

**NELSON COUNTY PLANNING COMMISSION  
MEETING MINUTES  
December 27, 2017**

**Present:** Chair Philippa Proulx, Commissioners Mark Stapleton, Mary Kathryn Allen, Rob Goad, Mike Harman, and Tommy Brugiére

**Staff Present:** Sandy Shackelford, 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.

**Approval of Minutes – November 15<sup>th</sup>, 2017:**

*Mrs. Allen motioned that the minutes from November 15<sup>th</sup>, 2017 be approved. They were approved 6-0.*

**Old Business:**

**Public Hearings:**

**Other Business:**

- **Major Site Plan 2017-12 – Atlantic Auto Storage**

Ms. Shackelford reviewed the site plan and noted a few small changes that would need to be made (a north arrow and a note with the site coverage percentages.)

Mr. Harman motioned to approve MSP 2017-12 Atlantic Auto Storage located at 99 Morse Ln, Arrington as shown on drawings 1 and 2 dated December 16<sup>th</sup>, 2016\* as amended and contingent on final site plan approval from other review agents. Mrs. Allen seconded the motion.

*The motion was approved with a vote of 6-0.*

\*The date on the site plan submitted was verified as being December 16<sup>th</sup>, 2016.

- **Buck Creek Village Final Subdivision**

**Ms. Shackelford** reviewed the subdivision with the Planning Commission. She noted that a signature line for the TJPDC would need to be added to the plat. She also noted that approval would be contingent on other agencies' approvals.

**Justin Shimp** is the engineer for the project. **Chair Proulx** asked Mr. Shimp if there was anything that VDOT still needed. **Mr. Shimp** noted that sight distance was approved and that small changes still needed to be made, but would not impact the plat.

**Mr. Harman** made a motion to approve the Buck Creek Village Subdivision Plat lots 1-11 as shown on drawings 1-3 dated November 30<sup>th</sup>, 2017 contingent on other agencies approvals. **Mrs. Allen** seconded the motion.

*The motion was approved with a vote of 6-0.*

- Discussion of Amendments to M-1 and M-2 districts

**Ms. Shackelford** presented the following information:

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Based on the most recent rezoning request by Jeremy Parker to rezone property from Light Industrial (M-1) to Industrial (M-2), the Board of Supervisors requested a review of these sections of the zoning ordinance to determine if there are revisions that could take place to allow uses such as Mr. Parker's in the M-1 zoning district. The Board of Supervisors also requested that the Planning Commission consider other revisions to these sections of the code that may make it more functional moving forward.

Based on this direction from the Board of Supervisors, it will be necessary to consider revising the statement of intent for the M-1 and M-2 districts to better reflect the distinctions between the two zoning categories. One solution would be to add clarification in the statement of intent for the M-1 district that the uses could otherwise be screened from view and all potential nuisances would be contained on-site. However, there may be other options to clarify the distinction between the districts.

M-1: This district is intended to provide for and encourage limited industries to locate and/or expand in order to foster development of the local economy. These industries are generally light industrial which are office oriented or oriented toward the manufacturing, processing, assembly, warehousing and/or distributing of goods and materials which are dependent upon previously prepared raw materials refined or processed elsewhere. It is expected that uses in this district be to be **operated from within a building**.

M-2: This district is established primarily for industrial operations and for heavy commercial operations, which may create some nuisance, and which are not particularly compatible with residential, institutional, or retail commercial uses.

Based on the discussions that took place while reviewing Mr. Parker's request, I believe that one of the issues that could be better addressed in these sections of the zoning ordinance is how to treat uses that are incidental to the primary use. One potential solution would be to create a new use in the M-1 district, "Contractor services," which would also allow the uses of outdoor equipment storage, retail sales, equipment rental, composting, and vegetative rubbish recycling *incidental* to the primary use of a contractor services business. This would remove the need for a contractors' business to be permitted for each of these uses individually as is currently required in the ordinance.

There are a number of other small revisions that would provide better clarity of the ordinance. There are four uses in the M-2 district that describe the types of manufacturing activities permitted, which I believe could be condensed into one or two more general uses, for example.

At this point, staff is asking for general guidance from the Planning Commission on how to proceed on this directive from the Board of Supervisors. Based on this initial discussion, the Planning Commission

may determine that additional discussion is needed, or the Planning Commission may direct staff to  
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begin efforts to create a draft of proposed changes for their review.

**Mr. Bruguere** noted that Jeremy Parker’s recent rezoning request demonstrated a need to review the M-1 and M-2 sections of the ordinance. **Chair Proulx** stated that there is a gap for small contractors in the zoning ordinance. **Mr. Harman** suggested allowing outdoor storage with a screen. He brought up section 9-2-1 in the M-2 zone and recommended something similar in M-1. **Chair Proulx** mentioned that she was concerned about vegetative recycling and suggested requiring a Special Use Permit for it. **Ms. Shackelford** noted that she would research options for adding vegetative recycling.

*The commissioners decided to continue discussion at the meeting on January 24<sup>th</sup>, 2017.*

- **Discussion of Planning Commission 2018 Schedule and Officer Elections**

Ms. Shackelford presented the following information:

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The Nelson County Planning Commission by-laws state that the annual meeting occurs at the regularly scheduled January meeting, which is scheduled for January 24, 2018. At this meeting, the Planning Commission is charged with setting the regular meeting time and dates and the election of officers.

Historically, the Planning Commission has met at 7:00 p.m. on the fourth Wednesday of the month. I would like to propose that the Planning Commission considers rescheduling these meetings to the third Wednesday of the month for a few reasons.

First, we ran into the situation this past year where the fourth Wednesday meeting needed to be rescheduled due to the Thanksgiving holiday. Changing the meeting to the third Wednesday would still interfere with Thanksgiving in the 2018 calendar, but it will also prevent us from having to change the meeting date for the December Planning Commission meeting. This will also allow us to establish a more consistence schedule for submission deadlines for items to be added to the Planning Commission meeting agendas.

Second, this will allow an additional week between the Planning Commission and Board of Supervisors meetings to better plan whether any public hearings being considered will need to be advertised for the Board meetings. If the Planning Commission votes on a recommendation for a public hearing, we will have enough notice to advertise and allow the applications to move on to the Board of Supervisors without trying to guess if they will be ready for the Board to take action on them. Ultimately, this will save the County money in unnecessary or premature advertising costs.

If the Planning Commission is amenable to this recommendation, my suggestion would be that these would be the dates for the 2018 Planning Commission meetings:

January 24<sup>th</sup> – Fourth Wednesday – Annual meeting needs to stay on the current schedule until the change is agreed upon.

February 21 – Third Wednesday

March 21 – Third Wednesday

April 18 – Third Wednesday

May 16 – Third Wednesday

June 20 – Third Wednesday

July 18 – Third Wednesday

August 15 – Third Wednesday

September 19 – Third Wednesday

October 17 – Third Wednesday

November 28 – Fourth Wednesday (rescheduled due to Thanksgiving holiday)

December 19 – Third Wednesday

I am also recommending that the Planning Commission adopt a rotation schedule for the election of officers similar to how the Board of Supervisors currently operates. Trying to take into consideration the terms of the Planning Commission members expiring mid-year, I am recommending the following schedule be implemented:

2018 – West District Chairman (Mike Harman), South District Vice-Chairman (Mary Kathryn Allen)

2019 – South District Chairman (Mary Kathryn Allen), Central District Vice-Chairman (Mark Stapleton)

2020 – Central District Chairman (Mark Stapleton), East District Vice-Chairman (Robert Goad)

2021 – East District Chairman (Robert Goad), North District Vice-Chairman (Philippa Proulx)

2022 – North District Chairman (Philippa Proulx), West District Vice-Chairman (Mike Harman)

The officers would still need to be nominated and elected each year. This rotation schedule would provide a guideline to reference when determining who should be elected. Even if the rotation system is adopted, there is always an opportunity for the nominations to change should the person next in the rotation schedule be brand new to the Commission, uncomfortable serving in that role, or there is determination that another Planning Commission member may be better suited to serve as Chairman due to other factors. This is a tool to allow each member of the Planning Commission to fully participate in the decision-making process in a variety of capacities throughout their terms.

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**Chair Proulx** noted that it will be a challenge to notify the public if they change the date of the meetings. **Mr. Harman** mentioned that he had a scheduling conflict with the third Wednesday of the month. **Chair Proulx** recommended implementing this for the year of 2019 and keeping 2018 on the same schedule. **Mr. Bruguere** recommended the second Wednesday of the month.

**Mr. Harman** asked if they would need to update the bylaws if they change the meeting dates. **Ms. Shackelford** noted that she will look into it. She also recommended that the Planning Commission review the bylaws at the organizational meeting each year.

*The commissioners decided to discuss this further and vote on it at the January 24<sup>th</sup>, 2018 meeting.*

- **RVAP Discussion**

*The commissioners decided to have the next work session on January 24<sup>th</sup> at 5:30 pm in the old BOS room.*

- **Atlantic Coast Pipeline**

**Ms. Shackelford** informed the PC about the ACP requests coming to the BZA.

- **Connie Brennan**

**Connie Brennan** thanked the Planning Commission for working with her during her time on the Board of Supervisors.

**Board of Supervisors Report: None**

**Adjournment:**

*Commissioner Allen made a motion at 7:26 pm to continue the meeting at the January 24<sup>th</sup> 5:30 pm work session; the vote 6-0.*

Respectfully submitted,



Emily Hjulstrom  
Secretary, Planning & Zoning