
Planning Commission Meeting Minutes

July 5, 2016

VIRGINIA: AT A REGULAR MEETING OF THE PLANNING COMMISSION HELD IN THE POWHATAN VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, JULY 5, 2016 AT 7:00 PM

Planning Commissioners Present: Karin Carmack, District 1, Chairman
Owen Walker, District 2
Bill Cox, District 4
David Van Gelder, District 5, Vice-Chairman

Planning Commissioners Absent: Jennifer Giovannitti, District 3

Staff Members Present: March Altman, Deputy County Administrator
Ed Howland, Planning & Zoning Manager
David Dameron, Zoning Administrator
Tom Lacheney, County Attorney

Staff Members Absent: None

A. CALL TO ORDER:

Ms. Carmack called the meeting to order at 7:02 PM.

B. INVOCATION:

Mr. Van Gelder gave the invocation.

C. MINUTES:

1. June 7, 2016 Meeting Minutes

Ms. Carmack opened the discussion of the previous meeting's minutes.

Ms. Carmack motioned for approval of minutes from the June 7, 2016 meeting.

Ms. Carmack, Mr. Walker, Mr. Cox, Mr. Van Gelder voted AYE

VOTE 4-0

MOTION Passed

D. ADMINISTRATIVE ITEMS:

1. Monthly Activity Report - June 2015-2016

Mr. Altman updated the Planning Commission on continued receipt of residential permits with the receipt of only one commercial site plan in Flatrock.

2. Request for Deferral/Amend the Agenda

Mr. Altman stated there are no requested amendments to the meeting agenda.

Ms. Carmack asked if there were any questions of Mr. Altman at this time. There were no questions or comments in reference to the Administrative Items.

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E. PUBLIC COMMENT PERIOD

Chairman Carmack opened the public comment period.

Seeing, as there were no speakers, the public comment period was closed by Ms. Carmack.

F. PRESENTATIONS:

There were no presentations.

G. PUBLIC HEARINGS

1. **16-01-CUP: Virginia Solar LLC (Powhatan Courthouse/Mt. Zion Electoral District)** requests a conditional use permit (CUP) to operate a solar energy farm in the A-10, Agricultural District per §83-162(26) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Residential on the Countywide Land Use Plan Map. The subject property is 898.4 acres in size and is located west of Old Buckingham Road (Rt. 13) south of its intersection with Old Plantation Road (Rt. 644). Reference to Tax Map Parcels #38-28 and #38-3-1.

Mr. Dameron provided a brief overview of the case and stated that the staff recommends the adoption of the list of conditions should the Planning Commission recommend to the Board of Supervisors approval the CUP. Mr. Dameron indicated that Mr. Mears had a brief presentation of the project.

Mr. Mears advised the Planning Commission that the project owner agrees to mitigate visual impact via larger buffers, with native trees and vegetation remaining. Furthermore, Virginia Solar LLC agrees to the same noise restrictions as the first Solar project with a construction plan set to minimize traffic concerns. All construction employee parking will be on site. Construction will begin in March, with the main construction period being next summer. Upon project completion, it will not be seen, heard, smelt, or affect public safety in any way. The County will not be burdened with any additional responsibilities or cost for the project and will receive some economic benefit via taxes.

Ms. Carmack opened the public hearing period.

Ms. Susan Shepherdson requested to see a map up close, in order to visualize the project's location in relation to her property. Mr. Mears provided Ms. Shepherdson with a map.

Seeing, as there were no more speakers, the public hearing period was closed by Ms. Carmack.

Ms. Carmack opened the Planning Commission discussion.

Mr. Cox asked for clarification of the project being wholesale. Mr. Mears confirmed that power would be sold in the wholesale market. Mr. Cox stated that the Planning Commission noticed this point in the staff report so it is something that should probably be corrected before the project goes before the Board of Supervisors.

Mr. Cox questioned why the construction traffic increased dramatically from the Solar 1 project. Mr. Mears responded that he allowed more time for the build, accounting for the change in the trip numbers.

Mr. Van Gelder questioned how deep the piles would be. Mr. Mears stated that the average depth is 5.5 feet and the process for each pile, based on recent testing, took approximately 21 seconds each.

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Based on public necessity, convenience, general welfare and good zoning practice, Mr. Cox moved for the Planning Commission to recommend approval of 16-01-CUP: Virginia Solar LLC to the Board of Supervisors.

Ms. Carmack, Mr. Cox, Mr. Van Gelder, and Mr. Walker voted AYE.

VOTE 4-0
MOTION Passed

- 2. 16-02-CUP: Blanton and Debora Gordon (Smiths Crossroads/Pineville/Tobaccoville Electoral District)** request an amendment to 15-06-CUP to operate a conference center in the Agricultural-10 (A-10) District per §83.162(34) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Preservation on the Countywide Land Use Plan Map. The property is located at 1660 Ballsville Road and is approximately 2.65 acres in size. Reference Tax Map Parcel #35-17B.

Mr. Dameron provided a brief overview of the case, stating that the application is a request to amend the current restriction, imposed by the Health Department recommendation, of not more than sixty (60) events per year serving no more than 25 persons per year. The applicant asks that the CUP be issued in the name of Fairview Farm Holdings, LLC to enable family to participate. The Health Department would not support a change of condition under condition number 14 until the completion of well and septic upgrades. Staff has not received no comments from citizens. Staff recommends that the Planning Commission defer the request at this time until the well and septic issues are addressed.

Ms. Carmack asked if the applicant wished to make a statement to which he declined.

Ms. Carmack opened the public hearing period.

Seeing, as there were no speakers, the public hearing period was closed by Ms. Carmack.

Mr. Van Gelder questioned the applicant about the status of the water system. Mr. Gordon verified it would be a public well system, adding that the State is running far behind therefore he is expecting at least a two-month minimum wait before approval of the design by the State. Mr. Van Gelder questioned who would operate the system in terms of testing requirements. Mr. Gordon responded that he has not yet seen the system operating requirements from the State. Mr. Van Gelder advised Mr. Gordon to speak to the engineer in an effort to become informed on the system operation and requirements.

Mr. Cox questioned Mr. Dameron concerning the name change. He asked for a future discussion for clarity concerning the transferring of a CUP to others.

Ms. Carmack asked Mr. Altman if it might be more beneficial if the applicant asked for the deferral instead of the Planning Commission since he would be more aware of the period involved with the Health Department approvals.

Ms. Carmack questioned Mr. Gordon if he would like to request the deferral. Mr. Gordon asked the Planning Commission to recommend approval of the CUP based on the condition the State approves the system design. Planning Commission members stated they would not be comfortable approving the request without completion of the water and septic systems.

Mr. Lacheney stated the deferral should have a date when it will be reheard.

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Based on public necessity, convenience, general welfare and good zoning practice, Mr. Van Gelder moved for the Planning Commission to recommend, at the applicant's request, deferral of 16-02-CUP: Blanton and Debora Gordon until the September Planning Commission meeting.

Ms. Carmack, Mr. Cox, Mr. Van Gelder, and Mr. Walker voted AYE.

**VOTE 4-0
MOTION Passed**

3. **16-03-CUP: Blanton and Debora Gordon (Smiths Crossroads/Pineville/Tobaccoville Electoral District)** requests a conditional use permit (CUP) to operate a country inn in the Agricultural District per §83.162(49) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Preservation on the Countywide Land Use Plan Map. The property is located at 1659 Ballsville Road and is approximately 3.46 acres in size. Reference Tax Map Parcel #35-17A.

Mr. Dameron provided a brief overview of the case requesting a CUP for a Country Inn on the subject property, and also referenced the country inn already operating on another property owned by Mr. Gordon and his wife. Mr. Dameron reported that reviewing agencies had no outstanding concerns with the request. Staff had no outstanding concerns but obviously, with the name change to Fairview Holdings LLC, it now is open for discussion. Staff has not received formal comments concerning the request. Notwithstanding the issue of the Fairview Farms Holdings LLC, staff recommends the adoption of list of conditions, should the Planning Commission recommend to the Board of Supervisors approval of the request.

Ms. Carmack asked if the applicant wished to make a statement to which he declined.

Ms. Carmack opened the public hearing period.

Seeing, as there were no speakers, the public hearing period was closed by Ms. Carmack.

Ms. Carmack questioned if the inn would fall under the water and septic system previously discussed. Mr. Gordon assured the Planning Commission the inn would have its own private well and septic system as required for a single-family dwelling.

Mr. Van Gelder pointed out that the Country Inn designation allows for a lot more, including a restaurant. Mr. Gordon assured the Planning Commission their plans did not include a restaurant.

Mr. Altman informed the Commission that if there is a concern with the definition of Country Inn being able to include a restaurant, conditions could be included in the approval to limit the use to that of an inn without a restaurant.

Based on public necessity, convenience, general welfare and good zoning practice, Mr. Van Gelder moved for the Planning Commission to recommend approval of 16-03-CUP, with the added conditions discussed, to the Board of Supervisors.

Ms. Carmack, Mr. Cox, Mr. Van Gelder, and Mr. Walker voted AYE.

**VOTE 4-0
MOTION Passed**

H. Other Business

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1.

Ms. Carmack adjourned regular meeting and requested a recess at 7:38 PM.

Ms. Carmack reconvened the regular meeting and opened the workshop meeting at 7:50 PM.

I. WORKSHOP MEETING

1. Zoning Ordinance Amendment Discussion

Mr. Altman presented a copy of the draft zoning ordinance amendment allowing heavy vehicle and equipment repair and servicing as a conditional use in the Agricultural-10 (A-10) District stating that the use was allowed as a conditional use prior to the ordinance rewrite.

The Commission briefly discussed the proposed amendment.

Mr. Cox stated that, given the proposed amendment would add the use as a conditional use he was comfortable with the proposed amendment.

The Commission concurred and directed Mr. Altman to place the amendment on the August meeting agenda.

2. Comprehensive Land Use Plan Update Discussion

The Planning Commission continued its discussion of the Future Land Use Map. The Commission's discussion included, but was not limited to the following topics:

- The draft Rt. 60 East Corridor Study Land Use Analysis by Timmons Group; and
- The size and ownership of parcels within the Rt. 60 Corridor East Village Growth Area.

Mr. Cox suggested that to assist in the discussion a map of the Rt. 60 Corridor East Village Area showing all parcels 50 acres and greater should be prepared for the next workshop.

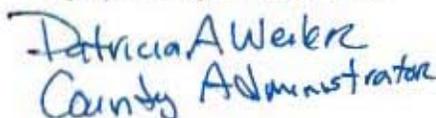
After some discussion of the parameters (minimum size of the lots) of the map, Ms. Carmack requested staff to prepare the map showing parcels 50 acres and greater in the Rt. 60 Corridor East Village Area.

J. ADJOURNMENT

There being no further business, Ms. Carmack adjourned the meeting at 8:30 PM.


Karin Carmack, Chairman
Chairman


John M. Altman, Jr.
Deputy County Administrator


Patricia A. Weber
County Administrator