

PRESENT: C. Bragg, Chairman
R. Harris, Vice Chairman
L. Howdyshell
R. Thomas
K. Leonard

J. Hensley, Planner II
E. Goodloe, Planner I
D. Wolfe, Director of Community Development

ABSENT: B. Schindler

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, December 12, 2023 at 3:00 p.m. in the County Administration Conference Room, Augusta County Government Center, Verona, Virginia.

* * * * *

The Planning Commission reviewed the following requests and substantial accord determination and traveled to the following sites which will be considered at the Public Hearing:

Rezoning Requests:

Eric and Jodie Whitson
703 Scenic Highway
Churchville, VA 24421

Brenda and John Sutton
45 Cedar Ridge Road
Waynesboro, VA 22980

Substantial Accord Determination:

The Farm at Chapel Hill
194 Chapel Hill Road
Weyers Cave, VA 24486

Withdrawal Request from Middle River

Agricultural and Forestal District:

Charles and Dona Patterson
1188 Patterson Mill Road
Grottoes, VA 24441

Staff also gave the Planning Commission the review of the twelve (12) Solar Policies in the Comprehensive Plan, and stated that they would be going over the policies during January Staff Briefing for the Planning Commission.

Chairman

Secretary

PRESENT: C. Bragg, Chairman
R. Harris, Vice Chairman
L. Howdyshell
R. Thomas
K. Leonard

J. Hensley, Planner II
E. Goodloe, Planner I
D. Wolfe, Director of Community Development

ABSENT: B. Schindler

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, December 12, 2023 at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

DETERMINATION OF A QUORUM

Mrs. Carolyn Bragg stated that there was a quorum.

* * * * *

MINUTES

Mr. Randy Harris moved to approve the minutes of the called and regular meeting held on November 14, 2023.

Mr. Larry Howdyshell seconded the motion, which carried unanimously, 5-0.

* * * * *

PUBLIC HEARINGS

Mrs. Bragg stated that they had four (4) public hearings that evening.

Ms. Julia Hensley introduced the first item as a request to rezone from Single-Family Residential to General Agriculture approximately 12.59 acres (TMP 024 19F) owned by Eric and Jodie Whitson and located at 703 Scenic Highway in Churchville in the Pastures Magisterial District. The property is located in a Rural Conservation Area of the Comprehensive Plan planned for General Agriculture. The purpose of the rezoning is to

rezone back to General Agriculture in order to subdivide using the “existing dwelling division lot” provision under Section 25-77.4 Lot frontage in general. Exceptions. Item C. of the Augusta County Code, and to build a dwelling on the residual lot. The applicant has proffered out intensive agriculture operations, including large chicken or turkey houses, intensive swine farming, and concentrated animal feeding operations (CAFOs). Small hobby farm operations may be permitted.

Ms. Hensley displayed the following visuals: an aerial map showing the property included in the request; a zoning map of the property indicating that the parcel is currently zoned Single Family Residential; the Future Land Use Map of the property showing that, according to the Augusta County Comprehensive Plan, the parcel in question is planned for General Agriculture; and a map of the Planning Policy Areas for the property showing that the parcels are located within a Rural Conservation Area of the Comprehensive Plan.

Ms. Hensley asked if the applicant was present.

Mr. Eric Whitson, the applicant came to the podium. Ms. Hensley asked the applicant if there was any additional information he would like to speak on; Mr. Whitson indicated he had no additional information to present.

Mrs. Bragg opened the public hearing asking if anyone wished to speak.

With no one to speak, Mrs. Bragg closed the public hearing.

Mr. Harris made the motion to approve the request with proffers.

Mr. Robert Thomas seconded the motion, which carried unanimously, 5-0.

Ms. Hensley introduced the second item as a request to rezone from Rural Residential to General Agriculture approximately 0.20 acres (TMP 068 38D and 068 38U) located at 45 Cedar Ridge Road in Waynesboro in the Wayne Magisterial District. The property is located in a Rural Conservation Area of the Comprehensive Plan planned for General Agriculture. The purpose of the rezoning is to rezone back to General Agriculture in order to match the zoning to the property lines of a recent boundary line adjustment.

Ms. Hensley displayed the following visuals: an aerial map showing the property included in the request; a zoning map of the property indicating that approximately 0.20 acres of the parcel is currently zoned Rural Residential; the Future Land Use Map of the property showing that, according to the Augusta County Comprehensive Plan, the parcel in question is planned for General Agriculture; and a map of the Planning Policy Areas for the property showing that the parcels are located within a Rural Conservation Area of the Comprehensive Plan.

Ms. Hensley asked if the applicant was there to speak.

Mr. Wes Bain said the request was straightforward.

Mrs. Bragg opened the public hearing asking if anyone wished to speak.

With no one to speak, Mrs. Bragg closed the public hearing.

Mr. Thomas made the motion to approve the request.

Mr. Kyle Leonard seconded the motion, which carried unanimously, 5-0.

Mrs. Bragg introduced the third item as a request for a determination of compliance with the Augusta County Comprehensive Plan, pursuant to §15.2-2232 of the Code of Virginia, to permit a private sewer line to be connected from TMP 020 24, owned by The Farm at Chapel Hill, LLC, located at 194 Chapel Hill Lane in Weyers Cave in the Middle River District, to the Weyers Cave Treatment Plant owned by Augusta Water.

Ms. Hensley displayed the following visuals: an aerial map showing the property included in the request; a zoning map of the property indicating that it is currently zoned General Agriculture; the Future Land Use Map of the property showing that, according to the Augusta County Comprehensive Plan, the parcel in question was planned for General Agriculture; and a map of the Planning Policy Areas for the property showing that the parcels are located within an Agricultural Conservation Area of the Comprehensive Plan.

Mrs. Bragg asked the Commissioners if they had any questions for staff. Seeing none, Mrs. Bragg opened the public hearing and stated that this request was to determine the proposed private sewer line's compliance with the comprehensive plan, and is unrelated to any potential or proposed operations on the property itself.

Ms. Hensley asked if the applicant was there to speak.

Mr. Eric Pisk, the managing member of the Farm at Chapel Hill, approached the podium. He stated he believed everyone had the information for the private sewer tie-in, Augusta Water's approval letter, and staff's report recommending that the request is in substantial accord with the Comprehensive Plan.

Mr. Harris asked if the applicant had received written approval to go through adjacent property in order to extend the sewer line to the treatment facility. Mr. Pisk stated that he has obtained verbal approval from the neighboring property owner.

Mrs. Bragg opened the public hearing and stated that two people had signed up to speak.

Ms. Linda Greene, 64 Chapel Hill Lane, Weyers Cave, VA 24486, stated she was an adjoining property owner, and indicated she had several questions. Ms. Greene asked whether any permits would be required of the landowner if it were approved, and if so, whether others could be informed of which permits would be required.

Mrs. Bragg stated that the conversation tonight solely revolved around the sewer line, and was not related to any other projects on the property. Augusta Water will have an agreement with the property owner in regards to the condition of the water and required maintenance.

Ms. Greene asked if more lines could be added to the private sewer line in the future.

Mr. Doug Wolfe stated that during the staff briefing earlier in the day, staff and Commissioners discussed with Augusta Water how they would still need to come to a final, signed agreement with the property owner if this were to be approved, but that this proposed sewer line would solely be for the property and future brewery in question and would not allow for other tie ins.

Ms. Greene asked if that also included his taproom.

Mr. Wolfe confirmed that it would also include the taproom.

Ms. Greene asked if the property owner expanded his business in the future, whether he would be permitted to add additional water capacity for treatment than what had been proposed.

Ms. Hensley stated that she believed that whatever the final agreement between Augusta Water and the property owner would be, he could not exceed that agreed upon capacity. She stated that the amount has not been finalized because this determination has not been brought before the Planning Commission. They will be bound by their agreement.

Mr. Wolfe went on to explain that this hearing was a 2232 determination, which decides whether or not a request is in conformance with the Comprehensive Plan. This determination is based on what Augusta Water has tentatively agreed on regarding receiving the waste. The approval by Augusta Water included stipulations such as a tentative number, quantity of volume, and BOD levels in the waste, but how many sugar levels are in the waste; however, is not quantified on a certain volume.

Ms. Greene asked if laws could be amended to ensure this is not repeated.

Mrs. Bragg said that the Planning Commission and the County do not have authority over water. She stated that the issue being heard is if it is feasible to connect the line to the treatment facility. The question is, does the waste go to the treatment plant or to an onsite septic system?

Mr. Kevin Gartzke of 441 Chapel Hill Lane, Weyers Cave, VA 24486, stated that he had a question. The parcel was in an Agricultural Conservation Area which is why the property owner needed a special request for this. He asked, what good is the Comprehensive Plan if people go around it all the time? He stated this was more of a point to consider rather than a question.

Mrs. Bragg asked if there was anyone else to speak on the request. Seeing no one, she closed the public hearing.

Mr. Wolfe clarified what Mr. Gartzke had asked. He said that his question was in essence what the Commission is answering. The property is located in an Agricultural Conservation Area. There have been previous processes utilized to determine the feasibility of changing the Planning Policy area to either an Urban Service or Community Development Area. These processes determined that this property should remain in an Agricultural Conservation Area. The property owner then applied for a farm brewery permit. Because it appears that a farm brewery is going to be built on the property, the question being asked tonight addresses whether it is appropriate to have a large septic system, or to have the waste go to the wastewater treatment plant, according to the Comprehensive Plan and parts thereof.

Mr. Harris stated the business is going to come and it is about we are going to take care of the sewage. They had met with Augusta Water and there are strict requirements that will need to be met. He made the motion to determine the request was in substantial accordance with the Comprehensive Plan based on the close proximity to the wastewater treatment facility, and because it is a continued agricultural use that a private sewer line would help in protecting the existing natural resources from waste from the septic tank.

Mr. Howdyshell seconded the motion, agreeing with what Mr. Harris had added that no other users will be able to connect to the line. Augusta Water has different standards that the property owner will have to meet before they approve everything; he also mentioned that everything will be metered. It will be healthier for the ground to treat the wastewater at the plant it would to dump it in a septic field.

Mrs. Bragg stated that she wanted to echo what everyone else had said, and that the discussion is not related to whatever project is going on at the property. It is about connecting a private sewer line. Others will not be able to connect to it. Is it better to take the wastewater to the plant where it will be treated, as opposed to a septic field right by the river.

Mrs. Bragg asked the Commissioners if anyone had any more comments, seeing none the Commissioners voted, which carried unanimously, 5-0.

Ms. Hensley introduced the last item as a request to withdraw 6.331 acres owned by Charles and Donna Patterson from the Middle River Agricultural and Forestal District. The district currently consists of approximately 5,500 acres situated in the Middle River District of Augusta County, Virginia, lying east of Interstate 81; both east and west sides of Route 778 (Knightly Mill Road), Route 774 (Broad Run Road), Route 774 (Cline River Road), and Route 865 (Rockfish Road); both north and south sides of Route 608 (Battlefield Road), Route 775 (Buttermilk Road), and Route 775 (Craig Shop Road); on the north side of Route 777 (Knightly Lane); both north and south sides of Route 728 (Patterson Mill Road); on the southwest side of Route 774 (Piedmont Road) on either side of Route 616 (Dam Town Road).

Ms. Hensley stated that the Agricultural and Forestal committee recommended the removal of a portion of 38-123 (6.331 acres from the district), the conditions listed in Section 3-3 shall continue unchanged, and that the expiration date of 11/24/2028 shall remain unchanged.

Ms. Hensley asked if the applicant was there to speak.

Mr. Charles Patterson asked if there were any questions for him that he could answer. He explained that he had bought the piece of property not knowing that it was in an Agricultural and Forestal District. He owns the farm that adjoins this parcel. He has a house, a barn, and a couple of sheds that he has no desire to keep. He added some land to the house and would like to sell it. The rest of the land would stay in the Agricultural and Forestal District. He did not put the land in the district himself.

Mrs. Bragg opened the public hearing asking if anyone wished to speak.

Seeing no one, she closed the public hearing.

Mr. Howdyshell made the motion to approve the request.

Mr. Harris seconded the motion which carried unanimously, 5-0.

* * * * *

NEW BUSINESS

Mrs. Bragg stated it was time for them to select the new chair, vice chair, and secretary. She asked if there was a motion for a slate of officers.

Mr. Thomas made the motion for Mr. William Schindler to be Vice Chair, Mr. Harris to be Chair, and Ms. Elizabeth Goodloe to be the Secretary.

Mr. Howdyshell seconded the motion, which carried unanimously, 5-0.

* * * * *

OLD BUSINESS

Mr. Harris took the time to thank Mrs. Bragg for being chair and everything she did for them.

Mr. Howdyshell wanted to thank Mrs. Bragg as well.

Mr. Leonard stated that Mrs. Bragg did an exceptional job, and that she represented the County well.

Mrs. Bragg said it was great to work with everyone.

* * * * *

STAFF REPORTS

Ms. Hensley introduced the first staff report as an update for the Comprehensive Plan and Economic Development Strategic Plan. She stated that in regards to public engagement, they have finished the first round of Community Input Meetings. They went well with excellent attendance and a lot of diverse input from residents. The next round of public engagement will begin toward the end of January and will concentrate on focus groups on the topics addressed at the community meetings. Staff will also be coordinating several pop-up events in more remote areas, like Deerfield and Mount Solon; areas where people may not have been able to access the community meetings or virtual meetings easily. Following the public engagement, the draft plan stage will begin likely during the latter part of spring and summer.

Mrs. Bragg explained that if people were not able to attend the meetings there is a survey available online. There will also be another series of community meetings. She encouraged engagement by the public.

Ms. Goodloe reviewed the agenda items with the Commissioners for the January 2024 Board of Zoning Appeals meeting.

* * * * *

Adjournment

There being no further business to discuss, Mr. Thomas made a motion to adjourn.

Mr. Leonard seconded the motion, which carried unanimously, 5-0.

Chairman

Secretary