural guidelines which you saw. If you have any questions specific to those numbers I will be happy to address those at some point. Thank you.

Dr. Pope – He left out a comment from his email.

Planning and Zoning Administrator – He said that he would just hit the high points.

Chairman Davidson – We can talk about that when we get to consideration. The next speaker is Ms. Beth Haywood.

Ms. Haywood – Good evening again. I live at 224 Cary Street. I would like to speak a little more about the schools. Yesterday I received the maximum capacity for the schools that was emailed to me from Mr. Anthony Hines. According to his numbers Smithfield High School currently is at one hundred and eight percent capacity. To think that we are going to incorporate more students into schools that are already overcrowded gives us more things to think about. Considering that Carrollton Elementary and Hardy Elementary school funnel into Westside Elementary School which is at one hundred percent capacity. If you look at the schools long range plan for what their development is they do not have a plan to build another high school. Currently it is in their plan to build an elementary school but it may not happen until 2018. Working for the school system, I know the plan does not always come through because of lack of funding and lack of tax money from the state and local level. Last year at our school in their Capital Improvement Plan they had to repave our parking lot. It did not happen. Just because it is in the plan for the future it does mean that it is actually going to happen. I just want you to take into consideration how much the schools are already crowded. It is just another cost and service that is provided because of residential development. For an entry level home for a teacher I could only afford about a \$150,000.00 for a house. To say that these homes are for firefighters, teachers, and entry level homebuyers that is not correct. I cannot afford that kind of housing.

There is something else to take into consideration for the people coming into the town. Are they going to be willing to pay County and town taxes and a Homeowner's Association fee on top of what you are already paying? Please say no to the rezoning. Thank you.

Chairman Davidson – Our next speaker is Terry Mulherin.

Ms. Mulherin – I live at 206 Washington Street in Smithfield. I think you should consider a rezoning to put all of that property within the historic district. Now that we know it is from the 1600's I am appalled that it is not actually under that already. I am a nurse with a fifteen hundred square foot home at \$200,000.00 and falling in value but my taxes are not. I do not know who can afford a \$300,000.00 starter home who is a nurse. With regards to refurbishing the Pierceville property, I am concerned if you do not find a suitable person within a year. I do not know what the laws are. If the laws are that you can then condemn it and build what you want on it then that is worrisome. Please make sure that no matter what the Pierceville property is protected. I am not anti-development. I am definitely not anti-starter home. I had a three story house with multiple acres in Pennsylvania before I moved here. I could not afford a starter home in this area when I first came here. We are not anti-development. I think the density is wrong. I would like to see it spread out further. I had no idea that all of Smithfield was Suburban Residential. I thought that was a small portion of Smithfield so that was surprising to hear. I do not know anything about traffic. Now I know a lot more about traffic assessment than I ever wanted to know because I did not trust the reports. Please research and look at the limits to what they have done. I knew they had to have estimated the numbers based on what I was able to find on a cursory review. Please research the crime prevention neighborhood. I think you need an additional opinion related to that. On Washington Street nuisance crime is annoying and the police do not report that. If we call them they ask what we want them to do about it. One day someone tried to rob me in front of my house. I had been here six months. I took care of that since I am a fifth degree black belt. When that happened they asked what they should do about it. I thought maybe I should buy a gun. The people in Goose Hill are not all retired. Some are semi-retired and two of them are colonels. Downtown Residential has the potential to develop into unreasonable architectural style street designs. We

have bad runoff. I cannot wait to see what you do with the runoff because it is already horrible there. Mr. Fry eloquently concluded that the residents of Goose Hill are our neighbors. What happens to this development matters to me. I would like to see less density. I would like you to consider the whole area as being in the historic district given what we now know about the deed itself. Thank you for respecting our opinions.

Chairman Davidson – Next we have Ms. Betty Clark.

Ms. Clark – Good evening. I live at 120 North Church Street. Some people think that having three houses on each of the fifty eight acres of Pierceville farm is a good idea. These people think that development will help business and help pay the expensive water fees. It might help the water fees but it definitely will not help business. Most of the businesses in historic Smithfield are oriented to tourists who come to our town for a day or two to shop and soak up the flavor of small town beauty. I hear many tourists in my antique shop say they love Smithfield because it is so quaint. With more people and more traffic in town we will lose the quaintness. Smithfield depends on tourism business which is the second largest source of revenue. If we become a denser community which overwhelms resources we make our area less desirable and change the character of our popular destination site. When we damage our vital tourism business then we all lose. There are many residents in Smithfield that do not shop in Smithfield. Why should we think that these people crowded into small houses will be any different? The developer says they are starter houses. These people will shop at Walmart not our shops. Perhaps we should question where the jobs will be found for this many people. If they are working in Newport News they will shop in Newport News before they come home. While this proposed land use may look good on paper it has the potential to harm not help the specialty shops in our town and detract from the basic character of Smithfield. Would it be possible for the people in favor of this development to stand? Would it be possible for the people not in favor of this development to stand? Ladies and gentlemen, I think your community has spoken.

Chairman Davidson – Next we have Mr. Tommy Gehring.

Mr. Gehring – I will pass.

Mr. Mark Gay - I will pass.

Mr. Joyner – We will pass.

Mr. Hines – I will pass.

Chairman Davidson – Next we have Mr. R.B. Braunhardt.

Mr. Braunhardt – I live at 101 Goose Hill Way. I am a retired air force fighter pilot. I am a Colonel. I have been a military staff planner for forty-five years. Someone asked earlier what we were afraid of. The answer is not very much ever. I would like to talk about the traffic impact study and the Smithfield 2020 evaluation. I have no intent to attack anybody's integrity or honesty but when you look at something that has bad information and facts in it and it skirts the line between accuracy and truth then I have to speak up. The traffic study was paid for by the builder and not an impartial bystander. It should be suspect to any casual observer much less the Planning Commission. A fatal flaw in that entire traffic study is the use of estimates. In three different places it says 19,000 for traffic in a year. What are the odds that they are statistically, astronomical coincidence that it is a real number? It is an estimate. For 2011 and 2013 it has the exact same number. It gets worse. There are no traffic counts for 2014 and 2015 or for Main Street for 2014. What did they use to come up with a number? We have no visibility on that whatsoever. Anything after that in the traffic survey is suspect and should be thrown out. It should not be considered by this commission. There is the fact by VDOT's own numbers for every house there are ten trips per house. There are 1,510 trips in a twenty four hour period. People do not drive twenty four hours a day. You have three places where you can get in and out of this new housing development. You are going to sit there for an hour or more trying to get out. There is the lesser flaw such as sighting traffic survey data done in February during an unusually cold period. This is not exactly the height of tourism season in Smithfield. No honest and accurate appraisal can be developed which reliably represents the traffic conditions. It certainly cannot be the basis of computations that this group should consider. Please refrain from considering the bogus information and conclusions of this supposed traffic study in your deliberations. Any other Smithfield government agency, entity, office, that looked at this and considered it in its response to you then it needs to be pulled and reevaluated. They cannot use that data. It is not accurate. I will now move to the Smithfield 2020 evaluation. I surely hope the Smithfield 2020 evaluation was not paid for by taxpayers. I caution the Planning Commission to not use this in any shape or form in its

deliberations. If you thought the traffic study was flawed then this is worse. I can sight a couple of examples. I would do a lot more if I had time to substantiate my claim. A claim backed by facts. There are two large flaws that combine to make the report unacceptable to all but a supporter not swayed by made up data, inaccuracy or lack of intellectual honesty. It includes a 2009 study that has nothing to do with reality. A 2009 study is 2007 or 2008 data. It has nothing to do with this new world order, the housing bubble, or anything else in this economy. It is bad information. Worse is the one little problem that it uses metropolitan data. This is not a metropolitan area. The definition of metropolitan data by the Management and Budget Office is 50,000 or more people. They used that to tell you what all the numbers are and that you are going to have money and jobs. It is false data. It cannot be considered. It should not be considered. They used one source from 2007 to justify the fact that affordable homes will not hurt or lower appraisal values of the homes around here. The 2007 study is federally subsidized rental housing. Think about that.

Chairman Davidson – Your time is up.

Ms. Torre - Do we not need this information sir?

Chairman Davidson – Five minutes is the rule.

Ms. Torre - Yes it is the rule but sometimes rules need to be broken.

Chairman Davidson - We have a procedure.

Ms. Torre - I feel that if he has valuable information then we have a right to request it. Can we make a motion as a group?

Town Attorney – No Ma'am. You are out of order.

Chairman Davidson – You are out of order.

Ms. Torre - I feel it is erroneous to do this.

Chairman Davidson – Please sit down. Our next speaker is Mr. Mark Hall.

Mr. Hall – I am a resident at 7432 Bartons Landing with business offices at 405 Grace Street in Smithfield. I appreciate the input from the County regarding proffers. I would like to encourage further consideration between the town and the developer. I would like to address two things from some of the discussion which I think are reasonable to bring to light. One is architectural review and the other is density. In terms of architectural review all of these properties will come under the guidance and review

of the Smithfield Board of Historic and Architectural Review. They will be judged on both their designs, materials, and everything in the guidelines for appropriateness in terms of the historic district. It is a lot more than you can say for Goose Hill which is not in the historic district. It is adjacent to the historic district. But on this property modern homes on one acre lots would certainly not be any more appropriate than what Hearndon is proposing. In fact they would be completely inappropriate. Has anybody looked at the architecture and the density on Main Street? There is house after house. It is the way it was developed. It is the way history made it. There are zero lot lines there. This zoning actually allows for five houses per acre. You have more than that on Main Street. This is a more reasonable approach. The density is less than they could be asking for. There are a lot of merits to it. If not this then what and if not now when. Modern homes on one acre would not be appropriate. I am an investor and a business person in Smithfield. I have the opportunity to lease space to a lot of business owners. It is my view and strong opinion that tourism alone will not support economic vitality in the historic district. It needs to be a combination and a balance of local trade and tourism. Thank you.

Chairman Davidson – That is everyone who signed up. Does anyone have anything new to add?

Mr. Hines – My name is Robert Hines. I live at 216 Washington Street. I move to the County in 1979 and have been downtown since 1986. Since then two hardware stores, drugstore, print shop, and two gas stations have disappeared. There are still businesses but there are a lot of them that are not there now. Does each of the commission members have a copy of the petition with the names and addresses?

Chairman Davidson – Yes.

Mr. Hines – Please look at it. Everyone is on there from the people in Goose Hill to the small homeowners on Cary Street and Riverview. There are all incomes from the bottom to the top. It is the common folk. Thank you.

Chairman Davidson - Is there anyone else who would like to speak? Hearing none, the public hearing is now closed. We are going to have our time now. We have all listened to you so now it is our turn. We have consideration on the Comprehensive Plan Future Land Use Map change review. I would like to hear the thoughts of the other commissioners.

Dr. Pope – I think nine months ago when we looked at the future land use map for future expansion of the town and the surrounding county areas we had made a decision about certain areas such as this. We said that we were going to look at a proposal on how we would want for this area. I thought we were not going to change anything on the future land use map or recommend rezoning unless we had a complete packet with exact details of what was going on with certain land parcels across the town. I think that is the way we left it nine months ago. I am making sure I am correct on that statement. We said we would consider keeping this as Community Conservation unless a development of some sort came before us that had all of the pieces that were perfect to say we would develop this property whether it was this or other pieces within the town. I thought we were not going to even entertain a discussion on that if we did not have everything in the packet that supported that.

Chairman Davidson – We have an application from the builder for the rezoning. What is your question Dr. Pope? Do you feel the package is not complete?

Dr. Pope – I feel the package is not complete as proposed based on what we discussed nine months ago about looking at large parcels of land whether it be commercial development that we are asking to change or anything else. We said we were going to look at very specific pieces of information and make sure that all of the parcels were correct. This was before this development even came into existence. We talked about this when we looked at the future land use map whether it was this property or the back side of Windsor Castle Park from Cedar Street back over to Jericho. I think there is a piece of property over there. It is a field. We looked at several of those. I thought we decided that no major development areas within the town unless the packet was complete. It is the way I interpreted it nine months ago.

Chairman Davidson – It is very possible that we did discuss that nine months ago. We have an application from the builder for the rezoning. We are here to discuss that tonight not what we discussed nine months ago.

Dr. Pope – Based on that I do not think there is a complete picture in front of me that allows me to support changing anything.

Mr. Swecker – With all the information and listening to what the residents have to say I do not think I can make a decision right now to change it or leave it. I think we

need to have a work session. We have to listen to these people because they pay the taxes not the developer. We are going to have to pay for a lot of this down the road. We do not have to make a decision tonight. We should table it. I think we should have a couple of work sessions and come back next month after we have looked at everything to make a clear decision.

Mr. Torrey – I agree. I am not completely convinced that we are ready to change this yet. I do not mean it could not happen in the future but I do not think it is ready yet. They have done a great job of painting a great picture of what it could be. I think a lot of it would be good. I just do not think the complete package is here for this particular piece of land.

Vice Chair Hillegass – I would hate to rush this and get it wrong. I would like to take more time.

Mr. Pack – How many homes are currently in the historic district? I pulled up Google maps and tried to count the homes. I am in the neighborhood of one hundred and eighty-seven homes between Cedar Street, Washington Street, James Street, Grace Street, and the area that is considered the historic district. We are real close with this proposal at doubling the amount of homes in the historic district. I am not opposed to developing this piece of property. Is one hundred and fifty-one homes the right number? It probably is not. I used to live at 321 Grace Street. It is a cool area to live. It was a little too close to the road for young kids so we moved. My home on Grace Street was a pretty typical parcel. It was a narrow lot but deep. My home was 2500 square feet or something like that. It was nice with a very small driveway. It was pretty typical of downtown Smithfield. Across the street was a home that was considerably larger and it set on six or eight lots. It was the home that Mr. Gwaltney used to own with the brick fence. My next door neighbor had two lots. Mr. John Payne has two lots. Down the street where Ms. Renee Bevan used to live there were three lots. She used to have a little carriage house with a pool behind it. Each home was of similar style but they were different homes with different lot sizes and that is what made the neighborhood really cool. When you look at what this developer brings to us there are a lot of good things. I am not going to discount those. Improving our entrance corridor from Route 258 and Route 10 is something that this town would love to have. Anybody that comes to town

from I-95 generally comes that way. It is not the best entrance into our town so we would love to see that done. His plan to preserve the Pierceville property may have some flaws but there is a plan. There is currently not a plan. The Town Council which I am a member of is working on a plan but there is nothing in motion. If we did our best and Town Council gets it done while abiding by the laws we are a minimum of a year from having a court order to have it done. There is some benefit to preserving it. The product that they are putting in there I do not think it is conducive to what we currently have in downtown Smithfield, Grace Street, and Washington Street. I am supposed to tell you what is and I do not know. When I look at this project I am not against it being properly developed. It is our last large chunk in downtown Smithfield. Honestly if someone wanted to put a sport complex in I would look at that too. I think this is not a proposal that I can approve tonight or stand behind. We do not vote in September. This is automatically forwarded to Town Council and recommended by the Planning Commission if we do not tell them in September. We can certainly wait until September if you need more time. It was said tonight that if it was empty for a couple hundred years then a couple more years to make sure it is right is not a bad strategy. As we move forward if there are other proposals on the table whether it be ball fields or a different developer or Hearndon comes back with a modified proposal let each proposal stand on its own merits. Let this property be developed correctly so when we move forward we know that we did right thing. The reason that all of us serve on this commission is because we care about what goes on in this town. We want to make sure that it is done right. I hope that we make the right decision when we move forward. Do not rule anything out. Is the traffic study flawed? I do not know. I have heard a dozen different answers. VDOT sent us something in our packet but it does not say anything as far as a recommendation. With the product that is being put in it does not represent to me walking down Grace Street or any of the other neighborhoods that border Main Street.

Mr. Bryan – It has not been mentioned but the first thing that initiated all of this was the situation with the property owner. She did not let the property fall in disrepair by choice. She came to us because of the actions that were being taken by the town to bring the property up to code. I am not sure she is capable of doing that from a financial standpoint. The reason she requested this rezoning was to give her the option to let the

property be developed. I do not believe that it is within her means to correct the property and maintain it as a historical property the way a lot of people are suggesting. People are talking about leaving it Community Conservation or Parks and Recreation but that does not resolve anything. Leaving it as is you still have the dangerous traffic on Cary Street. You will still have the flooding. It does not resolve anything to leave it the way that it is. Some are suggesting that the town would take it as another park or recreation facility but the town is having enough strain maintaining Windsor Castle currently as is. We do not want another park. My position is that I am not really approving what is being offered as the development currently. But as far as giving the property owner what she would like to do with her property is what we should be doing here. We would all like to have some leeway with what we do with our property. She is looking at her choices as to how to resolve the issue of the dilapidation of the property and her ability to maintain it. A lot of us want to impose our ideas upon a property owner. If you feel you have a say in how it should be done then you should have some financial assistance to make that happen. That is not going to happen. My position right now tonight is that I am ready to vote on rezoning that property and adjusting the future land use but I am not ready to approve the development as proposed.

Chairman Davidson – I pretty much agree with Mr. Bryan. I have heard a lot of people want to leave the property as it is but the owner of the property wants to sell it. She wants two million dollars for it. Unless you all are willing to give her the money then we have to look at different considerations. I also have questions for the builder as far as some of the elevations, site plans, and whether they agree with what we look for in historic Smithfield. One thing that was brought up is that Pierceville as presented with their Homeowner's Association does not report to the Board of Historic and Architectural Review Board. It is not true. In fact there were a lot of things said tonight that are not true. One of them was increased crime. The statement from the Smithfield Police Department does not find that there would be increased crime with this neighborhood. We have an email saying there would be three hundred students dumped into the school district. Isle of Wight which we received yesterday that we requested in May comes up with fifty seven students. I also agree with Mr. Bryan that I am of the opinion that we should change the future land use map but I also have reservations on the

actual development without further meetings and more information. Next we have is the Comprehensive Plan Future Land Use Map Change Review – Cary & Main (Pierceville) Subdivision – William G. Darden, Hearndon MC Builders, LLC, applicants. I would like a motion for or against.

Town Attorney – You can be for or against or you can defer. There are three options.

Mr. Pack – Chairman, I would like to make a motion that we leave the future land use as designated as Parks and Recreation. As each proposal comes along we will allow it to stand on its own merits.

Mr. Swecker – Second.

Chairman Davidson – A motion has been made and properly seconded that we leave it as Parks and Recreation.

Town Attorney – Let me clarify the Planning Commission does not make a decision on this. It is a recommendation to the Town Council. I just want it to be clear for your benefit and for the public as well. Whatever action you take tonight is a recommendation. It does not approve or disapprove. It is a recommendation to Town Council.

Planning and Zoning Administrator – I would like to make one other clarification. Everything is not currently in Parks and Recreation. Part of it is in the Downtown Commercial. If you want everything to stay the way it is you may want to formulate your motion that way. We do not want to put anything that is Downtown Commercial into Parks and Recreation.

Mr. Pack – I understand.

Town Attorney – You have been eloquent in your remarks Mr. Pack. I think the appropriate motion would be to either recommend approval of the change or recommend denial of the change.

Mr. Pack – I will restate my motion. I would like to recommend to Town Council that the future land use map for Cary & Main remain unchanged.

Mr. Swecker – Second.

Chairman Davidson – A motion has been made and properly seconded that we leave the future land use map as stated. Part is Downtown Commercial and part of it is Parks and Recreation. All in favor signify by saying aye, opposed say nay.

On call for the vote, seven members were present. Mr. Bryan voted nay, Chairman Davidson voted nay, Vice Chair Hillegass voted nay, Mr. Pack voted aye, Dr. Pope voted aye, Mr. Swecker voted aye, and Mr. Torrey voted aye. There were three votes against the motion. The motion passed.

Planning and Zoning Administrator – This means that a yes vote is following the motion to not change it. The motion passes 4-3.

Chairman Davidson – The motion will be referred to Town Council with that information. The second part of this is the rezoning. We have a Rezoning Review – Cary & Main (Pierceville) Subdivision- William G. Darden, Hearndon MC Builders, LLC, applicants.

Mr. Pack – We cannot rezone without the change in the future land use map.

Chairman Davidson – That is true but we have to act on it.

Town Attorney – You have to act either tonight or next month.

Mr. Pack – I would like to make a motion to recommend denial of the rezoning application.

Mr. Swecker – Second.

Chairman Davidson – A motion has been made and properly seconded that we recommend denial of the rezoning application. Roll call vote.

On call for the vote, seven members were present. Mr. Bryan voted nay, Chairman Davidson voted nay, Vice Chair Hillegass voted nay, Mr. Pack voted aye, Dr. Pope voted aye, Mr. Swecker voted aye, and Mr. Torrey voted aye. There were three votes against the motion. The motion passed.

Planning and Zoning Administrator – The motion carries.

Chairman Davidson – Our next item is Approval of the June 9<sup>th</sup>, 2015 Meeting Minutes.

Town Attorney – Mr. Chairman and members of the Planning Commission, I would recommend that the minutes be approved with the minor corrections that I made.

Vice Chair Hillegass – So moved.

Mr. Swecker – Second.

Chairman Davidson – A motion has been made and properly seconded that we approve the minutes. All those in favor say aye, opposed say nay.

On call for the vote, seven members were present. Mr. Bryan voted aye, Chairman Davidson voted aye, Vice Chair Hillegass voted aye, Mr. Pack voted aye, Dr. Pope voted aye, Mr. Swecker voted aye, and Mr. Torrey voted aye. There were no votes against the motion. The motion passed.

Chairman Davidson - We are adjourned. The meeting adjourned at 9:34 p.m.



Mr. Bill Davidson  
Chairman



William G. Saunders, IV  
Planning and Zoning Administrator