

NELSON COUNTY PLANNING COMMISSION
MEETING MINUTES
October 22, 2014

Present: Chair Philippa Proulx, Commissioners Linda Russell, Mary Kathryn Allen, Michael Harman and Robert Goad; and Larry Saunders (Board of Supervisors Liaison)

Staff Present: Tim Padalino, Director of Planning & Zoning

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

Approval of Minutes – August 27, 2014: Commissioner Allen requested a change to the first sentence in the third paragraph on page 4, with “than” being corrected to “then.”

Commissioner Harman made a motion to adopt the August 27th Meeting Minutes with the noted correction; Commissioner Allen seconded the motion; the vote 3-0, with Commissioner Russell abstaining due to her absence at the August meeting; and with Commissioner Goad and Supervisor Saunders abstaining due to not being members of the Commission at the time of the August 27th meeting.

Chair Proulx then explained to the applicants and members of the public that the County does not have the ability to digitally project a slideshow of the agenda items, as intended, because the equipment was not made available. She apologized for that error. Mr. Padalino noted that printed copies of the entire meeting materials packet were available in the back of the courtroom, if anyone wished to see the staff report and associated maps and images.

1. Special Use Permit #2014-007 – St. Mary’s Cemetery

Mr. Padalino apologized to those in attendance for not being able to present a Powerpoint presentation, as was intended. He then provided a brief oral report summarizing the location and characteristics of the subject property; and stated that the requested use is a new cemetery for the church, which will complement the existing historic Lovings Gap Cemetery on the same property.

Mr. Padalino then stated that, upon visiting the site after the October 8th Site Plan Review Committee meeting, he became concerned about the safety of the entrance off of Thomas Nelson Highway. He then shared other review comments, noting that “required improvements” associated with all Site Plan projects must comply with County standards and specifications, per Zoning Ordinance Article 13, Section 6-1, “Improvements.” He concluded by stating that the language in 13-6-1 requires this proposed cemetery project to be accessed by a road built to County or Virginia Department of Transportation (VDOT) standards; and that the parking area must meet the specifications contained in Zoning Ordinance Article 12, Section 7-8, “Design Standards.”

Mr. Padalino then clarified that the Commission’s current application review was limited to the requested Special Use Permit (SUP), and that such issues and concerns about safety and “required improvements” are typically reviewed in detail during the subsequent Major Site Plan application and review process. However, because it was unclear if this proposed project would be required to submit a Major Site Plan (pending approval of the SUP application), Mr. Padalino wanted to ensure those comments and concerns were shared at this public hearing for the requested Special Use Permit.

Mr. Massie Saunders, P.E., of Saunders Surveys, then spoke on behalf of the applicant (Father Daniel Kelly of St. Mary’s Catholic Church). He reiterated the comments and concerns noted by Mr. Padalino, and then

Other Agenda Items:

2. Major Site Plan #2014-005 – “Afton Mountain Site Plan” / Zenith Quest International, LLC

Chair Proulx noted that the Planning Commission’s review of this Site Plan is not a public hearing, and does not provide for any opportunity for public comments related to the Site Plan and/or proposed uses. She stated that the proposed use is a “by-right” use, meaning that the applicant does not have to obtain Special Use Permit approval from the Board of Supervisors, and that it only requires Site Plan approval. She explained that the Board of Supervisors has delegated the review and approval of Site Plans to the Planning Commission; and that the Commission’s responsibility is to review the project with regards to the Zoning Ordinance Checklist for Major Site Plans. She stated that if the Commission finds the Site Plan to be compliant with the checklist requirements, then the Site Plan must be approved.

Mr. Padalino then began his presentation of the staff report by offering another apology for the lack of visual aid and the absence of a Powerpoint slideshow, despite the efforts of his staff to arrange for such equipment to be supplied.

Mr. Padalino then provided a brief oral report summarizing the location and characteristics of the subject property and adjoining properties. He noted that this Industrial (M-2) District property adjoins properties in the Agricultural (A-1) District, the Residential (R-1) District, and other properties in the Industrial (M-2) District across Route 151.

Mr. Padalino stated that the Site Plan Review Committee met on October 8th to review the Site Plan drawings, and then provided a brief summary of plan review comments provided by each agency represented on the Review Committee.

He stated that County staff have discussed the need for the Site Plan to be revised with respect to details about required landscaping and screening; details about exterior lighting; and details about signage. He noted that the traffic generation contained on the Site Plan estimate that the vehicular traffic associated with this proposed use would be 201 vehicles per day, and 20 commercial truck trips per month.

Mr. Padalino then noted review comments from Mr. Jeff Kessler of VDOT, which required additional details about the project’s entrance design, and which requested that the entrance design be further coordinated with the future intersection improvements that VDOT will be implementing at the Route 151 – Route 6 – Route 638 intersection just to the south of the subject property. Mr. Kessler also commented that the ITE Trip Generation Report information be revised on the Site Plan (Note #2).

Mr. Padalino then shared review comments from Mrs. Alyson Sappington of the Thomas Jefferson Soil & Water Conservation District (TJSWCD), which stated that technical review comments for the Erosion & Sediment Control Plan (E&S) were submitted to the applicant on September 9th and that the project would require “permit coverage” from Virginia Department of Environmental Quality (VA DEQ) under the Virginia Stormwater Management Program (VSMP) prior to the County’s issuance of a land disturbing permit or a building permit or any site construction. Mr. Padalino added that Mrs. Sappington’s review comments include a note that the Stormwater Management Plan was submitted on Friday, September 5th for review by VA DEQ.

Mr. Padalino then shared review comments submitted by Mr. David Thompson, Nelson County Building Official. Mr. Padalino explained that Mr. Thompson’s comments explain that an approved E&S Control Plan, a Nelson County Land Disturbing Permit, and a copy of VSMP permit registration statement from DEQ are required. He also declared that a bond, cash escrow, or irrevocable letter of credit must be established to Nelson County to ensure that E&S Control measures are properly installed, maintained, and completed in accordance with the approved plan.

Other Business:

Regular Meetings: Chair Proulx introduced a resolution to modify the Commission's meeting schedule, rescheduling of the November and December Regular Meetings. Per the resolution, the November meeting would be moved from November 26th to November 19th; and the December meeting would be moved from December 24th to December 17th.

Commissioner Allen read the resolution and made a motion to approve the resolution. Commissioner Russell seconded the motion, the vote 6-0.

Wayside Stand Permits: Mr. Padalino briefed the Commission on the issue of "Wayside Stand Permits." He noted that this was a topic that has recently been reviewed by the Commission as part of the recent "Agricultural Operations" amendment process. Part of the review involved a proposal to establish a review procedure and approval criteria for such permits, as the Zoning Ordinance currently provides virtually no guidance.

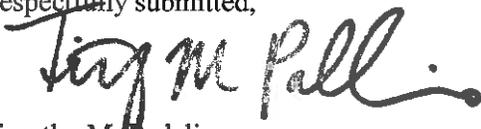
Mr. Padalino explained that two such permit applications have been received since the previous meeting; and that he may forward those permit applications to the Commission for their review and approval. He noted his reluctance to administratively approve Wayside Stand Permits with regards to safety concerns for patrons, operators, and passing motorists. Regarding those concerns, Mr. Padalino stated he has been in communication with Mr. Kessler at VDOT, seeking guidance on what type of information VDOT would need in order to review that type of permit. That communication has not led to a resolution of the matter, but that Mr. Kessler and other VDOT staff would make themselves available to establish a review procedure for Wayside Stand Permits.

Mr. Padalino concluded by stating that if a review procedure could be established prior to next month's Planning Commission meeting, then he would process those permit applications administratively. If a review procedure could not be established, then he stated he will send the permit applications to the Planning Commission for their review and action at the November meeting.

Adjournment:

At 8:12 P.M. Commissioner Allen motioned to adjourn.

Respectfully submitted,



Timothy M. Padalino
Director, Planning & Zoning