

Planning Commission Meeting  
January 9, 2014  
Verbatim Excerpt

SE 2013-MV-011 – KIMBERLY B. AND KELLY P. CAMPBELL

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; Mr. Flanagan.

Commissioner Flanagan: Well I am – have been greatly pleased with the participation of the Commissioners this evening.

Chairman Murphy: That makes one of you.

Commissioner Flanagan: And I would point that once again we have here the dilemma of whether – whose engineer do we trust? Or whose attorney do we trust in other applications? So I'm inclined to go along with the staff decision on this – recommendation on this – primarily because this is going to the Board of Supervisors for a decision anyway. And this puts the staff into a negative position if we don't support the staff in this – their recommendation. It means that they have to then – if we approve this, it means that the – they have to prove that they were right and the Planning Commission was wrong so I am reluctant to do that. So Mr. Chairman, I have a motion. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS DENIAL OF SE 2013-MV-011.

Commissioner Lawrence: Second.

Chairman Murphy: Seconded by Mr. Lawrence. Is there a discussion? Mr. Sargeant.

Commissioner Sargeant: Yes, Mr. Chairman. If we approve this in its current form, it includes the development condition that they oppose.

Commissioner Flanagan: And it will if we deny.

Commissioner Hall: No.

Commissioner Flanagan: No, it still goes to the Board.

Commissioner de la Fe: It still goes to the Board.

Commissioner Flanagan: It still goes to the Board.

Commissioner de la Fe: If the Board decides –

Commissioner Flanagan: And if the Commission is still there for the Board – if the Board wants to approve with that stipulation that you're just stating, they can do that.

Chairman Murphy: Mr. Hickman, do you want us to approve this with the Development Condition Number 6?

Jason Hickman, Esquire, Compton & Duling, LC: No, I don't.

Chairman Murphy: Okay, that answers that. Okay.

Mr. Hickman: I would ask that you approve it with the exception of that.

Chairman Murphy: That's what I thought. Okay. I wish you had said that right from the start. We would have been – okay. Further discussion of the motion?

Commissioner Sargeant: Mr. Chairman, I think I'm going to abstain because I think a deferral might have been helpful here, even just for further discussion.

Chairman Murphy: Okay. Further discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it deny SE 2013-MV-011, say aye.

Commissioners: Aye.

Commissioner Hall: Abstain.

Chairman Murphy: Opposed? Motion carries. Mr. Sargeant, Ms. Hall, and the Chair abstain.

Commissioner Hedetniemi: I am too.

Chairman Murphy: And Ms. Hedetniemi.

Chairman Murphy: Is there any other stuff? Okay, just a – yes, there's more stuff. Mr. Flanagan.

Commissioner Flanagan: No, I just wanted to comment upon the action.

Chairman Murphy: Go ahead.

Commissioner Flanagan: I would like to compliment staff, you know, for the good work that they did on this application and I would like to recommend that since the Supervisors have no date at the present time that the applicant and the staff, you know, take advantage of that time between this hearing and theirs to further study how they might resolve the dilemma that has been disclosed by the Commission this evening. Thank you.

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(The motion carried by a vote of 8-0-4. Commissioners Hall, Hedetniemi, Murphy, and Sargeant abstained.)

JLC