



Nelson County Planning Commission Meeting Minutes January 26th, 2022

Present: Chair Mark Stapleton and Commissioners Chuck Amante, Mike Harman, Mary Kathryn Allen, Jesse Rutherford and Phil Proulx

Staff Present: Emily Hjulstrom, Planner/Secretary

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

Review of the minutes December 15th, 2021

Ms. Proulx made a motion to approve the December 15th minutes. Ms. Allen seconded the motion.

Yes:

Mark Stapleton

Charles Amante

Mike Harman

Phil Proulx

Mary Kathryn Allen

Abstain:

Jesse Rutherford

Officer Elections

Ms. Bishop welcomed the new Board of Supervisors Representative, Jesse Rutherford. She asked if the Planning Commission had any nominations for the position of Chair.

Ms. Proulx nominated Ms. Allen for Chair. Mr. Amante seconded the motion.

Yes:

Mark Stapleton

Charles Amante
Mike Harman
Phil Proulx
Jesse Rutherford

Abstain:

Mary Kathryn Allen

Mr. Amante nominated Ms. Proulx for Vice Chair. Ms. Allen seconded the motion.

Yes:

Mark Stapleton
Charles Amante
Mike Harman
Phil Proulx
Mary Kathryn Allen
Jesse Rutherford

Ms. Bishop nominated Ms. Hjulstrom to be Secretary. Ms. Allen seconded the motion.

Yes:

Mark Stapleton
Charles Amante
Mike Harman
Phil Proulx
Mary Kathryn Allen
Jesse Rutherford

Ms. Bishop explained Mr. Rutherford is the new Board of Supervisors Representative.

2021 Annual Report

Ms. Hjulstrom presented the following information:

Ms. Hjulstrom explained that the first page was administrative approvals. She added that plats and new structures were their most common and that the amount of violations had gone from around 10 in the last few years to 29 last year. She noted that in 2020 they had 1 rezoning and 6 special use permits and that in 2021 they had 10 rezonings and 12 special use permits. Chair Allen asked what was included in the “other” category. Ms. Hjulstrom explained that it included smaller categories like solar panels, tower amendments, and signs. She then explained that the next page detailed what had come to the Planning Commission in 2021. Mr. Harman asked if the Board of Supervisors had agreed with their recommendation for all the items. Ms. Hjulstrom noted that the only instance of a difference in vote was for Special Use Permit #253 that the Planning Commission recommended for approval and that the Board deferred their vote; the applicant withdrew their application before it went back to the Board. Ms. Bishop noted that Special Use Permit #326 was a tie vote from the Planning Commission and approved by the Board.

Public Hearings

Special Use Permit #516 - Campground

Ms. Bishop presented the following information:

Ms. Proulx asked if they would be limited to six sites if no additional conditions were added. Ms. Bishop explained that if it isn't added as a condition to the special use permit then they could potentially get their site plan amended administratively without going to the Planning Commission.

Chair Allen reviewed the following public hearing guidelines:

Michael Patterson is the applicant, he lives at 9502 Pine Shadow Dr in Richmond. He explained that he and his wife have been coming to Nelson County for the past 15 years to enjoy the hiking, wineries and breweries. He explained that they haven't been able to find lodging accommodations within the county and usually need to go to Charlottesville or drive back to Richmond. He noted that they want visitors coming to Nelson County to spend the night and come back. They want the site to attract visitors on its own merit that would bring people to the County. He explained that the views on the property are beautiful and that the units will be unique. He added that they would have the opportunity to model sustainable and eco-friendly accommodations by using a smaller footprint and lower energy consumption than a hotel or houses.

Chair Allen opened the public hearing at 7:12 PM.

Nancy Edwards lives at 241 Truslows Ln. She explained that she faces the property. She asked if they would be tiny homes or travel trailers and if the campground would be limited to the six sites proposed.

Katherine Kristianson lives at 221 Truslows Ln and is directly across from the property. She also asked if they would be tiny homes or travel trailers and how many sites they would be limited to. She added that she is concerned about fire and that there was a brush fire there a couple years ago, and that there are no fire hydrants nearby. She added that she is also concerned about traffic and explained that the

infrastructure is not able to support what is currently there, and that people lose their lives on Route 151. She added that she does not want this to be like Old Trail in Crozet because it is an eyesore.

Marion Beck lives at 355 Bottom Ln. She noted that she and some of her neighbors are concerned about the noise. She explained that she is fine with six sites as long as there are not music events or things like that. She added that she is worried about taking a beautiful piece of Nelson County and changing it.

Nancy Edwards came back to the stand and asked if the tiny homes were really considered travel trailers. Ms. Allen confirmed that they are.

Chair Allen closed the public hearing at 7:17 PM.

Mr. Rutherford asked if these would be travel trailers as opposed to permanent dwellings. Mr. Patterson noted that they will be non-permanent structures. Mr. Rutherford asked if the units would have to move every 30 days or if it was that the people staying in them were limited to a 30-day stay. Ms. Bishop explained that the unit wouldn't have to move but that the stays will be limited to 30 days.

Mr. Amante asked about the septic facilities that will serve the campground. Mr. Patterson explained that there would be three septic tanks (serving two sites each) and they would feed into one drain field. He added that they have not put the exact locations of the septic tanks on the site plan yet.

Chair Allen asked about the spacing between each spot. Mr. Patterson explained that it would be about 100 feet, they want the spots to have their own privacy but be close enough for groups to be able to be near each other. Chair Allen asked if they would have any fires outside. He explained that they would have a small solo stove at each site. Chair Allen asked about music and noise questions from the public hearing. He explained that quiet hour would be 10 PM. He added that his business partner lives in Lovingston and will be able to be present on the property more and more. She asked if they expected to rent the spots out year-round. He explained that they would be open year-round.

Ms. Proulx asked what building permits would be required. Mr. Patterson explained that they are regulated as RVs and can not be taller than 13.5' or wider than 8.5'. Mr. Stapleton asked if they planned to have any other structures on the site. He explained that there is currently a barn on the property but that they do not plan to add any structures. Mr. Stapleton noted that the neighbors shouldn't have to be the ones monitoring and reporting on the property. Mr. Patterson noted that the closest site will be 75' from the center of the road and that the closest someone could be to them is 150'. He added that they would also add privacy trees. Mr. Stapleton asked if they had any intention to have events. Mr. Patterson explained that they do not. Ms. Proulx asked what events they are able to have on the property by-right. Ms. Hjulstrom explained that Category 1 and 2 Temporary Events are permitted by-right. Category 1 and 2 Temporary Events will still need to be applied for individually to be reviewed by VDOT, VDH, EMS, VSP, the Sheriff's Department, and Planning and Zoning. Any event over 10,000 people will be Category 3 and require a Special Use Permit. She added that Category 1 and 2 Temporary Events are currently allowed by-right on all A-1 property.

Ms. Bishop explained that Virginia Building Code recently adopted a section for tiny homes but that it pertains to tiny homes that will be regulated by building code as a dwelling. She explained that any

dwellings have to meet Virginia Building Code or meet HUD standards. She explained that otherwise, it is an RV regulated by the DMV.

Ms. Allen asked how close the closest home was. Ms. Hjulstrom showed the map of the surrounding area and noted that the closest dwelling was 221 Truslow's Ln and that it is about 100' from the road between the two properties.

Ms. Allen asked how far it was from Route 151. Ms. Hjulstrom noted that is less than a mile as the crow flies.

Mr. Rutherford noted that there is always a serious concern when it comes to noise and the size of events. He added that he did think it was appropriate to limit it to six sites and if they wanted to come back in the future they could ask for more. Mr. Amante noted that he hesitated to limit events because it would run with the property. Ms. Bishop explained that they could not limit by-right events with a condition on the special use permit.

Mr. Harman made a motion to recommend approval of SUP #516 for a campground contingent on VDOT, utility, and E&S approvals, and limiting the number of sites to six. Mr. Amante seconded the motion.

Yes:

Mark Stapleton

Charles Amante

Mike Harman

Jesse Rutherford

No:

Phil Proulx

Mary Kathryn Allen

Special Use Permit #517 - Antique, Craft, or Gift Shop

Ms. Bishop presented the following information:

Ms. Bishop noted that the applicants were unfortunately unable to make it that night and had a presentation prepared for the Planning Commission.

Chair Allen opened the public hearing at 7:41 PM.

Chair Allen closed the public hearing at 7:42 PM.

Ms. Proulx asked if the applicants would be able to be at the next meeting and noted that she would like to hear from them directly. Ms. Bishop noted that the applicants were completely fine with that.

Ms. Proulx made a motion to defer SUP #517 for an antique, craft, or gift shop to the February 23rd meeting. Chair Allen seconded the motion.

Yes:

Mark Stapleton

Charles Amante

Mike Harman

Phil Proulx

Mary Kathryn Allen

Jesse Rutherford

Other Business:

Skylark Subdivision

Ms. Bishop explained that the Planning Commission has approved this subdivision a few times. She added that the Subdivision Ordinance permits an administrative 6-month extension once. She noted that staff granted that extension and that it expired in November. She explained that the applicants were held up in reviews from DEQ and VDOT. She added that they have been working with VOF on some conservation easements on the property as well. She explained that they are looking to renew their approval to continue the project. She added that they had to do a road conveyance to the County and that it took some time. She noted that that has already gone to the Board of Supervisors and that they accepted the conveyance. She explained that at this point everything is ready to be recorded and that all other approvals have been issued.

Mr. Amante noted that this was one of the first things that showed up when he started on the Planning Commission. He explained that he would hate them to do anything up there. He explained that putting the houses up there will tear up the ridgeline. Ms. Proulx noted that this is a by-right subdivision and that the Planning Commission's role is to make sure it meets subdivision requirements.

Mr. Harman made a motion to approve Skylark Subdivision dated August 25th, 2020. Chair Allen seconded the motion.

Yes:

Mark Stapleton

Charles Amante

Mike Harman

Phil Proulx

Jesse Rutherford

Mary Kathryn Allen

Board of Supervisors Report:

Mr. Rutherford noted that he was excited to be joining the Planning Commission. He noted that beginning the Comprehensive Plan update is exciting and that he is optimistic about the future of Nelson County. He added that struggles include deciding where to guide growth and maintaining the child pupil population. He added that he is always available for public outreach.

Chair Allen noted that people come to the county to buy land and put things here but that they don't live here themselves. She asked why people want to visit but don't live here.

Ms. Proulx asked how many people want to live here and asked if she really wants people living closer together. Ms. Allen noted that their schools and youth sports are suffering due to not having the tax revenue to provide what they need. She added that they could also raise tax revenue to support it.

Mr. Rutherford noted that there are numerous subdivisions in Nelson County with vacant lots. He added that he lives in one where lots have been empty since 2005. He added that a question that will come up in the Comprehensive Plan update will be how locals are able to afford to live in the county. He noted that homes in the Shipman area are now going for more than double the price that they were before 2018.

Mr. Amante made a motion to adjourn the meeting at 7:56 PM. Ms. Allen seconded the motion.

Yes:

Mark Stapleton

Charles Amante

Mike Harman

Phil Proulx

Jesse Rutherford

Mary Kathryn Allen

Respectfully submitted,

A handwritten signature in black ink that reads "Emily Hjulstrom". The signature is written in a cursive style with a long horizontal flourish extending to the right.

Emily Hjulstrom

Planner/Secretary, Planning & Zoning