

**NELSON COUNTY PLANNING COMMISSION
MEETING MINUTES
August 22, 2012**

Present: Chair Philippa Proulx, Commissioners Linda Russell, Mary Kathryn Allen, Michael Harman, Emily Hunt and Supervisor Connie Brennan

Staff Present: Fred Boger, Tim Padalino and Melissa Thompson

Guest: Will Cockrell, TJPDC

Call to Order: Chair Proulx called the meeting to order at 7:30 P. M. in the Board of Supervisors meeting room, County Courthouse, Lovingston.

Approval of Minutes – July 25, 2012: Commissioner Harman made a motion to approve the corrected version of the minutes dated August 20, 2012. Motion passed 3-0, with Commissioner Hunt and Supervisor Brennan abstaining. Commissioner Allen was not in attendance for the approval of the minutes.

Special Use Permit #2012-001, Linwood A. Dowell, Sr.

Mr. Padalino reported that Mr. Linwood A. Dowell, Sr., representing Nelson County Subs, Inc., has submitted an application for a Special Use Permit to open a takeout eatery business on property located at 20150 Thomas Nelson Highway, Faber, Tax Map #35-A, parcel 32. The property is approximately .57 acres in size and is zoned Agricultural, A-1. The existing building has previously been used for various commercial operations.

Mr. Padalino explained that there are 3 driveways on the property – the northernmost used as access to a home. VDOT wants this driveway to be blocked from use by patrons of the eatery. The owner has agreed. Commissioner Harman received confirmation that the well and septic would need to be approved by the Health Department. Commissioner Proulx inquired about existence of underground gasoline tanks. ~~and was assured that it was not an issue.~~ Staff agreed to investigate.

The public hearing was opened, there were no comments, and public hearing was closed.

With no further discussion, Commissioner Russell made the following motion:

The Commission recommends to the Board of Supervisors the approval of Special Use Permit #2012-001 to allow for a takeout eatery on property located at 20150 Thomas Nelson Highway, Tax Map #35-A-32, to operate Monday through Saturday no later than 7:00 P. M. The applicant must submit a landscape plan with particular reference to VDOT issues for

approval by the Planning Department. Furthermore, signage plans should also meet with the Planning Department approvals.

Commissioner Allen provided the second, and motion passed 5-0, with Supervisor Brennan abstaining.

Addition to Dutch Creek Agricultural/Forestal District

Mr. Padalino presented the Staff report using a map showing the existing Agricultural/Forestal District and the proposed addition of 20 acres, Tax Map # 59-A-38 which is zoned A-1 and owned by William & Dove Halverson. Mr. Padalino stated members of the Agricultural/Forestal District Advisory Committee met on August 2, 2012 and voted unanimously in favor of adding the property. He further stated that Staff agrees that the proposed addition is appropriate and sensible.

The public hearing was opened, there were no comments, and public hearing was closed.

Commissioner Harman made the following motion:

The Commission recommends the approval of proposed addition of property, Tax Map # 59-A-38, to the Dutch Creek Agricultural/Forestal District.

Commissioner Hunt offered the second and motion passed 5-0, with Supervisor Brennan abstaining.

Amendments to the Nelson County Comprehensive Plan, adopted October 8, 2002

Mr. Will Cockrell, TJPDC presented the proposed final draft to replace the Transportation Chapter of the Nelson County Comprehensive Plan.

The public hearing was opened, there were no comments, and public hearing was closed.

Commissioner Russell made the following motion:

The Commission recommends to the Board of Supervisors the approval of the amendment to the Nelson County Comprehensive Plan chapter dealing with transportation as per the draft dated July 2012.

Commissioner Harman provided the second and motion passed 5-0 with Supervisor Brennan abstaining.

Other Business:

Supervisor Brennan questioned the Agricultural/Forestal District code and the review process. Mr. Boger stated that Section 5.20.5 states that a five year review is not mandated.

Board of Supervisor liaison report- Connie Brennan

1. A feasibility study is in process for making the Lovington Healthcare Center an assisted living facility. This is being done in conjunction with JABA.
2. The county is now paying employee life insurance premiums as it is no longer funded by the state.
3. The many Courthouse deficiencies are being worked out with Blair Construction.
4. The Jefferson Building will become the Commonwealth Attorney's office.
5. RFP for Courthouse signage has gone out and costs are much higher than expected.
6. The mitigation project concerning the Communication Tower's impact on historical properties is underway.
7. Retaining wall construction near the law office on the Courthouse lawn is underway.
8. Treasurer's office remodeling project with increased security is complete.
9. VA Lime Works has submitted a proposal to restore the exterior of the Magistrate's building.
10. Broadband conduit is still being installed on Route 6 West. After this is complete the fiber & splicing will take place. Electronics equipment has been received.
11. A vendor has been selected for the communication tower at Martin's Store.
12. No location has been found for the Massies Mill communication tower.
13. There is no progress on the High Top communication tower site.
14. Narrow Banding has a 1 year completion date.
15. The Storm Water project continues.
16. Nelson County is part of Region 2000 and because the current landfill has filled up early County garbage will now go to Campbell County. The Campbell County site is projected to last 17 years.
17. Only 7% of Nelson County residents recycle.
18. The posting of Planning/Zoning signs has not been addressed by the Board of Supervisors.

Adjournment:

Commissioner Russell made the motion to adjourn the meeting at 8:10 P.M.

Next Meeting: September 26, 2012

Respectfully submitted,

Melissa M. Thompson
Planning Commission Secretary