

NELSON COUNTY PLANNING COMMISSION
MEETING MINUTES
November 19, 2014

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

Absent: Commissioner Harman

Staff Present: Tim Padalino, Director of Planning & Zoning and Stormy Hopkins, Secretary

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

Approval of Minutes – October 22, 2014: Chair Proulx asked if there were any further changes to the draft minutes. None were indicated.

Commissioner Russell made a motion to approve the minutes of the Nelson County Planning Commission of October 22, 2014 as corrected. A second offered by Commissioner Goad; vote 5-0.

Chair Proulx noted two items that were originally scheduled on the agenda have been postponed; Special Use Permit for Page's Palette and Site Plan for Zenith Quest.

1. Special Use Permit #2014-009 – Blue Haven 151 Farm / Ms. Anne Wachtmeister

Mr. Padalino stated that the Planning & Zoning Department received a complete application and Site Plan on October 31, 2014. He also noted that proper advertising in the Nelson County Times was done on November 6th & 13th and all adjoining property owners were notified.

Mr. Padalino then began his presentation of the staff report; providing a brief oral report summarizing the location and characteristics of the subject property and noted that the applicant is requesting to use the existing property for a conference center. Mr. Padalino read the definition of "conference center" from the Nelson County Zoning Ordinance. Specifically, the applicant wishes to use the facility to "support educational retreats, team building, weddings, and events that are educational, artistic, and cultural in nature." He noted that the applicant has provided a brief project narrative to the Commissioners as well as for the public (see attached). The proposed use would include overnight lodging accommodations in a variety of formats, including the existing Bed & Breakfast, eleven (11) Airstream campers, four (4) bunkhouses, and a tent camping area.

Mr. Padalino noted the application was submitted in response to County code enforcement activities, which were initiated by resident complaints regarding perceived zoning violations. Specifically, the applicant had assembled and stored materials for the conference center use prior to receiving the necessary permits – but had not actually conducted any conference center use with those materials. As a result, Ms. Wachtmeister is seeking to remedy the situation by requesting County approval to move forward with the conference center use.

Mr. Padalino stated that the Site Plan Review Committee met on November 12th 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.

Mr. Padalino stated that there is a note on Sheet 1 indicating that the landscaping is existing; which is interpreted to mean that no additional landscaping or screening is being proposed. The Site Plan shows seven (7) existing landscape trees for screening purposes but due to the location and size of the trees, they do not provide much screening. Mr. Padalino stated that additional screening between the subject property and Parcel 2 may be

As a result, Mr. Padalino stated that County staff recommends that the PC consider recommending to the BOS that this application be approved with conditions that are designed to mitigate disruptive noise or other potential impacts to adjoining the properties and the surrounding area. He stated that those conditions could be construed to limit the hours in which amplified music can be used, or could be construed to impose other limits on noise or any other perceived nuisances that may be of concern. Mr. Padalino also noted that he has received two phone calls regarding this application. The first was from a citizen that had questions and concerns, and the second was from a member of the community stating their opposition.

Chair Proulx asked if the applicant would like to add to Mr. Padalino's presentation.

Elizabeth Anne Wachtmeister: Ms. Wachtmeister stated that she is the owner of the Blue Haven Farm Bed & Breakfast in Bryant, VA. Ms. Wachtmeister stated that from her perspective and the work that she does, she considers this more of a retreat center versus a conference center. Ms. Wachtmeister gave an overview of the work that she has done over the years as an experiential educator, working with both public and private schools. She noted that the previous owner, Ms. Day, had a healing arts retreat center and B&B. Ms. Wachtmeister said that she feels that she is honoring a legacy that is already there – but enhancing what the property can offer to students, visitors, and the community.

Ms. Wachtmeister then provided updated information since the Site Plan Review Committee meeting. In regards to addressing Mr. Kessler's concerns with VDOT, she stated that Mr. David Collins has spent some time looking at the grade of the road coming from the south towards the current driveway and assessing what that grade is. She indicated that the road is descending towards the entrance at a six percent grade.

Ms. Wachtmeister indicated that for the B&B and retreats, she estimates the traffic to be on average between 36-40 people for accommodations, three days a week on average, six to eight months a year. For events, weddings, family reunions, workshops and retreats, she estimated an average of 100-300 people, and estimated that those types of activities may happen 10 times or less a year. Schools, clubs and group retreats would average 20-80 people, three to seven days a week, perhaps 20 weeks a year. She then noted that when school groups come, they will often come in buses or vans, not in multiple cars coming in and out of the property. Ms. Wachtmeister stated that she feels this updated information may be beneficial to Mr. Kessler.

Ms. Wachtmeister then addressed the Health Departments concerns. She stated that she had met with someone on the property who has a background in the Health Department and designs septic systems. His findings were that there are two 1,000 gallon septic tanks on-site. The additional septic tank is located next to the Quonset hut. His recommendation was to add an additional drain field to that 1,000 gallon tank, and separate it from its existing setup so that it could act as a stand-alone system for the campers.

Regarding the sheds (potential bunkhouse cottages), Ms. Wachtmeister stated that she wants to avoid as much excavation of the property as possible. Her first thought was to create a mobile bathroom/shower facility, which would be serviced by a professional waste removal person.

In regards to landscaping and screening, Ms. Wachtmeister stated that she respects her neighbors and their privacy. She indicated that she intends to plant native trees, including more hardwoods. She had the opportunity to talk with Mr. Doug Coleman of the Wintergreen Nature Center, and that he made a suggestion to plant what's known as Nine Bark, which is a fast growing shrub that can double its size each year. She stated that the landscaping goal is to create three staggered rows of vegetation off the fence line of the adjoining property owner; and to also transplant some of the juvenile white pines on the property to that same area. Ms. Wachtmeister indicated that she is open to ideas, and wants to make it as attractive as possible.

In regards to the lighting concerns, Ms. Wachtmeister indicated that she plans to use solar lights and low-light lighting that helps guests and visitors navigate the property safely. The only lighting that will be used at Route 151 will be to light the sign, and those lights will be downcast and low-candescent.

Sarah Bryant Loken: Ms. Loken stated that she grew up in Bryant. She owns property near Zion Hill Baptist Church. She indicated that she does not understand why the zoning needs to be changed since there is a B&B and a retreat. She is concerned that if this is changed to a conference center, what other possible future uses such an approval would open; and if the property is sold, what the next owner may do. She also asked where all the trees, all the transportation, and all the people are going. She asked if there would be a need for a larger facility in the future – and if will there be a need for bright night lights. She then stated that the proposed use does not fit the nature of the community, and it would definitely ruin it. She is concerned with the large trucks travelling at fast speeds along Route 151. Ms. Loken stated that she is afraid of what may happen to the property if Anne is not there to protect it.

Chair Proulx: Chair Proulx then clarified that the application is for a Special Use Permit for a conference center – not an application to rezone the property or to make any changes to the County Code.

Tommy Bruguere – 187 Jacks Hill Road Roseland, VA and West District Supervisor: Mr. Bruguere stated that there are a lot of safety concerns. He noted that the four points in the Zoning Ordinance that Mr. Padalino referenced would all be violated. He noted that this is a farming and residential area; this is not a campground or a conference center area. Mr. Bruguere stated that the B&B – if it stood alone – would be fine. He stated that the main problem is going to be with septic and water; and that has to be addressed by the Health Department. He noted that if an individual put a camper on their property, it must have well and septic. Mr. Bruguere noted that everything that has been done with the property, such as putting in the campers and cabins, has been done backwards. He stated that the owner did not have permission, and that all of that was done before any application was applied for. Mr. Bruguere then stated that his opinion is that Ms. Wachtmesiter should be made to take everything out and follow the proper process. Mr. Bruguere then stated that he does not believe a campground and conference center are in harmony with this area.

After explaining that there would be no more opportunity for public comment once the public hearing was closed, Chair Proulx paused, waited, and then closed the public hearing at 7:57 p.m.

Chair Proulx stated that she would like to clarify some of the items that had been discussed. She noted that the application is for a conference center, and not for a campground. She also noted that the campers are proposed to be located in fixed locations, and be plumbed for a septic field. She also clarified that Special Use Permits, if approved, only grant permission for the uses that are listed in the request – and that permit holders can't add things later, without first coming back to the County for another permit review and approval process. Any future proposed changes or modifications to a Special Use Permit would require the applicant to come back to the County for approval.

Commissioner Russell clarified that the Planning Commission is there to recommend approval or denial to the Board of Supervisors for this Special Use Permit for a specific use. As far as Health Department and VDOT, that is not the PC's purview. Mr. Padalino noted that this Special Use Permit application is the process where those agencies are brought in to provide their expertise and comments for County consideration; and that approvals from those agencies are not necessarily required prior to any Board approval.

Commissioner Russell stated that there have been trees planted along the property line between Ms. Wachtmeister's property and Ms. Day's since the photo presented by Ms. Day was taken.

Chair Proulx asked the applicant to address the concerns discussed during the public hearing. Ms. Wachtmeister stated that hiking trails will be confined to her property; and dogs will be allowed, but on leashes only. As for campfires, she noted that individuals will not be allowed to light fires; but she would like to create a bonfire area that is away from the trees and that would be a center place for attendees to congregate. Ms. Wachtmeister noted that she is open to time restrictions on music events, and that she wants to be a part of a culturally rich environment. Regarding the number of people at events, the applicant stated that she is willing to set limits based on the type of event taking place. She stated that she has no interest in cutting or clearing trees on her property.

Chair Proulx asked for comments and discussion regarding the motion on the floor. Commissioner Goad stated that he thinks that the lack of comments in favor of this SUP, and all the comments against it, tend to point to the change in character and pattern in the development of the area. He noted the existing B&B is fine in the area, but the proposed changes do seem like they would change the character of the surrounding area.

Chair Proulx then called for a vote on the motion; and the motion was defeated 3-2 with Commissioners Allen, Goad, and Saunders voting no. Chair Proulx then stated that the Planning Commission's recommendation to the BOS is to deny the application for a SUP.

Other Agenda Items:

1. Minor Site Plan #2014-005 – “Wayside Center” corporate training center / Mr. Jeff Winder (Tax Map Parcel #48-A-15):

Mr. Padalino noted this is an application for a Minor Site Plan in connection with an approved Conditional Use Permit from 2009. Mr. Padalino then began his presentation of the staff report; providing a brief oral report summarizing the location and characteristics of the subject property. He then stated that the Site Plan was reviewed by the Site Plan Review Committee on November 12th, and provided a brief summary of plan review comments provided by each agency represented on the Review Committee.

Mr. Padalino noted the Review Committee had questions regarding signage; exterior lighting; landscaping and screening; and parking spaces. He stated that in regards to questions relating to signage, the applicant has submitted two (2) revised Site Plans today that address those comments. The Site Plan identifies two proposed entrances, and the signs would clarify which entrance would be used by those residing at the dwelling and those that need handicap access; and which entrance will be used by all other patrons of the property. Regarding the exterior lighting, the applicant has clarified that there are no plans to have additional exterior lighting; the existing residential lighting will be used. Regarding landscaping and screening, the applicant is not proposing any additional landscaping. Regarding parking spaces, the Site Plan shows sufficient parking spaces as far as how many are required, which is calculated by using the total square footage of teaching area and the number of classrooms. The applicant team has stated that using such calculations, there is a need for eight (8) spaces and Mr. Padalino indicated that he agrees with that number. He noted the Site Plan shows approximately ten (10) spaces in the proposed new parking lot; three (3) of which are existing, including accommodations for handicap parking.

Mr. Padalino noted that Thomas Jefferson Soil & Water Conservation District (TJSWCD) did not attend the meeting on the 12th and has not provided any review comments. He also noted that the Health Department has commented that if this project served twenty-five (25) or more people at the property sixty (60) or more times per year, a public water works permit may be necessary. Mr. Winder has indicated that he would limit the number of attendees at any one activity to twenty-four (24).

Mr. Padalino noted that Virginia Department of Transportation (VDOT) had submitted comments and questions, but that he would defer to the applicant to address those comments.

Chair Proulx asked if the applicant team would like to add anything further to Mr. Padalino's comments.

Massie Saunders, Site Plan Engineer: Mr. Saunders indicated that to his knowledge, they have met all of VDOT's requirements. He noted that they have satisfied the sight distance as well as the stopping sight distance. Regarding the cross section of the road, he stated that there is an 8" layer of stone on the entrance, which is sufficient. There are two (2) types of signs that identify the entrances to the property; and handicap access is available. The public entrance will be the new parking area. The land disturbance area is under 10,000 sq. ft. and an Erosion & Sediment (E&S) Control Plan is not necessary, in his opinion.

Commissioner Russell asked for the amended date of the site plan. Mr. Saunders noted the Site Plan was amended on November 17th for signage and November 19th for parking. Mr. Saunders also gave a brief description of the signs, the locations for each, and for the parking spaces and their locations. He noted that there has been

Mr. William Karnes: Mr. Karnes stated that in regards to the 70% production was relating to the flowers and such. The items that he would sell at the stand would be items that he has grown, or items that have come from other local growers. In regards to the sight stopping distance, he indicated that the required is 360 feet and they have 370 feet of distance. Mr. Karnes stated that he is willing to change the location of where his stand is currently located, and is open to any suggestions. He indicated that he just wants to make a living in the valley. Mr. Karnes stated that he has a High Tunnel, a 30 x 70 green house, which was given to him through a USDA grant to help grow produce for an extended season throughout the year. Mr. Karnes also noted that he previously tried to conduct the same use at the Tuckahoe Antique Mall, but was told by VDOT that he would have to split the one existing entrance into two separate entrances, and install curbing.

Chair Proulx stated that she is concerned with the location and safety. She indicated that she would like to have clarity on the entrance, exiting, and parking from VDOT. She also noted that there is the complication with another use on the property, which makes this more difficult due to the fact of not knowing what will happen with the house. Mr. Padalino indicated that Staff would give a copy of the Site Plan to VDOT for their review and comment for the December Site Plan Review Committee meeting.

Commissioner Russell noted that the thing that complicates her decision-making is the fact that there are two proposed uses at the same residence. She stated that she would prefer not to make a decision on this wayside stand application until a decision has been made for the homeowner's SUP application.

Commissioner Russell made a motion to defer our advice to the Planning & Zoning Director concerning the William Karnes request for a Wayside Stand Permit until a determination has been made by the Planning Commission and the Board of Supervisors on the future application of the property owner Kim Page.

Commissioner Goad seconded the motion; and Commissioners voted 5-0 to unanimously approve the motion.

3. Wayside Stand Permit #2014-02 – Ms. Shelby Bruguiere (Tax Map Parcel #12-A-148):

Mr. Padalino began his presentation of the staff report; providing a brief oral report summarizing the location and characteristics of the subject property. HE stated that the applicant is requesting to sell agricultural products from Dickie Brothers Orchard to increase their amount of direct-to-consumer sales. Mr. Padalino indicated the Ms. Bruguiere stated that all products sold would be agricultural or horticultural in nature, and 100% would be produced by Dickie Brothers Orchard. He noted the applicant intends to operate on Saturdays and Sundays during the peak growing season, between August through mid November.

Mr. Padalino stated that he recommends the Planning Commission approve the application for the following reasons: the proposed wayside stand location would be located relatively far from the public right-of-way, allowing for easier and safer access and less likelihood of congestion; the proposed wayside stand would only be in operation on weekend for a few months out of the calendar year; and the proposed wayside stand would be selling products that were produced entirely by the property owner's family (as required). Mr. Padalino indicated that he would also recommend the following conditions: VDOT provides a "recommendation for approval" for the permit application; and that the permit approval is limited to one year, to allow the County to evaluate the use after one growing season.

Massie Saunders, representing the applicant: Mr. Saunders noted that there is sufficient sight distance at the existing entrance. He noted that if the applicant wanted to expand in the future, there would be a problem using the existing entrance due to a power pole and a man hole that is there. The applicant has looked at utilizing the existing entrance at the uppermost edge of the proposed new entrance and moving the entrance ninety feet to the north; by doing this, it would allow for a commercial entrance. He noted there would be two phases of construction. In reference to Mr. Padalino's statement regarding a one year review, he stated that he does not view that as an issue.

Commissioner Russell stated that she is in favor of adding a new definition to the Agricultural District. Chair Proulx asked Mr. Padalino to draft a definition for the Planning Commission to review for a possible amendment to the Zoning Ordinance.

Update on Agricultural-Forestal District (AFD) application and inquiries: Mr. Padalino noted that two applications have been received for addition to the existing Davis Creek AFD. He noted that from his research the process is very complicated, and has been handled differently at different times. He also noted that Mrs. Susan McSwain, Secretary to the AFD Advisory Committee, had indicated that there are no fees to add new parcels to an existing AFD; the deadline for submission of new applications is June 1st; and applications can be processed as early as January 1st. Mr. Padalino stated that he believes that after January 1st, applications received since June 1st can be processed; but he would like to know for certain what the process is. He stated that his current understanding of the review process is that an application has to be reviewed by the Planning Commission after being initiated by the Board of Supervisors; then sent to the AFD Advisory Committee; then sent back to the Planning Commission for public hearing; and then sent to the Board for public hearing and action.

Mr. Padalino then asked for the Commissioners past experiences with AFD applications, and if their experience matches the review process he described.

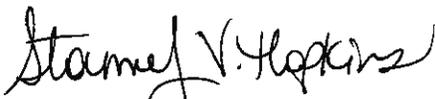
Chair Proulx indicated that she had spoken with Connie Brennan, and it was her understanding that it was State law that required all the back and forth between the different review entities. Chair Proulx indicated that she has not researched that herself, however. Commissioner Russell stated that in the past, the Planning Commission has been presented with the fact that there were applications and referred them to the AFD Advisory Committee for their review and recommendation; and once the Planning Commission received the Advisory Committee's recommendation, they held a public hearing. Mr. Padalino noted that it is his understanding that applications have to be referred by the Planning Commission or the Board of Supervisors to the Advisory Committee.

Chair Proulx suggested that Mr. Phil Payne review the process and see how it correlates with State regulations and if there is a way to simplify the process.

Adjournment:

At 10:10 P.M. Commissioner Allen motioned to adjourn.

Respectfully submitted,



Stormy V. Hopkins
Secretary, Planning & Zoning



Blue Haven 151 Farm and B&B

November 19, 2014

Dear Members of the Nelson County Planning Commission, Members of the Board of Supervisors and Residents and Business Owners of Nelson, County:

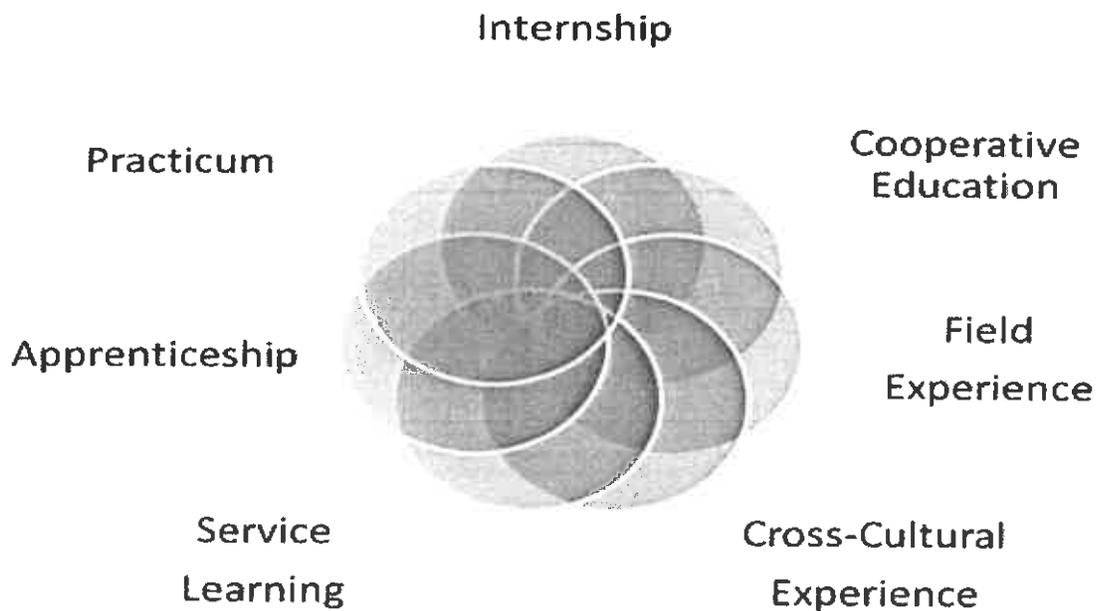
My name is Elizabeth Anne Wachtmeister and I would like to introduce you to my vision for my property at Blue Haven 151 Farm, and B&B located 10531 Patrick Henry Highway, Roseland (Bryant), Virginia 22967. Currently operated as a farm and bed and breakfast, I have applied for a special use permit for a conference center that would support and enhance the property as well as our community. As a former Outward Bound instructor and current experiential learning educator running an experiential learning center on St. Croix, an island in the US Virgin Islands since 2006; I am passionate about working with middle school through graduate school students and teachers to support a multi disciplinary curriculum that encompasses local history, culture, eco systems, arts, music etc.. I am also passionate about getting kids and adults outdoors. I moved back to my home state of Virginia in 2012 to continue my work with school groups from around the world that travel locally, nationally and internationally to participate in experiential learning weekends and weeks. I have attached a overview of experiential education for your review.

I am committed to creating a destination place that offers visitors to Nelson County, and its variety of businesses and outdoor activities, a place where people can stay, relax and explore while visiting our beautiful and unique part of Virginia. Originally developed by the previous owner to be a healing arts center and bed and breakfast in 2008, Blue Haven 151 Farm and B&B now offers its 38 plus acres of mature pine trees (former Wilson tree farm), outstanding views of the Priest Mountain and surrounding smaller mountains making up the religious range of the Blue Ridge Mountains, hiking trails, a meeting space under the stars, open space and pasture land as well as unique and comfortable accommodations.

Definition of Experiential Education/ Learning

Experiential education refers to a pedagogical philosophy and methodology concerned with learning activities outside of the traditional classroom environment, with objectives which are planned and articulated prior to the experience (McElhane, 1998). As Figure 1 illustrates, experiential learning exists in many forms. Experiential learning in higher education takes on many forms: internships, service learning, co-operative education, field experience, practicum, cross-cultural experiences and apprenticeships are all examples (Kolb, 1984; Linn, 1999; McElhane, 1998). According to Linn, although the setting may be different for each of the different forms of experiential learning, they all include steps like “**planning, training, monitoring, reflecting, and evaluating**” (p. 26).

Figure 1. Types of Experiential Education



experience, as it is in process, continues to provide the richest learning possible, while affirming the learner. It is important that there be a feedback loop related to learning intentions and quality objectives and that the structure of the experience be sufficiently flexible to permit change in response to what that feedback suggests. While reflection provides input for new hypotheses and knowledge based in documented experience, other strategies for observing progress against intentions and objectives should also be in place. Monitoring and continuous improvement represent the formative evaluation tools.

7. **Assessment and Evaluation:** Outcomes and processes should be systematically documented with regard to initial intentions and quality outcomes. Assessment is a means to develop and refine the specific learning goals and quality objectives identified during the planning stages of the experience, while evaluation provides comprehensive data about the experiential process as a whole and whether it has met the intentions which suggested it.
8. **Acknowledgment:** Recognition of learning and impact occur throughout the experience by way of the reflective and monitoring processes and through reporting, documentation and sharing of accomplishments. All parties to the experience should be included in the recognition of progress and accomplishment. Culminating documentation and celebration of learning and impact help provide closure and sustainability to the experience.

Source: National Society for Experiential Education. Presented at the 1998 Annual Meeting, Norfolk, VA

FINALLY: These are a few philosophical articles which also define Experiential Education. Many of the authors state that experiential education is a methodology which creates a transformation of learners to become more self-directed.

1) [\[PDF\] ► On defining experiential education](#)

L Joplin - Journal of **Experiential Education**, 1981 - summercamp.com.my
... This paper designed to define or identify those aspects of **education** that are **experiential**, ie, those portions of **experiential** learning which are deliberately ...
[Cited by 60](#) - [Related articles](#) - [View as HTML](#) - [Web Search](#) - [All 2 versions](#)

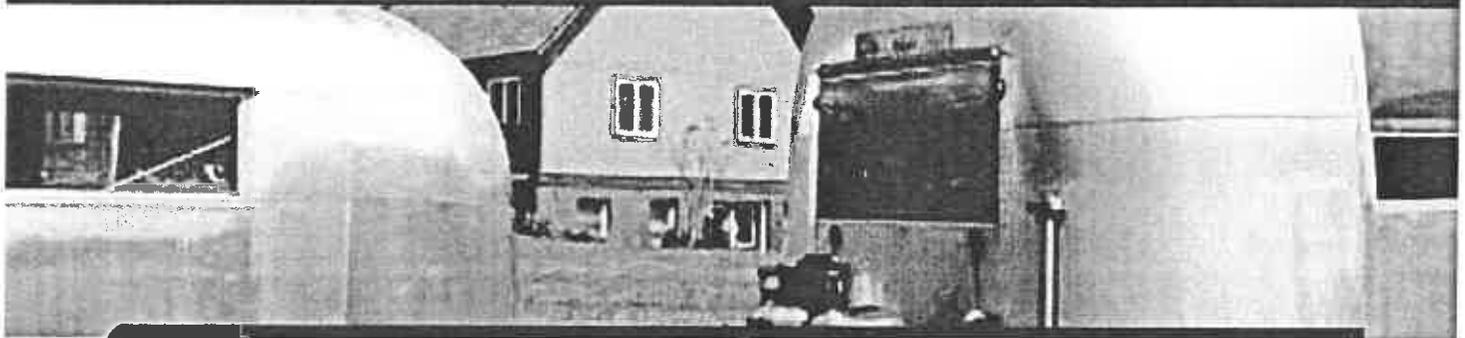
2) [What is Experiential Education?](#)

S Chapman, P McPhee, B Proudman, S Chapman - unh.edu
What is Experiential Education? by Steve Chapman, Pam McPhee, and Bill Proudman
Thés* responses a hic question, "Whñi is Experiential Education?"t came frorr.
the Aueusr, 1992 edition of The Journal of Experiential Education {Voiium* ...
[Cited by 20](#) - [Related articles](#) - [Web Search](#)

3) [The theory of experiential education](#)

K Warren, MS Sakofs, JS Hunt - 1995 - d.umn.edu
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BLUE HAVEN 151



Who We Are and What We Do

- A farm that raises vegetables, grapes, flowers, pasture chickens and alpacas
- A licensed B&B
- An Experiential Learning Center for schools, clubs and groups
- A welcoming place that will offer visitors and Nelson County residents opportunities to engage in the arts, education and outdoor activities

What We Don't Do

- Developers or multifamily subdividers
- A trailer park but we are a new twist on vintage icons
- A venue for large concerts and festivals but we are a place for their guests to stay
- A brewery, distillery or winery but we can't wait to bring folks to them

I look forward to answering any questions you have moving forward and supporting Nelson County residents and businesses. I greatly appreciate your consideration and am excited about being a positive contributing member of our County. I look forward to meeting you on Wednesday, November 19th.

All the best,

E. Anne Wachtmeister, Owner Blue Haven 151 Farm and B&B



Blue Haven 151 Farm and B&B - 10531 Patrick Henry Hwy, Roseland (Bryant), Virginia 22987 - (434) 688-4391 - bluehaven151@gmail.com

date	location	time	
11/19/14	NELSON COUNTY COURTHOUSE	7:00 PM	Planning Commission Hearing for Blue Haven 151 Farm and B&B's special permit application for conference center.

