

PRESENT: G. Campbell, Chairman  
L. Howdysshell, Vice Chairman  
T. Jennings  
K. Leonard  
R. Thomas  
C. Bragg  
J. Wilkinson, Director of Community Development  
L. Tate, Senior Planner

ABSENT: K. Shiflett

VIRGINIA: At the Called Meeting of the Augusta County Planning Commission held on Tuesday, August 11, 2020 at 6:15 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

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Ms. Tate discussed with the board the items on the agenda for the meeting.

Mrs. Tate reviewed the requests coming before the Board of Zoning Appeals.

Mrs. Carolyn Bragg voiced her opinion on adding language to the Comprehensive Plan to state the consideration of public utilities that have already been put in place should be made with regard siting of utility scale solar projects.

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Chairman

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Secretary

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ABSENT: K. Shiflett

VIRGINIA: At the Regular Meeting of the Augusta County Planning Commission held on Tuesday, August 11, 2020, at 7:00 p.m. in the Board Room, Augusta County Government Center, Verona, Virginia.

**DETERMINATION OF A QUORUM**

Mr. Campbell stated as there were six (6) members present, there was a quorum.

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**Minutes**

Mr. Campbell asked the board members to approve the minutes of the called and regular meeting held on July 14, 2020.

Mr. Howdyshell made motion to approve the minutes. Mrs. Bragg seconded the motion, which carried unanimously.

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**Public Hearing**

Ms. Tate stated that there are two public hearing requests on the agenda. The first item is a request to withdraw approximately 75 acres of land from the Middle River Agricultural and Forestal District owned by Buddy L., or Misty D. Shaver (TMP 38-53), located in the southeast quadrant of the intersection of Cline River Road and Craig Shop Road in Weyers Cave in the Middle River District.

Mrs. Tate reviewed the conditions in the Augusta County Code §3-3, which are as follows:

1. Subdivision of land should only be permitted in accordance with the current zoning and subdivision ordinance provisions for family members. Only lots that are solely for the purpose of gift from a member or members of the immediate family of the grantee or grantees, as defined in such ordinance, shall be permitted.
2. No new non-agricultural or non-forestal buildings, and/or uses including dwellings, shall be permitted except that the construction of a dwelling for persons who earn a substantial part of their livelihood from agricultural or forestal operations on the same property, or for members of the immediate family of the owner is permitted.
3. All included tracts shall be shown as separate parcels on the County Real Estate records.

Mr. Campbell asked if the applicant was present and wished to speak.

Mr. Buddy Shaver of 1055 Craig Shop Rd. spoke stating that condition # 2 of the code that Mrs. Tate spoke of is what is hindering him on this property. Mr. Shaver stated that he purchased the land in 2019 after the previous owner re-entered the property into the Ag and Forestal District. He asked that the board consider the removal of his property from the Ag & Forestal district.

Mr. Campbell opened the public hearing and asked if anyone present wished to speak on the request.

Mr. Kim Austin of 300 Craig Shop Rd. asked if this would make it easier for development of the property.

Mrs. Tate stated that the only additional allowance that the removal would provide would be that the property owner could cut off 1 one-acre lots with 150 feet of road frontage on a public road each year.

Jessica Burgess of 377 Craig Shop Rd. asked what the plan was for the development of the property.

Mrs. Tate stated that the property could be farmed in any many as it is currently in the Ag & Forestal District and even after it is removed it can be used for any agricultural purposes and farming operations. Mrs. Tate stated that the applicant is interested in eventually building a residence on the property.

Jim Hostetter of 71 Craig Shop Rd. asked what the plan was for the property.

Mrs. Tate stated that the request for removal would allow the property owner to build a dwelling on the property without having to farm the property.

With no one else to speak on the request Mr. Campbell closed the public hearing.

Mr. Howdyshell made a motion to withdraw the property from the Agriculture and Forestal District.

Mrs. Bragg seconded the motion.

The motion was approved with a 5 to 1 vote.

Mrs. Tate read the next item on the agenda, which are amendments to the Utilities section of the 2014-15 Comprehensive Plan Update. Policy considerations were added for design and siting for utility scale solar projects.

Mrs. Tate read the policy updates.

A copy of all updates are available in the file.

Mr. Campbell opened the public hearing and asked if anyone present wished to speak on the matter.

Nancy Sorrells of 3149 Cold Springs Rd. stated that she believes solar has wonderful potential in the county in both agriculture and urban service areas. Mrs. Sorrells also stated that it fits well with the vision for the county. Mrs. Sorrells stated that she encourages the county to adopt the language for the comp plan that allows proper buffering and siting for utility scale solar projects and by right projects. Mrs. Sorrells stated that caution should be used against interfering on property owners rights.

Copies of Mrs. Sorrells comments are available in the file.

With no one else wishing to speak on the matter, Mr. Campbell closed the public hearing.

Mrs. Bragg stated that she felt these policies were well written and make sense. Mrs. Bragg also stated that she would like to see an addition to Policy 6 to state a "consideration of existing utilities and infrastructures be made."

Mr. Howdyshell felt that nothing needed to be changed with the policy amendments. Mr. Howdyshell stated that he felt that water and sewer locations were covered in the policies. Mr. Howdyshell does not want to put any more restraints on property owners.

Mrs. Bragg made a recommendation to accept the policies as presented for provision in the comp plan with the addition of a sentence in Policy 6 that states a consideration for existing infrastructures and utilities be made.

There was a request to reopen the public hearing due to the additional language concerning infrastructure.

Mr. Campbell reopened the public hearing.

Max Quillen of 73 Hibernia Circle stated that if you own a piece of property and solar may help supplement income for that property, then planned infrastructures should not be allowed to tie the hands of the landowners. Mr. Quillen stated that the language concerning infrastructures is wrong.

Mrs. Bragg stated that she said consideration for existing infrastructures and anything that is not there is irrelevant.

Eric Martin representing his mother Ruth Martin stated he supports the policy as presented and that the language is already restrictive and balances many things. Mr. Martin mentioned that to add any more restrictions would be unfair to land owners.

With no one to speak further, Mr. Campbell closed the public hearing.

Mrs. Bragg further explained her reasoning behind the amendment to the policy, being that county citizen's money has already been spent on these projects and residents have invested in these existing infrastructures.

Mrs. Bragg made a motion to accept the policies as written with an addition to Policy 6 to add into consideration of existing infrastructures.

Mr. Leonard seconded the motion

Mr. Jennings asked if the policy amendment could be refined to identify the existing infrastructures to be specifically for the Augusta County Service Authority.

Mrs. Bragg amended her motion to add to Policy 6, consideration for existing Augusta County Service Authority infrastructure be made.

Mr. Leonard seconded the motion.

The motion carried with a 4 to 2 vote.

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## **STAFF REPORTS**

### **A. CODE OF VIRGINIA – SECTION 15.2-2310**

Mrs. Tate reviewed with the Commissioners the requests coming before the BZA at the September meeting. There were two requests from CCW Enterprises to continue to have short-term cabin rentals. A request was made by Robert and Stephanie Baiotto to construct an accessory building in the front yard. Ashley and Shari Craun requested to have a butcher shop and retail sales of meat on their property. A request to construct an accessory building larger than the total 900 sf aggregate allowed was made by Charles and Angel Douglas.

The Planning Commission took no action on the BZA items.

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There being no further business to come before the Commission, Mrs. Bragg made a motion to adjourn. Mr. Howdysell seconded the motion, which carried unanimously.

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Chairman

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Secretary