

**Orange County Planning Commission
Regular Meeting
Thursday, July 21, 2022**

Present: Jason Capelle, Donald Brooks, George Yancey, Adam Bryington, Bryan Nicol, Tom Lachney, County Attorney

Absent:

Staff Present: David Smitherman, Interim Planning and Development Services Director, Keri Ragland, Planning Services Manager, Eric Bittner, Planner; Kyra Davis, Planner; Tracey Newman, Planning Commission Secretary

1. Call to order and determination of quorum:

Chairman Brooks called the meeting to order at 6:00 pm and a quorum was established.

2. Welcome new District 4 Planning Commissioner Adam Bryington:

Chairman Brooks welcomed Adam Bryington to the Planning Commission representing District 4.

3. Approval of agenda:

Mr. Capelle made a motion to add an item to Old Business as 9.a. Mr. Nicol gave the second and the motion passed 5-0. Mr. Capelle then moved to approve the Agenda and Mr. Yancey gave second which passed 5-0.

4. Approval of minutes:

a. June 2, 2022 regular meeting:

Mr. Nicol pointed out a spelling error and then made a motion to approve the minutes. The second was from Mr. Capelle and the motion passed 6-0.

5. Public Comment: none

6. Public Comment:

- a. **SUP 22-04 (amendment to SUP 17-06) Madison Solar:** An application by Sol Madison Solar, LLC to amend conditions from the original SUP 17-06 which restricts disturbance and construction activity within the FEMA Flood Zone A. This property is zoned Agricultural (A) with a future land use category of Agricultural (A2). The current SUP allows for construction of a 62.5-megawatt solar facility spanning 400 acres within Tax Parcels 21-40, 21-40B and 35-4.

Planning Services Manager Keri Ragland presented conditions to amend the previous special use permit (SUP 17-06) for construction intrusion in floodplains.

PLEASE NOTE: Public Safety Building lost power during the meeting and livestreaming stopped at approximately 6:20pm.

After discussion, Mr. Capelle made a motion to recommend approval contingent of receipt of permits from Department of Environmental Quality (DEQ), the Army Corp of Engineers and Virginia Marine Resources Commission. Mr. Nicol gave second and the motion carried 5-0.

- b. **SUP 22-03 Willow Grove:** Willow Grove Inn LLC has applied for a Special Use Permit for the addition of two new cottages and spa expansion at 14075 Plantation Way, Orange VA 22960. The property is zoned Agricultural (A), contains 37.14 acres, and is identified as Tax Map 28-82A. The Recommended Future Land Use is Agricultural (A1).

Planner Kyra Davis presented the application to add two new cottages and expansion of the spa at Willow Grove Inn. After discussion, Mr. Yancey made a motion to recommend approval of the Special Use Permit, but before the motion went further, the applicant's attorney Sean Gregg's requested, that the motion state the SUP shall run with the land. Mr. Yancey motioned for recommendation of approval with specification of the SUP following the land. The motion received a second from Mr. Capelle and carried 5-0.

PLEASE NOTE: Live streaming of the meeting resumed at approximately 6:42pm.

- c. **SUP 22-02 (amendment to SUP 12-02) A&M Auto:** An application by Vista Construction Group, on behalf of Jeremy and Melannie Beveridge, to expand public garage A&M Auto to include a garage addition, new office building, boundary line adjustment and an increase in the number of vehicles allowed on the premises. The parcel is located at 8475 Gold Dale Road, contains 4.54 acres, and is identified as Tax Map 36-44J. The zoning is Agricultural (A) with future land use category of Agricultural (A1).

Keri Ragland, Planning Services Manager, presented SUP 22-02, the expansion of an already established automotive business under SUP 12-02. Scott Baranek of Vista Construction spoke on behalf of the applicant, and confirmed they were out of compliance when the building was expanded without a building permit. The applicant has since paid a fine for being out of compliance with their original SUP.

A lengthy discussion ensued, and Mr. Capelle moved to defer the public hearing to the first meeting in September and directed the applicant to provide additional information for the Commission's consideration. Mr. Yancey seconded the motion and it passed 5-0.

- d. **STA 22-01:** A subdivision Text Amendment to Sec. 54-6 to revise the definition of "Serve or Served" and to amend Sec. 54-90 to determine the orientation of lot frontage when it does not otherwise conform to the provided definitions.

Planner Eric Bittner reviewed the proposed text amendment and Mr. Capelle made a motion to recommend approval. The motion received a second from Mr. Nicol and carried 5-0.

- e. **ZTA 22-01:** A Zoning Text Amendment to replace "secondary road" to "VDOT secondary road" and "subdivision street" to "private street" in the following section as it pertains to Setbacks and Yards: Sec. 70-306; 70-336; 70-454; 70-484; 70-514; 70-544.

Mr. Bittner presented a text amendment to the Zoning Ordinance. Mr. Yancey made a motion to recommend approval, which was seconded by Mr. Nicol and carried with vote 5-0.

7. Work session: none

8. New Business:

- a. **PRA 22-01 Melody Rose Lane:** Ronald Frazier is requesting permission to extend a private road from seven (7) lots to ten (10) lots. The planned extension would add about 150' to the road's length, creating a permanent cul-de-sac to serve the extra 3 parcels that are being considered.

Planner Kyra Davis reviewed the Private Road Application and advised staff determined there was no undue hardship recommended denial. The applicant's attorney Roderick Slayton suggested the property is unique and poses a hardship by restricting another right-of-way. Mr. Capelle made a motion to defer until the September 1, 2022 meeting and was seconded by Mr. Nicol. The motion carried 5-0.

9. Old Business – none

- a. Mr. Capelle discussed the gold mines located on properties of the proposed Wilderness Crossing, advising there is 1 mile of underground shafts, and that mercury has been found. He moved that the Planning Commission request advice and assistance from state agencies, to include, but not limited to, the Department of Environmental Quality (DEQ) and the Department of Energy (DOE), in reviewing the potential reclamation and treatment of abandoned gold mines located on the various lots included in the Wilderness Crossing rezoning application. Mr. Bryngton seconded the motion and it carried 5-0.

10. Reports

- a. Board of Supervisors report – Board of Supervisors Chairman Mark Johnson

b. Planning and Development Report

Mr. Smitherman advised the Wilderness Crossing Rezoning (REZ 22-03) application has been deemed complete and is now under review, with the next step being the Application Review Committee having an in-person meeting. He confirmed the earliest Public Hearing for REZ 22-03 would be the Planning Commission's October 6, 2022 meeting.

11. Commissioner Comments:

Mr. Nicol welcomed new Commissioner Adam Bryington.

Mr. Bryington thanked the Planning Commission for their welcome.

Mr. Yancey expressed his appreciation of Staff for their efforts and requested Mr. Smitherman to convey to County Administrator and the Board of Supervisors the Planning Commission's appreciation for procurement of chrome books for the Commissioners.

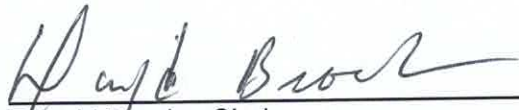
Chairman Brooks requested a Flowchart demonstrating positions and responsibilities for the Planning Department. He also asked for the Commissioners to be notified in advance who will be working upcoming projects. He thanked staff for all they do and their dedication to the County.

Mr. Capelle thanked Mr. Bryington for joining the Planning Commission. He also spoke of a previous public hearing in which a supervisor told the applicant he did not have to produce a traffic study that staff had requested and to watch the Board meeting to see the heartache, time and stress that could have been avoided if the applicant had just provided the material he was asked for.

12. Next Meeting date – August 4, 2022

13. Adjourn

On a motion of Mr. Nicol to adjourn, seconded by Mr. Capelle, and with 5-0 vote, the meeting adjourned at 8:54 p.m.



Donald Brooks, Chairman



Planning Commission Secretary

The events of this meeting were captured via digital audio recording. These written minutes shall serve as the official record of actions taken during the meeting.