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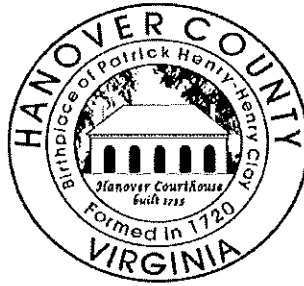
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## HANOVER COUNTY

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## PLANNING DEPARTMENT

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P. O. BOX 470  
HANOVER, VIRGINIA 23069  
PHONE 804-365-6171

August 2, 2023

VIA E-mail: [scourtney@resourceintl.com](mailto:scourtney@resourceintl.com)  
Scott Courtney, P.E.  
9560 Kings Charter Dr.  
Ashland, VA 23005

RE: REZ2023-00024 and SE2023-00019, Westhaven Properties L.L.C., et al.

Dear Mr. Courtney,

Planning staff has conducted a review of your application materials. Attached, you will find comments from other reviewing agencies. Your request has *tentatively* been placed on the Planning Commission's agenda for November 16, 2023. Please respond to the comments below **no later than October 20, 2023**, which is the submittal deadline for the November meeting. If the comments are not addressed by the date noted above, staff cannot assure that your request will be placed on this agenda.

1. Please review the attached agency comments for both the rezoning and Special Exception and provide written responses to all comments. Please address all comments that will require changes to the layout of the conceptual plan and sketch plan because during site plan review, the layout will be required to be in substantial conformity with both.
2. The Department of Public Works notes that the pond must meet Hanover County pond requirements. Please also show or explain how detention will be handled for these sites.
3. The Department of Public Utilities will require a Utility Master plan prior to site plan approval.
4. Please consult with the Fire Marshall's office for fire hydrant requirements.
5. Prior to submitting revised submittals, a meeting between the applicant and staff needs to occur. Please contact me to set up this meeting.
6. If you have not already done so, please contact the Cold Harbor District Planning Commissioner, Fredric McGhee, Jr., (804) 641-3908, and Board of Supervisors member, Michael Herzberg (804) 304-8062, to explain your rezoning request and ask whether they have any specific questions or concerns regarding your request. Offer to meet with them to show them your plans for the site. Please also ask whether they want you to hold a community meeting. If so, please coordinate the date and time of this meeting with County staff and your district representatives so we are available to attend. **Please note that applicants that schedule community meetings without coordinating with the**

**staff may be required to reschedule the meeting, which may cause the application process to be delayed.**

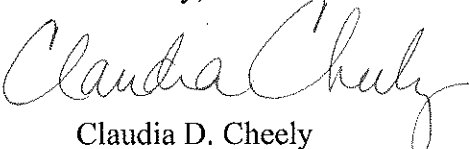
7. Rezoning - Conceptual plan:

- Are the Cecil parcels included in the rezoning request or is just a portion of GPIN 8725-60-0751 included? If so, the word “part” should follow that GPIN when mentioned on the plan and in the application. If not, differentiate the access and label it as a cross access easement with GPIN 8725-60-0751. It appears the porkchop feature at that access point is being added; please provide documentation that the owner of that parcel agrees to allow you to change the design of this entrance.
- Will the one-story cinderblock building near the cemetery be removed or will it remain? If it will remain, please describe what will be done with that building to improve its appearance and describe its future uses.
- Sheet RZ-4 should be replaced by two sheets – one for phases 1 and 2 of the proposed B-2 area, and a second one for Phase 3 for the RS area.
- The RS sheet must clearly delineate or provide notes for all required features discussed in §§26-61 and 26-67. The required common open space must be directly accessible to most lots within the residential development, but it must also be outside the RPA area since it has to be suitable for active or passive recreation. The common open space required is 0.4 acres; please show where the required open space is on the plan by differentiating it from the lots with color or hatching so staff can determine that it meets the RS requirements. The RPA area will also be common open space, but it is added to the areas provided to meet the required open space.
- The conceptual plan is also required in §26-67 to show the linear feet of road frontage and the street trees provided for that length of road frontage, streetlights, and pedestrian paths from the lots throughout the open space that also connect to the rest of the development. Paths will be required in the 25’ thoroughfare buffer along the Route 360 frontage so staff recommends that a connection be made between the residential area and the paths in the buffer.
- What is the rectangle shaped feature north of the pond?
- A landscaping plan is needed for both the commercial and residential areas. Include the thoroughfare buffer and its required plantings and pedestrian paths to the property lines.
- A cross section of the proposed sidewalks and trails must be provided showing the dimensions and materials.
- The plans for the cemetery appear to show it remaining in place. Please provide a sidewalk to an entrance to the cemetery and describe how it will be protected. If a fence, please depict the type of fencing to be used.
- Label the buildings so they correspond with the elevations. Label all materials and colors. For the building to be expanded, are those solar panels on the roof?
- Pedestrian trails provided for the RS District must be paved with asphalt or concrete, but the location of some of the trails shown on the plan is in an RPA area where they will likely not be permitted per Chesapeake Bay RPA buffer regulations.

Scott Courtney, PE  
August 2, 2023  
Page Three

If you have any questions, please contact me at (804) 365-6310.

Sincerely,

A handwritten signature in cursive script that reads "Claudia Cheely". The signature is written in black ink and is positioned above the printed name.

Claudia D. Cheely  
Senior Planner, II

/cdc



# HANOVER COUNTY

## Office of the Fire Marshal



Office (804) 365-6195  
Fax (804) 537-5488

13326 Hanover Courthouse Road  
P.O. Box 470 Hanover, VA 23069

[fmo@hanovercounty.gov](mailto:fmo@hanovercounty.gov)  
Dispatch (804) 365-6140

### PLANS REVIEW

<b>JURISDICTION:</b>	<b>Hanover</b>
<b>FMO FILE #</b>	<b>REZ2023-00024</b>
<b>TO:</b>	<b>Claudia Cheely</b>
<b>FROM:</b>	<b>Doug Atkins, Plan Examiner Office 804-365-4858 Email: <a href="mailto:jdatkins@hanovercounty.gov">jdatkins@hanovercounty.gov</a></b>
<b>SUBJECT:</b>	<b>Westhaven Properties LLC</b>
<b>DATE:</b>	<b>7-19-2023</b>
<b>TYPE OF REVIEW</b>	<b>REZ 1<sup>st</sup> Review</b>
<b>COMMENTS:</b>	<ol style="list-style-type: none"> <li>1. The applicant should be aware of the requirements of the Hanover Fire Marshal's office. The requirements of the Hanover Fire Marshal's Office can be found online at <a href="https://www.hanovercounty.gov/1082/Plans-Review">https://www.hanovercounty.gov/1082/Plans-Review</a></li> <li>2. Apparatus access roads with hydrants or buildings greater than 30 feet in height shall be 26 feet wide. The measurement is from the edge of the pavement to the edge of the pavement. Hanover Fire Marshal's Office will not accept the measurement from the curb and gutter as part of the apparatus access road.</li> <li>3. All turnarounds shall meet the requirements of the 2018 Virginia Statewide Fire Prevention Code Appendix D.</li> </ol>
<b>TrackIt:</b>	<b>7-19-2023</b>

**7/21/2023 4:47:10 PM (Code Compliance - Jason Hazelwood)**

(b) Nonconforming structures in commercial districts. Any development within a business (B) or industrial (M) zoning district conforming with the provisions of this ordinance regulating uses may be expanded, and the structures on site expanded or structurally altered, without compliance with provisions of this ordinance pertaining to development standards, provided that:

1. All areas of expansion shall comply with the development standards in effect at the time of expansion;
2. Cumulative expansion of buildings within a business (B) district after January 24, 2001, shall not exceed one hundred (100) percent of the floor area without the site being brought into full compliance; and
3. All requirements of state and federal laws and regulations are met.

(c) Reconstruction of nonconforming structures.

1. Where damage to structure is equal to fifty (50) percent or more of fair market value. If a nonconforming structure has been demolished or damaged by any cause whatsoever to the extent of fifty (50) percent or more of the fair market value of the structure, exclusive of foundations, immediately prior to damage, the structure may not be repaired, reconstructed or restored except in conformity with the regulations of this ordinance. Any repair, reconstruction, restoration or demolition work required by this subsection shall be substantially completed within twelve (12) months of the date of such damage.

**7/11/2023 10:52:17 AM (Health Department - David B Bauer)**

No comments.

**7/21/2023 11:07:07 AM (Development Review - Thomas Incorvaia)**

- Elevations should provide materials, colors and textures. (keynotes are hard to read)
- There should be increased sidewalk/trail connection. The northern trail that spans all the phases should connect to the southern trail. sidewalks should be extended from phase 3 down the drive to provide pedestrian access to the existing building on GPIN 8725-50-9665.
- Are solar panels proposed for the roofs?
- Provide calculation for the gross and net lot area.
- Driveways for townhouses should have dimensions shown to ensure that they meet the parking standards 9' x 18'.

## REZONING

### Department of Public Works Comments

**CASE NAME: Westhaven Properties LLC**

**TRACKIT PROJECT #: REZ2023-00024**

**PLEASE MARK THE APPROPRIATE BOX BELOW:**

No Comment

Comments Below

DATE: 07/13/2023

REVIEWED BY: MJD

No comments on rezoning

Comments for site development:

- 1) Additional development subject to runoff reduction and channel protection.
- 2) If development of 5 acres or more and 10 lbs or more of nutrient reduction, a 75% reduction in nutrient loading must be achieved on-site.
- 3) Must show that the development is less than 1% of area or flow at discharge point to the natural channel, or must meet energy balance on-site.
- 4) Must obtain appropriate permits from US Army Corps/DEQ for any work on the lake.
- 5) No FEMA floodplain onsite now or in proposed update 2021.
- 6) A portion of the pond onsite is within the dam breach zone for Pebble Creek Pond Dam Safety Permit #08532. Inundation zone mapping must be shown on plans.
- 7) Per Hanover Ordinances (Sect 10-40), redevelopment shall be permitted in the RPA only if there is no increase in the amount of impervious cover and no further encroachment within the RPA, and shall conform to all applicable federal, state and county erosion and sediment control and stormwater management laws and regulations. Restoration of the buffer may be required in some areas per CBPA buffer mitigation manual. Any encroachment including new parking, buildings or associated grading and erosion controls will not be allowed.
- 8) Paths in the RPA (section 10-45d) shown on drawing may require grading at the locations where the paths are currently shown. Pulling paths back from the edge of the water will provide a path, but minimal grading would be required. Grading should be minimum necessary to meet the intended purpose.
- 9) Pond must be shown to meet Hanover County Drainage Design Handbook requirements. Dam safety regulations may, but likely don't apply. Please check applicability.
- 10) Detention will be required to show no impact to downstream pond at Cherrydale.

**ZONING STAFF MEETING**

**Department of Public Utilities Comments**

**CASE NAME: Westhaven Properties, LLC, et al**

**PROJECT #: REZ2023-00024**

**PLEASE MARK THE APPROPRIATE BOX BELOW:**

No Comment:

Comments Below:

DATE: 7/14/2023

REVIEWED BY: T. Watkins

The Hanover County Department of Public Utilities (DPU) has reviewed the above referenced rezoning request and has the following comments:

1. All water and sanitary sewer extensions will need to be completed in accordance with DPU requirements.
2. After the zoning process, but prior to initiating site design or construction drawings, the developer should meet with the Fire Marshal's office to discuss the proposed layout and determine the location of the fire hydrants and then meet with DPU to discuss the layout of the waterlines that will supply the hydrants.
3. A Utility Master Plan will be required for this development. The Utility Master Plan shall be accepted prior to the approval of any site plan or construction plan associated with this development.

Please feel free to contact me if you have any questions or concerns.



# HANOVER COUNTY

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### PLANS REVIEW

<b>JURISDICTION:</b>	<b>Hanover</b>
<b>FMO FILE #</b>	<b>SE2023-00019</b>
<b>TO:</b>	<b>Claudia Cheely</b>
<b>FROM:</b>	<b>Doug Atkins, Plan Examiner Office 804-365-4858 Email: <a href="mailto:jdatkins@hanovercounty.gov">jdatkins@hanovercounty.gov</a></b>
<b>SUBJECT:</b>	<b>Westhaven Properties</b>
<b>DATE:</b>	<b>7-19-2023</b>
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**7/11/2023 10:52:17 AM (Health Department - David B Bauer)**

No comments.

**7/21/2023 11:10:27 AM (Development Review - Thomas Incorvaia)**

See comments on rezoning

**ZONING STAFF MEETING**

**Department of Public Utilities Comments**

**CASE NAME: Westhaven Properties, LLC**

**PROJECT #: SE2023-00019**

**PLEASE MARK THE APPROPRIATE BOX BELOW:**

No Comment:

Comments Below:

DATE: 7/14/2023

REVIEWED BY: T. Watkins

The Hanover County Department of Public Utilities (DPU) has reviewed the above referenced request for special exception and has the following comments:

1. A private RPZ will be required on the domestic water service for each townhome unit over 3-story high.

Please feel free to contact me if you have any questions or concerns.

## **Community Meeting Guidelines**

It is often recommended that applicants who file a zoning application for rezonings, Conditional Use Permits, or Special Exceptions arrange a community meeting with surrounding property owners. These meetings are particularly necessary for complex rezoning applications or cases with significant community interest.

### **What is the purpose of a community meeting?**

A community meeting allows the applicant the opportunity to present their case to the community and obtain feedback from citizens who may have questions, concerns, or comments about the proposal.

### **When should the meeting be scheduled?**

The applicant is responsible for scheduling the meeting, which shall include a date, time, and location. The Planning Staff recommends that applicants schedule the meeting after all agencies have conducted their initial review of the application and at least one month prior to the date the application is scheduled to be heard by the Planning Commission or Board. This timeframe should allow the applicant time to make any necessary changes to the application following the meeting and still meet applicable plan revision deadlines. The Planning Commission rules require that the meeting be scheduled prior to the advertisement date, which is 21 days prior to the meeting.

### **Who should be contacted to arrange for the meeting time?**

The applicant should coordinate with their Planning Commissioner, Board of Supervisors representative, and Planning Staff to arrange the meeting time and location. Please note that applicants that schedule meetings without coordinating with the staff may be required to reschedule the meeting, which may cause the application review process to be delayed.

### **Where and at what time of day should the meeting be held?**

The applicant is responsible for finding a location to hold the meeting. Potential locations often include churches, fire stations, and libraries.

The meeting should be held in the evening, Monday through Thursday, beginning around 6:00 pm. Meetings typically last from one to two hours, depending on the complexity of the case. Applicants should provide a sign-in sheet (prepared by staff) and an agenda for the meeting, setting aside time for a presentation and a review of the plan by the applicant, staff comments, and a question and answer period. A sample agenda is attached.

### **Who should be notified about the meeting?**

The applicant should start by sending written notices to adjacent property owners as well as property owners adjacent to those owners. The applicant should work with staff to determine if it is appropriate to notify all of the residents within the subdivision (if the property is within a subdivision). It may also be necessary to notify representatives of nearby communities, such as the president of a homeowners association. It is helpful to include a copy of the proposed sketch plan or conceptual plan with the notice. This will allow citizens who may not be able to attend the meeting the opportunity to educate themselves about the nature of the project. Property owner information may be obtained from the County's website. (Contact staff for assistance in using this website.) The applicant should give adjacent property owners two weeks' notice of the meeting to allow them time to make arrangements to attend the meeting.

**Sample  
Community Meeting Agenda  
Date/Location  
Hanover County Rezoning Case Number  
Applicant: XXXX  
Project name: XXXX**

1. Introductory Comments
2. Zoning Proposal - Applicant
  - a. Project Introduction
  - b. Project Description
  - c. Project Design Concepts
  - d. Project Impact Mitigation Measures
3. Review Process – Staff
4. Question and Answer – Applicant/Staff as appropriate
5. Closing Comments

During the meeting, the applicant should have a large copy of the plan/elevations that is visible for all meeting attendees or provide individual copies of the plan for everyone attending the meeting.

Once the meeting is complete, the applicant shall provide County staff with a copy of the sign-in sheet(s).