

PRESENT: L. Howdyshell, Chairman
R. Thomas, Vice Chairman
G. Campbell
K. Shiflett
C. Bragg
T. Jennings
J. Wilkinson, Director of Community Development
L. Tate, Senior Planner
C. Stoerker, Planner I

ABSENT: K. Leonard

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, July 13, 2021 at 4:15 p.m. in the Community Development Conference Room, Augusta County Government Center, Verona, Virginia.

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Mrs. Tate discussed the items on the agenda for the upcoming BZA meeting.

The Planning Commission reviewed the rezoning request and ordinance amendments on the agenda. The commission members traveled to the following site:

Battlefield Rd.
New Hope, VA

Chairman

Secretary

PRESENT: L. Howdyshell, Chairman
R. Thomas, Vice Chairman
C. Bragg
G. Campbell
K. Shiflett
T. Jennings
J. Wilkinson, Director of Community Development
L. Tate, Senior Planner
C. Stoerker, Planner I

Absent: K. Leonard

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, July 13, 2021 at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

DETERMINATION OF A QUORUM

Mr. Howdyshell stated as there were 6 members present, there was a quorum.

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MINUTES

Mr. Thom Jennings made a motion to approve the minutes from the June 7th called meeting and the June 8th regular meeting of the Augusta County Planning Commission. Mrs. Bragg seconded the motion which carried unanimously.

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PUBLIC HEARING

Mr. Howdyshell stated that there were three items on the agenda for the Public Hearing.

Mrs. Tate introduced the first item as a request to amend the proffers for an existing Public Use Overlay to add weddings, stages, and pavilions as permitted uses for approximately 134.86 acres owned by the County of Augusta (TMP 010 117 and TMP 010 40A) located on the northeast side of Natural Chimneys Road (Rt. 731) approximately 0.1 miles east of the intersection of Natural Chimneys Road and North River Road (Rt. 730) in Mount Solon in the North River district. The proposed general use of the property is weddings and other special events. The general use of the property as stated in the Comprehensive Plan is Urban Open Space. A summary of the proffers is as follows: Additional permitted uses will be limited to active and passive recreational facilities, including camping, stages, and pavilions; community centers and similar facilities; carnivals, circuses, fairs, festivals, animal shows, exhibitions, weddings, and similar special events.

Mr. Howdyshell opened the public hearing asking if anyone wished to speak on the request.

With none to speak Mr. Howdyshell closed the public hearing.

Mr. Thom Jennings made a motion to approve the request but to recommend that weddings be limited to existing shelter capacity. Mrs. Carolyn Bragg seconded the motion which was carried unanimously.

Mrs. Tate read the next item on the agenda which was a request to rezone from General Agriculture to Rural Residential with proffers approximately 34.44 acres owned by David W. Surratt (TMP 048 96) located on the east side of Battlefield Road (Rt. 608) approximately 0.1 miles north of the intersection of Dam Town Road (Rt. 616) and Battlefield Road in New Hope in the Middle River district. The proposed general use of the property is low density residential. The general use of the property as stated in the Comprehensive Plan is Village Mixed Use, which encourages the adaptive reuse of existing structures, as well as infill development conforming to the existing or historic development pattern in the community. A summary of the proffers is as follows: All new lots will be connected to public sewer. A street connection will be provided to TMP 038 25. A pedestrian connection will be provided to the adjoining park property. House sizes will be no smaller than 1,500 square feet. No more than three new houses will be constructed within a twelve-month period, and building permits will not be issued until the Augusta County Service Authority has confirmed that public sewer in the area has adequate capacity for additional residential connections.

Mr. Howdyshell asked if the applicant was present and wished to speak.

Mr. Jeff Gentry with EGS & Associates spoke on behalf of the owner David Surratt. Mr. Gentry mentioned that the new homes would be hooked up to public sewer but have private wells. He stated that the entrance would follow VDOT guidelines. He mentioned that each lot would be at least 2 acres.

Mr. Jennings asked where the proposed pedestrian connection to the existing ball fields and park would be located.

Mr. Gentry stated that he thought it would be by the lower left ball field.

Mr. Howdyshell opened the public hearing asking if anyone wished to speak on the rezoning.

Scott Eaton who is a geologist who Mr. Surratt asked to look at the property stated that he had good news about the property stating that there were several small fractures there and that is how people must get water for their wells. He also stated that there are no major faults going through the property. Mr. Eaton stated that he did not see any major sources for well contamination.

Mrs. Kitra Shiflett stated that her son who lives not from the purposed rezoning area stated that he had a difficult time locating water for his well.

Andrew Gibson of 620 Battlefield Rd. stated that he was concerned about the increase in traffic. He asked if a turning lane would be put in. He also expressed his concern with there being only 1 fire hydrant to serve the immediate area.

Mrs. Tate stated that VDOT determined that no traffic analysis would need to be done at that location.

Ron Davis of 632 Battlefield Rd. was against the rezoning. He stated that he was concerned about the traffic. Mr. Davis mentioned that he was concerned with the well water.

Christina Shea of 607 Battlefield spoke against the rezoning. She shared her concern with the water issue. Mrs. Shea stated that she felt shared wells were not a good idea.

Dave Thornton of 765 Battlefield Rd. was concerned with water runoff. Mr. Thornton was also concerned with the effects that drilling wells would have on existing wells in the area. He shared his concerns with the increase in traffic also.

Charles Wymer of 573 Battlefield Rd. voiced his concerns with stormwater runoff, wells and the sewer capacity.

Paul Morris of 234 Battlefield Rd. stated that he was concerned with the traffic. He was also concerned with the wells and the sewer.

John Sandridge of 843 Battlefield Rd. was also concerned about the water issues.

With no one left to speak on the rezoning Mr. Howdyshell closed the public hearing.

Mr. Gentry stated that they are proposing to put the lots on private wells and were looking at shared wells. He stated that the new traffic would not make a substantial increase. Mr. Gentry noted that all runoff would be addressed according to state guidelines and stated that if the service authority felt the capacity was not there to hook up to the public sewer then the lot could not make application for a home.

Mr. Jennings asked if the Augusta County Service Authority had any plans to run public water lines through the area.

Mrs. Tate stated that at the present time there were no plans for water lines due to cost and other issues.

Mr. Jennings asked if there were any ordinances concerning shared wells.

Mrs. Tate stated that there are no ordinances with shared wells and that it is not a Health Department requirement for a lot to have its own well.

Mr. Howdyshell shared his concern with it being more farmland that would be going under roof.

Mr. Jennings stated that he felt the rezoning could have a positive impact on the community of New Hope but that he was concerned about the water.

Mrs. Shiflett stated that the water issues in that area have only gotten worse and for that reason made a motion to deny the request to rezone.

Mrs. Bragg seconded the motion which carried with a 5 to 1 vote with Mr. Robert Thomas voting against the motion.

Mrs. Tate read the last item on the agenda which were Comprehensive Plan amendments related to considerations for the siting of utility scale solar energy facilities. A summary of the amendments is as follows: projects strongly discouraged from covering more than 200 acres with solar photovoltaic panels in order to mitigate visual impacts, projects should not site on non-contiguous parcels or in close proximity to existing solar energy facilities, projects strongly discouraged from siting in Urban Service and Community Development areas.

Mrs. Tate stated the policies focus on location, clustering and size of potential solar projects.

Mr. Howdyshell opened the public hearing asking if anyone wished to speak on the proposed amendment changes.

Phil Martin director of the Augusta County Service Authority voiced concern about solar panels in Urban Service Areas and Community Development Areas where water and sewer lines are already in place. He stated that the ACSA supports the County's Comprehensive Plan but that they are also very conscience of how they invest money for new services.

James Martin with Leeward Renewable Energy was opposed to the amendment that would cap projects at 200 acres, stating it would limit property owners' rights. He stated that he felt the county would be losing valuable revenue with the cap on acreage.

Wayne Nolde of 210 Cider Mill Rd. stated that he felt a need to shift to a more sustainable energy source. He stated that large scale solar was a way to keep farmers in the area. He also stated that he felt the current buffer restrictions were more than adequate.

Coley Rittenhouse of 765 Horsehead Rd. stated that he did not agree with the limit on acreage to allow solar. He mentioned that he felt solar would benefit the community as well as the landowner.

Jamie Reed of 2751 Lee Hwy. stated that she and her family are interested in being a part of the shared solar energy program. She stated that the acreage shouldn't be capped at 200. She stated that she felt solar energy was better for our lifestyles, it would provide a secondary income, and would provide increased tax revenue for the county.

Teresa Brents 713 Churchmans Mill Rd. stated that she was in favor of all the ordinance amendments. Ms. Brents stated that the amendments balance land use, limit visual impacts, and restricts Urban Service and Community Development Areas from large scale projects.

Rick Pfizenmayer of 30 Round Hill Dr. stated that he supports the amendments to the solar ordinance and urges the commission to pass the amendments.

Donna Miller of 59 Lee Roy Rd. stated that she hopes the commission will vote "no" to any amendments to the Comprehensive Plan and to putting a cap on acreage. She stated the changes would restrict landowners.

Randall Wolf of 144 Courtney Woods Ln. stated that he supports the farmers and the landowners and did not agree with the cap on acreage. Mr. Wolf stated that solar would keep the land open. He stated that he felt the Comp. Plan amendments were set up to keep solar from coming here.

Eric Martin of 18 Laurel St. in Harrisonburg, VA stated that he opposes the proposed changes to the Comp. Plan about solar projects and with the cap on 200 acres.

Kristin Jackson of 562 Churchmans Mill Rd. stated that she supports the Comp. Plan amendments. She stated that she agreed with the limiting of the project size.

Nancy Sorrells of 3419 Cold Springs Rd. stated that solar would help farmers stay viable, and would bring in tax revenue. She asked that the board vote "no" to the amendment changes.

Dwight Houff of 3006 Lee Hwy. asked if the county supported solar projects, stating that if the amendments are adopted it would look like they did not. He stated that the amendments would stop any chance of the county getting any significant solar projects.

David Fitzgerald of 147 Wayne Ave stated that he opposed the proposed changes to the Comp Plan. He stated that in some cases clustering would be a good thing.

Kristen Donohue of 572 Churchmans Mill Rd. supported the amendments that limit the size of large-scale solar projects.

Tanya Brennaman of 1289 White Hill Rd. stated that she supported the amendment changes. She stated that she had concerns with the disposal of the solar panels.

Leland Brennaman also of 1289 White Hill Rd. stated that he supports the changes to the Comp. Plan. He stated that he is not opposed to solar but would like to address the issues involved with the clean-up of the panels when the project is finished.

Tom Sheets of 1087 Hermitage Rd. stated that he wasn't sure that the amendments are needed at this time.

Max Quillen of 73 Hibernia Cir. stated that he agreed with the previous speakers that landowners needed more flexibility with their property.

Alan Dahl of 515 Pleasant Grove Rd. stated that he was concerned that the amendments sent a message that the county doesn't want solar. He stated that he felt if the county shuts off large-scale solar then it could also shut itself off from any large-scale economic development.

David Jackson of 562 Churchmans Mill Rd. stated that we are not ready for solar panels and that there is not enough information about them. He stated that he felt the 200 acres should be capped.

Tevin Teaver of Richmond VA, stated that the county had a well written plan and that the proposed amendments weren't necessary. He stated the county would have better flexibility if decided on a case by case basis.

With no one left to speak Mr. Howdysshell closed the public hearing.

Mrs. Bragg stated that a lot was said and there was a lot to be considered. She stated that she felt the matter should be tabled to allow time to process all comments made concerning the matter.

Mr. Jennings stated that he felt a decision could be made. He asked about the reasoning behind the cap at 200 acres.

Mrs. Tate stated that project acreage determines the MW provided.

Mr. Jennings stated that he did not like the language "strongly discourages" in the amendment. He asked how long the county has had the existing solar Comp. Plan policies.

Mrs. Tate stated that the eleven policies were approved in August of 2020.

Mr. Jennings stated that the county hasn't had the policy long enough to start changing it. He stated that he did not like the cap at 200 acres and did not like the statement about clustering. Mr. Jennings stated that he felt there was no reason to make the changes.

Mr. Howdysshell stated that he agreed with Mr. Jennings in that he did not agree with the cap. Mr. Howdysshell stated he thought each project should stand on its own. He stated that he was not in favor of the changes.

Mrs. Bragg stated that she was not in favor of the language "strongly discourages". She stated that the 200 acres was not a cap but a guide.

Mr. Jennings made a motion to oppose the amendment changes.

Mr. Greg Campbell seconded the motion.

Mrs. Shiflett stated that it sounded as though the county doesn't want solar.

Mr. Robert Thomas stated that he felt the amendments were arbitrary.

The motion was passed with a 5 to 1 vote with Mrs. Carolyn Bragg voting against.

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STAFF REPORTS

A. CODE OF VIRGINIA – SECTION 15.2-2310

Mrs. Tate reviewed with the Commissioners the requests coming before the BZA at the August 2021 meeting.

A request from Joe Surratt, III and Mark Shore to have a short-term vacation rental property on River Hill Ln. in Swoope.

Augusta CSG, LLC requested to have a small scale solar facility on property owned by Thomas Curd on Fishersville Rd. in Fishersville.

John Stolley made a request to continue the short term and extended stay campground and short term and extended stay recreational vehicle park at Walnut Hills Rd., Staunton.

A request by Russell Thomas and Chantelle Brown to use a 10' x 24' pre-fab building for office use and to modify conditions of an existing Special Use Permit to allow for more employees.

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ADJOURNMENT

There being no further business to come before the Commission, Mr. Howdyshell asked for a motion to adjourn.

Mrs. Bragg made a motion to adjourn the meeting.

Mr. Thomas seconded the motion, which carried unanimously.

Chairman

Secretary