



**AMHERST COUNTY
PLANNING COMMISSION
MEETING**



MINUTES

March 20, 2025
Administrative Office Complex
153 Washington Street
Public Meeting Room
Meeting Convened - 7:00 PM

1. Call to Order

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

Staff Present: Tyler Creasy (Director of Community Development), Tyler Amburgey (Assistant Zoning Administrator/Planner) & Stacey Stinnett (Administrative Assistant).

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

2. Invocation & Pledge of Allegiance

Michael 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 was submitted.

Motion made by: Thompson

Second: Foor

Motion carried by a 6-0 vote.

4. Citizens Comments

Deputy Amanda Aguirre informed the Planning Commission that there were two different residents in Amherst County that have exotic animals and there is no ordinance within our County that regulates them. Ms. Aguirre stated that these types of animals, if they get loose,

can hurt citizens as well as deputies when they have to assist in certain situations. Ms. Aguirre is very concerned about her safety as well as the safety of the citizens of Amherst County and feels that an ordinance would provide the necessary regulations that must be met.

The Planning Commission and Ms. Aguirre discussed the types of animals this includes and what the state and other localities allow.

The Planning Commission came to a consensus to have staff discuss with the County Attorney regarding the request and to look at how other localities are addressing these issues.

5. Public Hearing - Special Exception

A. 2025-064 Monacan Indian Nation - Chief Diane Shields

Request by Monacan Indian Nation for a special exception in the A-1, Agricultural Residential District. The purpose of the special exception is to allow fairs and festivals such as the Monacan Indian Nation Powwow and other similar such uses that are devoted to the promotion and education of Monacan history. Additionally, the Monacan Nation intends to build a bathroom facility that will be ancillary to the advertised uses. The property is located at 225 Laurel Cliff Road and is further identified as Tax Map Numbers 122-A-34 and 122-A-32A.

Mr. Creasy presented the staff report and based on the Analysis, the Planning Commission recommends to the Board of Supervisors approval of Special Exception 2025-064 to allow fairs and festivals such as the Monacan Indian Nation Powwow and other similar such uses that are devoted to the promotion and education of Monacan history with the following conditions:

1. A parking attendant shall direct traffic with events greater than seventy-five (75) attendees.
2. All proposed entrances and any future entrances shall be approved and permitted by the Virginia Department of Transportation (VDOT). All entrances will have to meet VDOT's standard for a low-volume commercial entrance.
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. All rules and regulations of Section 7-1. Public Entertainment shall be met for public events over 500 people.

https://library.municode.com/va/amherst_county/codes/code_of_ordinances?nodeId=COCO_CH7LIPEBURE_ARTIINGE_S7-1PUEN

Madam Chair Jones opened the public hearing.

Diane Shields, Chief and applicant for the Monacan Indians, spoke in favor and answered the

Planning Commission's questions.

Brenda Burton, a neighbor, spoke in opposition to the request. Ms. Burton stated that the majority of the traffic generated from the Monacan Indian Powwow exits directly in front of her house. Ms. Burton was not against the annual Powwow, but if there are considering more events held there, especially as large as the Powwow, then she was opposed to it.

Amber Fink, an Amherst citizen, spoke in favor of the request.

Dennis Branham, Monacan Indian Tribal Counselor, spoke in favor of the request and presented a site plan showing where cars would be parked and where entrances and exits would be located on the property. Mr. Branham stated that the High Peak entrance would only be used for emergencies only.

Mr. Creasy stated that the applicant would have to revise their siteplan to show that the High Peak entrance would only be used for emergencies and Mr. Creasy advised the commission to add that as a recommended condition.

Nicholas Fink, an Amherst citizen, spoke in favor of the request.

Teresa Pollark, an Amherst citizen, spoke in favor of the request.

Helen Fernryhough, who resides at 1285 Cedar Gate Road, spoke in opposition to the request. Ms. Fernywood was concerned for safety because of the narrowness of Cedar Gate Road.

There being no further speakers, Madam Chair Jones closed the public hearing.

The Planning Commission had a brief discussion with staff regarding the true intent of what the request was for. The Commission felt that adding the bathrooms triggered this request because of the use. Therefore, they had to advertise for public events. The Commission did not get the sense that the applicants' intention was to hold large events like the Powwow, which is only annually, but much smaller events such as reunions and educational purposes.

Discussion among the Planning Commission to change the threshold from 500 to 150 people for events except for the Annual Powwow.

Planning Commission Recommendation:

Motion: Motion to approve the request for 2025-064 Monacan Indian Nation to allow fairs and festivals such as the Monacan Indian Powwow and other similar such uses that are devoted to the promotion and education of Monacan history, following the recommended conditions that staff has laid out, except for changing condition #4 threshold from 500 to 150 (exception made for the Annual Powwow to remain as an event over 500) and adding a

condition to state that the entrance on High Peak Road is for emergency use only.

Motion made by: Gamble

Second: Foor

Motion carried by a 6-0 vote.

6. Introduction of New Assistant Zoning Administrator/Planner - Tyler Amburgey

Mr. Creasy introduced Tyler Amburgey as the new Community Development Assistant Zoning Administrator/Planner.

The Planning Commission welcomed Mr. Amburgey.

7. Potential Code Change

A. Battery Storage

Mr. Creasy stated that during the Commission's January 2025 meeting, Eolian, ESRG, and AEP provided a presentation regarding Battery Energy Storage Systems. Staff indicated that they would be bringing back before the Commission, a copy of the drafted battery energy storage ordinance for discussion.

Documents accompanying this item:

- Drafted Battery Storage Ord.
- Comprehensive Plan Language
- Edits to the drafted ordinance provided by Eolian, ESRG, and AEP.

Mrs. Gamble voiced her opinion on the matter, stating that this use would work best in an urban area, but not in Amherst County, which she felt was a more "green" area.

Mr. M. Bryant stated that the state would eventually be regulating and pushing this just as it has solar. Mr. Bryant felt like the size of the data storage could be reduced, but he felt that the County needed to be in favor of this ordinance.

Mr. Pugh was against having an ordinance for this type of use. He felt that these facilities were not safe and that they could easily catch fire and pollute the County with toxic fumes and flames.

Mr. Foor did not feel like now was a good time to regulate this in Amherst County and that it is a fairly new topic. He did not want to see Amherst County as the guinea pig for other surrounding counties.

Ms. Jones felt that the Commission needed to create an ordinance and make the tweaks now

before it was mandated by the state.

Mr. Thompson and Mr. Martineau both agreed that it was too soon to be entertaining this topic and more knowledge and research needed to be done before crafting an ordinance to allow these facilities in Amherst County.

Mr. Kennon, with the Amherst County EDA, stated that he was speaking on behalf of the EDA and they supported this ordinance. Mr. Kennon stated that Amherst County needs businesses and those businesses look for technology, energy, power and many other resources when they are looking to locate here. Mr. Kennon asked the Commission and Board to be open-minded and consider potential new businesses and more revenue that will require these resources when looking to locate to Amherst County.

Planning Commission Recommendation:

Motion: Motion not to take any action for now on the Battery-Operated Storage Facility Ordinance.

Motion made by: Gamble

Second: Foor

Motion carried by a 4-2 vote. (Jones & Bryant)

8. Site Plan Review

A. Attachments

Mr. Creasy updated the Planning Commission on site plan reviews and current projects.

9. Old/New Business

Mr. Creasy congratulated and highlighted the youth participants, Emerson and Beyla, on their athletic achievements this year.

10. Approval of Minutes for January 16, 2025

A. Minutes

Planning Commission Recommendation:

Motion: Motion to approve January 16, 2025 meeting minutes as submitted.

Motion made by: Thompson

Second: Foor

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

11. Adjournment

There being no further business to discuss, the meeting was adjourned at 8:27 pm.

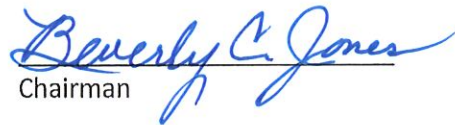
Planning Commission Recommendation:

Motion: Motion to adjourn.

Motion made by: Foor

Second: Gamble

Motion carried by a 6-0 vote.


Chairman