

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

ABSENT: K. Leonard
T. Jennings

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, May 11, 2021 at 4:00 p.m. in the Community Development Conference Room, Verona, Virginia.

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Mrs. Tate reviewed the upcoming items for the May Board of Zoning Appeals meeting.

The commission visited the following sites for a Substantial Accord Determination for small scale solar projects.

Waynesboro Bridge Solar, LLC
intersection of Old White Bridge Rd.
and Entry School Rd., Waynesboro

Augusta CSG, LLC
Long Meadow Rd. Fishersville

Chairman

Secretary

PRESENT: L. Howdyshell, Chairman
R. Thomas, Vice Chairman
C. Bragg
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K. Leonard
J. Wilkinson, Director of Community Development
L. Tate, Senior Planner
C. Stoerker

Absent: T. Jennings

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, May 11, 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

Mrs. Bragg made a motion to approve the minutes of the called and regular meeting held on April, 12, 2021.

Mr. Campbell seconded the motion, which carried unanimously.

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New Business

Mr. Howdyshell stated the agenda was being changed to allow for New Business to be presented before the Public Hearing.

Mrs. Jennifer Whetzel, Deputy County Administrator, presented the commission the Capital Improvement Budget for the 2021-2022 fiscal year.

PUBLIC HEARING

Mr. Howdyshell stated that there were two Substantial Accord Determination requests on the agenda.

Ms. Tate read the first request, which was for the Waynesboro Bridge Solar LLC Special Use Permit request to construct and operate a small-scale solar energy system (5 MW) on property owned by HW Farms LLC (TMP 067 39) located in the northwest quadrant of the intersection of Old White Bridge Road (Rt. 640) and Entry School Road (Rt. 795) in Waynesboro in the Wayne district. The total parcel acreage is approximately 90 acres and the proposed acreage to be developed with photovoltaic panels is approximately 40 acres. The property is located in the Agricultural Conservation Area of the adopted Comprehensive Plan.

Mrs. Tate reviewed the 11 policies from the Augusta County Comprehensive Plan that pertain to Solar Energy Facilities: Economic diversification, preservation of rural viewsheds, consideration of agriculture landscapes and economy, consideration of prime farmland and Agriculture and Forestal Districts, consideration of visual impacts and mitigation of such impacts through buffers, balance of land uses, compact and interconnected development, open space provisions, interconnectivity, protection and preservation of the County's natural resources, and the creation of natural resource benefits.

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

Pat Hastings with Dynamic Energy spoke on behalf of the property owners. Mr. Hastings stated that this solar project would be a 5 megawatt, east to west tracker system on a leased 40-acre parcel. Mr. Hastings said although not finalized with VDOT, he believes the project will have access from Old White Bridge Rd. Mr. Hastings noted that during the construction process there would be 15-20 workers on site daily and after construction most traffic would be gone. Mr. Hastings stated that the solar project would have a landscape buffer around the project.

Derek Sheehan, also with Dynamic Energy, spoke about the benefits of the Community Shared Solar Program. The program allows anyone in the utility area to access benefits from the solar panels. He mentioned that some people may not be able to have solar due to reasons being that they rent or a homeowner's association won't allow it. This program allows customers to still benefit from the solar project in that when they sign they are allocated a share of production, in turn saving customers on average 10% on their electric bill.

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

John Foster of 643 Old White Bridge Road said that he was opposed to the project. He stated that he was concerned about what the project would do to the scenery, how it would affect the wildlife, and that too much farmland was being turned into other uses.

Curtis Foltz of 160 Red Fox Ln. stated that although he understands the need for an alternative income, he is still concerned with loss of agriculture land. Mr. Foltz also questioned if the panels attract lightning.

Janet James of 1045 Old White Bridge Rd. shared her concern with who will benefit from the solar panels, and the location of the panels. Ms. James asked how long the lease would be.

Carl Behrens of 175 Red Fox Ln. stated that he was concerned with the environmental impact that the panels will have. He asked how long the panels would last. Mr. Behrens stated that he felt solar did not abide in general use agriculture areas.

Steve Wine of 101 Wine Farm Rd. and co-owner of the property stated that the reason they wanted the solar panels on the property was for the fixed income it would bring.

Nelson Carter of 599 Old White Bridge Rd. stated that he was at the meeting on behalf of the concerns of his daughter and son in law who are opposed to the project. He stated they felt the solar panels would affect the property value of their home.

With no one else to speak on the matter, Mr. Howdyshell closed the public hearing.

Mr. Hastings replied to the questions asked during the public hearing. He stated that he believes they have done a good job at meeting the ordinances concerning landscaping of the area. He stated that the project would have a 25 year lease on the property. The panels themselves have steel racks and the modules are made of a silicon wafer material. Mr. Hastings stated the benefits would be for the people who sign up for the Community Shared Solar Program. He also mentioned that the panels are grounded and would be no more attracted to lightning than anything else.

Mr. Howdyshell reminded the commissioners that their job was to decide if this project was in Substantial Accord with the Augusta County Comprehensive Plan.

Mrs. Tate noted that this would be reviewed by the Board of Zoning Appeals.

Kyle Leonard stated that he hates to see farm land lost, but sees that this project is in substantial accord with the Comprehensive Plan.

Carolyn Bragg stated that she understands the concerns of the surrounding property owners, but she too felt it was in substantial accord with the Comprehensive Plan.

Mrs. Kitra Shiflett made a motion to approve the substantial accord determination and move the request along to the Board of Zoning Appeals.

Mr. Robert Thomas seconded the motion which passed unanimously.

Mr. Howdyshell stated that the next agenda item was also a Substantial Accord Determination for a small-scale solar project.

Mrs. Tate read the request for a substantial accord determination pursuant to Virginia State Code Section 15.2-2232 for the Augusta CSG, LLC Special Use Permit request to construct and operate a small-scale solar energy system (3.88 MW) on property owned by Thomas Henry Curd (TMP 067 46). A general description of the property's location is as follows: southeast of Long Meadow Road (Rt. 608) approximately 0.1 miles north of the intersection of Fishersville Road (Rt. 641) and Long Meadow Road. The total parcel acreage is approximately 50 acres and the proposed acreage to be developed with photovoltaic panels is approximately 12 acres. The property is in Fishersville in the Wayne District and is located in the Urban Service Area of the adopted Comprehensive Plan. The general use of the property as stated in the Comprehensive Plan is Planned Residential, which may include a variety of residential uses at a density of four to eight dwelling units per acre.

Mrs. Tate noted that this would be a 3.8 megawatt system.

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

Kieran Siao with Dimension Energy spoke on behalf of the project. He stated that he felt this was a good location for the solar panels and had the potential to serve up to 575 homes through the Shared Community Solar Project. Mr. Siao stated that the panels would be set back 300 – 400 feet from the main road and take advantage of an existing tree line buffer but they would also be adding more natural buffers that would include natural pollinators. He stated that this project would be on a fixed tilt and be non-moving, and around 8 ½ feet tall.

Mr. Howdyshell opened the public hearing and asked if anyone present wished to speak on the request.

Phil Martin representing the Augusta County Service Authority stated that the project would be located in an Urban Service Area with future planned residential development, meaning that water and sewer lines have already been put in place for future dwellings. Mr. Martin stated that the potential revenue loss to the Service Authority from the area having solar panels instead of residential dwellings would be approximately one million dollars over the life of the project.

James Curd of 74 J Ranch Ln., who is the son of the property owner, stated that they had no desire to develop the property for residential use. Mr. Curd stated that they felt this would be the least intrusive use for the property. He stated that he believes it would be a benefit to the community, and mentioned that the panels would create no noise or odors.

Allison Graves of 42 Fishersville Station Rd. stated that she was in favor of the project. She stated that she likes the idea of the natural pollinator species that would be used for buffers and would like to see the project go forward.

Theresa Hogsett of 30 Fishersville Station Rd. had an issue with the location of the solar panels.

With there being none left to speak on the request, Mr. Howdysshell closed the Public Hearing.

Mr. Leonard stated that he had an issue with there being water and sewer lines already on the property and the potential loss of revenue from that.

Mrs. Bragg stated that she has concerns with the area being in an Urban Service Area and the investment that have been made toward that. Mrs. Bragg mentioned her concern over the viewsheds and visual impact of the project.

Mrs. Shiflett stated that the only concern she had was with the area being in an Urban Service area, but with the property owner stating that they had no interest in developing the property, she felt there would not be any issues with the location. Mrs. Shiflett stated that she found the request to be in substantial accord.

Mrs. Shiflett made a motion to find the request to be in substantial accord with the Comprehensive Plan.

Mr. Thomas seconded the motion. The motion was carried with a 5 to 1 vote with Mrs. Carolyn Bragg being opposed to the motion.

With there being no matters by the public, commission, new or old business, Mr. Howdysshell moved onto the Staff Reports.

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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 Board of Zoning Appeals at the June 2021 meeting.

A request was made by 1 Tribe, LLC to have short term rentals within the principal dwelling and to have a detached accessory dwelling unit for a facility operator at 1082 Todd Rd.

Travis Byerly requested to have short term vacation rentals on property at 4327 Scenic Hwy.

Cody Marshall requested to have a towing service and motor vehicle impound yard at 1160 Lee Jackson Hwy.

A request to add a pre-fab maintenance building to the existing campground at Shenandoah Acres was made by Sun Shenandoah Acres RV, LLC.

Benjamin Gee requested to have a firewood processing business and outdoor storage of firewood and logs at 2986 Churchville Ave.

Michael Garnet made a request to have a gunsmithing business within an attached garage at 1059 North River Rd.

The Farm at Chapel Hill, LLC requested to construct a new building to be used as a special event facility and meeting place at 194 Chapel Hill Ln.

For the request at 194 Chapel Hill Lane, the Planning Commission members unanimously recommended that the Board of Zoning Appeals consider limiting the size and occupancy of the operation. Commissioners cited the impact to nearby residential properties along Chapel Hill Lane that would be created through traffic, dust, and noise associated with a high volume of cars, and that there were no other similar establishments of that size in the surrounding area.

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ADJOURNMENT

There being no further business to come before the Commission, Mr. Howdysell adjourned the meeting.

Chairman

Secretary