



AMHERST COUNTY PLANNING COMMISSION MEETING



MINUTES

August 17, 2023

Administrative Office Complex
153 Washington Street
Public Meeting Room
Meeting Convened - 7:00 PM

1. Call to Order

MEMBERS PRESENT: Derin Foor (Chair), Beverly Jones (Vice Chair), Michael Martineau, Michael Bryant, Catherine Gamble, Jim Thompson, David Pugh (Board Liaison Non-Voting Member) & Andrew Proctor (EDA Non-Voting Member).

STAFF PRESENT: Tyler Creasy (Director of Community Development Director) & Stacey Stinnett (Administrative Assistant)

Chair Foor called the meeting to order at 7:00 pm.

2. Approval of Agenda

Planning Commission Recommendation:

Motion to approve the agenda.

Motion made by: Jones

Second: Gamble

Motion carried by a 6-0 vote.

3. Pledge of Allegiance & Invocation

Gamble led in prayer and then led the Pledge of Allegiance.

4. Citizens Comments

There were none.

5. Closed Session

Planning Commission Recommendation:

Motion to move to close session pursuant to Section 2.2-3700(A)(8) of the Code of Virginia to obtain legal advice from counsel related to the procedural requirements necessary to consider a special use permit and substantial compliance with the comprehensive plan.

Motion made by: Foor

Second: Thompson

Motion carried by a 6-0 vote.

The Planning Commission went into closed session at 7:02 pm.

- A. A closed session pursuant to Section 2.2-3711(A)(8) of the Code of Virginia to obtain legal advice from counsel related to the procedural requirements necessary to consider a special use permit and substantial compliance with the comprehensive plan.

6. Certification of Closed Session

Planning Commission Recommendation:

Motion that the Planning Commission certify by a recorded vote that, to the best of each Board members knowledge, only public business matters lawfully exempted from the open meeting requirements of the Virginia Freedom of Information Act and identified in the motion authorizing the closed session were heard, discussed, or considered in the closed session.

Motion made by: Foor

Second: Thompson

Motion carried by a 6-0 vote.

The Planning Commission came out of closed session at 7:30 pm

7. Public Hearing

- A. 2023-359 Ronnie Wright (Special Exception)

Request by Ronnie Wright for a special exception in the R2 General Residential District. The purpose of the special exception is to allow a manufactured home (single-wide) on the property. The property is located at 200 Boxwood Circle and is further identified as tax map number 124-A-77.

Mr. Creasy presented the staff report and gave staff's recommended conditions.

1. Drainfield: Prior to issuance of a zoning permit, approval from the Virginia Department of Health will be required to determine that the drainfield will be adequate for the dwelling.
2. Vegetation: The existing vegetation between the proposed single-wide and Sprouse Drive shall be left in place.

3. Abandonment: In the event that the manufactured home is abandoned for a period of more than twenty-four (24) months, the manufactured home and related items shall be removed from the property.

Randy Whiten, spoke in favor of the request.

No one spoke in opposition to the request. Therefore, Chairman Foor closed the public hearing.

Planning Commission Recommendation:

Motion to approve special exception request 2023-359 for Ronnie Wright with staff conditions.

Motion made by: Thompson

Second: Martineau

Motion carried by a 6-0 vote

B. 2023-326 Shana West (Special Exception)

Request by Shana West for a special exception request in the R-2, General Residential District. The purpose of the special exception is to allow a family day home that will serve up to twelve (12) children. The property is located at 250 Crescent Lane and is further identified as tax map number 138B-A-9.

Mr. Creasy presented the staff report and gave staff's recommended conditions.

1. Maximum Number of Children: The applicant shall provide care for a maximum of twelve (12) children under the age of thirteen (13), exclusive of the provider's own children and any children who reside in the home.
2. Well & Septic System: The applicant shall consult with the Virginia Department of Health to ensure that the existing well and septic system is adequate to handle the increased capacity, prior to the issuance of a zoning permit.
3. Building Safety and Inspections: The applicant shall comply with all regulations applicable to the Virginia Statewide Building Code, prior to the issuance of a zoning permit.
4. Transportation: The applicant shall contact the Virginia Department of Transportation to determine if the entrances are safe and adequate at this location prior to the issuance of a zoning permit.
5. Licensing: Applicant shall comply with all other licensing requirements as required by any other local, State or Federal law.

Chairman Foor opened the public hearing.

Shana West, the applicant, spoke in favor of the request.

There being no further speakers, Chairman Foor closed the public hearing.

Planning Commission Recommendation:

Motion to approve special exception request 2023-326 for Shana West with staff conditions.

Motion made by: Bryant

Second: Jones

Motion carried by a 6-0 vote

C. 2023-364 Zachary & Aubrey Saelens (Special Exception)

Request by Zachary and Aubrey Saelens for a special exception in the A-1, Agricultural Residential District. The purpose of the special exception is to allow a short-term tourist rental of a dwelling. The property is located at 233 Athlone Lane and is further identified as tax map number 41-3-2.

Mr. Creasy presented the staff report and gave staff's recommended conditions.

1. Lighting: All outdoor lighting will be glare-shielded and directed so as to prevent illumination across the property line.
2. Sewerage Facilities: The applicant shall follow all regulations prescribed by the Virginia Department of Health.
3. Parking: Guest shall be required to park on the property and not park on neighboring lots or on any right-of-way outside of their property unless they have written permission.
4. Transportation: The applicant shall work with the Virginia Department of Transportation for an entrance permit, if applicable.
5. Public Safety: The owner shall meet all requirements set forth by the Director of Public Safety as it has to do with access to the property.
6. Short Term Tourist Rental: The applicant shall meet all requirements of Section 916 which regulates short-term tourist rental of dwellings.

Chairman Foor opened the public hearing.

Zack Saelens, the applicant, spoke in favor of the request.

Freeman Miller spoke in favor of the request.

There being no further speakers, Chairman Foor closed the public hearing.

Planning Commission Recommendation:

Motion to approve special exception request 2023-364 for Zachary & Aubrey Saelens with staff conditions.

Motion made by: Martinueau

Second: Thompson

Motion carried by a 6-0 vote

D. 2023-369 Piney River Solar LLC (Special Exception)

Request by Piney River Solar, LLC for a special exception request in the A-1, Agricultural Residential District for a solar energy system, utility-scale. The parcel has frontage on Patrick Henry Highway and is located at 2508 Patrick Henry Highway, and is further identified as tax map number 40-A-64.

This request also requires a review for compliance with the Comprehensive Plan, in accordance with Virginia Code Sec. 15.2-2232, for a proposed solar facility, on Tax Map Parcel 40-A-64, zoned A-1, Agricultural Residential District.

Mr. Creasy presented the staff report and provided Planning Commission with recommendations for Virginia State Code Section 15.2-2232 and for the special exception review.

Shawn Hershberger, the applicant, gave a brief PowerPoint presentation and answered the Planning Commission's questions and addressed their concerns.

Chairman Foor opened the public hearing.

Shawn Hershberger, applicant, spoke in favor of the request.

Mike Dedrick spoke in favor of the request.

Wayne Massie spoke in favor of the request.

Gerri Dokos spoke in opposition to the request.

Penny Hose spoke in favor of the request.

Freeman Miller spoke in favor to the request.

There being no further speakers, Chairman Foor closed the public hearing.

Planning Commission Recommendation:

Motion to table 2023-369 for Piney River Solar LLC to the next Planning Commission Meeting (will not be a public hearing) so that the Planning Commission members can visit Geri Dokos and adjoining properties to see if the solar panels will be seen from these areas.

Motion made by: Martineau

Second: Thompson

Motion carried by a 6-0 vote

8. Route 29 Business Beautification Committee Charter Change

A. Charter

Mr. Creasy stated that the Route 29 Business Beautification Committee was being amended to include ten (10) voting members.

Planning Commission Recommendation:

Motion to approve the amended change.

Motion made by: Jones

Second: Foor

Motion carried by a 6-0 vote.

9. Solar Workshop Update

Mr. Creasy stated that staff would be meeting with the County Attorney regarding the solar workshop and that staff would have more information to provide at the next meeting.

10. Site Plan Updates

A. Site Plan Spreadsheet

Mr. Creasy updated the Planning Commission on site plans.

11. Old/New Business

Ms. Jones announced that the Route 29 Business Beautification Committee had received an award from the Virginia Association of Zoning Officials (VAZO) recognizing their efforts. Out of 135 entries, only 35 were selected, Amherst County being one of them.

There was a consensus amongst the Planning Commission that, due to staff training, the next Planning Commission meeting would be rescheduled from September 21, 2023 to September 28, 2023 at 7:00 pm.

12. Approval of Minutes for May 18, 2023, June 15, 2023 & July 20, 2023

A. May 18, 2023

Planning Commission Recommendation:

Motion to approve the May 18, 2023 Meeting Minutes

Motion made by: Jones

Second: Martineau

Motion carried by a 5-0 vote (Bryant abstained)

B. June 15, 2023

Planning Commission Recommendation:

Motion to approve the June 15, 2023 Meeting Minutes

Motion made by: Martineau

Second: Jones

Motion carried by a 6-0 vote

13. Adjournment

Planning Commission Recommendation:

Motion to adjourn.

Motion made by: Bryant

Second: Foor

Motion carried by a 6-0 vote.

There being no further business to discuss, the meeting was adjourned at 9:20 pm.

A handwritten signature in blue ink, appearing to be 'J. H. Foor', is written below the text of the adjournment.

