

County of Sussex, Virginia

Board of Supervisors Meeting

***Thursday, May 18, 2017
6 p.m.***

Board of Supervisor Members

*Susan B. Seward, Chairman
Keith C. Blowe, Vice Chairman
Alfred G. Futrell, Supervisor
Eric Fly, Sr., Supervisor
John A. Stringfield, Supervisor
Rufus E. Tyler, Supervisor*

***General District Courtroom
Sussex County Judicial Center
15098 Courthouse Road
Sussex, Virginia 23884***

ORDINANCE AMENDMENT #2017-01

STAFF REPORT: Ordinance Amendment #2017-01

Article VIII, Section 16-139 (Use Regulations)

REQUEST

WCW Properties LLC and its affiliate (Suffolk Energies, Inc) are requesting the amendment of Article VIII, Section 16-139 (Use Regulations) of the Zoning Ordinance by adding a petroleum (gasoline, diesel, fuel, oil, etc.) and gas (Propane, natural, etc) bulk storage, sales and distribution facility to the list of uses in the B-2, General District. Presently, the B-2, General Business District does not permit the location of petroleum and gas bulk storage, sales and distribution facilities.

The structure of the Zoning Ordinance is such that uses or activities not listed in a particular district are not allowed. In order to allow WWC Properties LLC and Suffolk Energies to operate the proposed petroleum and gas facility on a parcel of land to be B-2, General Business, the Zoning Ordinance must be amended.

PLANNING COMMISSION RECOMMENDATION – Approval with a Conditional Use Permit

Following a public hearing held on February 6, 2017, the Planning Commission recommended approval (8 to 1) of Ordinance Amendment #2017-01 to allow petroleum (gasoline, diesel, fuel, oil, etc.) and gas (propane, natural, etc.) bulk storage, sales and distribution facility with a conditional use permit.

The Planning Commission recommended approval for the following reasons:

1) The requirement of a conditional use permit will allow staff and the Planning Commission the opportunity to evaluate each request on a case-by-case basis to determine the appropriateness of the proposed location for such a use of the property.

2) A petroleum and gas bulk storage, sales and distribution facility appears to be consistent with and compatible to other uses currently allowed in the B-2, General Business District. Some of these uses include the following:

-Sub-section 18- Auto sales and service

-Sub-section 23- Machinery sales and service

-Sub-section 24 – Public utilities

-Subsection 36- Wholesale businesses, storage warehouses and mini-storage units with conditional use permit.

-Sub-section 43 – Automobile self-service station.

-Subsection 47 – Laydown yard with a conditional use permit

Staff contacted ten (10) localities to ascertain in which zoning district they allow for the bulk storage and sale of petroleum and gas related products. Two counties, (Greensville and Prince

George) have provisions in their Zoning Ordinance that allow the bulk storage and distribution of oil products and gas in their B-2 (General Business) District (see attached).

Public Opposition

At the public hearing, Ms. Tanya Davis, expressed opposition to Ordinance Amendment #2017-01 due to environmental and public safety concerns.

A letter (dated March 1, 2017) in opposition to Ordinance Amendment #2017-01 was submitted by Mr. Felix Davis (see attached).

PROPOSED ORDINANCE AMENDMENT #2017-01

**AN ORDINANCE AMENDING THE SUSSEX COUNTY CODE, CHAPTER 16,
ARTICLE VIII, SECTION 16-139**

NOW, THEREFORE BE IT ORDAINED by the Board of Supervisors of Sussex County:

That the Sussex County Code, Chapter 16 (Zoning), Article VIII (General Business District), Chapter 16-139 (Use Regulations) is hereby amended by the addition of a new use as follows:

Sec. 16-139. Use Regulations.

In the General Business District B-2 any structure to be erected or land to be used for one (1) or more of the following uses:

Add a new Sub-Section:

(54) Petroleum (gasoline, diesel, fuel, oil, etc.) and gas (propane, natural, etc.,) bulk storage and sales and distribution with a conditional use permit.

Summary of Counties that allow Bulk storage of oil and propane in their Business Districts

A total of ten counties were called to find out if their Zoning Ordinances allow Bulk storage of oil and propane. Brunswick, Charles City, Dinwiddie, Surry, Amelia, Mecklenburg, Southampton and Isle of Wight counties do not allow it in their zoning ordinances. The only two that allowed it in their zoning ordinance's business districts were Prince George county and Greenville county. Both counties allow it with a special use permit.

Bulk storage of oil and propane in their Business Districts			
	Allow it	Zoning District	CUP/BY-RIGHT
PRINCE GEORGE COUNTY	YES	B-2, Business	Special Use Permit
SOUTHAMPTON COUNTY	NO		
ISLE OF WIGHT	NO		
DINWIDDIE COUNTY	NO		
GREENSVILLE COUNTY	YES	B-2, Business	Special Use Permit
CHARLES CITY COUNTY	NO		
BRUNSWICK COUNTY	NO		
MECKLENBURG COUNTY	NO		
AMELIA COUNTY	NO		
SURRY COUNTY	NO		

KAUFMAN & CANOLES
attorneys at law

Kaufman & Canoles, P.C.
One City Center
11815 Fountain Way, Suite 400
Newport News, VA 23606

and

4801 Courthouse Street
Suite 300
Williamsburg, VA 23188

T (757) 873.6300
F (757) 873.6359

kaufCAN.com

Timothy O. Trant II
(757) 259.3823
totrant@kaufcan.com

December 29, 2016

VIA HAND DELIVERY

Andre M. Greene
Director of Community Development
Sussex County Administration Office
Post Office Box 1397
20135 Princeton Road
Sussex, Virginia 23884

**Re: Text Amendment, Rezoning and Conditional Use Permit Applications
Tax Map Numbers: 61-A-50 and 61-A-48
11604 General Mahone Highway (the "Property")
Our matter number 0159378**

Dear Mr. Greene:

I represent WCW Properties, LLC and its affiliate (Suffolk Energies, Inc.) relative to its desire to develop a petroleum (e.g., gasoline, diesel, fuel oil, etc.) and gas (e.g., propane, natural, etc.) bulk storage, sales, and distribution facility on the above-reference Property. My client is the contract purchaser of the Property. My client's proposed use is not a permitted use under the present zoning. Accordingly, I write on behalf of my client and the landowner, ROW MIC Construction Company, Inc., to request:

1. That the B-2, General Business, District zoning ordinance be amended to allow petroleum (e.g., gasoline, diesel, fuel oil, etc.) and gas (e.g., propane, natural, etc.) bulk storage, sales, and distribution uses in the B-2 zone with a conditional use permit;
2. That the Property be rezoned to B-2, General Business, District; and
3. A conditional use permit be granted allowing a petroleum (e.g., gasoline, diesel, fuel oil, etc.) and gas (e.g., propane, natural, etc.) bulk storage, sales, and distribution facility on the Property.

In support of these requests, enclosed for your review please find the following materials:

- A. Application for Change of Zoning District Classification: 1 original;

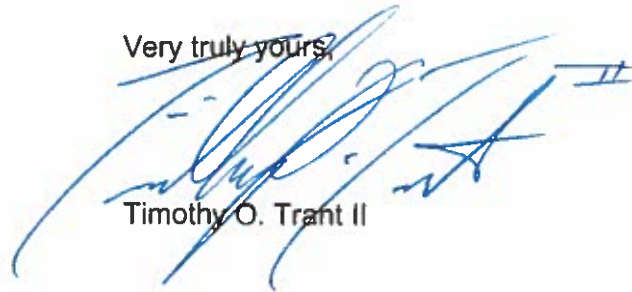
December 29, 2016

Page 2

- B. Check in the amount of \$620 which represents the Change of Zoning fee;
- C. Conditional Use Permit Application: 1 original;
- D. Check in the amount of \$500 which represents the Conditional Use Permit Application fee;
- E. Conceptual Site Plan prepared by AES Consulting Engineers dated December 16, 2016 (2 copies); and
- F. Property description: 1 copy.

Thank you for your review of this application and I look forward to receiving questions and comments from your staff.

Very truly yours,



Timothy O. Trant II

TOT/ral
Enclosures

- c: WCW Properties, LLC, via email
- Suffolk Energies, Inc., via email
- ROW MIC Construction Company, Inc., via email

KAUFMAN & CANOLES
attorneys at law

Kaufman & Canoles, P.C.
4801 Courthouse Street
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Williamsburg, VA 23188

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Writer's Direct Dial
(757) 259.3832
ralambert@kaufcan.com

January 12, 2017

VIA U.S. MAIL

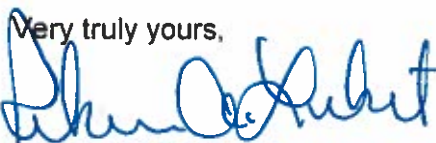
Andre M. Greene
Director of Community Development
Sussex County Administration Office
Post Office Box 1397
Sussex, Virginia 23884

Re: Text Amendment, Rezoning and Conditional Use Permit Applications
Tax Map Numbers: 61-A-50 and 61-A-48
11604 General Mahone Highway (the "Property")
Our matter number 0159378

Dear Mr. Greene:

In connection with the above-referenced application which was submitted to your office on December 28, 2016, enclosed please find Kaufman & Canoles check in the amount of \$460 which represents the balance of the Ordinance Amendment Fee per Mr. Turner.

Please do not hesitate to contact our office if you have any questions.

Very truly yours,

Rebecca A. Lambert
Legal Assistant

RAL
Enclosure

c: Timothy O. Trant II, Esq., via email

March 1, 2017

The Honorable John A. Stringfield, Supervisor
Wakefield District
Sussex County Board of Supervisors
10391 Higgins Street
Wakefield, VA 23888

Dear Mr. Stringfield:

My name is Felix Davis, Jr. and I am a member of Gilfield Baptist Church (Ivor, VA) and former resident of your district.

I am contacting you to express my opposition to Ordinance Amendment #2017-01, Rezoning Application #2017-01, and Conditional Use Permit Application #2017-01. My concerns are as follows:

- There is a risk of soil and water contamination where petroleum products such as gasoline, diesel, and fuel oil are stored, sold, and distributed. This is of particular concern given the reliance on our well for drinking water.
- The risk of fires and explosions are a concern anywhere gases such as propane and natural gas are housed. A single lightning strike could cause a fire/explosion risk.
- It is safe to assume that locating a facility of this type will require increased truck (or rail) transportation of petroleum and gas products along U. S. Route 460. Given the frequency of accidents -- and that this highway is not divided -- I am wary of added congestion and the serious potential for tanker truck accidents and spills.
- In contacting our neighboring counties, I've found that most of them do not allow for facilities of this type.

The home in which I grew up (and is still owned by my family) is located at 11436 Fredenburg Road, immediately adjacent to the property seeking to open this petroleum and gas facility. An operation of this type is in stark contrast to my family's way of life and agricultural roots -- we grew up working the land and made a better life for ourselves because of this land. Further, I fear that negative environmental impacts, which may be known or unknown, will be detrimental to my property, my family, and my community for generations to come.

For these reasons, I ask that you oppose bringing a petroleum and gas bulk storage, sales, and distribution facility to Sussex County. I would appreciate the opportunity to discuss this issue with you further and please don't hesitate to contact me with questions or concerns. Thank you for the work you have done to improve our community thus far and thank you for your support.

Sincerely,



Felix Davis, Jr.
15513 Chesdin Landing Place
Chesterfield, Virginia 23838
(804) 590-2364
felix_davis03@hotmail.com

ARTICLE VIII. GENERAL BUSINESS DISTRICT B-2

Sec. 16-139. Statement of intent.

Generally, business, general, district B-2 covers that portion of the community intended for the conduct of general business to which the public requires direct and frequent access, but which is not characterized either by constant heavy trucking, other than stocking and delivery of light retail goods, or by any nuisance factors, other than occasioned by incidental light and noise of congregation of people and passenger vehicles. This includes such uses as retail stores, banks, theaters, business offices, newspaper offices, printing presses, restaurants, taverns and garages and service stations.

Sec. 16-140. Use regulations.

In business district B-2, structures to be erected or land to be used shall for one or more of the following uses:

1. Retail stores and shops.
2. Bakeries.
3. Restaurants.
4. Laundries.
5. Wearing apparel stores.
6. Drugstores.
7. Barbershops and beauty shops.
8. Auto and home appliance services.
9. Theaters and assembly halls.
10. Hotels and motels.
11. Office buildings.
12. Churches.
13. Libraries.
14. Hospital, general.
15. Funeral homes.
16. Community/recreation centers.
17. Clubs and lodges.
18. Auto sales and service, to include the sales and service of boats, boat trailers, and recreational vehicles.
19. Lumber and building supply (with storage under cover).
20. Plumbing and electrical supply (with storage under cover).
21. Wholesale and processing not objectionable because of dust, noise or odors with a conditional use permit.
22. Dry cleaners.
23. Machinery sales and service.
24. Public utilities.

25. Off-street parking as required by this chapter.
26. Waterfront business activities; wholesale and retail marine interest, such as boat docks, piers, small boat docks, yacht club and servicing facilities for the same; docks and areas for the receipt, storage and transshipment of waterborne commerce; seafood and shellfish receiving, packing and shipping plants; and recreational activities primarily conducted on or about a waterfront. All such uses shall be contiguous to a waterfront.
27. Public billiard parlors and poolrooms, bowling alleys, dance halls and similar forms of public amusement with a conditional use permit.
28. Business signs.
29. General advertising signs.
30. Locations signs.
31. Cabinet, furniture and upholstery shops not exceeding a combined area of 5,000 square feet for workshop and storage space with a conditional use permit.
32. Medical Clinics
33. Governmental offices.
34. Veterinary hospital with a conditional use permit.
35. Communication tower with station with a conditional use permit.
36. Wholesale businesses, storage warehouses and mini-storage units with a conditional use permit.
37. Classic and collectable car sales and restoration facility, with inoperable vehicles screened from view and restoration activities under cover, in accordance with the following definition: "A business actively involved in restoration and sales of classic and collectible specialty vehicles. Facilities must be screened for restoration work and storage of disabled vehicles. This business could also be involved in the sale of new/n.o.s., and used parts, but would not allow the general public access to vehicles for the purpose of removing parts."
38. Nursery and landscaping.
39. Financial institutions.
40. Computer software development firms to exclude the manufacturing of such software, screened from view and 200 feet from the state road right-of-way.
41. Show horse facility and riding academy with a conditional use permit.
42. Day care center.
43. Automobile self-service station.
44. Automobile service station
45. Garage, public.
46. Tractor-trailer service station, truck stop, trucking companies.
47. Laydown yard with a conditional use permit.
48. Kennel.
49. Family day care, large.
50. Caretakers Living Quarters (single-family dwelling apartment), with a conditional use permit, provided living quarters are not manufactured homes and provided living quarters are either located on the same premises as the respective business or located within the commercial building.

51. Carwash.

52. Modular/Manufactured Home Sales Center

53. Planned Unit Developments (PUD) with a conditional use permit and in accordance with Article XVII.

Sec. 16-141. Area regulations.

In business district B-2, the following area regulations shall apply: None, except that, for permitted uses utilizing individual sewage disposal systems, the required area for any such use shall be approved by the health official. The administrator may require a greater area if considered necessary by the health official.

Sec. 16-142. Setback regulations.

Buildings in business district B-2, the following shall be located ten feet or more from any street right-of-way which is 50 feet or greater in width, or 35 feet or more from the center line of any street right-of-way less than 50 feet in width, except that signs advertising the sale or rent of premises may be erected up to the property line. This shall be known as the "setback line."

Sec. 16-143. Side yards; off-street parking and loading.

1. For permitted uses in business district B-2, the minimum side yard adjoining or adjacent to a residential or agricultural district shall be at least ten feet.
2. Off-street parking and loading shall be in accordance with Section 16-352 and any other applicable provisions of this chapter.

Sec. 16-144. Height regulations.

Buildings may be erected up to 35 feet in height from grade in business district B-2, except that:

1. The height limit for dwellings may be increased up to 45 feet and up to three stories; provided, that there are two side yards for each permitted use, each of which is ten feet or more, plus five feet or more of side yard for each additional foot of building height over 35 feet.
2. A public or semipublic building, such as a school, church, library or general hospital, may be erected to a height of 60 feet from grade; provided, that required front, side and rear yards shall be increased one foot for each foot in height over 35 feet.
3. Church spires, belfries, cupolas, monuments, water towers, chimneys, flues, flagpoles, television antennae and radio aerials are exempt. Parapet walls may be up to four feet above the height of the building on which the walls rest.
4. No accessory structure which is within ten feet of any party lot line shall be more than one story high. All accessory structures shall be less than the main structure in height.

Sec. 16-145. Site plan required.

A site plan is required for any structures to be erected or land to be used in a B-2 district. The procedures and requirements for approval of a site plan are provided, as set forth in Article X of this chapter.

Sec. 16-146. Off-street parking.

Off-street parking in a B-2 district shall be as required by Section 16-372 and any other applicable provision of this chapter.

REZONING APPLICATION #2017-01

REZONING APPLICATION #2017-01

STAFF REPORT

This staff report is prepared by the Sussex County Community Development Department to provide information to the Planning Commission and the Board of Supervisors to assist both bodies in making a recommendation on this application. It may also be useful to the members of the general public interested in this application.

SUMMARY FACTS

APPLICANT:	WCW Properties LLC and Suffolk Energies
OWNER:	ROW MIC Construction Company, Inc.
PROPOSED USE:	Petroleum and gas bulk storage, sales, and distribution facility
PROPERTY LOCATION:	South side of U.S. Route 460 approximately 1,500 feet east of the intersection of Fredenburg Road (Route 652) and General Mahone Highway (U.S. Route 460).
PROPERTY IDENTIFICATION:	61-A-48 and 61-A-50
ELECTION DISTRICT:	Wakefield
PARCEL SIZE:	3.36 acres
PARCEL CHARACTERISTICS:	The site has approximately 600 feet of road frontage on U.S. Route 460 (General Mahone Highway) and has an existing vacant commercial building located on it, containing approximately 2,900 square feet The site is open in the front and wooded in the rear.
SURROUNDING LAND USES:	Surrounding land uses include woodlands, cut-over timberland, U.S. Route 460, Timberland Contracting Company, Inc., and farmland and several single-family residences that appear to be vacant.
EXISTING ZONING:	A-1, General Agricultural
DESIRED ZONING:	B-2, General Business

DESIGNATED PLANNING AREA: Homeville/Wakefield/U.S Route 460 Planning area.

COMPREHENSIVE PLAN'S

FUTURE LAND USE DESIGNATION: Commercial/Business

WATER: Private water (well)

WASTEWATER: Private wastewater (septic system)

FLOODPLAIN DESIGNATION: Zone X- Areas outside 100 year flood zone and not subject to flooding. Panel Number- 51183C0280D
Effective Date: July 7, 2009.

SITE ACCESS: The site in question has existing commercial entrances on U.S. Route 460. According to VDOT, these entrances will have to be modified (see attached).

OFF-STREET PARKING: There is a sufficient amount of land to accommodate off-street parking.

**PLANNING COMMISSION'S
RECOMMENDATION:**

February 6, 2017 – APPROVAL (8 to 1)

RATIONALE FOR APPROVAL:

A rezoning from A-1, General Agricultural, District to B-2, General Business, District would be consistent with the County's Comprehensive Plan which has the site in question designated for future commercial development.

The property has been used in the past for commercial use as a fabrics/gift shop was built on the site in question in the 1960's.

The proposed use of the subject property commercial development would be compatible with surrounding land uses. The site is in close proximity to Timberland Contracting which is presently zoned B-2, General Business.

The rezoning will assist an existing business (Griffin Oil and Propane), located in the Town of

Wakefield, to expand its operation into Sussex County in accordance with the County' adopted Comprehensive Plan.

PUBLIC OPPOSITION:

Tanya Davis expressed concerns at the public Hearing due to environmental and public safety concerns.

A written letter (dated March 1, 2017) was received by Mr. Felix Davis (see attached).



APPLICATION FOR A CHANGE OF ZONING DISTRICT CLASSIFICATION

COUNTY OF SUSSEX
P.O. Box 1397, Sussex, VA 23884

The undersigned owner of the following described property hereby applies for a change of zoning classification from:

A-1 to B-2

1. PROPERTY LOCATION (advertising description) -
(Example – South line Route 33 approximately 1,000 ft. west of Route 444)

11604 General Mahone Highway

2. DESCRIPTION OF PROPERTY

Tax Map Number: 61-A-48 and 61-A-50

Subdivision _____ Section _____ Block _____ Lot _____

If property is not a recorded subdivision, attach one copy of double-spaced typed or printed description of the property. All bearings and distances (metes and bounds) must be stated. Provide two copies of that plat showing bearings and distances (metes and bounds). Acreage 3.36 (If more than one zoning classification is requested – state the acreage of each)

3. PROPOSED USE (Please attach a written description of the proposed use of the property along and submit a preliminary site plan and/or subdivision plat along with the written description). **See Attached**
4. DEED RESTRICTIONS see attached Schedule B-Section II of Applicant's Title Insurance Commitment
5. FEES

\$500 + additional per acreage charge as follows:

To: A-1	No additional charge
To: R-R, R-E	\$20 per acre
To: R-1	\$30 per acre
To: B-1, B-2, B-3	\$40 per acre
To: I-1, I-2	\$50 per acre
To or any Manufactured Home Park District: Planned Unit Development (PUD)	\$60 per acre

6. NAME AND ADDRESS OF OWNER OF RECORD

Name: ROW MIC CONSTRUCTION CO INC.



Address: P.O. BOX 1079, WAVERLY, VIRGINIA 23890

If applicant is not owner of property, a copy of the purchase agreement must be provided.

Signatures appear on the following page.

Signature page to the Application for a Change of Zoning District Classification.

The Undersigned owner states that no application for a change in zoning district classification of the above property, or any part thereof, has been acted upon by the Board of Supervisors within twelve (12) months prior to the date of this application.

<i>Owner or Contract Purchaser</i> 	Representative 
Name: WCW Properties, LLC	Name: Timothy O. Trant II, Esq., Kaufman & Canoles, P.C.
Address: 1224 Holland Road Suffolk, Virginia 23434	Address: 11815 Fountain Way, Suite 400 Newport News, Virginia 23606
Phone: 757.539.4761	Phone: 757.259.3823
	Case No:
	Date of Filing:
	Fee Paid:

*Written Approval from owner required if property is
Subject to contract purchase

Certification of Authority to Sign Application for Change of Zoning/Conditional Use Permit

Sussex County, Virginia

ROW MIC Construction Company, Inc. ("Owner") is the owner of the property located at 11604 General Mahone Highway, Tax Map Numbers: 61-A-50 and 61-A-48 (the "Property") and hereby authorizes WCW Properties, LLC ("Purchaser") to file a change of zoning application to B-2 General Business and a conditional use permit application for a petroleum (e.g., gasoline, diesel, fuel oil, etc.) and gas (e.g., propane, natural, etc.) bulk storage, sales, and distribution facility on the Property. By executing this certification, Owner represents and warrants that Purchaser is the contract purchaser of the Property and has full power and authority in that capacity to sign the necessary applications for rezoning and conditional use permit.

Property Owner:

ROW MIC Construction Company, Inc.

By:  _____

Printed Name: David Rowley

Title: vice president

Date: 12/29/16

ADDENDUM TO REZONING AND CONDITIONAL USE PERMIT APPLICATIONS

TAX MAP NUMBERS: 61-A-50 and 61-A-48

11604 GENERAL MAHONE HIGHWAY

DESCRIPTION OF PROPOSED USE

WCW Properties, LLC and its affiliate (Suffolk Energies, Inc.) desire to develop a petroleum (i.e., gasoline, diesel, and fuel oil) and gas (e.g., propane) bulk storage, sales, and distribution facility on the Property as conceptually shown on the attached Conceptual Site Plan prepared AES Consulting Engineers dated December 16, 2016. The applicant intends to use the existing building on the Property as an office for employees and for customer service and sales.

This is to certify that letters notifying adjacent property owners of a Public Hearing of the Sussex County Board of Supervisors on May 18, 2017 for **Rezoning Application #2017-01** and **Conditional Use Permit Application #2017-01**, applicants, WCW Properties LLC and Suffolk Energies were mailed on May 5, 2017 to the persons listed below.

Tax Map No. 61-A-46

Davis Felix & Corine
P.O. Box 9424
Henrico, VA 23228

Tax Map No. 61-A-47

Parker Oscar E. & Glenice L
%Chris Parker
P.O. Box 910
Wakefield, VA 23888

Tax Map No. 61-A-49

Wakefield Firewood Inc.
P.O. Box 537
Wakefield, VA 23888

Tax Map No. 61-A-51

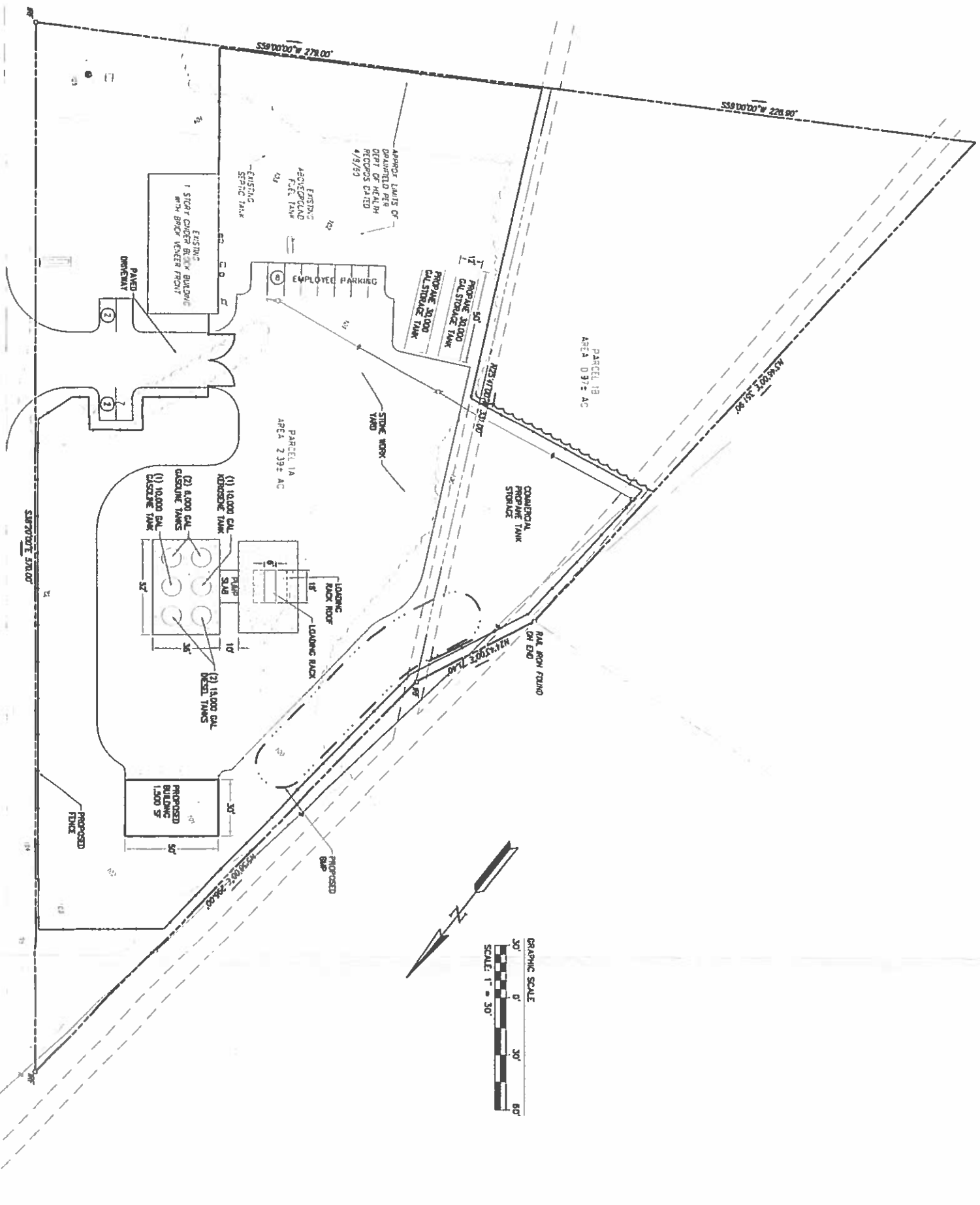
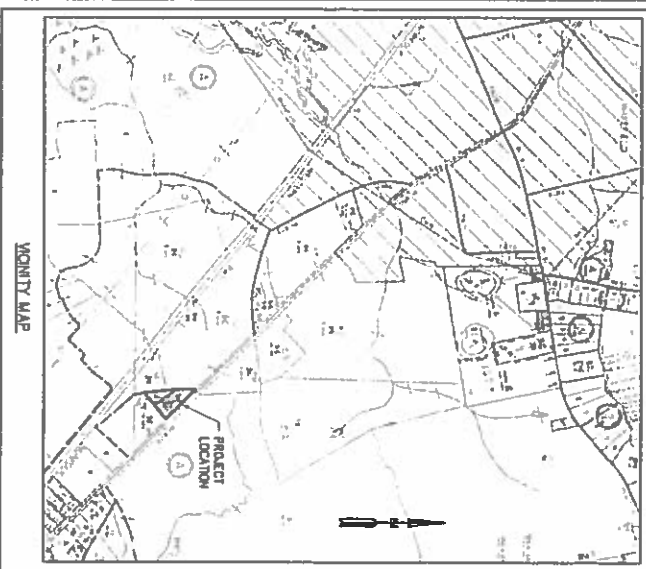
Pulley Jeffrey V. & Robert H. Pulley
½ Share Each
9450 Doles Road
Ivor, VA 23866



Director of Community Development

5/8/17

Date



SITE TABULATIONS	
TOTAL SITE AREA:	3.36± AC
EXISTING ZONING:	A-1-1
PROPOSED ZONING:	B-2
PROPOSED OPEN SPACE:	2.33± AC (69.4%)
IMPERVIOUS AREA:	1.03± AC (30.6%)
PARKING PROVIDED:	12 SPACES

GENERAL MAHONE HIGHWAY
ROUTE 460
85' R.O.W.

Project: Suffolk Energies Fuel Storage Facility
 Date: 11/15/11
 Scale: 1" = 30'
 Sheet: 1 of 1

CONCEPTUAL PLAN
 SUFFOLK ENERGIES
 PROPOSED FUEL STORAGE FACILITY
 WAKEFIELD DISTRICT SUSSEX COUNTY VIRGINIA

AES
 CONSULTING ENGINEERS
 5149 Old Town Road, Suite 1
 Wakefield, Virginia 22788
 Phone: (757) 251-0443
 Fax: (757) 251-0714
 www.aesinc.com

PRELIMINARY
 NOT FOR CONSTRUCTION

No.	Date	Description	By

4. Homeville/Wakefield/U.S. 460 Planning Area

Commercial development is anticipated along General Mahone Highway (U.S. 460) from the Town of Wakefield to the Southampton County line as well as from Wakefield to the northern boundary (Coppahaunk Swamp) of the planning area. As the amount of available land within the Town of Wakefield becomes scarce, new commercial entities will have to locate outside the Town limits and existing businesses located within will have to expand their operations into the County. Commercial development may also occur in Homeville, at the intersection of Sussex Drive (VA Route 40) and Jerusalem Plank Road (VA Route 35).







With the extension of public water and sewer utilities along General Mahone Highway, future industrial growth is more than likely to occur along this four (4) lane highway. Industrial use is designated along both sides of U.S. 460 from Owens Grove Road (State Route 604) to the Town of Wakefield. The industrial designation encompasses land both adjacent to and in the vicinity of Norfolk Southern Railroad and the Wakefield Airport. Industrial development is also anticipated at the site of the old cotton gin on Rocky Hock Road.

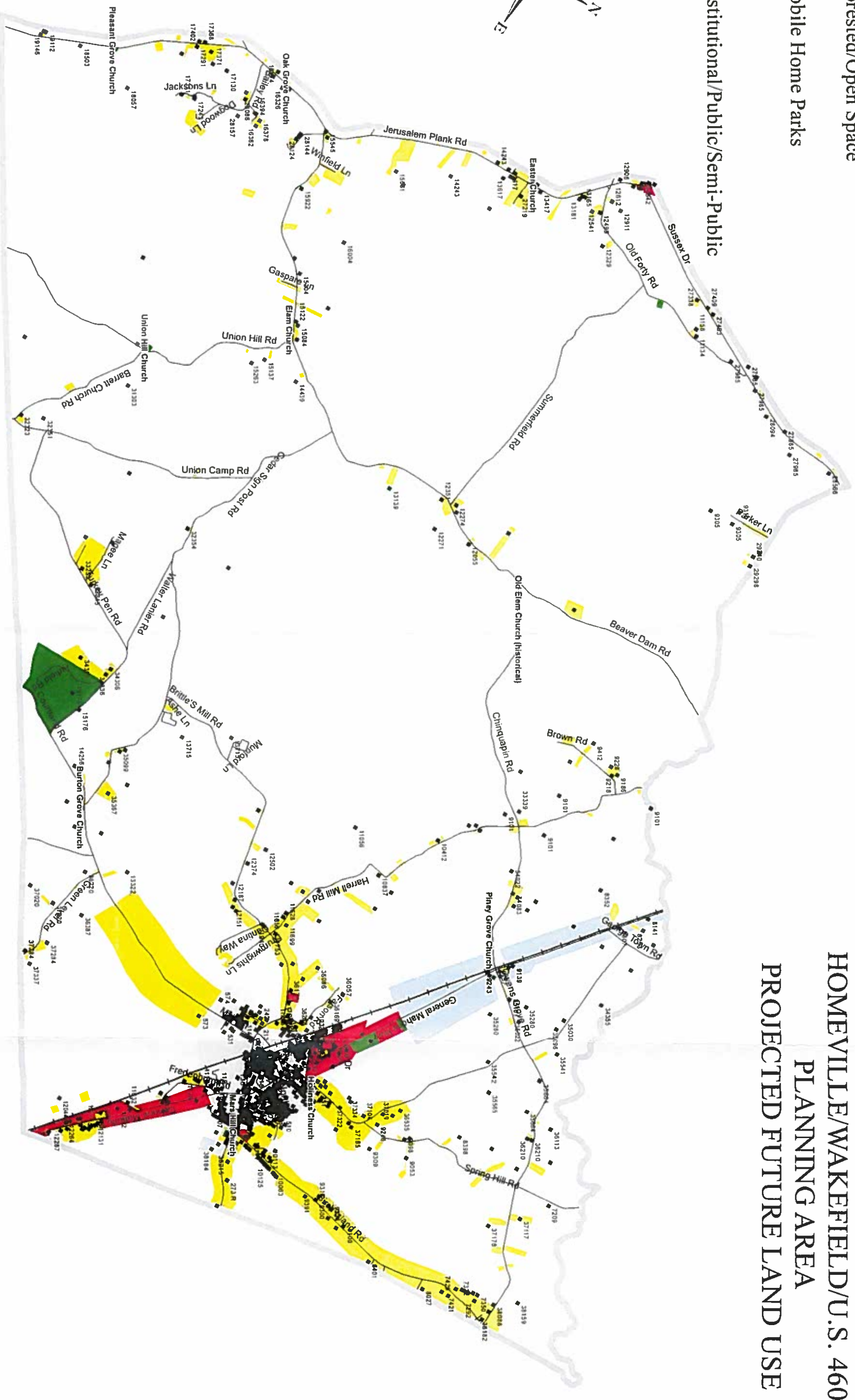
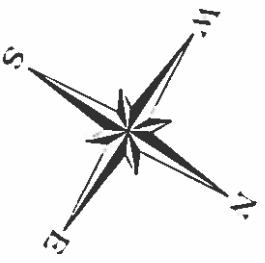
Residential growth is expected along secondary roads and as planned communities and/or subdivisions. A five hundred (500+) lot residential planned community, Drumwright Mill Colony, has been proposed for development for many years now. The planned unit development would be located the vicinity of Courtland Road (State Route 628) and Brittle's Mill Road (State Route 620) and contain a golf course, a medical facility, restaurants and other commercial establishments. Residential development is also projected along portions of Sussex Drive (VA Route 40), Birch Island Road (VA Route 31), Spring Hill Road (SR 603), Walnut Hill Road (State Route 614), George Town Road (State Route 615), and Old Wakefield Road (SR 615). A major housing rehabilitation project has been identified within the corporate limits of the Town of Wakefield.

The former Ellen W. Chambliss Elementary School located on Higgins Street may serve as either a future recreational, educational, training and/or community facility. The Airfield 4-H Conference Center (located on Airfield Road (State Route 737) and the Wakefield Municipal Ball Park are expected to be two (2) of the primary sources of outdoor recreation for County residents and is designated for public semi-public use.

The remaining land within the planning area is shown for agricultural use, thus preserving the environmentally sensitive areas and maintaining the rural character of the outlying areas.

KEY:

-  Agricultural/Forested/Open Space
 -  Residential
 -  Apartments/Mobile Home Parks
 -  Commercial
 -  Industrial
 -  Government/Institutional/Public/Semi-Public
- Town

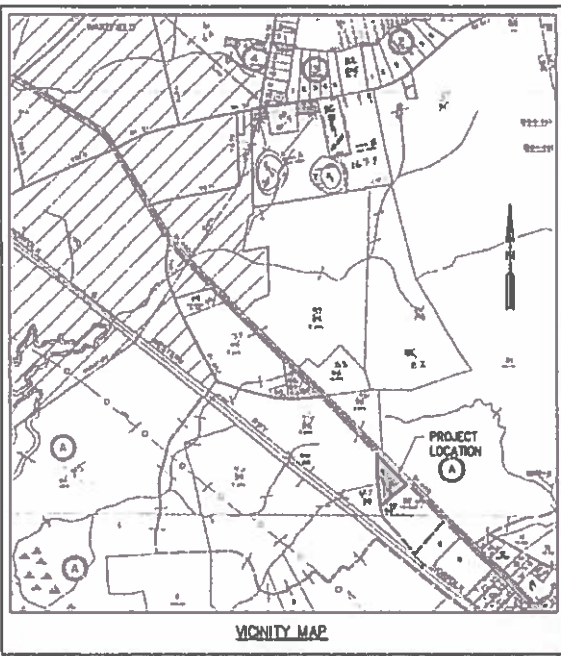


**EXHIBIT X-D
HOMEVILLE/WAKEFIELD/U.S. 460
PLANNING AREA
PROJECTED FUTURE LAND USE**

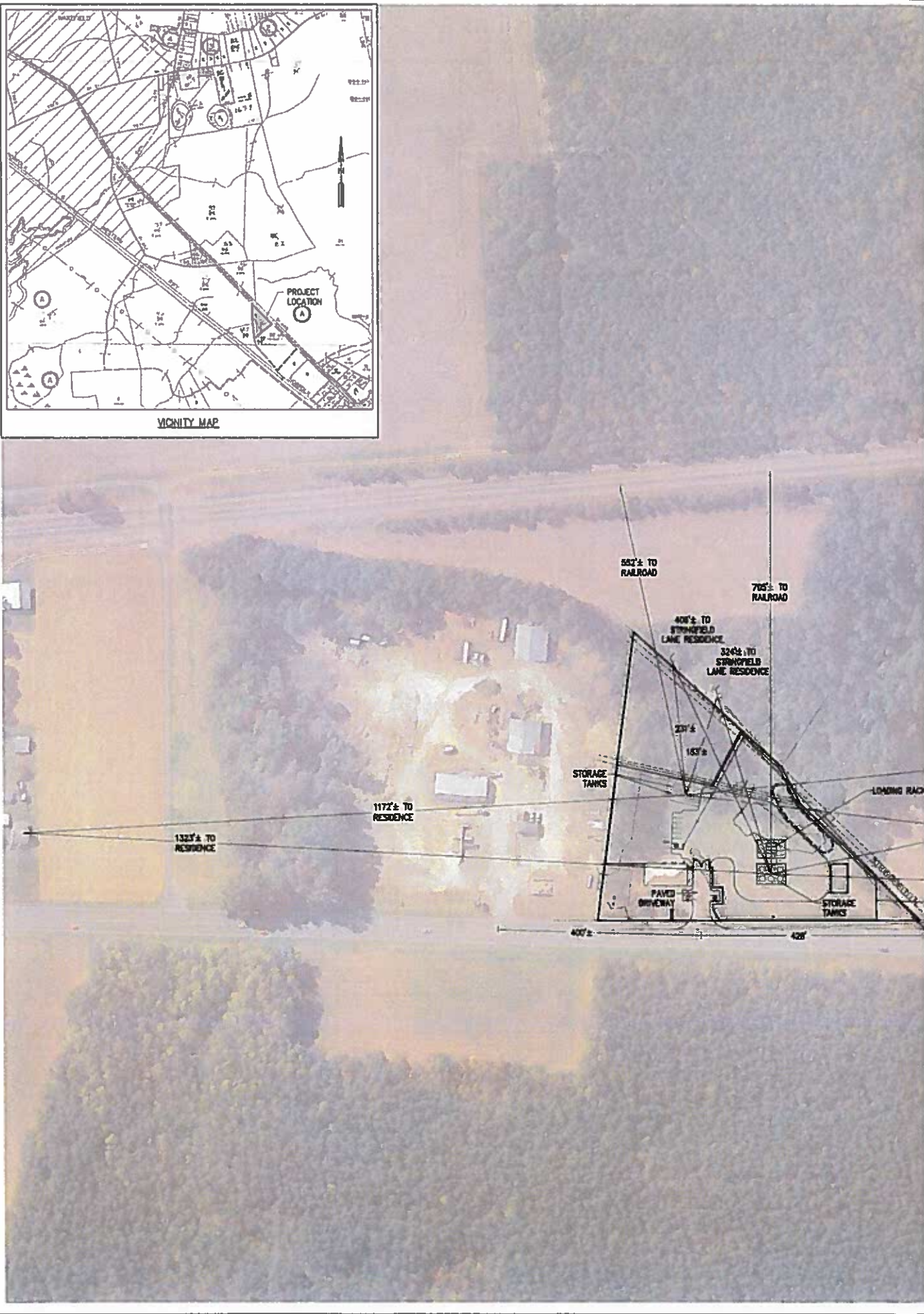


BASE MAP SOURCE:
MSAG DATA CONSULTANTS, ORANGE, VIRGINIA, JULY, 2004
SUSSEX COUNTY GIS DATABASE, 2006

REVISED DATE: APRIL, 2016



VICINITY MAP



SUMMARY OF SITE PLAN SETBACKS

SETBACK DISTANCE	FROM	TO
1,521 feet	Fuel Tanks	11436 Fredenburg Road (Davis Property)
1,649 feet	Propane Tanks	11436 Fredenburg Road (Davis Property)
552 feet	Propane Tanks	Railroad
705 feet	Fuel Tanks	Railroad
183 feet	Propane Tanks	11470 Stringfield Lane
231 feet	Propane Tanks	11481 Stringfield Lane
324 feet	Fuel Tanks	11470 Stringfield Lane
406 feet	Fuel Tanks	11481 Stringfield Lane

March 1, 2017

The Honorable John A. Stringfield, Supervisor
Wakefield District
Sussex County Board of Supervisors
10391 Higgins Street
Wakefield, VA 23888

Dear Mr. Stringfield:

My name is Felix Davis, Jr. and I am a member of Gilfield Baptist Church (Ivor, VA) and former resident of your district.

I am contacting you to express my opposition to Ordinance Amendment #2017-01, Rezoning Application #2017-01, and Conditional Use Permit Application #2017-01. My concerns are as follows:

- There is a risk of soil and water contamination where petroleum products such as gasoline, diesel, and fuel oil are stored, sold, and distributed. This is of particular concern given the reliance on our well for drinking water.
- The risk of fires and explosions are a concern anywhere gases such as propane and natural gas are housed. A single lightning strike could cause a fire/explosion risk.
- It is safe to assume that locating a facility of this type will require increased truck (or rail) transportation of petroleum and gas products along U. S. Route 460. Given the frequency of accidents -- and that this highway is not divided -- I am wary of added congestion and the serious potential for tanker truck accidents and spills.
- In contacting our neighboring counties, I've found that most of them do not allow for facilities of this type.

The home in which I grew up (and is still owned by my family) is located at 11436 Fredenburg Road, immediately adjacent to the property seeking to open this petroleum and gas facility. An operation of this type is in stark contrast to my family's way of life and agricultural roots -- we grew up working the land and made a better life for ourselves because of this land. Further, I fear that negative environmental impacts, which may be known or unknown, will be detrimental to my property, my family, and my community for generations to come.

For these reasons, I ask that you oppose bringing a petroleum and gas bulk storage, sales, and distribution facility to Sussex County. I would appreciate the opportunity to discuss this issue with you further and please don't hesitate to contact me with questions or concerns. Thank you for the work you have done to improve our community thus far and thank you for your support.

Sincerely,



Felix Davis, Jr.
15513 Chesdin Landing Place
Chesterfield, Virginia 23838
(804) 590-2364
felix_davis03@hotmail.com

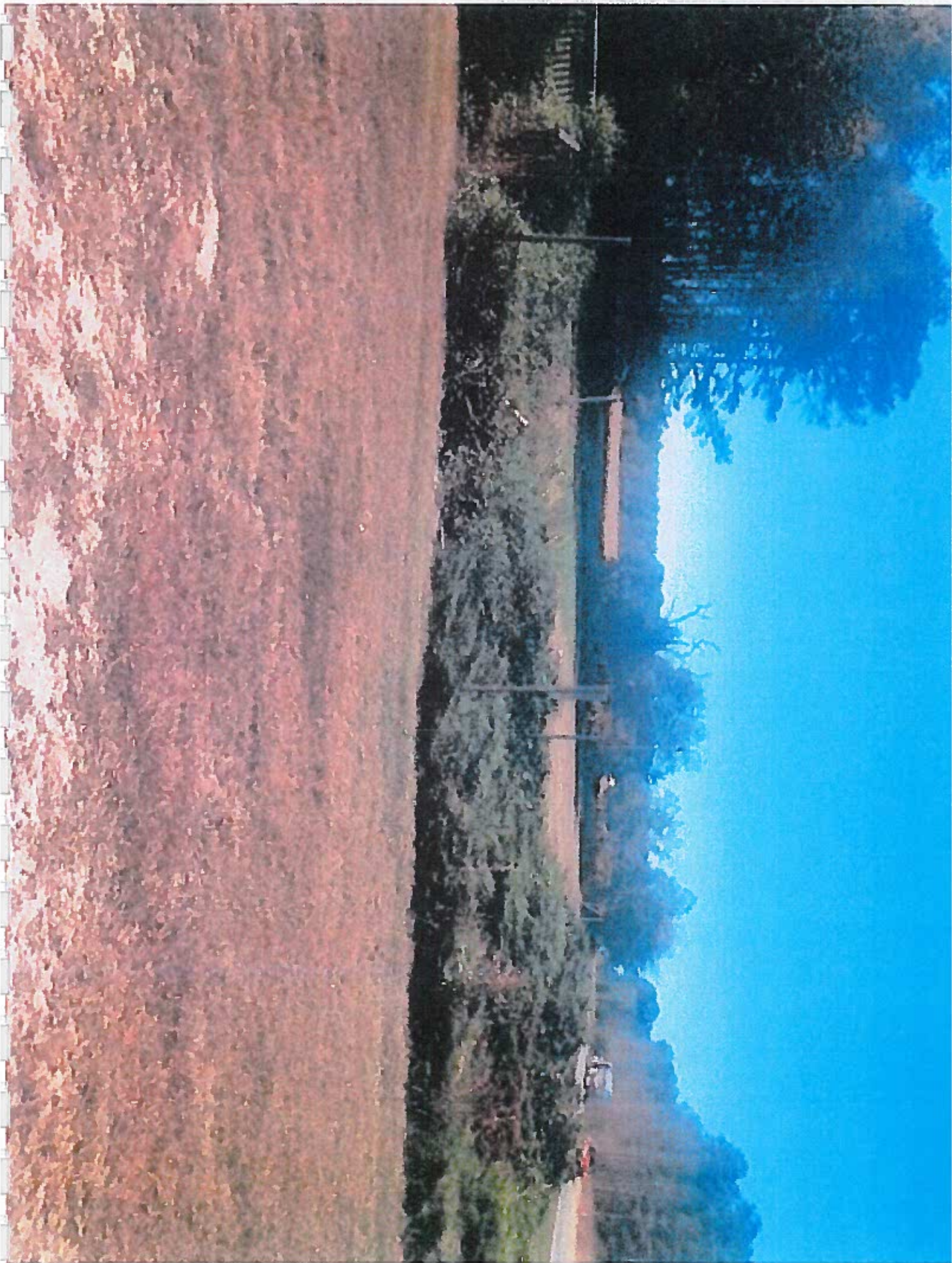






























CONDITIONAL USE PERMIT #2017-01

CONDITIONAL USE PERMIT APPLICATION #2017-01

STAFF REPORT

This staff report is prepared by the Sussex County Community Development Department to provide information to the Planning Commission and the Board of Supervisors to assist both bodies in making a recommendation on this application. It may also be useful to the members of the general public interested in this application.

SUMMARY FACTS

APPLICANT:	WCW Properties LLC and Suffolk Energies
OWNER:	ROW MIC Construction Company, Inc.
PROPOSED USE:	Petroleum and gas bulk storage, sales, and distribution facility
PROPERTY LOCATION:	South side of U.S. Route 460 approximately 1,500 feet east of the intersection of Fredenburg Road (Route 652) and General Mahone Highway (U.S. Route 460).
PROPERTY IDENTIFICATION:	61-A-48 and 61-A-50
ELECTION DISTRICT:	Wakefield
PARCEL SIZE:	Total acreage = 3.36 acres (0.97acres + 2.39acres)
PARCEL CHARACTERISTICS:	The site has approximately 600 feet of road frontage on U.S. Route 460 (General Mahone Highway) and has an existing vacant commercial building located on it, containing approximately 2,900 square feet. The site is open in the front and wooded in the rear.
SURROUNDING LAND USES:	Surrounding land use include woodlands, cut-over timberland, U.S. Route 460, and Timberland Contracting Company, Inc.
REQUESTED REZONING	B-2, General Business
DESIGNATED PLANNING AREA: COMPREHENSIVE PLAN'S	Homeville/Wakefield/U.S Route 460 Planning area.

FUTURE LAND USE DESIGNATION: Commercial/Business

SUMMATION

Pursuant to Section 16-139, subsection 54 of the Zoning Ordinance, the applicants WCW Properties and Suffolk Energies seek a conditional use permit to allow a petroleum and gas bulk storage, sales and distribution facility on tax map numbers 61-A48 and 61-A-50 (consisting of a total of 3.36 acres). The parcels owned by ROW MIC Construction Inc., are being rezoned to B-2, General Business, District which would allow the proposed uses with a conditional use permit.

ISSUES AND CONCERNS

This item was tabled following the public hearing held on February 6, 2017 to allow staff the opportunity to address questions and concerns raised by some members of the Commission and Ms. Tanya Davis (relative on an adjoining property owner). Ms. Davis was asked to submit Community Development staff her questions and concerns in writing. Ms. Davis contacted the Vice-Chairman of the Board of Supervisors, Keith Blowe, who forwarded an email to the County Administrator expressing the issues and concerns of Ms. Davis (see attached).

The item was also tabled at the March 6, 2017, Planning Commission meeting as a result of the email received from Eddie Vick, Public Safety Coordinator. The Planning Commission requested Mr. Vick's attendance at the April 3rd meeting to address his concerns relative to the lack of public water and the availability of Class B foam.

In your packet you have been provided correspondence from the County's Building Official (Dean Simmons) and the County's Public Safety Coordinator (Eddie Vick); a summary of the telephone conversation held with the Fire Chief of Wakefield; and email responses from the Virginia Department of Environmental Quality, the Commissioner of the Revenue (Ellen Boone) and from the applicant. After receipt of the concerns expressed by the County's Public Coordinator, several meetings were held with the applicant, the County's Building Official, the County's Public Safety Coordinator and Community Development staff.

A summation of the emails and meetings are as follows:

- 1) There were concerns raised by the Public Safety Coordinator relative to the lack of public water at the site and the amount of class B foam available to the local fire departments in case of a fire. However, it was determined that the facility will have to be built in accordance with Building and Fire Codes. All plans for construction will have to be reviewed and approved by the Building Official and Public Safety Coordinator. Concerns relative to water and Class B foam will have to be addressed at the next level (building and site plan review and approval).

- 2) Any incidents that may occur at the facility will be handled by the local fire department with assistance from other fire departments in the area, if needed.
- 3) The Virginia Department of Environmental Quality does not require a permit for this type of facility but they do perform periodic field inspections of such facilities. DEQ stated that they have never had any incidences or violations reported for Griffin Oil Company.
- 4) The Commissioner of the Revenue and the County's appraiser have stated the proposed facility **will not** negatively affect the value of the adjacent property (the Davis's farm and residence).
- 5) The preliminary site plan submitted by the applicant shows that the Davis's farm house (located on Fredenburg Road) is located over 1,500 feet from the proposed fuel and propane storage tanks.
- 6) The proposed facility will not generate a significant increase in traffic. VDOT has reviewed the tentative site plan and made several recommendations relating to off-street parking and access points to the site.

PLANNING COMMISSION'S RECOMMENDATION – APPROVAL (8 to 1) - Meeting held April 3, 2017

After reviewing the information gathered and hearing from Mr. Vick, the Planning Commission recommended the approval of Conditional Use Permit Application #2017-01, as it complies with the Zoning Ordinance and the Comprehensive Plan, subject to the following conditions:

1. All federal, state and local laws, regulations, permit requirements and ordinances shall be adhered to.
2. A site plan, erosion and sediment control and stormwater management plan shall be prepared and submitted to all relevant local/state offices and agencies for review and approval prior to issuance of a land disturbance and building permit for the proposed facility.
3. The owner or operator of the facility permitted pursuant to this conditional use permit shall coordinate with the fire department whose primary service area includes the property to conduct periodic emergency response training for the facility.
4. For so long as (a) the property contains a facility permitted pursuant to this conditional use permit, and (b) the immediately adjacent parcel (Tax Parcel 61-A-47) located to the west of the property is used for residential purposes, then the area shown as "50' BUFFER AREA" on the attached exhibit entitled "EXHIBIT CUP #2017-01 SUFFOLK ENERGIES PROPOSED FUEL STORAGE FACILITY", dated December 16, 2016, prepared by AES Consulting Engineers, shall be maintained in its natural undisturbed condition (excluding the removal of invasive, dead, diseased, or dying trees, shrubs, or other vegetation).

The purpose of the last condition is to maintain a buffer between the facility and the houses on Stringfield Lane.

PUBLIC OPPOSTION

Ms. Tanya Gray expressed opposition at the public hearing held in February citing environmental and public safety concerns.

A letter in opposition (dated March 1, 2017) was received by Mr. Felix Davis (see attached).

Date: 12/29/16
 Date Application Filed: 12/29/16
 \$500 Processing Fee Received By: AMG



Sussex County Planning Department
 Post Office Box 1397
 20209 Thornton Square
 Sussex, Virginia 23884
 Phone: 434-246-1043
 Fax: 434-246-8259

CONDITIONAL USE PERMIT APPLICATION

Owner Information:	Applicant Information:
Name: ROW MIC CONSTRUCTION CO INC.	Name: WCW PROPERTIES, LLC
Address: P.O. BOX 1079 WAVERLY, VIRGINIA 23890	Address: 1224 HOLLAND ROAD SUFFOLK, VIRGINIA 23434
Phone Number:	Phone Number: 757.539.4761
Legal Description of Property:	
Tax Map Number: 61-A-48 and 61-A-50	Election District:
Zoning District: WAKEFIELD	Subdivision:
Block Number:	Lot Number:
Lot Size (Acreage): 3.36	Square Footage:

Please answer the following:

- When was property acquired by applicant? _____ / _____ / _____ Applicant became contract purchaser on or about **July 8, 2016**. The landowner acquired the property on or about **July 1, 1985**.
- Are there any deed restriction on the property in question? X Yes _____ No **see attached**
 (If yes, attach a copy of restrictions).
- What is the proposed use of the property or type of improvement? Please be detailed and specific in your description. (For example: new construction, addition or demolition, agricultural, residential or commercial use)
a petroleum (i.e., gasoline, diesel, and fuel oil) and gas (e.g., propane) bulk storage, sales, and distribution facility
- What is the Fair market value of improvements **\$300,000.00**
 (Value must include all buildings, electrical, plumbing, and mechanical work to be performed).
- Describe briefly the type of use and improvements proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.
See attached descriptions
- Describe how the proposed use and improvements are to be designed and arranged to fit into the development of adjacent property of the neighborhood.
See attached Conceptual Site Plan prepared AES Consulting Engineers dated December 16, 2016
- Furnish plot plan, preliminary site plan, and/or preliminary subdivision plat showing boundaries and dimensions of property, width of boundary sheets, location and size of buildings on site, roadways, walks, off street parking and loading space, landscaping and the like. Architect's/Engineer's sketches showing elevations of proposed buildings and complete plans are also desirable and if available should be filed with application.
See attached Conceptual Site Plan prepared AES Consulting Engineers dated December 16, 2016

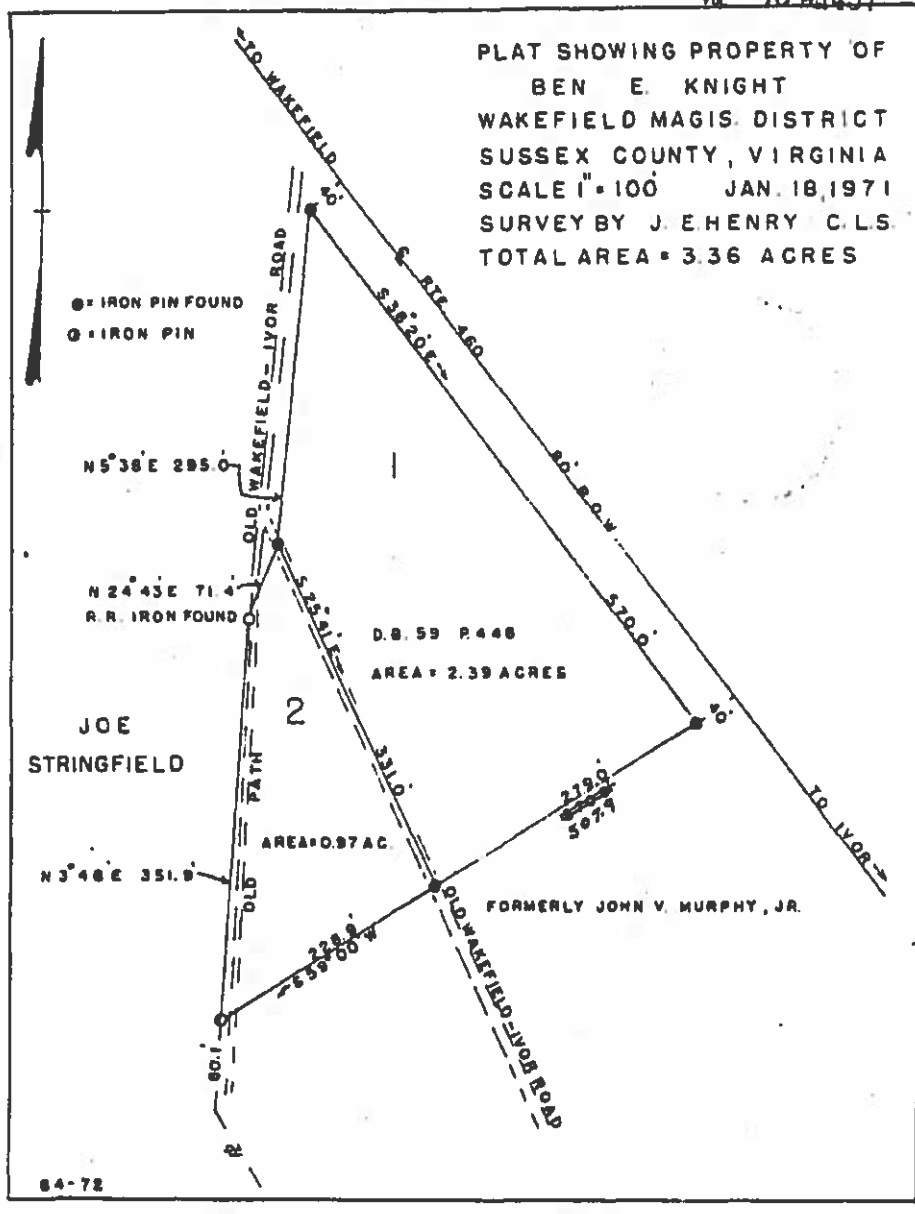
SIGNATURES APPEAR ON THE FOLLOWING PAGE.

SIGNATURE PAGE TO THE CONDITIONAL USE PERMIT APPLICATION

8. I hereby certify that I have the authority to make the foregoing application and that the application, is complete and correct and that the conditionals use permit is in accordance with section _____ of the Zoning Ordinance.

Owner Signature: _____ See Attached Authorization _____ Date: _____

Applicant Signature:  _____ Date: 12/28/16 _____



VIRGINIA
 In the Clerk's Court
 The foregoing Plat
 is here admitted to record
 The thereto attached Deed to be recorded in Book 75 Page 455

Testes
Beth Ann Harris Deputy Clerk

PROPERTY DESCRIPTION

Tax Map No: 61 A 50

All of a certain lot, piece or parcel of land situate, lying and being in Wakefield Magisterial District, Sussex County, Virginia, and fronting on State Highway 460 a distance of 570 feet, said property being more particularly bounded and described as follows: Beginning at an iron marker which is located on the southwest side of State Highway 460 at the edge of the right-of-way of said highway and which said iron marker is also located on the southeast side of the old road which formerly led from Wakefield to Ivor at this point and running thence along said old road leading from Wakefield to Ivor in a southwesterly direction 295 feet to an iron marker; thence in a southeasterly direction through the lands of J. V. Murphy a distance of 331 feet to an iron marker at the edge of the field formerly known and designated as the Eanes field; thence in a northeasterly direction along the edge of said field 279 feet to the southwest side of the right-of-way of State Highway 460; thence along the southwest side of State Highway 460 in a northwesterly direction 570 feet to the point of beginning.

Tax Map No: 61 A 48

All of that certain lot, piece or parcel of land situate, lying and being in Wakefield Magisterial District, Sussex County, Virginia, containing 0.97 acres, being triangular in shape, bounded on the northeast by Knight, south and southeast by Eggleston, west by Stringfield, being cut over wood land including no open or cultivated land, all as more particularly shown on that 'Plat Showing Property of Ben E. Knight' dated January 18, 1971, by J. E. Henry, C.L.S., said plat being duly of record in the Clerk's Office of the Circuit Court of Sussex County, Virginia, in Deed Book 75, Page 457, reference to said plat being here made for a more particular description of the property being conveyed.

This is to certify that letters notifying adjacent property owners of a Public Hearing of the Sussex County Board of Supervisors on May 18, 2017 for **Rezoning Application #2017-01** and **Conditional Use Permit Application #2017-01**, applicants, WCW Properties LLC and Suffolk Energies were mailed on May 5, 2017 to the persons listed below.

Tax Map No. 61-A-46

Davis Felix & Corine
P.O. Box 9424
Henrico, VA 23228

Tax Map No. 61-A-47

Parker Oscar E. & Glenice L
%Chris Parker
P.O. Box 910
Wakefield, VA 23888

Tax Map No. 61-A-49

Wakefield Firewood Inc.
P.O. Box 537
Wakefield, VA 23888

Tax Map No. 61-A-51

Pulley Jeffrey V. & Robert H. Pulley
½ Share Each
9450 Doles Road
Ivor, VA 23866



Director of Community Development

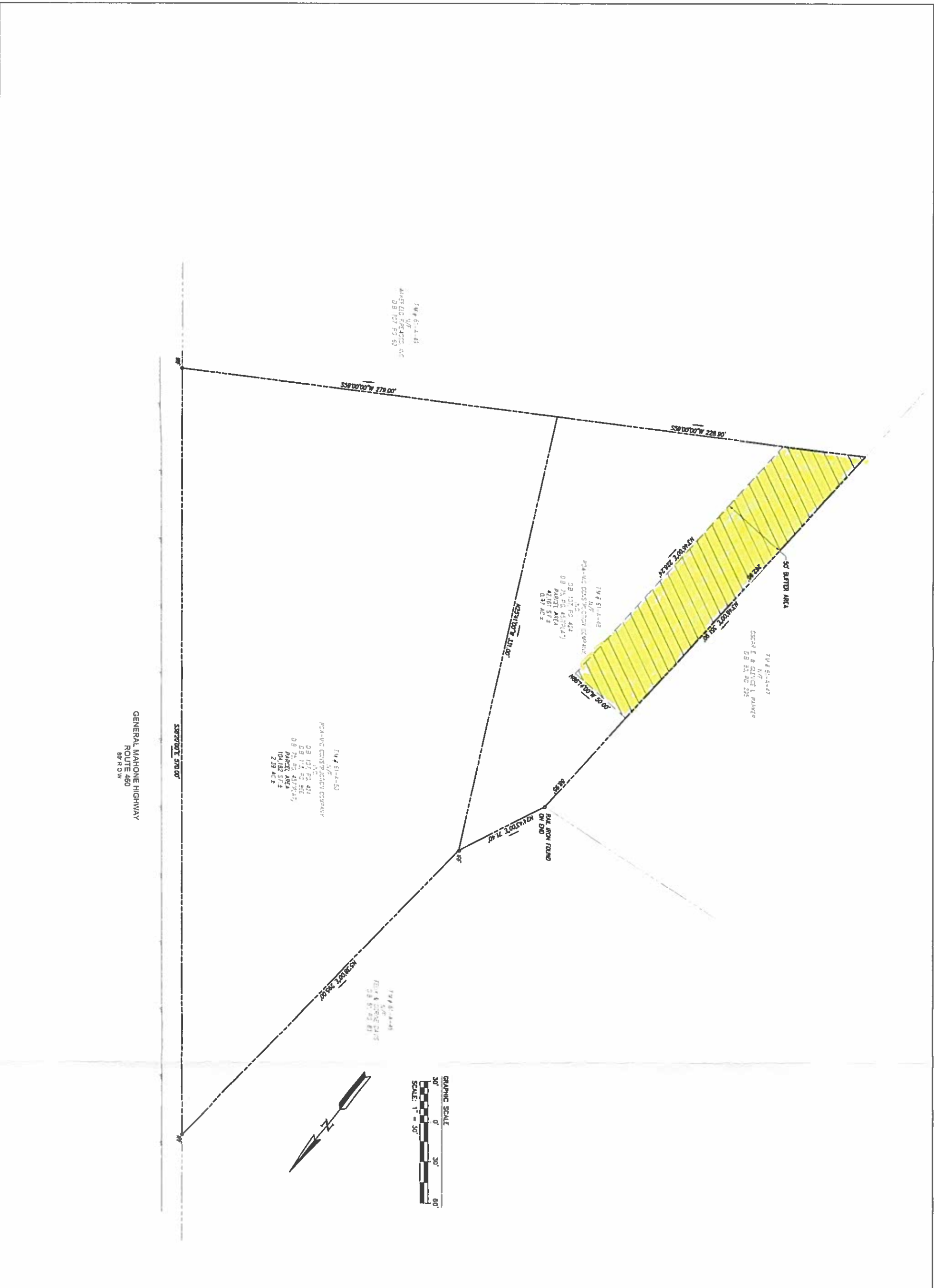
5/8/17

Date

PROPOSED CONDITIONS

CONDITIONAL USE PERMIT APPLICATION # 2017-01

1. The owner or operator of a facility permitted pursuant to this conditional use permit shall coordinate with the fire department whose primary service area includes the property to conduct periodic emergency response training for the facility.
2. For so long as (a) the property contains a facility permitted pursuant to this conditional use permit, and (b) the immediately adjacent parcel (Tax Parcel 61-A-47) located to the west of the property is used for residential purposes, then the area shown as "50' BUFFER AREA" on the attached exhibit entitled "EXHIBIT CUP #2017-01 SUFFOLK ENERGIES PROPOSED FUEL STORAGE FACILITY", dated December 16, 2016, prepared by AES Consulting Engineers, shall be maintained in its natural undisturbed condition (excluding the removal of invasive, dead, diseased, or dying trees, shrubs, or other vegetation).



Project: CUP #2017-1
 Project Name: SUFFOLK ENERGIES PROPOSED FUEL STORAGE FACILITY
 Scale: 1" = 30'
 Date: 12/13/2016
 Sheet Title: EXHIBIT
 1 of 1

EXHIBIT
 CUP #2017-1
 SUFFOLK ENERGIES
 PROPOSED FUEL STORAGE FACILITY
 WATFORD DISTRICT SUSSEX COUNTY VIRGINIA

AES
 CONSULTING ENGINEERS
 5218 Old Towne Road, Suite 1
 Williamsburg, Virginia 23110
 Phone: (757) 253-0443
 Fax: (757) 253-0444
 www.aes.com
 Hampton Roads Central Virginia Middle Peninsula

Rev	Date	Description	Revised By

QUESTIONS AND ANSWERS

DEPARTMENT OF COMMUNITY DEVELOPMENT

André Greene, Director of Community Development

Phone (434) 246-1043

Fax (434) 246-2175



COUNTY OF SUSSEX, VIRGINIA
P. O. BOX 1397 ~ 20135 PRINCETON ROAD
SUSSEX, VIRGINIA 23884-0397
www.sussexcountyva.gov

Dean M Simmons CBO
Building Official
Phone (434) 246-4392

MEMORANDUM

TO: Mr. Andre' Green, Director of Community Development

FROM: Mr. Dean Simmons, CBO, Building Official *D.S.*

RE: Rezoning Application/Conditional Use Permit Application- WCW Properties and Suffolk Energies

DATE: February 24, 2017

Pre your request I have reviewed the rezoning Application from WCW Properties and Suffolk Energies to expand an existing oil and propane facility. At this time I have no comments on the proposed project and feel the information provided is sufficient for the Rezoning application. However additional information on the site plan will be needed at time of building application to include setback from tanks to property lines, other tanks and supporting structures.

Summary of the Conversation with Wakefield's Fire Chief

On Friday, February 24, 2017 staff contacted Pat Bowden, the Fire Chief for the Town of Wakefield, to let him know about the plans of Griffin Oil and Propane regarding expanding its operation to the site of the the old sewing/ gift shop east of town. As far as the expansion, he said that he sees no issues or concerns about putting the operation on the site. He also stated that per protocol, two (2) County fire departments would have to be at the scene if something happened. Dendron and Ivor fire departments would be contacted if needed. All in all, he stated again that he doesn't see any foreseeable issues or any concerns with this particular type of facility at the site proposed for location.

Lorenzo Turner

From: Eddie Vick
Sent: Tuesday, February 28, 2017 9:54 AM
To: Andre Greene; Lorenzo Turner; Dean Simmons; Vandy Jones
Cc: Eddie Vick
Subject: WCW Properties and Suffolk Energies

Good Morning Mr. Greene,

I hope all is well with you. Mr. Simmons and I reviewed the information you provided for the WCW Properties and Suffolk Energies. The information is general in nature and shows the details of the property lines and intent of the project. Their current business is located in the Town of Wakefield and, at that location, they have underground storage tanks. The information provided states that the new business will be located away from Wakefield and will be designed with aboveground storage tanks. Without any additional details about the design of the project, more detailed information will be needed in the future to determine setbacks and spacing (distance) from product tanks and their containment systems.

Since this business will be moving from the Town of Wakefield, I made a visual survey of this area on Monday. The reason for the survey was to determine the water source in the case of a fire emergency. I did not see any fire hydrants near the proposed location. There are some hydrants in the town limits of Wakefield but, none within 1500 feet of the property line. Likely, the closest fire hydrant would be some distant away and, the fire department would be unable to supply water from that greater distance without the aid of enormous resources (engines, tankers, portable dump tanks and personnel). I spoke to the Fire Chief to inquire about their Class B foam capability for such a fire fighting operation. He stated that they had 5 gallons of foam but, he was not sure in was in date at the present time. A flammable fire involving Class 1 materials (products) will require lots of water and Class B foam to control the fire emergency. Since the new proposed business will have aboveground tanks, those tanks will be exposed to damage from weather incidents, manmade disasters and/or technical hazards. These issues warrant some additional questions and discussion to ensure protection of the facility and ensure the firefighting capability are addressed.

Thanks,

Eddie T. Vick
Public Safety Coordinator
Sussex County, Virginia

Questions and responses from DEQ

Lorenzo Turner

From: Somoza, Antonio (DEQ) <Antonio.Somoza@deq.virginia.gov>
Sent: Tuesday, February 14, 2017 8:23 AM
To: Lorenzo Turner
Subject: RE: Above ground oil and propane storage facility

Reply in red below:

Is this type of business regulated by DEQ . Is a permit required by Deq. **The permit we ask for is the Local building Official permit. DEQ do not issue construction permits for tank facilities.**

Also, has this company had any violations throughout the years (Suffolk energies DBA Griffin oil and propane). **Not that I am aware of.**

Has DEQ over the years had any problems with businesses that do bulk storage of oil and propane. **VA DEQ tank programs do not regulate propane. We have a very few issues with oil bulk facilities. They are normally operational and compliance issues which they are normally resolve through our inspection program.**

Should you have any questions or need any additional help, please contact me. Have a great day.

Tony

Sincerely,

Tony Somoza
Petroleum Compliance Inspector
Virginia Department of Environmental Quality
4949-A Cox Road, Glen Allen, VA 23060
804-527-5071
antonio.somoza@deq.virginia.gov

[DEQ Petroleum Programs Website](#)

From: Lorenzo Turner [mailto:lturner@sussexcountyva.gov]
Sent: Monday, February 13, 2017 4:15 PM
To: Somoza, Antonio (DEQ)
Subject: Above ground oil and propane storage facility

Thank you Tony for all of your helpful information, we really appreciate it. The basic questions that my supervisor wanted to know are listed below, but if you have any other info that you would like to share, feel free.

Is this type of business regulated by DEQ . Is a permit required by Deq

Also, has this company had any violations throughout the years (Suffolk energies DBA Griffin oil and propane)

Has DEQ over the years had any problems with businesses that do bulk storage of oil and propane.

Thank you for all of your help Tony.

Lorenzo Turner
Assistant to the Director of Community Development
Community Development Office
434-246-1043
434-246-2175 (Fax)
lturner@sussexcountyva.gov

Questions and responses from the Commissioner of the Revenue

Andre Greene

To: Ellen Boone
Subject: RE: Rezoning Request #2017-01

From: Ellen Boone
Sent: Wednesday, February 15, 2017 10:51 AM
To: Andre Greene <amgreene@sussexcountyva.gov>
Subject: RE: Rezoning Request #2017-01

Andre, I consulted with Mr. Robert Pearson, the appraisal for the County in regards to the affect of the value of the home and farm in question. Mr. Pearson and I both agree that the proposed oil & propane business will not negatively affect the value of the home and farm which is currently zoned A-1, General Agriculture. The appraiser and I do not foresee any drastic changes to the home and farm, tax parcel 61-A-46, the value of the property will still be assessed as agriculture property.

I hope this will assist you in regards to this project.

If you need further assistance, please do not hesitate to contact me.

Sincerely,

Commissioner of the Revenue
Ellen Boone

From: Andre Greene
Sent: Monday, February 13, 2017 3:28 PM
To: Ellen Boone <e.boone@sussexcountyva.gov>
Subject: Rezoning Request #2017-01

Hello Ellen, WCW Properties LLC and Suffolk Energies seek to rezone tax parcels 61-A-50 and 61-A-48 from A-1 to B-2 to allow the outdoor bulk storage and sale of petroleum (oil, gasoline, etc.) and gas (propane, natural gas, etc). The properties are currently owned by ROW-MIC Construction. The rezoning will assist Griffin Oil and Propane to relocate from its operation currently located in the Town of Wakefield to the site of the abandoned fabrics, sewing and gift shop building located in the County east of Wakefield.

The owner of tax map number 61-A-46 is concerned that the proposed oil and propane business will negatively affect the value of her home and farm which is zoned A-1, General Agricultural. The site for the proposed rezoning also adjoins Timberland Contracting which is already zoned B-2, General Business.

Can you please give an opinion as to whether or not the proposed rezoning will negatively affect (devalue) tax parcel 61-A-46.

Thanks for your assistance.

Sincerely,

Andre M. Greene

Director of Community Development
Sussex County Administration Office
Post Office Box 1397
20135 Princeton Road
Sussex, Virginia 23884
Phone: 434-246-1043
Fax: 434-246-2175
amgreene@sussexcountyva.com

"Promoting orderly growth and redevelopment through strategic planning"

Questions and responses from the applicant

Andre Greene

To: Trant, Timothy O. II
Subject: RE: Questions!

From: Trant, Timothy O. II [mailto:totrant@kaufcan.com]
Sent: Wednesday, February 22, 2017 11:15 AM
To: Lorenzo Turner <lturner@sussexcountyva.gov>
Cc: Lambert, Rebecca A. <ralambert@kaufcan.com>; Andre Greene <amgreene@sussexcountyva.gov>; Christiaan Pond (cpond@suffolkenergies.com) <cpond@suffolkenergies.com>; Marston, Arch <arch.marston@aesva.com>; Bristow, Jordan <jordan.bristow@aesva.com> (jordan.bristow@aesva.com) <jordan.bristow@aesva.com>
Subject: RE: Questions!

Mr. Turner,

RE: Conditional Use Permit Application # 2017-01

I hope this finds you well. In follow-up to the Planning Commission Meeting and in response to the questions you have asked, please see the below responses in **red** and the referenced attachments.

Answers to Building Official questions:

1. Location – **11604 General Mahone Hwy**
2. Size of the tanks – **See below Question #2**
3. Types of vehicles that will be used – **Pick Up Trucks & Class B (33,000 GVW Max) Straight Trucks.**

Responses to the questions in your February 13 email are below in **red**.

Please let me know if you need anything further from us.

We would like to meet with you, Mr. Greene, and the Building Official sometime later this week or next week to go over this information and to prepare for the next Planning Commission meeting. Please let me know some days and times when you all are available for such a meeting.

Thanks!

-Tim

Timothy O. Trant II
Kaufman & Canoles, P.C.
11815 Fountain Way, Suite 400
Newport News, VA 23606

4801 Courthouse Street, Suite 300
Williamsburg, VA 23188

O (757) 259.3823
M (757) 880.0767
totrant@kaufcan.com
www.kauf**CAN**.com

Questions and Responses from Applicant

From: Lorenzo Turner [<mailto:lturner@sussexcountyva.gov>]
Sent: Monday, February 13, 2017 12:49 PM
To: Trant, Timothy O. II
Cc: Lambert, Rebecca A.; Andre Greene
Subject: Questions!

Good morning Timothy:

My supervisor and I Mr. Greene wanted to write you to see if you and the engineer could try to get some of the questions answered from the meeting for the Commission and the residents so that we can get your project moving:

- 1) Do you have aerial photograph showing the location of storage tanks with distances from all residences(Stringfield Lane & Fredenburg Road.) Also, show distance to railroad? **See attached Distance Exhibit.**
- 2) Please state the number and size (gallons) of all tanks to be located on the site.

2 – 30,000 Gallon Propane Tanks.
2 – 15,000 Gallon Diesel Tanks
1 – 10,000 Gallon Kerosene Tank
1 – 10,000 Gallon Gasoline Tank
2 – 6,000 Gallon Gasoline Tanks

See the attached Conceptual Site Plan for the proposed location of these tanks.

- 3) Do you have pictures of your current operations in other localities?
See attached photographs
Attachments: Trucks – picture from the rear of the applicant’s Suffolk facility showing its above-ground tanks.
Southampton – picture of one of the applicant’s Southampton County 30,000 gallon tanks.

Suffolk 1 – Front of applicant’s Suffolk Fuel Bulk Plant
Suffolk 2 – Rear of applicant’s Suffolk Fuel Bulk Plant
Suffolk LP 1 – applicant’s 2 – 30,000 Gl. Propane tanks in Suffolk

- 4) Explain the approval process after receiving local zoning approval (DEQ requirements and Building Code Regulations).
Site plan approval will be subject to review and approval by Sussex County. Plant construction code compliance is subject to review and approval by the local building code official per NFPA 58 and NFPA 30. DEQ monitors and enforces ongoing controls, prevention, and tank permitting.

- 5) What is the Design Construction or design safety requirements for the tanks (Do you have any)?
Propane plant design and build requirements are set by NFPA 58 (National Fire Protection Association) - The industry benchmark for safe LP-Gas storage, handling, transportation, and use, NFPA 58 mitigates risks and ensures safe installations. This document encompass design, construction, installation, and operation of LP-Gas systems including piping, equipment, containers, venting, and highway transportation of LP-Gas.

Fuel plant design and build requirements are set by NFPA 30 – this document provides safeguards to reduce the hazards associated with the storage, handling, and use of flammable and combustible liquids. Topics covered include fire prevention and risk control, storage of liquids in containers, storage of liquids in tanks, piping systems, processing facilities, bulk loading and unloading, and wharves.

The facility will be fully fenced, well lit, and video monitored. Additionally, all fuel and propane tanks will be visually inspected and sounded on a regular basis and reconciled to purchases and sales. This data is reported to a 3rd party for additional analysis and oversight.

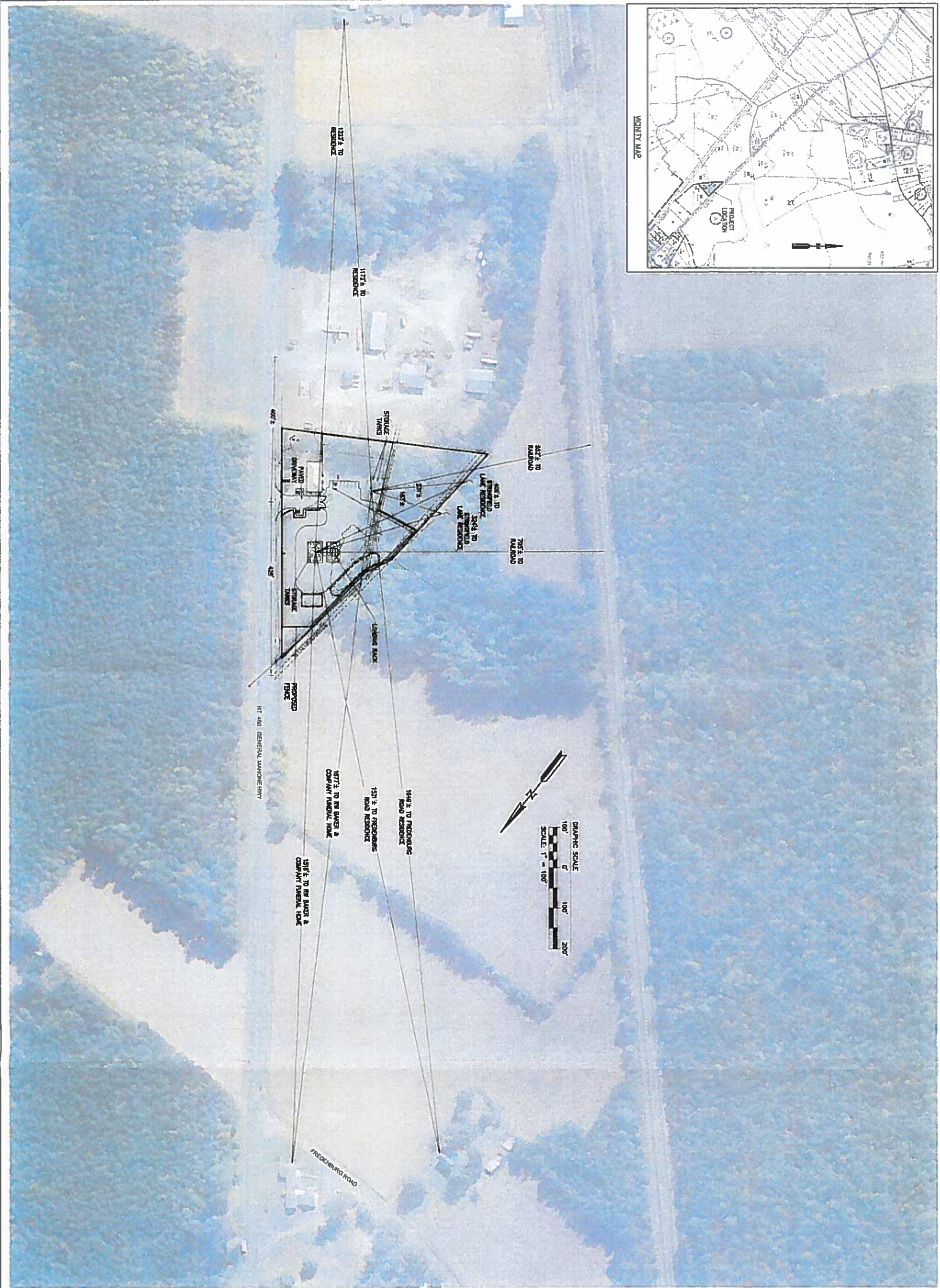
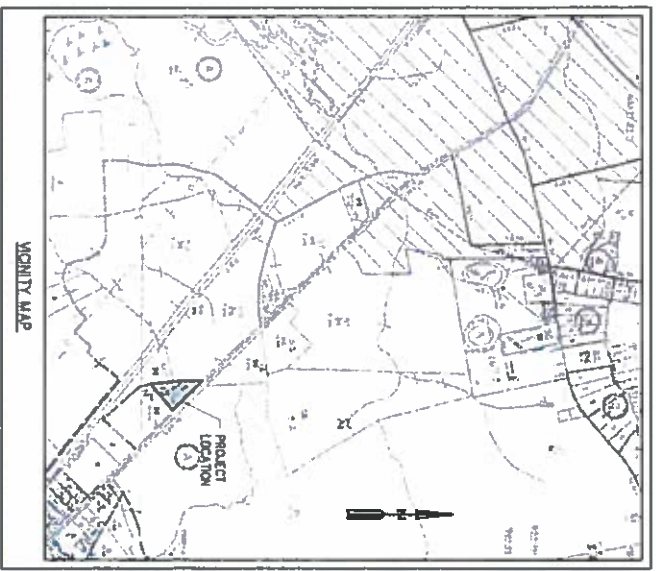
- 6) Do you have letters from other localities stating that your operation has not had any violations?
No, we are not aware of localities giving this type of statement. That said, my client is not aware of any issues with any of the localities in which its facilities are located and you are welcome reach out to those localities for verification.
- 7) What is the state proposed capital investment (Bldgs, trucks, etc..)
\$500,000 for the facilities shown on the conceptual site plan.
- 8) What are the number of jobs to be created or retained?
The applicant currently employs 8-10 people out of its current Wakefield location. This number has grown and the applicant projects that it will continue to grow as applicant expands its business.

If you could answer these questions, it would help us out greatly. Thank you very much. Have a great day.

The information contained in this electronic message is legally privileged and confidential under applicable law, and is intended only for the use of the individual or entity named above. If you are not the intended recipient of this message, you are hereby notified that any use, distribution, copying or disclosure of this communication is strictly prohibited. If you have received this communication in error, please notify Kaufman & Canoles at (757) 624-3000 or by return e-mail to helpdesk@kaufcan.com, and purge the communication immediately without making any copy or distribution.

SUMMARY OF SITE PLAN SETBACKS

SETBACK DISTANCE	FROM	TO
1,521 feet	Fuel Tanks	11436 Fredenburg Road (Davis Property)
1,649 feet	Propane Tanks	11436 Fredenburg Road (Davis Property)
552 feet	Propane Tanks	Railroad
705 feet	Fuel Tanks	Railroad
183 feet	Propane Tanks	11470 Stringfield Lane
231 feet	Propane Tanks	11481 Stringfield Lane
324 feet	Fuel Tanks	11470 Stringfield Lane
406 feet	Fuel Tanks	11481 Stringfiled Lane



DATE	DESCRIPTION	BY

PRELIMINARY
NOT FOR CONSTRUCTION

AES
CONSULTING ENGINEERS

1000 West Tower Road, Suite 1
Chapel Hill, NC 27514
Phone: (919) 276-1000
Fax: (919) 276-8998
www.aes.com

Name: [] Title: [] Mobile: []

CONCEPTUAL PLAN
SUFFOLK ENERGIES
PROPOSED FUEL STORAGE FACILITY

DATE: 11/20/14
SCALE: AS SHOWN

1 of 1

DISTANCES TO ADJACENT FEATURES

Andre Greene

To: Trant, Timothy O. II
Subject: RE: Questions!

From: Trant, Timothy O. II [mailto:totrant@kaufcan.com]
Sent: Wednesday, February 22, 2017 11:15 AM
To: Lorenzo Turner <lturner@sussexcountyva.gov>
Cc: Lambert, Rebecca A. <ralambert@kaufcan.com>; Andre Greene <amgreene@sussexcountyva.gov>; Christiaan Pond (cpond@suffolkenergies.com) <cpond@suffolkenergies.com>; Marston, Arch <arch.marston@aesva.com>; Bristow, Jordan <jordan.bristow@aesva.com> (jordan.bristow@aesva.com) <jordan.bristow@aesva.com>
Subject: RE: Questions!

Mr. Turner,

RE: Conditional Use Permit Application # 2017-01

I hope this finds you well. In follow-up to the Planning Commission Meeting and in response to the questions you have asked, please see the below responses in **red** and the referenced attachments.

Answers to Building Official questions:

1. Location – **11604 General Mahone Hwy**
2. Size of the tanks – **See below Question #2**
3. Types of vehicles that will be used – **Pick Up Trucks & Class B (33,000 GVW Max) Straight Trucks.**

Responses to the questions in your February 13 email are below in **red**.

Please let me know if you need anything further from us.

We would like to meet with you, Mr. Greene, and the Building Official sometime later this week or next week to go over this information and to prepare for the next Planning Commission meeting. Please let me know some days and times when you all are available for such a meeting.

Thanks!

-Tim

Timothy O. Trant II
Kaufman & Canoles, P.C.
11815 Fountain Way, Suite 400
Newport News, VA 23606

4801 Courthouse Street, Suite 300
Williamsburg, VA 23188

O (757) 259.3823
M (757) 880.0767
totrant@kaufcan.com
www.kauf**CAN**.com

From: Lorenzo Turner [<mailto:lturner@sussexcountyva.gov>]

Sent: Monday, February 13, 2017 12:49 PM

To: Trant, Timothy O. II

Cc: Lambert, Rebecca A.; Andre Greene

Subject: Questions!

Good morning Timothy:

My supervisor and I Mr. Greene wanted to write you to see if you and the engineer could try to get some of the questions answered from the meeting for the Commission and the residents so that we can get your project moving:

- 1) Do you have aerial photograph showing the location of storage tanks with distances from all residences(Stringfield Lane & Fredenburg Road.) Also, show distance to railroad? **See attached Distance Exhibit.**
- 2) Please state the number and size (gallons) of all tanks to be located on the site.

2 – 30,000 Gallon Propane Tanks.
2 – 15,000 Gallon Diesel Tanks
1 – 10,000 Gallon Kerosene Tank
1 – 10,000 Gallon Gasoline Tank
2 – 6,000 Gallon Gasoline Tanks

See the attached Conceptual Site Plan for the proposed location of these tanks.

- 3) Do you have pictures of your current operations in other localities?

See attached photographs

Attachments: Trucks – picture from the rear of the applicant’s Suffolk facility showing its above-ground tanks.

tanks. Southampton – picture of one of the applicant’s Southampton County 30,000 gallon

Suffolk 1 – Front of applicant’s Suffolk Fuel Bulk Plant

Suffolk 2 – Rear of applicant’s Suffolk Fuel Bulk Plant

Suffolk LP 1 – applicant’s 2 – 30,000 Gl. Propane tanks in Suffolk

- 4) Explain the approval process after receiving local zoning approval (DEQ requirements and Building Code Regulations).

Site plan approval will be subject to review and approval by Sussex County. Plant construction code compliance is subject to review and approval by the local building code official per NFPA 58 and NFPA 30. DEQ monitors and enforces ongoing controls, prevention, and tank permitting.

- 5) What is the Design Construction or design safety requirements for the tanks (Do you have any)?

Propane plant design and build requirements are set by NFPA 58 (National Fire Protection Association) - The industry benchmark for safe LP-Gas storage, handling, transportation, and use, NFPA 58 mitigates risks and ensures safe installations. This document encompass design, construction, installation, and operation of LP-Gas systems including piping, equipment, containers, venting, and highway transportation of LP-Gas.

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\$500,000 for the facilities shown on the conceptual site plan.
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If you could answer these questions, it would help us out greatly. Thank you very much. Have a great day.

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GRIFFIN
OIL & PROPANE

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GRIFFIN
OIL & PROPANE

757-539-4761

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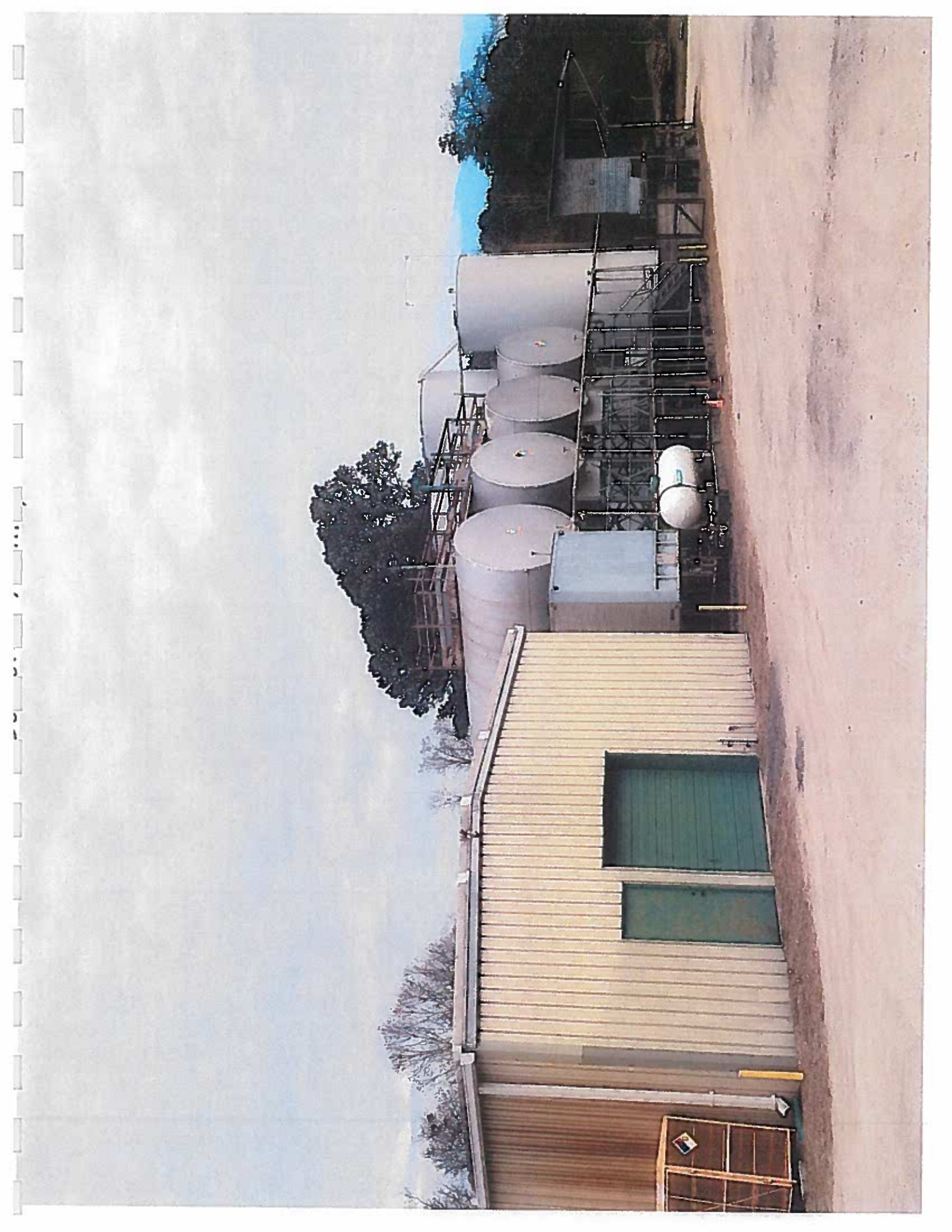
GRIFFIN
OIL & PROPANE

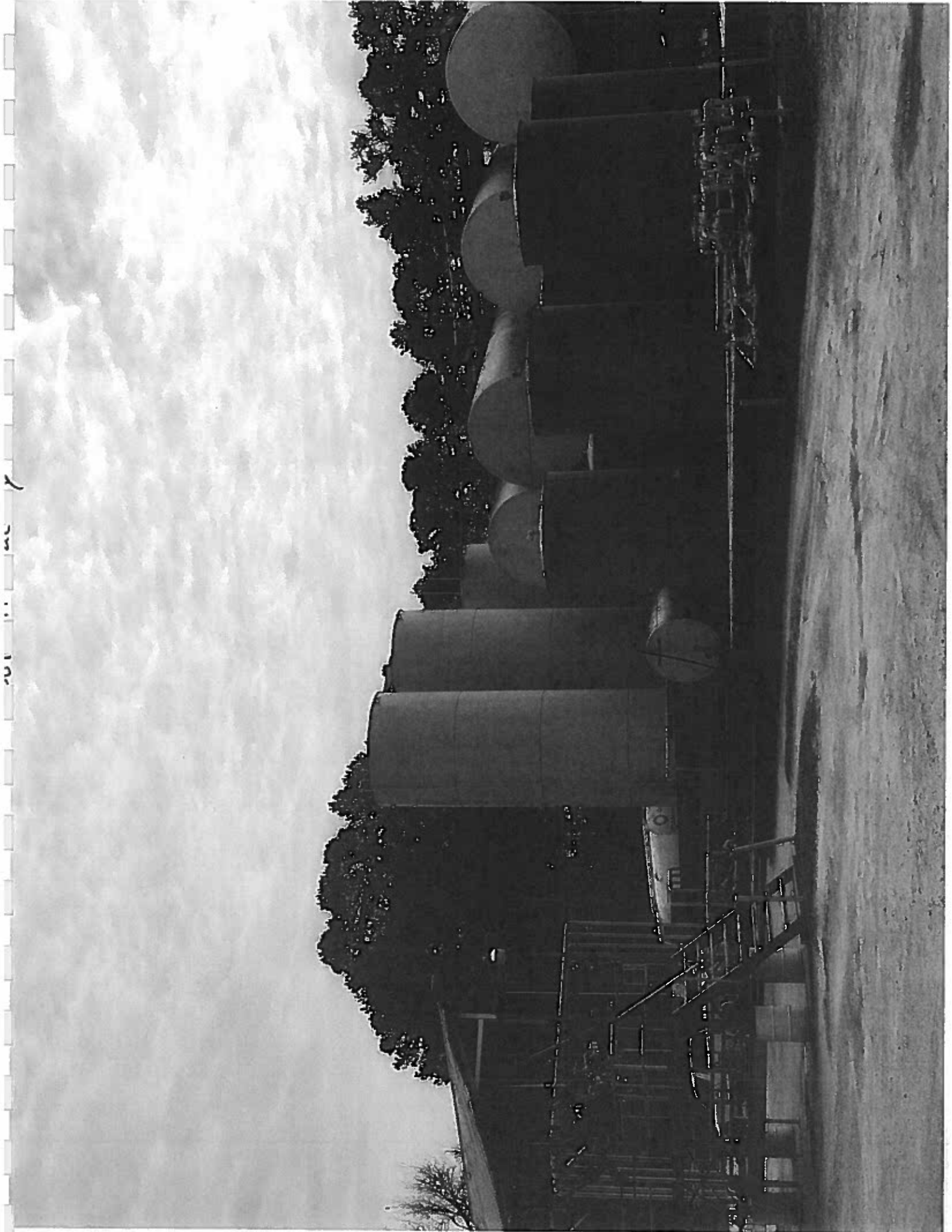
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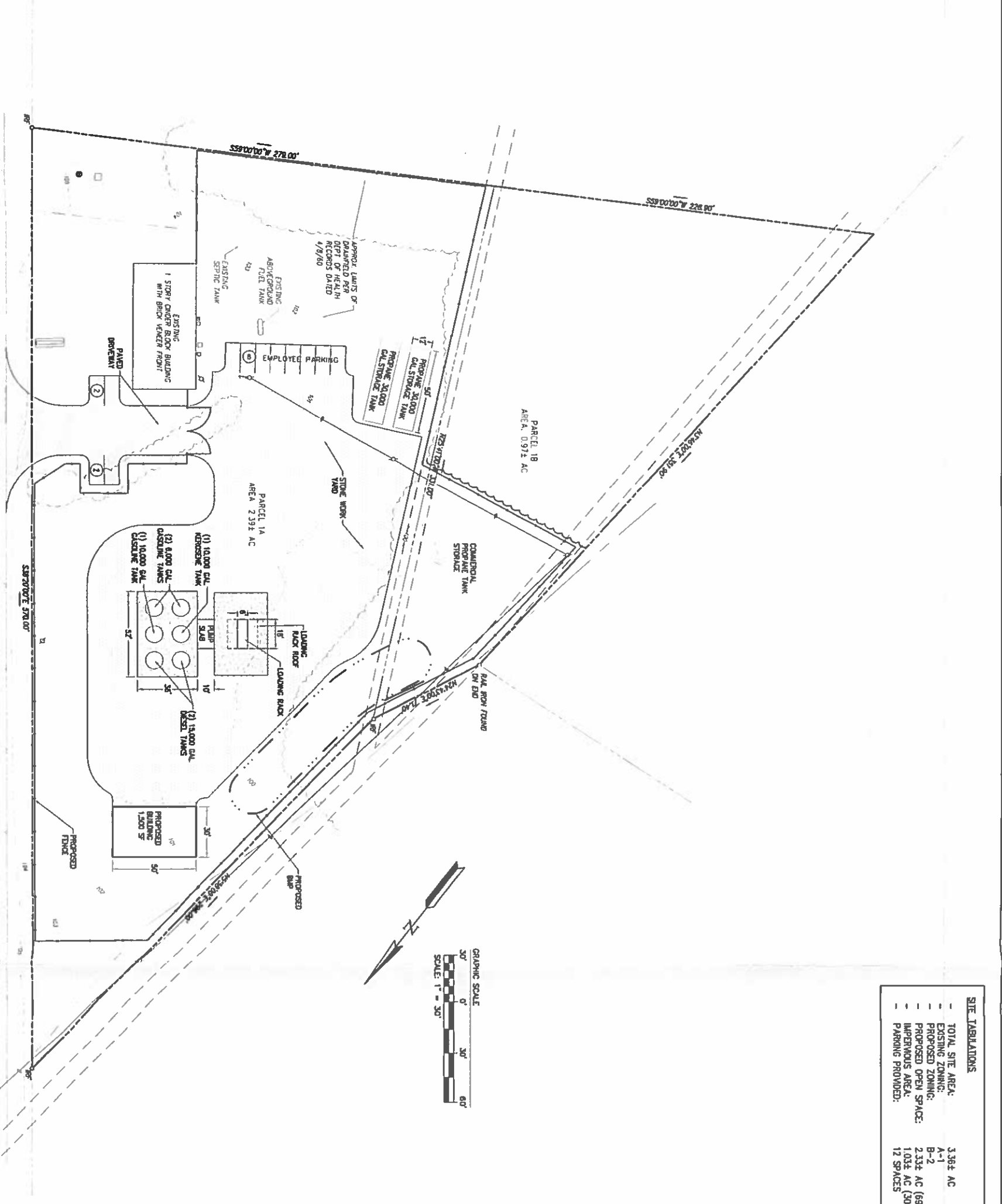
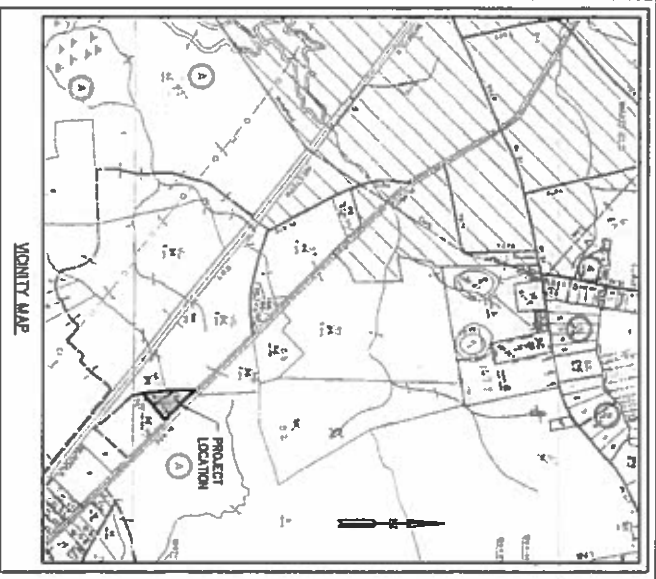
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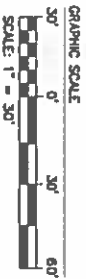






SITE TABULATIONS

TOTAL SITE AREA:	3.362 AC
EXISTING ZONING:	A-1
PROPOSED ZONING:	B-2
PROPOSED OPEN SPACE:	2.331 AC (69.4%)
IMPERVIOUS AREA:	1.031 AC (30.6%)
PARKING PROVIDED:	12 SPACES



Rev	Date	Description	Auth	Revised By
1	V1/V17	REVISION PER VDOT COMMENTS		

PRELIMINARY
NOT APPROVED BY ENGINEERING

AES
CONSULTING ENGINEERS

4248 Old Towne Road, Suite 1
Whitcomb, Virginia 23186
Phone: (757) 225-5000
Fax: (757) 220-8884
www.aesva.com

Hampton Roads | Central Virginia | Middle Peninsula

CONCEPTUAL PLAN
SUFFOLK ENERGIES
PROPOSED FUEL STORAGE FACILITY

WATERFORD DISTRICT SUSSEX COUNTY VIRGINIA

Project Name: **CONCEPTUAL LAYOUT**

Scale: 1"=30'

Sheet No: 1 of 1



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION
1700 North Main Street
SUFFOLK, VIRGINIA 23434

Charles A. Kilpatrick, P.E.
Commissioner

January 17, 2017

Lorenzo Turner
Assistant Director of Community Development
Sussex County
P. O. Box 1397
Sussex, VA 23884

RE: WCW Properties, LLC Bulk Fuel Facility
11604 General Mahone Highway
Wakefield, VA 23888
Sussex County

The Residency has completed its review of the submitted Conditional Use Permit application dated 12/29/16 and received by the VDOT Land Development Office on 1/11/17 for the WCW Properties, LLC Bulk Fuel Facility. We submit the following comments:

- 1) Trip generation for the proposed use along with both right and left turn lane warrants should be submitted.
- 2) The entrance location as proposed will require the granting of an Access Management Exception in accordance with Appendix F of the VDOT Road Design Manual. At the design speed of the site location the required spacing between full service commercial entrances is 750 ft. The site as proposed has approximately 400 ft. of spacing between it and the next commercial entrance.
- 3) In accordance with Appendix F, the proposed parking area containing 3 spaces must be relocated so that it provides a minimum 50' throat prior to having parking that can interfere with entrance movements.
- 4) A full service commercial entrance in accordance with Figure 4-9 of Appendix F will be required.

A Land Use Permit will be required for the installation of the entrance. Information about Land Use Permitting as well as the required forms can be found on the VDOT website at:

<http://www.virginiadot.org/business/bu-landUsePermits.asp>.

If you have any questions, please contact me at (757) 346-3068 or Joshua.Norris@vdot.virginia.gov.

Sincerely,



Joshua R. Norris
Land Use Engineer
Virginia Department of Transportation
Franklin Residency



5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone (757) 253-0040
Fax (757) 220-8994
aesva.com

January 31, 2017

Mr. Lorenzo Turner
Assistant Director of Community Development
Sussex County
P.O. Box 1397
Sussex, Virginia 23884

**RE: WCW Properties, LLC Bulk Fuel Facility
11064 General Mahone Highway
Wakefield, Virginia 23888
AES Project No. W10471-00**

Dear Mr. Turner:

This letter serves as correspondence responding to comments and remarks provided in Staff reviews of the site plan and supporting documents for the above-referenced project. This letter provides both the comments as stated to us and responses to those comments in bold print.

Department of Transportation Review Comments:
January 17, 2017

1. Trip generation for the proposed use along with both right and left turn lane warrants should be submitted.
Response: Per our discussion with Mr. Josh Norris of VDOT we have determined that there is not a good comparison in the ITE trip generation for this bulk fuel storage facility. Mr. Norris and I agreed that our assumption of 40 trips a day and a peak hour of 12 is a reasonable maximum day for the purposes of determining left and right turn lane warrants. Neither warrant was met and therefore turn lanes are not required for this proposed use. Please see attached documentation.

2. The entrance location as proposed will require the granting of an Access Management Exception in accordance with Appendix F of the VDOT Road Design Manual. At the design speed of the site location the required spacing between full service commercial entrances is 750 ft. The site as proposed has approximately 400 ft. of spacing between it and the next commercial entrance.
Response: There are existing entrances on both adjacent properties which limit where access can be obtained for this property. The entrance as shown is approximately equidistant between the two existing entrances which provide a minimum of 400' of separation distance. An Access Management Exception request is attached for your information.

3. In accordance with Appendix F, the proposed parking area containing 3 spaces must be relocated so that it provides a minimum 50' throat prior to having parking that can interfere with entrance movements.
Response: We have revised the plan to eliminate one parking space on the left as you enter the site and added two spaces on the right to provide a minimum 50' entrance throat from the edge of pavement of Route 460 to the first parking space.
4. A full service commercial entrance in accordance with Figure 4-9 of Appendix F will be required.
Response: We are aware that a standard commercial entrance will be required. We will provide details of a standard commercial entrance at the plan of development stage.
5. A Land Use Permit will be required for the installation of the entrance. Information about Land Use Permitting as well as the required forms can be found on the VDOT website at: <http://www.Virginiadot.org/business/bu-landUsePermits.asp>
Response: Duly noted. We are aware that a Land Use Permit will be required for this project prior to land disturbance.

I appreciate the time spent in the review and guidance for this project. If you have any questions in reference to this project please do not hesitate to contact me at my office at 757-253-0040.

Sincerely,

AES Consulting Engineers



G. Archer Marston, III, P.E.
President/ Senior Principal
arch.marston@aesva.com

Attachments: Turn Lane Warrant Analysis
Figure 3-3
Figure 3-27
ADT Chart
AM-E Request
Aerial Exhibit

GAM:lbb



5248 Olde Towne Road, Suite 1
Williamsburg, Virginia 23188
Phone (757) 253-0040
Fax (757) 220-8994
aesva.com

Suffolk Energies Turn Lane Warrant Analysis January 31, 2017

Route 460 at Wakefield
AAWDT = 9800

peak hour opposing traffic: $9800 \times .079 \times .506 = 392$ VPH

Use ADT = 40 Trips
Peak Hour = 12 Trips

Assumes 50/50 split

6 left turns + 6 right turns

Left Turn Warrant – See Figure 3-3 RDM Appendix “F”

6 = left turning volume V_L
392 = opposing volume V_O

No Left Turn Lane Required

Right Turn Warrant – See Figure 3-27 RDM Appendix “F”

6 = right turns per hour
392 = approach vehicles per hour

No turn lane or taper required

Warrants for Left Turn Storage Lanes on Four-Lane Highways

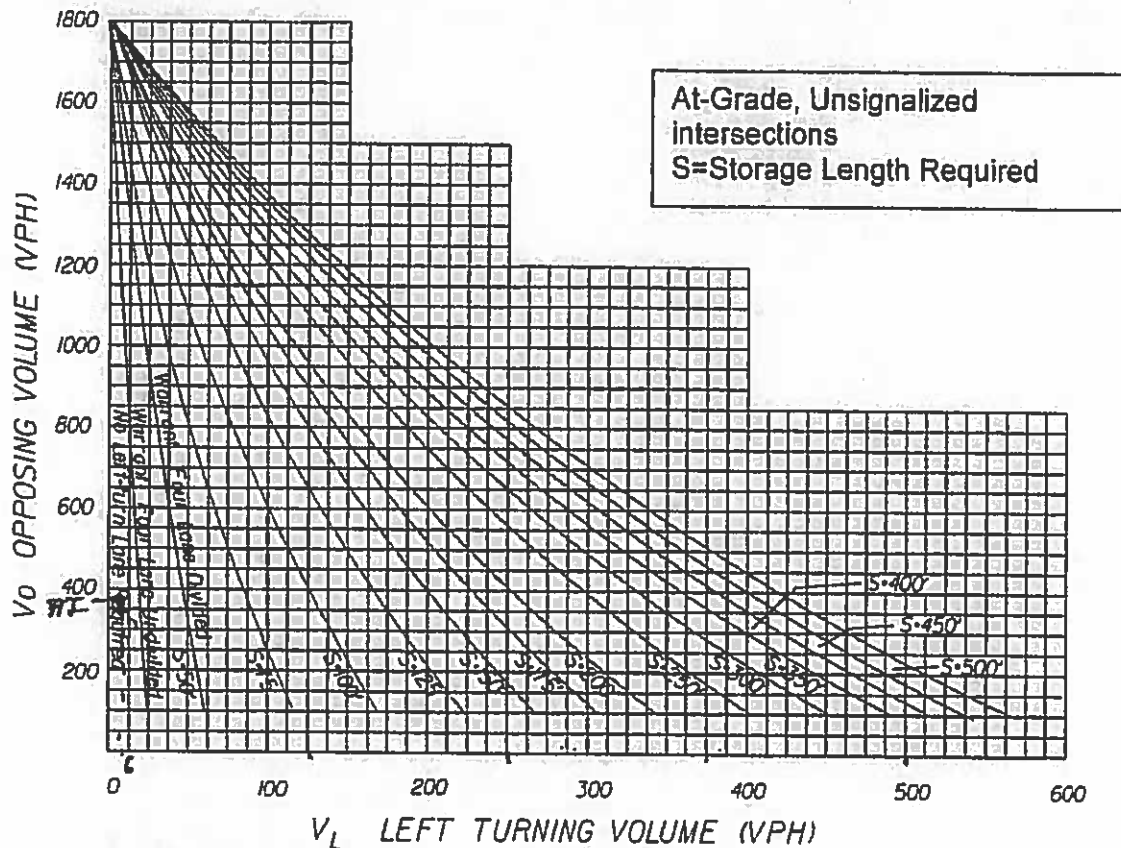


FIGURE 3-3 WARRANTS FOR LEFT TURN STORAGE LANES ON FOUR-LANE HIGHWAYS

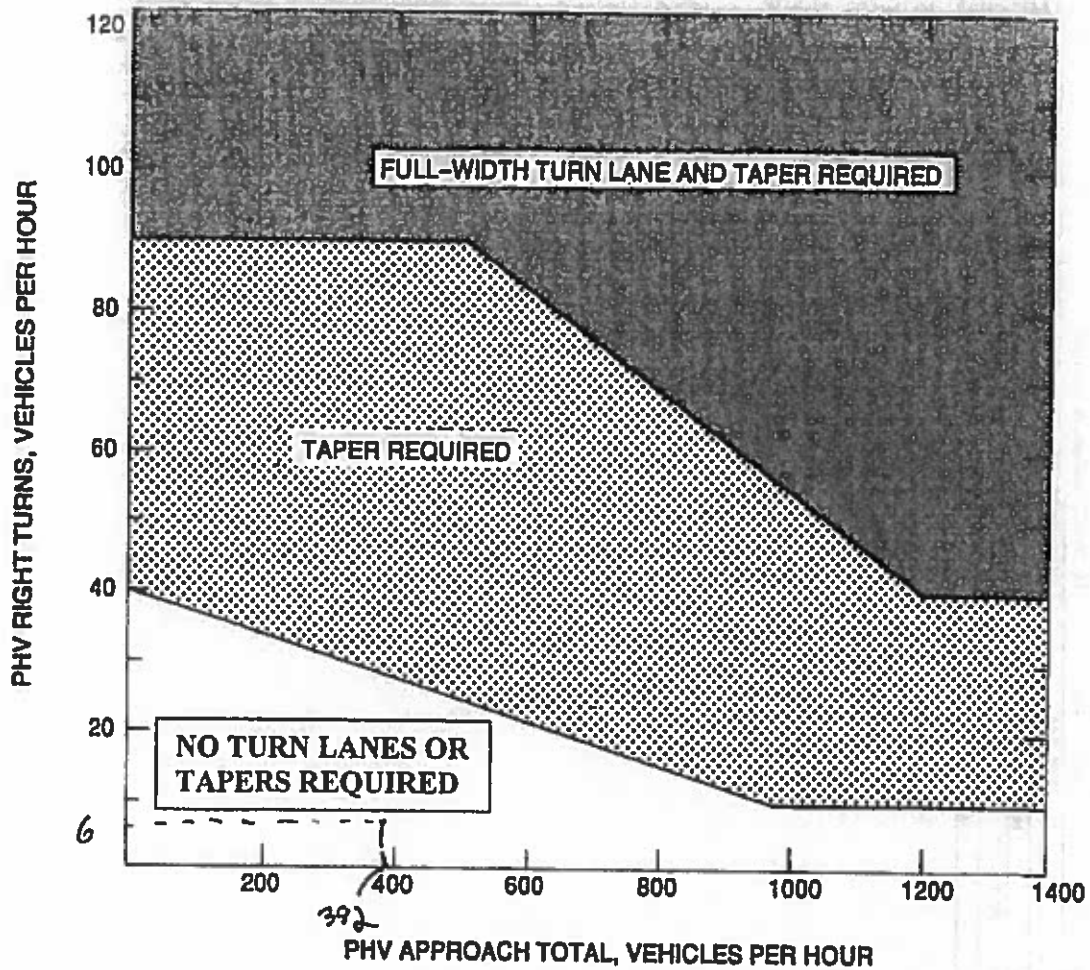
Figure 3-3 was derived from *Highway Research Report No. 211*.

Opposing volume and left turning volume in vehicles per hour (VPH) are used for left turn storage lane warrants on four-lane highways.

For plan detail requirements when curb and/or gutter are used, see VDOT's *Road Design Manual*, Section 2E-3 on the VDOT web site:

<http://www.virginia-dot.org/business/locdes/rdmanual-index.asp>.

Left-turn lanes shall also be established on two-lane highways where traffic volumes are high enough to warrant them.



Appropriate Radius required at all Intersections and Entrances (Commercial or Private).

LEGEND

PHV- - Peak Hour Volume (also Design Hourly Volume equivalent)

Adjustment for Right Turns

If PHV is not known use formula: $PHV = ADT \times K \times D$

K = the percent of AADT occurring in the peak hour
 D = the percent of traffic in the peak direction of flow

Note: An average of 11% for K x D will suffice.

When right turn facilities are warranted, see Figure 3-1 for design criteria.

FIGURE 3-27 WARRANTS FOR RIGHT TURN TREATMENT (4-LANE HIGHWAY)

ACCESS MANAGEMENT EXCEPTION REQUEST: AM-E
ACCESS MANAGEMENT REGULATIONS 24 VAC 30-73
SECTION 120

Submitted by: G. Archer Marston, III, P.E. (AES Consulting Engineers)		Date: January 31, 2017
Email Address: arch.marston@aesva.com		Phone: 757-253-0040
Address: 5248 Olde Towne Road Suite 1 Williamsburg, Virginia 23188		
Project Name: Suffolk Energies	Rte # 460	Locality: Wakefield
Description of Project: This project consists of a Bulk Fuel Storage Facility, located on Route 460 approximately 1.25 miles east of the intersection with Route 31. Due to the nature of the business, traffic generation is very low, approximately 40 vpd and 12 vph peak (please see the attached site plan).		
VDOT District: Suffolk District, Franklin Residency	Area Land Use Engineer: Mr. Joshua R. Norris	

- NOTES:**
- (1). Submit this form and any attachments to one of the District's Area Land Use Engineers.
 - (2). See Section 120 of the Regulations for details on the requirements, exceptions, and exception request review process.
 - (3). Attach additional information as necessary to justify the exception request(s).
 - (4). If a traffic engineering study is required, the decision on the request will be based on VDOT engineering judgment.
 - (5). Use the LD-440 Design Exception or the LD-448 Design Waiver forms for *design and engineering standards*, e.g. radius, grade, sight distance. See [IIM-LD-227](#) on VDOT web site for additional instructions.

Select the Exception(s) Being Requested

Exception to the shared commercial entrance requirement. (Access M. Regulations Section 120 C.2)

Reason for exception:

A. An agreement to share the entrance could not be reached with adjoining property owner.

Attached: Written evidence that adjoining property owner will not share the entrance.

B. Physical constraints: topography, adjacent hazardous land use, stream, wetland, other.

Specify constraint: _____

Attached: Documentation of constraint such as aerial photo or topographic map.

Exception to the vehicular connection to adjoining undeveloped property requirement. (Section 120 C.4)

Reason for exception:

A. Physical constraints: topography, adjacent hazardous land use, stream, wetland, other.

Specify constraint: _____

Attached: Documentation of constraint such as aerial photo or topographic map.

B. Other reason: _____

Exception to the commercial entrance shall not be located within the functional area of an intersection requirement. (See Regulation Section 120 C. 1; Appendix F, Rd Design Manual)

Attached: A traffic engineering study documenting that the operation of the intersection and public safety will not be adversely impacted.

EXCEPTION TO THE SPACING STANDARDS FOR:

- Commercial entrances; intersections/median crossovers (Table 2-2);
- Commercial entrances/intersections near interchange ramps (Tables 2-3, 2-4); or
- Corner clearance (Figure 4-4). Appendix F, Road Design Manual

Information on the Exception Request

ON A STATE HIGHWAY

Functional classification: Principal Arterial: Minor Arterial: Collector: Local:

Posted speed limit: 55 mph

NEAR AN INTERCHANGE RAMP (Submittal of a traffic engineering study required)

CORNER CLEARANCE (Submittal of a traffic engineering study required)

Type of intersection/entrance: Signalized Unsignalized Full Access Partial Access

Required spacing distance 750 ft

Proposed spacing distance 400 ft

Requested exception: Reduction in required spacing 350 ft

REASON FOR EXCEPTION:

A. To be located on an older, established business corridor along a highway where existing spacing did not meet the standards prior to 7/1/08 or 10/14/09. (Regulation Section 120 C.3.c)

Attached: Dated aerial photo of corridor identifying proposed entrance/intersection location.

B. Not enough property frontage to meet spacing standard, but the applicant does not want a partial access right-in/right-out entrance. (Section 120 C.3.f)

Attached: A traffic engineering study documenting that left turn movements at the entrance will not have a negative impact on highway operation or safety.

C. To be located within a new urbanism mixed use type development. (Section 120 C.3.d)

Attached: The design of the development and compliance with intersection sight distance.

D. The proposed entrance meets the signal warrants but does not meet the signalized intersection spacing standard. The applicant requests an exception to the spacing standard.

Attached: A traffic engineering study that (i) evaluates the location's suitability for a roundabout and (ii) provides documentation that the proposed signal will not impact safety and traffic flow. (Section 120 C.5)

- E. The development's 2nd (or additional) entrance does not meet the spacing standards but is necessary for the streets to be accepted into the secondary system. (Section 120 C.3.e)
 - Attached: Information on the development that identifies the location of entrances.

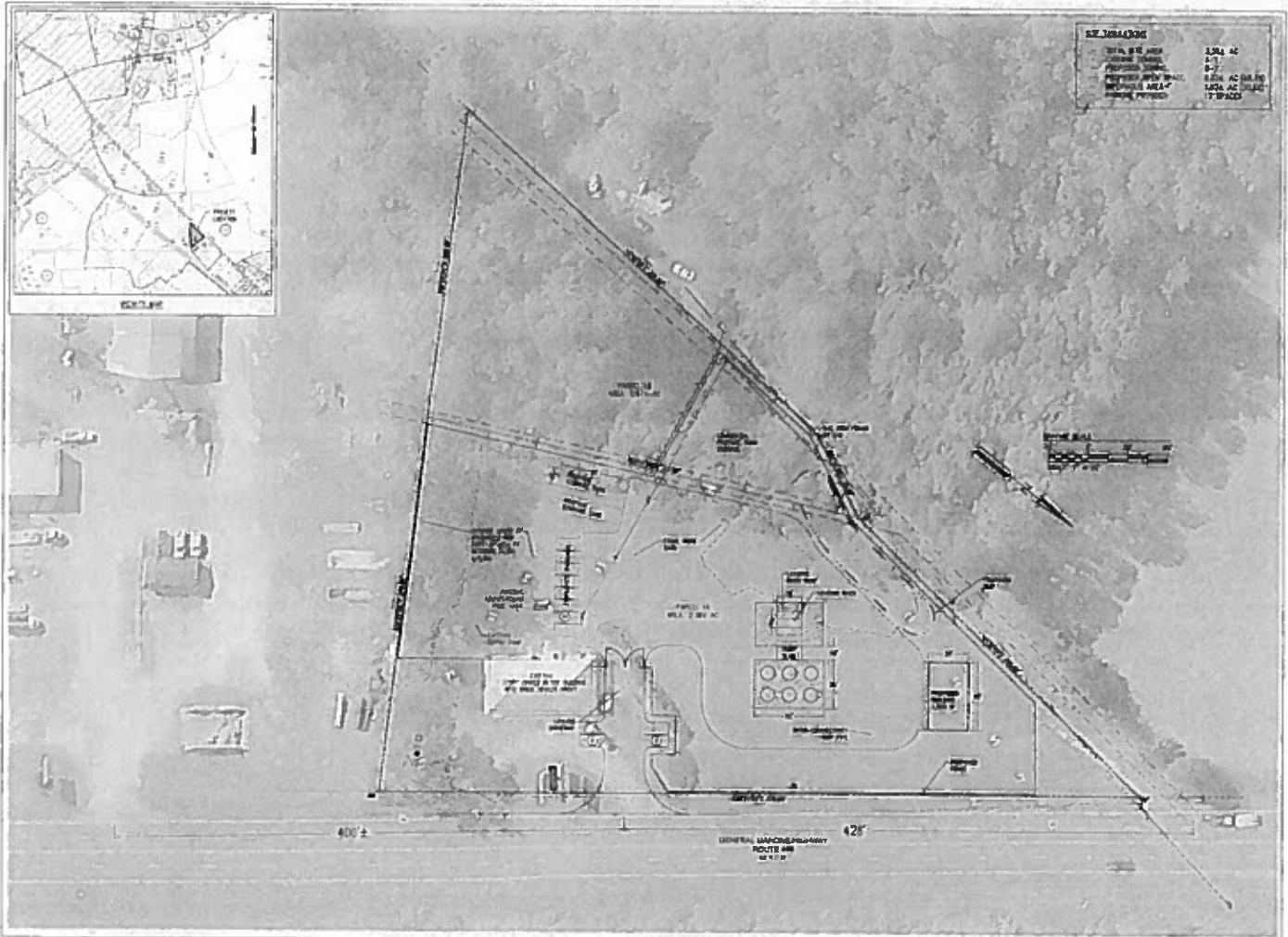
- F. To be located within the limits of a VDOT and locality approved access management corridor plan.
 - Attached: Aerial photo of corridor identifying proposed entrance/intersection location. (Sect 120 C.3.b)

FOR VDOT USE ONLY

Recommendation on Exception Request: Approve <input type="checkbox"/> Deny <input type="checkbox"/> Date: _____		
Area Land Use Engineer or: _____		Name _____
Remarks:		

Exception Request Action: Approved <input type="checkbox"/> Denied <input type="checkbox"/> Date: _____	
District Administrator or Designee: _____	
Name (and position if Designee) _____	
Remarks:	

District Staff: Please email copy to Bradley.Shelton@VDOT.Virginia.gov



ST. JAMES

TOTAL SITE AREA	1,281 AC
PARKING	8-1
PROPOSED LOTS	8-2
PROPOSED OPEN SPACE	8-3
PROPOSED AREA	8-4
PROPOSED TRAILS	8-5

PRELIMINARY



CONCEPTUAL PLAN
 DEVELOPER: [Name]
 PREPARED BY: [Name]

DATE	
SCALE	
PROJECT NO.	
DATE	

March 1, 2017

The Honorable John A. Stringfield, Supervisor
Wakefield District
Sussex County Board of Supervisors
10391 Higgins Street
Wakefield, VA 23888

Dear Mr. Stringfield:

My name is Felix Davis, Jr. and I am a member of Gilfield Baptist Church (Ivor, VA) and former resident of your district.

I am contacting you to express my opposition to Ordinance Amendment #2017-01, Rezoning Application #2017-01, and Conditional Use Permit Application #2017-01. My concerns are as follows:

- There is a risk of soil and water contamination where petroleum products such as gasoline, diesel, and fuel oil are stored, sold, and distributed. This is of particular concern given the reliance on our well for drinking water.
- The risk of fires and explosions are a concern anywhere gases such as propane and natural gas are housed. A single lightning strike could cause a fire/explosion risk.
- It is safe to assume that locating a facility of this type will require increased truck (or rail) transportation of petroleum and gas products along U. S. Route 460. Given the frequency of accidents -- and that this highway is not divided -- I am wary of added congestion and the serious potential for tanker truck accidents and spills.
- In contacting our neighboring counties, I've found that most of them do not allow for facilities of this type.

The home in which I grew up (and is still owned by my family) is located at 11436 Fredenburg Road, immediately adjacent to the property seeking to open this petroleum and gas facility. An operation of this type is in stark contrast to my family's way of life and agricultural roots -- we grew up working the land and made a better life for ourselves because of this land. Further, I fear that negative environmental impacts, which may be known or unknown, will be detrimental to my property, my family, and my community for generations to come.

For these reasons, I ask that you oppose bringing a petroleum and gas bulk storage, sales, and distribution facility to Sussex County. I would appreciate the opportunity to discuss this issue with you further and please don't hesitate to contact me with questions or concerns. Thank you for the work you have done to improve our community thus far and thank you for your support.

Sincerely,



Felix Davis, Jr.
15513 Chesdin Landing Place
Chesterfield, Virginia 23838
(804) 590-2364
felix_davis03@hotmail.com



Kemp & Sons of Portland
Fabrics
Sewing, Cloth, Shoes
and more than 100 other goods
177 NORTH 4TH

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