

**NELSON COUNTY PLANNING COMMISSION
MEETING MINUTES
May 24, 2017**

Present: Chair Philippa Proulx, Commissioners Mike Harman, Mary Kathryn Allen, Robert Goad and Tommy Bruguere (Board of Supervisors Liaison)

Staff Present: Grant Massie, Interim Director of Planning & Zoning and Emily Hjulstrom, Secretary

Call to Order: Chair Proulx called the meeting to order at 7:00 P. M. in the General District Courtroom, County Courthouse, Lovington.

Proulx recommended that the minutes from the previous month be reviewed at the end of the meeting so that the applicants would not have to wait.

Proulx also noted that the public hearing for Rezoning #2017-01 and 2017-02 will be postponed until next month's meeting at the request of the applicant.

Other Business:

Justin Shimp is the engineer for ~~the project~~ Buck Creek Village. He noted that it is not a cluster-style subdivision but, it is really a traditional by-right subdivision. He is seeking approval so that they can move on to their final engineering. **Proulx** asked if this is a preliminary or final plat. **Shimp** noted that it is a preliminary plat and that approvals from other agencies will be needed.

Proulx asked Shimp what is needed from VDOT. **Shimp** noted that they might need to shift the location of the road or cut back some of the hill side to improve site sight distance.

Bruguere asked if all land disturbance would be noted in the Erosion and Sediment Control portion of the site plan. **Shimp** noted that this is correct.

Proulx asked why the road goes through all parcels in the subdivision. **Shimp** noted that the owners wanted all houses to be closer together. The owners had wanted half-acre lots, but there is a minimum lot size of two acres.

Bruguere noted that the road seems oddly placed in the parcel and will make it harder to sell. **Shimp** noted that they have a plan for a walk way throughout the community. Shimp also noted that this is an age-restricted community and that they wish to have a community space where they can get to their neighbors and the community building within a short walking distance.

Bruguere asked about the sewer plan. **Shimp** noticed that there will be private sewer and a community water system. Shimp noted that these are going to be small houses with small drain fields. Shimp also noted that they have done some preliminary testing already and that drain fields would do well. **Bruguere** asked if the drain field would have to be on the other side of the road. **Shimp** noted that there is room for both houses and drain fields on the same side of the road. He also noted that there would be a shared well and possibly a tank if needed.

Bruguere asked if a preliminary well had been dug. **Shimp** noted that a geologist with a doctorate thesis on Nelson County groundwater has looked at the land and noted where suitable sites would be.

Proulx asked if there is an existing well at the existing house. **Shimp** noted that there is a historic cabin on the site. He noted that there is a lot of water on the land from which the community can draw.

Bruguiere asked if there would be a community house. **Shimp** noted that the community building would be on lot 11 and would be owned by the HOA.

Goad asked if there would be an HOA for the community. **Shimp** confirmed that there will be an HOA with restrictions like an age limit and house sizes.

Bruguiere asked if HOA regulations would need to be submitted with the plat. **Massie** noted that the state code requires that there be an HOA but that he believes it is not required to be on the plat.

Massie asked if there was a 60 day limit for the Planning Commission between approving the preliminary and the final. **Proulx** noted that she believes that is the case for after the final plat.

It was decided that they have 60 days after receiving both preliminary and ~~60 days after receiving the~~ final plats to ~~review them~~ take action.

Proulx noted that a new Director of Planning and Zoning will begin on June 1st and that Shimp will have to work with her as well to produce the final.

Goad asked if this is going to be a cluster development. **Shimp** noted that it looks like a cluster development but that it still meets the standards of a standard division.

Bruguiere asked if he would need a road easement for every property owner. **Shimp** noted that this is correct. He also noted that there would be easements for water and the walkways. Shimp noted that this is an HOA developed by people that are ready to buy the lots and that they are aware of the restrictions.

Harman asked if this was the first subdivision of this style in the county. **Proulx** noted that she didn't know of any other in ~~existence~~ Nelson County but was aware of some in North Carolina. **Shimp** noted that there is a co-housing development in downtown Crozet.

Goad asked if the road would ever be a state road. **Shimp** stated that it would not.

Bruguiere noted that he knows of a subdivision (Edge Hill) with a state road and that it worked out very well for that subdivision. He also noted that each owner had to pay more to make the road a state road. **Shimp** noted that the terrain of the land does not meet VDOT standards for a state road.

Goad was concerned that if one home owner was not willing to deed the land back to the HOA to bring it up to the VDOT standards for a state road, then they would have a problem.

Proulx noted that Jeff Kessler stated that it would need to be in the plats that they do not want the road to become a state road.

Harman made a motion that the Planning Commission approve the preliminary subdivision plat for Buck Creek Village in accordance with the drawing dated April the Fourth, 2017. Allen seconded the motion.

The preliminary subdivision Buck Creek Village was approved 5-0 with none abstaining.

Approval of Minutes – February 22, 2017:

Proulx noted that:

Page 3:

“Aungier” had been misspelled as “Anger”.

“her and her family” be changed “she and her family”.

“Mrs. Saunders has called the Sherriff’s department a...” is unfinished.

“Helbert” is misspelled as “Helperc”

Changing that Mr. Bibb ‘pays his employees ___ per hour’ to ‘he pays them well’.

Page 4:

Check correctness of “She also recommended an economic impact study through...”

Corrections were made and it was decided that the minutes would be reviewed again at the next month’s (June 28) meeting.

Board of Supervisors Report:

Mr. Bruguere noted that the Board of Supervisors had approved the budget and are having a public hearing tomorrow.

Mr. Massie handed out the Rockfish Valley Area Plan to the Planning Commission. Mr. Massie noted that the Planning Commission and the BOS should adopt the RVAP as an addendum to the comprehensive plan. **Proulx** noted that ~~she~~ **the Planning Commission** still needs to review the plan.

Mr. Massie noted that it would have no legal standing unless it was adopted.

Allen asked if this was a decision the Planning Commission would recommend to the board. **Mr. Massie** noted that it would go through the Planning Commission and that they would recommend a decision to the Board of Supervisors.

Mr. Massie then asked if minutes were required legally to be so expansive for the Planning Commission. **Proulx** noted that she believed it is more helpful to the public.

Bruguere asked if we keep all recordings of the minutes. **Mrs. Hjulstrom** confirmed that all recordings are kept. **Mr. Massie** noted that a lawyer would want to listen to the recording as opposed to reading the minutes.

Allen noted that she takes a lot of minutes at her own job. She noted that she does verbatim quotes on more important comments. She stated that she summarizes anything that does not need to be verbatim. She also noted it takes a lot of staff time to take minutes verbatim.

Mr. Massie noted that the zoning ordinance for the county is disheveled. He recommended that the Planning Commission work with the new Director of Planning and Zoning to clarify it. **Allen** noted that it takes a lot of time to amend the zoning ordinance.

Proulx noted that over the years they have made amendments to the ordinance.

Bruguere noted that a new ordinance was written and that pieces were taken from that and added to the current ordinance over time.

Mr. Massie noted that it is very important that every term be defined. **Proulx** noted that the Planning Commission is well aware of this. She also noted that the rewrite of the zoning ordinance was an absolute disaster. She noted that it cost \$80,000 and was not fully adopted.

Allen noted that the Planning Commission depends on Planning and Zoning staff to guide them. **Bruguere** recommended that the RVAP be discussed at the next month’s meeting. **Proulx** stated that she wants more time before the RVAP is reviewed.

Allen noted that the medical protocol at her job is a 250 page document. She noted that they review a small section of it quarterly so that every 2.5 years it is fully reviewed. **Bruguiere** noted that it is required that they review the comprehensive plan every 5 years and that has not happened. **Proulx** noted that there is no penalty to not reviewing the comprehensive plan.

Allen noted that Linda Russell has resigned and wants to know what will happen to her position. **Bruguiere** noted that the county will advertise the position and the BOS will appoint someone to finish her term. **Proulx** noted that her term ends June 30th 2018.

Jim Thompson a Planning Commission member from Amherst County noted that he is going through the Planning Commission certification process. He noted that Amherst County is in the process of reviewing their comprehensive plan a year ahead of schedule. He believes that it is a very good plan. He also noted that they have a 60 day period for other departments to submit comments and that they then will review it and adopt it.

Harman asked if Amherst County is using outside help to review the plan. **Thompson** noted that they do not. They use volunteer work or help from other agencies in the county. Thompson also noted that Nelson County is very much like Amherst County.

Adjournment:

Commissioner Allen made a motion to adjourn at 7:47pm; the vote 5-0.

Respectfully submitted,



Emily Hjulstrom
Secretary, Planning & Zoning