

**NELSON COUNTY PLANNING COMMISSION
MEETING MINUTES
September 26, 2012**

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

Staff Present: Tim Padalino and Melissa Thompson. Fred Boger was absent.

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 – August 22, 2012, 2012: Commissioner Harman made a motion to approve the minutes as corrected. August 22 minutes should reflect that Chair Proulx inquired about existence of underground gasoline tanks on the site. Staff agreed to investigate. Motion passed 5-0.

Special Use Permit #2012-002, Rockfish Wildlife Sanctuary

Mr. Padalino reported that Beverly Butler representing the Rockfish Wildlife Sanctuary (RWS) has submitted an application for a Special Use Permit including a Site Plan to relocate their existing wildlife rehabilitation facility to a location more conducive to the type and scope of their work. He stated the site is located in the Shipman area, Tax Map # 46-2-2B, 5458 Wheelers Cove Road and consists of 19.47 acres.

Mr. Padalino reported that the Site Plan Review Committee met with the applicant on September 12, 2012 and that several issues were identified by Mr. Matt Clark representing VDOT. He further stated, with these factors in mind, Staff recommends that the Rockfish Wildlife Sanctuary applications for a Special Use Permit and Final Site Plan be sent to the Board of Supervisors with a favorable recommendation.

Jim Taggart of TCS Engineering, LLC spoke on behalf of the Rockfish Wildlife Sanctuary. Mr. Taggart stated that he drew the plans and will be working to develop the site. He further stated that he was in touch with VDOT to solve the issues identified with the commercial entrance to the property. Mr. Taggart stated that RWS is working with an adjoining property owner to provide a good sight distance for traffic coming out of the purposed location. Mr. Taggart commented on the number of trips estimated to the RWS saying, VDOT had said there are approximately 30 trips into Wheelers Cove Road daily and Mr. Taggart estimated an additional 16 trips.

Beverly Butler, treasurer for the RWS, reported that RWS was a non-profit organization established in 2004 to provide care for orphaned and injured Virginia native wildlife. She stated RWS works with The Wildlife Center of Virginia located in Waynesboro, taking animals that require rehab before being released. Chair Proulx asked Ms. Butler if RWS will be open to the public. Ms. Butler pointed out that volunteers pick up the animals and that the sanctuary will not

be open to the public .Ms. Butler also stated that volunteer training takes place in Charlottesville. She further reported that RWS has out grown the current location.

The public hearing was opened.

Christine Courtney

Christine Courtney stated that she lives several lots down from the purposed RWS location and is very concerned about the added traffic to Wheelers Cove Road. Ms. Courtney stated that she is in favor of RWS and wants Nelson County to be aware of the traffic issues that exist on Wheelers Cove Road.

The public hearing was closed.

Commissioner Russell questioned whether VDOT based their recommendations on an incorrect total of 45 daily trips to the RWS or an actual estimated count of 16. Chair Proulx stated that the entrance and sight distance concerns of VDOT and the neighbors would be resolved by Mr. Taggart and VDOT.

Commissioner Hunt asked if all animals were caged. Ms. Butler said yes, and further stated that animals were released off site with the exception of some birds. Commissioner Russell commented that the Wheelers Cove Road property was a good site for RWS relocation in her opinion.

With no further discussion Commissioner Russell made the follow motions:

The Planning Commission recommends to the Nelson County Board of Supervisors approval of Special Use Permit # 2012-002 for the Rockfish Wildlife Sanctuary on Tax Map # 46-2-2b located at 5458 Wheelers Cove Road in Shipman.

Commissioner Harman offered the second and the motion passed 5-0.

The Planning Commission approves the Final Site Plan for Rockfish Wildlife Sanctuary, 5458 Wheelers Cove Road, Shipman, Tax Map # 46-2-2b as presented by TCS Engineering Company consisting of six pages dated August 7, 2012. This is subject to additional information that was discussed at this meeting and must be approved by the Planning Director. It is also contingent on approval by the Board of Supervisors of the Special Use Permit.

Commissioner Hunt offered the second and the motion passed 5-0.

Other Business:

Commission Allen asked if the Planning Commission members would consider meeting at 7: 00 P.M. rather than 7:30 P.M. Chair Proulx asked that the by-laws be checked before making a change to the meeting time.

Board of Supervisor liaison report- Connie Brennan

Supervisor Brennan was absent and sent the following report:

1. Courthouse Project
 - a. Signage reviewed and company from Richmond most likely will get the job
 - b. Jefferson Building: Jim Price, an expert in restoring old buildings, will be submitting a bid to bring the building back to Jefferson's original design, as much as is possible. Details later. Supervisors have to approve this, but Allen and I are very excited about the possibilities.
 - c. Magistrate's building work to begin soon.
 - d. Still haggling over the concrete work that is deficient.
 - e. Work to begin soon on the mitigation project in the entry to the complex.
 - f. Landscaping is under way, except for the space between the Jefferson Building and the old jail (this awaits completion of the Jefferson Bldg. restoration).
 - g. Treasurer's office remodeling mostly complete. Hideous new carpet installed yesterday.
2. Broadband Project—what to say? It is plugging along.
3. Lovingson Health Care Center- agreement signed with JABA for a feasibility study to see if it reasonable to consider an assisted-living facility there.
4. Norwood Historic District Project-underway and to be completed June 2013.
5. General Reassessment underway. Keep your fingers crossed.
6. Blue Ridge Medical Center-Occupancy of the Dental Center wing hopefully late October.
7. Letter and resolution sent to Gov. McDonnell objecting strongly to the mandated Local Aid to State Government especially if there is a "surplus".
8. Resolution adopted for the Regional Natural Hazard Mitigation Plan.
9. Preliminary 2013 TJPDC Legislative Program presented to BOS 9/11. Please review and comment. I would like a review of the Ag-Forestal District legislation with a view to simplifying the process. Anyone???
10. Proposed Subdivision Ordinance Amendments: work session to be scheduled.
11. The two issues from the last PC meeting were approved.
12. VDOT is working on the 29 stoplight issue and the Rt. 6/639 issue.
13. Presentation by the Central Virginia Conservation League on conservation easements was very interesting and hopefully if they return, some of you will attend.
14. I welcomed the Virginia Recreation and Parks Society to Nelson County at their annual meeting at Wintergreen. They LOVE Nelson County!!

Adjournment:

Commissioner Hunt made the motion to adjourn the meeting at 8:36 P.M.

Next Meeting: October 24, 2012

Respectfully submitted,

Melissa M. Thompson
Planning Commission Secretary

**A RESOLUTION
TO RECOMMEND APPROVAL OF SPECIAL USE PERMIT #2012-002
FOR ROCKFISH WILDLIKE SANCTUARY**

WHEREAS, Rockfish Wildlife Sanctuary has requested a Special Use Permit #2012-002 for construction of a wildlife sanctuary, to 5458 Wheelers Cove Road, Shipman, Virginia, Tax Map #46-2-2b; and

WHEREAS, notice of public hearing was published in the Nelson County Times on September 6 and September 20, 2012; and

WHEREAS, a notice to adjacent property owners was mailed on September 11, 2012; and

WHEREAS, the Commission has considered the Planning Director's report; and

WHEREAS, on September 26, 2012 the Planning Commission held a public hearing to consider the Final Site Plan; and

NOW, THEREFORE, BE IT RESOLVED BY THE NELSON COUNTY PLANNING COMMISSION as follows:

The Planning Commission recommends to the Nelson County Board of Supervisors approval of Special Use Permit # 2012-002 for the Rockfish Wildlife Sanctuary on Tax Map # 46-2-2b located at 5458 Wheelers Cove Road in Shipman.

Motion made by Commissioner: Linda Russell

Motion seconded by Commissioner: Michael Harman

Motion Passed: 5-0

APPROVED: _____
CHAIR

ATTEST: _____
Planning Commission Secretary

DATE: _____ September 26, 2012 _____

**A RESOLUTION
TO APPROVE FINAL SITE PLAN #2012-002
FOR ROCKFISH WILDLIKE SANCTUARY**

WHEREAS, Rockfish Wildlife Sanctuary has requested a approval of Final Site Plan #2012-002 to allow for construction of a wildlife sanctuary, to 5458 Wheelers Cove Road, Shipman, Virginia, Tax Map #46-2-2b; and

WHEREAS, notice of public hearing was published in the Nelson County Times on September 6 and September 20, 2012; and

WHEREAS, a notice to adjacent property owners was mailed on September 11, 2012; and

WHEREAS, the Commission has considered the Planning Director's report; and

WHEREAS, on September 26, 2012 the Planning Commission held a public hearing to consider the Final Site Plan; and

NOW, THEREFORE, BE IT RESOLVED BY THE NELSON COUNTY PLANNING COMMISSION as follows:

The Planning Commission approves the Final Site Plan for Rockfish Wildlife Sanctuary, 5458 Wheelers Cove Road, Shipman, Tax Map # 46-2-2b as presented by TCS Engineering Company consisting of six pages dated August 7, 2012. This is subject to additional information that was discussed at this meeting and must be approved by the Planning Director. It is also contingent on approval by the Board of Supervisors of the Special Use Permit.

Motion made by Commissioner: Linda Russell

Motion seconded by Commissioner: Emily Hunt

Motion Passed: 5-0

APPROVED: _____
CHAIR

ATTEST: _____
Planning Commission Secretary

DATE: _____ September 26, 2012 _____