



# Clarke County Planning Commission

MINUTES – Work Session

Tuesday, November 1, 2022 – 3:00PM

Berryville/Clarke County Government Center – Main Meeting Room

## ATTENDANCE:

George L. Ohrstrom, II (Chair/Russell)	X	Ronnie “Ron” King (Buckmarsh)	X
Randy Buckley (Vice-Chair/White Post)	✓	Scott Kreider (Buckmarsh)	✓
Matthew Bass (Board of Supervisors)	✓	Frank Lee (Berryville)	X
Buster Dunning (White Post)	X	Gwendolyn Malone (Berryville)	✓
Robert Glover (Millwood)	✓ <sup>L</sup>	John Staelin (Millwood)	✓
Pearce Hunt (Russell)	✓	Doug Lawrence (BOS alternate)	X

<sup>L</sup> – Denotes a late arrival

**NOTE:** None.

**STAFF PRESENT:** Brandon Stidham (Director of Planning), Jeremy Camp (Senior Planner / Zoning Administrator), Kristina Maddox (Office Manager / Zoning Officer), Chris Boies (County Administrator)

**OTHER PRESENT:** None.

**CALL TO ORDER:** By Brandon Stidham at 3:02PM.

### **Approval of Agenda**

Commissioners had no additions to the agenda.

### **Review of November 4 Business Meeting Agenda Items**

#### ***Agenda Review***

Mr. Stidham said there are two sets of meeting minutes to review and also several public hearings that have been scheduled for the upcoming business meeting.

Commissioner Glover arrived at 3:04PM.

Mr. Camp reviewed the special use permit (SUP-22-03) and site plan (SP-22-04) for Phase 2 of Hecate Energy Gun Barrel Road, LLC. Commissioner Staelin asked for confirmation regarding decommissioning. Mr. Camp replied that when they stop using the plant, the plan is to restore the property to agricultural use. Commissioner Staelin asked about updated equipment. Mr. Camp replied they are permitted to update the equipment as long as it is consistent with their site plan. He also commented that one concern is regarding the leaching of heavy metals and ensuring if there is damage, that the panels are repaired in a reasonable timeframe as they are more likely to cause contamination.

Mr. Camp said Staff recommends to defer action to the December Planning Commission meeting in order to provide additional time for the applicant to adequately address the review comments noted within the Staff memo.

Commissioner Glover asked when Phase 1 became operational to which Mr. Stidham replied the summer of 2017. Commissioner Glover then asked if there is a difference between the first decommissioning plan and the current one. Mr. Camp replied that it is a new State requirement and that there was not a decommissioning plan required before now.

Commissioner Glover asked if this requirement can be applied retroactively to ensure Phase I is decommissioned. Mr. Stidham replied not unless they propose changes to Phase 1.

Commissioner Staelin suggested the fences be located behind the trees instead of along the property line. Mr. Camp said it was a good suggestion and that he would consult with Greenway Engineering on any potential issues and that it would certainly be more appealing to the surrounding residents.

Commissioner Glover remarked that the thirty-year value on materials themselves and the recycling of the items is difficult to evaluate. Mr. Camp responded that was the concern with including salvage value in the cost estimate.

Commissioner Staelin asked for clarification regarding the cost of materials in the decommissioning plan. Mr. Camp explained that Staff recommends the applicant not include those details in the decommissioning plan due to such unknown factors. Commissioners had no further questions.

Mr. Stidham reviewed the draft 2022 Double Tollgate Area Plan. He noted minor changes including clarifying that state owned properties are exempt from local zoning regulations per the Code of Virginia. He added that state owned properties could have uses that are operated by other entities of local and federal government, nonprofit organizations, and even operations from private sector companies. He continued that if the Commission is comfortable with the language, he has included a draft motion to incorporate the changes into the draft for Board of Supervisors review. He noted that there may be property owners at the Public Hearing wanting their land to be added to the Plan Area. He said there is an emphasis on the five-year review cycle to see if there are other areas that should be reclassified or added to the plan area and to find out if there is the ability to serve those new areas with public infrastructure.

Mr. Stidham presented on and explained in detail TA-22-05, Waterworks and Sewerage System Regulations and TA-22-06, Structures Requiring Setback Areas which are both set for public hearings at the upcoming business meeting. There were no questions or comments from the Commission on either text amendment.

Mr. Camp reviewed minor subdivision MS-22-09 submitted by L Seven Farm, LC. He said Staff recommends approval as it complies with the current maximum lot size requirements and there are no issues from VDOT (VA Department of Transportation) or VDH (VA Department of Health). There were no questions or comments from Commission.

Minor Subdivision MS-22-10, submitted by 624 Old Waterloo Road, LLC, was also reviewed by Mr. Camp. Mr. Camp stated there are no issues from VDOT or VDH and that Staff recommends approval. There were no questions or comments from the Commission.

Mr. Stidham said the only remaining items for the upcoming business meeting are the board and committee reports in addition to an action item under “Other Business” regarding a review of the Capital Improvement Plan.

***Status of Deferred Applications***

Mr. Stidham said the only deferred application is the Carter Hall special use permit and that he has yet to hear if their stormwater plan has been approved by DEQ (Department of Environmental Quality).

**Old Business Items**

None scheduled.

**New Business Items**

***Discussion, 2023-2028 Capital Improvement Plan***

Mr. Stidham said the Code of Virginia states the Planning Commission is responsible for preparing the county’s Capital Improvement Plan (CIP). He said the four specific roles in the process are 1) to review the list of proposed projects that were provided by the various departments to determine conformance with the 2022 Comprehensive Plan, 2) to consider whether the project descriptions justify the need for the project, 3) to consider whether the project maximizes public convenience accessibility, and 4) to consider whether the project avoids extension of public infrastructure outside of designated growth which could cause new development pressures. Mr. Stidham noted the role of the Commission was not to evaluate the cost, phasing, or funding for the projects.

Mr. Stidham then reviewed the Staff memo regarding the Capital Improvement Plan.


Commissioner Staelin asked if the Commission would get involved in the planning of an improved intersection or if it was only included in the CIP because there is potential joint county funds listed. Mr. Stidham responded that there is potential for matching funds at some level but that it is still a capital project and should be included in the CIP.

**Other Business**

None.

**ADJOURN:** The November 1, 2022 Planning Commission Work Session adjourned by consensus at 3:46PM.

  
George L. Ohrstrom, II (Chair)

  
Kristina Maddox (Clerk)