

**NELSON COUNTY PLANNING COMMISSION  
MEETING MINUTES  
August 23, 2017**

**Present:** Chair Philippa Proulx, Commissioners Mark Stapleton, Mary Kathryn Allen, Robert Goad, Tommy Bruguere and Michel Harman

**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 – July 26, 2017:**

**Harman motioned that the minutes from July 26, 2017 be approved. They were approved 6-0 with none abstaining.**

**Old Business:** *None*

**Public Hearings:**

1. **Class C Tower Permit #2017-15 – Waterworks Ln. / Verizon – Stephen Waller**

Ms. Shackelford then gave her information as follows:

**!!**

**BACKGROUND:** This is a request for a Class C Communications Tower on property zoned RPC (in the Multiple-Family Residential Sector) in accordance with §6-1-16, §7-5-3, and §20-13 of the zoning ordinance.

Public Hearings Scheduled: P/C – August 23, 2017; Board – September 12, 2017 (tentative)

Location / Election District: 41 Waterworks Lane / Central Election District

Tax Map Number(s) / Total acreage: 11-A-2 / 359.4 acres +/- total

Applicant Contact Information: Stephen Waller, Verizon, 8159 Cancun Court, Gainesville, FL 20155; 434-825-0617.

Comments: The requested use is for an 85’ steel monopole communications tower to replace an existing wooden tower. The balloon test at the site occurred on August 10<sup>th</sup>.

The applicants are requesting a waiver from §20-12.D.4 limiting the equipment attached to the tower. The requested increase in the size of the antennas will allow a few number of antennas to be used. The applicants are also requesting that the requirement to allow only three antennas per array be waived in order to install all six of the necessary antennas in a single array.

**DISCUSSION:**

**Land Use / Floodplain:** This area is high-density residential in nature. The property does not fall within any 100-year flood plains.

**Access and Traffic:** Property is accessed from Waterworks Lane, which is a private road that serves the water tower at the location, as well as several other existing towers. The proposed tower will not take impact the daily traffic once construction is completed. An existing road will be used to access the property during the construction of the tower.

**Utilities:** The proposed tower will not utilize water or septic/sewer services. There is an existing road serving the site.

**Conditions:** The final approving authority for this request is the Board of Supervisors. The ordinance states that the final approving authority shall approve the color of the tower and may impose other conditions upon approval. The Planning Commission may make recommendations to the Board of Supervisors regarding proposed conditions. The applicants have proposed to paint the tower brown and staff recommends and that the tower is constructed as proposed in plans submitted with the request.

**Comprehensive Plan:** The current Comprehensive Plan has this area identified as Rural and Farming. However, this appears to be an oversight since the area has been developed in a high-intensity mixed use fashion. The current Comprehensive Plan does not address communications towers/infrastructure. The application meets the guidelines established in §20-2 of the Zoning Ordinance outlining the purpose of the Communications Tower Ordinance including the importance of protecting the scenic nature of the County, and furthermore, is replacing an existing tower with one that will provide better service.

**RECOMMENDATION:** The applicant has satisfied all of the application requirements. Staff recommends granting the waivers as requested.

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**Harman** asked if the existing wooden tower would be removed. **Ms. Shackelford** confirmed that it would.

**Ms. Lori Schweller** is an attorney with LeClairRyan and working with the applicants. She noted that the tower is a Class C because it is in a Residential Planned Community (RPC) district but that it meets the height and restriction of a Class B. She also noted that it was only visible from the base of the hill where you can see all six remaining monopoles.

*Chair Proulx then opened the public hearing.*

**Robert Adams** lives at 267 Cedar Drive in Wintergreen. He generally supports this application and commends Verizon for saying that the service in the area needs to be enhanced. He recommends that 4 of the 5 points in the application be emphasized. First he noted that the parcel is ~247 acres and wanted to make sure that the tower is near the other towers. His second point is that he would like to confirm that it will only be one tower. His third point was that he wanted to confirm no roads would be built. His fourth point was that no lights should be added to the tower. His fifth point that the 85' height limit should be strictly followed. He asked that the scenic beauty be preserved as well. He noted that he recommends approval of this application if these conditions are met.

*The public hearing was then closed*

**Bruguiere** noted that the FAA rules that only poles that are 200' tall or more require lighting. **Proulx** noted that all of the conditions requested by Mr. Adams will have to be adhered to.

**Harman** made a motion to recommend approval of Class C 130' Communications Tower #2017-15 at TM# 11-A-2 to install an 85' steel monopole tower to replace an existing wooden tower. Also to approve the waiver of §20-12.D.4 to increase the size and number of antennas to be used in order to install all six in a single array. **Allen** seconded the motion.

*The motioned passed 6-0 with none abstaining.*

### **Other Business:**

- **Major Site Plan #2017-09 – Russ Orrison / Anheuser-Busch LLC – Steve Crandall**

**Ms. Shackelford** noted that the Planning Commission had already seen this site plan when there was a Special Use Permit approved for it. She noted that she went through the Zoning Ordinance and the Major Site Plan Checklist and that it meets all of the requirements. She noted that the SUP came with the limitation of 25 wet RV sites with hook ups, 25 dry RV sites, and 26 tent sites. She also noted that there was the condition of a 50' buffer along the property line that is zoned B-1. She recommend that the Planning Commission approve MSP #2017-09 pending the approvals of the other review agents.

**Bruguiere** asked how many agencies would have to review the site plan. **Russ Orrison**, the engineer for the project, noted that it would need to be approved by Department of Environmental Quality (DEQ), Erosion and Sediment Control (E&S), Virginia Department of Transportation (VDOT) and other county reviewers.

It was noted that there is an issue with the entrance off of Route 664 to the subdivision that will be resolved with VDOT.

**Proulx** then asked Mr. Orrison to clarify the layout of the sites. **Mr. Orrison** referenced a GIS map to show the commissioners where the site will be. Mr. Orrison also noted that Steve Carter had asked them to swap the event location and the lodge location in future development, which will require an additional public hearing.

**Harman** asked which of the agencies had not yet approved the site plan besides VDOT. **Mr. Orrison** noted that the DEQ had not yet signed off on it because they need to design a waste water treatment system and drain field system that would be reviewed by the Virginia Health Department. He noted that they will not use a well and instead will use a non-community water system with a different set of standards than a well. He noted that it would be disinfected and tested as a normal water system would be.

**Harman** motioned that the Planning Commission approves MSP #2017-09 'Construction of RV parking spaces and associated utilities and storm water management at Devil's Backbone Rockfish District (TM# 31-10- 1 through 12) of Glen Mary Subdivision. In accordance with site plan drawings 1-8 dated 7-18-2017 and contingent on VDOT, DEQ, and Health Department. **Allen** seconded the motion.

*The motioned passed 6-0 with none abstaining.*

– **RVAP discussion**

Ms. Shackelford then gave her presentation as follows:

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## Rockfish Valley Area Plan

Initial Planning Commission Discussion

### RVAP: Strategic Recommendations Community

C-1: Develop and implement common-sense growth management policies that balance development and rural preservation.

- **Goal** – Enhance the quality of life for Nelson County residents by maintaining and encouraging a diverse and vibrant local economy in designated development areas and compatible with the county's size and rural character.
- **Goal** – Channel new development into designated development areas thereby retaining the county's rural character.
- **Goal** - Ensure that new development does not exceed the county's ability to provide the needed services and infrastructure.

C-2: Increase access to public space(s) within the Rockfish Valley.

C-3: Increase access to natural landscapes and outdoor recreation amenities.

- **Goal** – Promote a diversity of recreational opportunities for Nelson's citizens and for those who visit the county as tourists.

C-4: Prepare for the specific needs of an aging population.

- **Goal** - Encourage access to a full range of quality health care facilities and programs for all county residents.

C-5: Protect and promote local history and culture.

- **Goal** – Preserve and protect the historic character and features of Nelson County.

### RVAP: Strategic Recommendations Economy

E-1: Recognize (and capitalize on) connections between local economic vitality and rural character.

E-2: Protect community identity and rural character from undesired change.

E-3: Capitalize on the Rockfish Valley's proximity to National Parks and other recreational amenities.

E-4: Support and promote economic development opportunities in agriculture and agritourism.

- **Goal** – Support and encourage tourism as a viable means to diversify the local economy.
- **Goal** – Recognize the importance of the county’s agricultural economy as an integral part of Nelson’s economic heritage and as an important part of the current economy.

E-5: Support growth in the outdoor recreation industry.

E-6: Support strong coordination and information-sharing among the business community.

E-7: Emulate “best practices” and apply “lessons learned” from comparable rural VA communities.

## RVAP: Strategic Recommendations

### Transportation

T-1: Continue to implement priority recommendations in VDOT’s 2013 Route 151 Study.

T-2: Improve road safety.

- **Goal** – Promote a safe, efficient and diverse transportation system to serve both local and regional traffic.
- **Goal** – Enhance the internal and external flow of traffic within designated development areas.

T-3: Improve public signage throughout the Rockfish Valley and at important “gateway” locations.

T-4: Support Park-n-Ride lots.

T-5: Improve transportation alternatives and options for all users.

## RVAP: Strategic Recommendations

### Natural Resources

NR-1: Ensure the sustainable use and protection of water resources quantity and quality.

NR-2: Protect the quality, integrity, and connectivity of the natural landscape network.

- **Goal** – Maintain the rural character of Nelson County.
- **Goal** - Protect productive agricultural and forestal land.
- **Goal** – Recognize that the natural environment is an important facet of our quality of life and efforts should be made to support and enhance that environment.

NR-3: Recognize (and take advantage of) the connections between scenic resources, viewshed protection, tourism, and rural economic vitality.

- **Goal** – Protect the county’s scenic resources as essential to the county’s rural character, economic strength and quality of life.

## RVAP: Strategic Recommendations

### Agriculture

A-1: Increase and strengthen the agricultural economy within the Rockfish Valley, as measured by number of ag operations, volume of ag products, or value of ag products.

- **Goal** – Recognize the importance of the county’s agricultural economy as an integral part of Nelson’s economic heritage and as an important part of the current economy.

A-2: Identify and support key resources, activities, and partnerships that will strengthen and increase success of existing farms and ag operations.

## RVAP & Comp Plan

### Common Themes

#### Supporting appropriate development

- Comp Plan: Encourage diverse mix of businesses/industries, discourage strip development, setback/buffering/sign design considerations, tourism, agricultural economy
- RVAP: Protection of rural character in development considerations, agricultural businesses, outdoor recreation businesses, performance incentives/design standards

#### Transportation

- Comp Plan: Truck traffic, encourage walking/biking/park & ride services, internal traffic flow within development areas
- RVAP: Truck traffic, park & ride/transportation alternatives, parallel service roads

#### Natural resources

- Comp Plan: Water quality, protection of soils for ag uses, viewshed protection
- RVAP: Protection of water resources, viewshed protection, protection of prime farm land

## Questionnaire Responses

### Q1: What tensions exist?

People that want to make money versus residents

Underlying assumption that growth will occur

- Vast majority of survey respondents agreed that managing growth is important
- Some responses to the survey were not conclusive (close to 50/50 split)

Understanding specifically what makes RVA unique to local residents, business owners, and outside visitors

### Q2: Concerns with Recommendations

C-4: Minimal work has been done to prepare for the needs of the aging population.

E-2: Should all development have to be consistent with the rural character of the area? The zoning ordinance doesn’t currently support the preservation of rural character. There needs to be more guidance on what it means to balance the interests of development and rural preservation.

T-1: Existing transportation issues unfairly used to “punish” local businesses that want to locate or expand in area.

A-2: Farmers’ markets and flea markets are not sufficient to support and increase success of existing farms/ag operations.

Need to review proposed growth locations.

General: Recommendations not specific enough/actionable; some recommendations not realistic (creating public trail on privately owned property)

### Q3: Recommendations to Keep

Recommendations that involve the protection of sense of place/rural character should remain.

Future development areas AND rural preservation areas of high importance both need to be identified.

Recommendations on future development should remain.

### Q4: Future Growth Areas

Growth areas need to be prioritized

North 151 already has enough development

- No additional development at Avon or Chapel Hollow

Growth patterns at the different locations may need to be differentiated

## Summary

No major areas of disagreement among responses to questionnaire.

Respondents indicated that there were several recommendations that needed additional implementation strategies.

Need to evaluate the growth areas to prioritize, potentially amend, and differentiate between different kinds of growth that would be appropriate for the various locations.

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**Ms. Shackelford** noted that in the presentation items in green were items that the Planning Commission members that responded agreed upon and that red were ones that responders had concerns with. She also noted that she marked topics that commissioners noted needed more clarification in blue.

**Ms. Shackelford** recommended that they either focus on handling strategic recommendations individually or on growth areas.

**Proulx** recommended handling the recommendations individually and that they set a time frame for each discussion so that the length of meetings can be controlled.

**Harman** noted that everyone seemed to be concerned about the pipeline and that they have very little control over it. He also noted that the tractor trailer traffic in 151 is something that has to be focused on. He noted that he has seen recommendations for making it ‘local deliveries only’ but that he doesn’t know how VDOT would handle that.

**Bruguiere** noted that Mr. Todd Rath had mentioned at the last meeting that the traffic is caused by GPS routing people through the county. **Proulx** responded that she is unsure how much that has affected the traffic and mentioned that the businesses want the traffic to be there. **Good** noted that there is nothing the County can do can improve traffic. **Proulx** noted that it was possible to make all of 151 a 45 mph speed limit.

**Ms. Shackelford** noted that aside from getting into specifics the purpose of the plan should be to stick to actionable goals but not feel like there needs to be a solution made immediately. **Harman** noted that the public seems to think that the County’s growth management is not that good. **Proulx** noted that she thinks people would like to see tourism in other parts of the County and away from the 151 corridor. **Harman** noted that Colleen and Lovington are underdeveloped but they have better traffic solutions and utilities.

**Stapleton** asked how the Rockfish Valley Area Plan (RVAP) would influence the Comprehensive Plan. **Proulx** responded that one of the suggestions was for the RVAP to be added as an addendum to the Comprehensive Plan. **Ms. Shackelford** noted that she had spoken with Steve Carter, the County Administrator, and that getting the RVAP to a point where it can be adopted and referenced will help support the Planning Commission’s request for resources when they go on to update the full Comprehensive Plan. **Harman** noted that it would require some changes in the Zoning Ordinance as well. **Stapleton** noted that the underlying message is that ‘growth is taking place without adult leadership’. He noted that they should work on cleaning up the RVAP so that it can be adopted. **Proulx** noted that they would need to have a public hearing before adopting it. **Allen** noted that it would need to go to the Board of Supervisors as well for another public hearing.

**Ms. Shackelford** emphasized that staying away from specific issues would make it hard to reach a consensus with this plan and that about 98% of the plan is something that everyone can agree upon. **Stapleton** noted that the tighter the language the fewer interpretations could be made from it.

After a discussion about retail stores moving into the county, **Ms. Shackelford** noted that specific brands cannot be limited but that certain design standards can be used like size, location, parking size, architecture, etc.

*The Planning Commission then decided to begin reviewing the issues listed in the presentation.*

**Proulx** noted that there are two doctors’ offices, two dentists, two rescue squads, fire departments, and senior centers. She then asked where the need was for more healthcare for the aging population. **Allen** asked that aside from the Rockfish Valley Foundation, what recreational trails are available to seniors.

She noted that the elderly require things to do to stay healthy as well as places where they are taken care of. **Ms. Shackelford** mentioned that passive recreational opportunities should be looked at, like trails and parks. She asked if parks and recreation seemed to have any plans for seniors. She also noted that transportation is another consideration to look at for the seniors in the area. **Bruguiere** noted JAUNT services are available in the area to provide transportation.

**Harman and Bruguiere** noted that bicycles should be discouraged from riding on route 151.

**Allen** asked what activities were available for the aging population. **Bruguiere** noted that the Rockfish Valley Foundation has many nice trails for the public. He also noted that the county is trying to restore the Crozet Tunnel and that it would be a hiking trail for the public if the county could get enough money to finish the project. **Ms. Shackelford** noted activities and amenities currently in place should be encouraged and promoted to raise awareness of them. She also noted that Parks and Recreation could potentially form something similar to a senior hiking group. **Bruguiere** noted that they should be working with the Park Service to enhance the parking lot along the Appalachian Trail up towards Route 664 so that it is more usable.

*It was concluded that the Planning Commission had good feelings about the goal and that they wanted it to be more specific.*

**Stapleton** asked if it would be helpful to make a plan and timeline for how they will review the RVAP. **Ms. Shackelford** recommended that they either plan a work session once every month or every other month, or that they do one or two issues at every meeting and have one large work session at the end. **Allen** recommended that they do it in work sessions, and that they do it quickly so that they can move on to the Comprehensive Plan as well.

**Ms. Shackelford** recommended that they meet and have a work session once a month. **Allen** recommended that a few dates be proposed so that the most suitable time can be picked. **Stapleton** recommended that he would work with Ms. Shackelford to create a plan for their process moving forward.

**Ms. Shackelford** also mentioned that some things need to be taken out of Goals and Objectives and that they should be done as actionable steps.

**Board of Supervisors Report:** *None*

**Adjournment:**

**Commissioner Allen** made a motion to adjourn at 8:16pm; the vote 6-0.

Respectfully submitted,



Final: 9/27/2017

Emily Hjulstrom  
Secretary, Planning & Zoning