



AMHERST COUNTY PLANNING COMMISSION MEETING



MINUTES

October 24, 2024

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

1. Call to Order

Members Present: Beverly Jones (Chair), Michael Bryant (Vice Chair), Jim Thompson, Derin Foor, Michael Martineau, Catherine Gamble, David Pugh (Board of Liaison Non-Voting Member), Christine Vrooman (EDA Liaison Non-Voting Member), Emerson Bryant (Youth Participant Non-Voting Member) and Beyla Cunningham (Youth Participant Non-Voting Member)

Staff Present: Tyler Creasy (Director of Community Development), Sarah Nichols (Assistant Zoning Administrator)

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

2. Invocation & Pledge of Allegiance

Mr. Martineau led in prayer and then led in the Pledge of Allegiance.

3. Approval of Agenda

The agenda was approved as submitted.

Planning Commission Recommendation:

Motion: Motion to approve the agenda

Motion made by: Foor

Second: Gamble

Motion carried by a 6-0 vote.

4. Citizens Comments

Mr. Timothy Waldren, owner and operator of the trucking business located at Tax Map No. 82-A-15A, spoke in opposition to Resolution 2024-11. He provided an update that the cost for the

required lane closure to complete required work on the entrance was out of budget, so he has pursued and completed a certification course to be able to do the lane closure himself. He later was informed that he did not have adequate experience credentials to qualify for the certification. After making a good conscious effort he is now back to using a VDOT qualified contractor for the lane closure since he is not able to complete himself. This is being scheduled. The line painting is in process, extra vehicles are scheduled to be transported away from the site. Mr. Waldron is requesting additional time to bring his site into compliance.

5. Public Hearing - Special Exception

A. 2024-557 Landon J Coffey

Request by Landon Coffey for a special exception in the B-2, General Commercial District. The purpose of the special exception is to allow an auction house. The property is located at 1404 N. Amherst Highway and is further identified as Tax Map No. 83-1-2A.

Mr. Creasy presented the staff report and included that since writing the report it has been realized that the screening trees along the front had been poorly maintained and have been removed, noting that the applicant is willing to replace those trees as an added condition. Mr. Creasy concluded his comments by stating that staff recommended approval of the special exception with the following conditions:

1. No more than five pieces of equipment may be showcased in front of the building.
2. Hours of operation shall be Monday – Sunday 8 am – 5 pm.
3. Minimum standards for landscaping as described in section 1605(a) shall be met before issuance of a zoning permit.
4. Items stored outside, shall be kept behind the building, except for the five items that are allowed to be showcased. The existing fence and tree lines shall be kept in place to act as screening of the equipment stored outside.
5. All requirements set forth by the Virginia Department of Transportation shall be met before issuance of a zoning permit.
6. All requirements of the Virginia Department of Health shall be met (one privy per 100 persons) for each auction event.
7. Customers 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.
8. All requirements set forth by the County’s Fire Marshall shall be met before issuance of a zoning permit.

Madam Chair Jones opened the public hearing.

Landon Coffey and Parker Hurley, applicant and business owners, spoke in favor of the request and answered the Planning Commission's questions. There will also be a by-right retail store, with mostly online-only auctions and occasional on-site auctions. The business intends to keep

a neat appearance, selling used farm equipment, construction equipment, etc.

William Bryant, owns land to the north of this parcel, spoke in favor of the request. Mr. Coffey has done work for him before and is professional and trusted. He supports him in his endeavors.

No one spoke in opposition.

Madam Chair Jones closed the public hearing.

Planning Commission Recommendation:

Motion: The Planning Commission recommends to the Board of Supervisors approval of Special Exception 2024-557 to allow an auction house at 1404 N. Amherst Highway with recommended conditions, and amended conditions to allow for the replanting of screening trees where removed.

Motion made by: Thompson

Second: Bryant

Motion carried by a 6-0 vote.

B. 2024-561 Thomas G Hunt & Amber S Powers

Request by Thomas Hunt and Amber Powers for a special exception in the A-1, Agricultural Residential District. The purpose of the special exception is to allow a photography venue. The property is located at 1452 Patrick Henry Highway and is further identified as Tax Map No. 53-A-26.

Mr. Creasy presented the staff report and concluded his comments by stating that staff recommended approval of the request with the following conditions:

1. The entrance shall be approved by the Virginia Department of Transportation for the proposed change of use.
2. All requirements of the Virginia Department of Health shall be met (one privy per 100 persons) for each photography session.
3. Guests 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. No more than 20 people may be in attendance at one photography session.

Madam Chair Jones opened the public hearing.

Thomas Hunt and Amber Powers, owners and applicant, provided an overview of their intentions of sharing their operating farm with the community by providing a nice location for local photographers to bring their clients for photo sessions. They do not intend to host events.

No one spoke in opposition.

Madam Chair Jones closed the public hearing.

Planning Commission Recommendation:

Motion: The Planning Commission recommends to the Board of Supervisors approval of Special Exception 2024-561 at 1452 Patrick Henry Highway to allow a photography venue with the recommended conditions.

Motion made by: Gamble

Second: Bryant

Motion carried by a 6-0 vote.

6. Non - Public Hearing

A. Resolution 2024-11 (Waldren)

A non-public hearing to consider a resolution for the revocation of Special Exception 2020-380 pursuant to Section 1003.03(11) of the Amherst County Zoning Ordinance. Special Exception 2020-380, with conditions, was previously approved by the Board of Supervisors for a trucking business and is located at Tax Map No. 82-A-15A. The Commission, at their September 19, 2024 meeting, tabled the resolution to provide the property owner more time to correct the entrance issues with Virginia Department of Transportation.

Mr. Creasy presented the staff report and concluded his comments with a reminder that the Commission has 100 days to provide its recommendation to the Board of Supervisors. A recommendation must be provided to the Board by December 28, 2024.

Mr. Bryant questioned how many items needed to be brought into compliance. Mr. Creasy provided an update that the parking lot striping, additional landscaping, and miscellaneous items to be removed are pending completion.

Mr. Thompson stated that Mr. Waldren has demonstrated a good faith effort in trying to get things done as he has stated and he was agreeable to table the decision.

Ms. Gamble offered support for small businesses and requested to allow additional time for compliance.

Planning Commission Recommendation:

Motion: Motion to table Resolution 2024-11 due to the rationale that Mr. Waldren is making a good faith effort to come into compliance and that allowing additional time will allow him to

complete the requirements prior to making a recommendation.

Motion made by: Bryant

Second: Thompson

Motion carried by a 6-0 vote.

7. Discussion - Energy Storage Ordinance

A. Discussion - Energy Storage Ordinance

Ms. Nichols presented a draft ordinance for energy storage facilities to the Commission. The Commission discussed adequate setbacks, size restrictions, zoning districts, buffer requirements and environmental concerns.

Mr. Martineau stated that education is key, and the Commission needs to educate themselves before making decisions.

Ms. Gamble requested to have an unbiased third-party subject-matter expert to speak to the Commission to provide the pros and cons of energy storage facilities.

Ms. Vrooman shared that from the EDA perspective there is concern for consuming industrial zoned properties when this type of use does not provide for valuable jobs.

Mr. Thompson felt that more information was needed before moving forward with a decision.

The Commission tabled the discussion with a request to bring in an unbiased expert to provide more information on energy storage before moving forward with an ordinance.

8. Route 29 Business Beautification Committee

A. Charter Changes

The Route 29 Business Beautification Committee at their last meeting, voted to recommend to the Commission to expand the membership of the Committee from 10 to 11. The proposed change would create an additional membership position for emergency services (Department of Fire and EMS and the Sheriff's Office).

Mr. Creasy presented a proposed change to the Route 29 Business Beautification Charter.

Planning Commission Recommendation:

Motion : I move that the Commission approves the changes to the Route 29 Business Beautification Committee Charter as presented

Motion made by: Beverly Jones

Second :Jim Thompson
Motion carried by a 6-0 vote.

B. County Staff Changes

The Route 29 Business Beautification Committee at their September meeting made two recommendations:

- Recommended Stacey Stinnett as the new staff voting position for planning and zoning.
- Recommended Deputy S.W. Martin as the new emergency service voting member.

Mr. Creasy presented the Committee's recommendations.

Planning Commission Recommendation:

Motion : I move that the commission approve the Route 29 Business Beautification Committee's recommendation of adding Stacey Stinnett as the new staff voting position for planning and zoning and Deputy S. W. Martin as the new voting position from emergency services.

Motion made by: Bryant

Second : Thompson

Motion carried by a 6-0 vote.

C. Revocation of At-Large Membership

Members may be removed for malfeasance in office. A member of the Route 29 Business Beautification Committee may be removed from office by the local Planning Commission without limitation in the event that the committee member is absent from any three consecutive meetings of the committee, or is absent from any four meetings of the committee within any 12-month period. In either such event, a successor shall be appointed by the committee for the unexpired portion of the term of the member who has been removed. The Commission is being asked to approve the revocation of Virginia Myers' Route 29 Beautification Committee membership due to excessive absenteeism.

Mr. Creasy presented the commendation to the Commission. The Commission had some discussion on the topic.

Planning Commission Recommendation:

Motion : I move that the Commission approve the revocation of Virginia Myers' Route 29 Business Beautification Committee membership due to excessive absenteeism and to appoint Aaron Ferro as a successor.

Motion made by: Gamble

Second : Bryant

Motion carried by a 6-0 vote.

9. Site Plan Review

A. Site Plan Review

Mrs. Nichols updated the Planning Commission on the current site plans.

10. Old/New Business

The Planning Commission had a discussion on ongoing projects including the status of the Madison Heights Town Center development, the former Central Virginia Training Center property, and the Morcom/Gateway Sewer Expansion project.

11. Approval of Minutes for September 19, 2024

A. September 19, 2024 Meeting Minutes

Mr. Martineau abstained from voting as he was absent from the meeting.

Planning Commission Recommendation:

Motion: to approve the Planning Commission Meeting Minutes for September 19, 2024, as submitted.

Motion made by: Foor

Second: Gamble

Motion carried by a 5-0 vote. (Martineau abstained)

B. September 19, 2024 Training Meeting Minutes

Planning Commission Recommendation:

Motion: Motion to approve the Planning Commission Training Meeting Minutes for September 19, 2024 as submitted

Motion made by: Foor

Second: Thompson

Motion carried by a 5-0 vote. (Martineau abstained)

12. Adjournment

There being no further business to discuss, the meeting was adjourned at 8:14 pm.

Planning Commission Recommendation:

Motion: Motion to adjourn.

Motion made by: Bryant

Second: Foor

Motion carried by a 6-0 vote.

Chairman