

Clarke County Planning Commission

MINUTES – Work Session

Tuesday, November 28, 2023 – 3:00PM

Berryville/Clarke County Government Center – Main Meeting Room

| ATTENDANCE: | | | |
|--|---|-------------------------------|----|
| George L. Ohrstrom, II (Chair/Russell) | ✓ | Ronnie “Ron” King (Buckmarsh) | ✓ |
| Randy Buckley (Vice-Chair/White Post) | X | Frank Lee (Berryville) | ✓ |
| Terri Catlett (Board of Supervisors) | ✓ | Gwendolyn Malone (Berryville) | ✓ |
| Buster Dunning (White Post) | X | Ryan Reed (Buckmarsh) | ✓* |
| Robert Glover (Millwood) | X | John Staelin (Millwood) | X |
| Pearce Hunt (Russell) | ✓ | Doug Lawrence (BOS alternate) | X |

* Attended the meeting but was ineligible to vote and did not count towards the quorum

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

OTHERS PRESENT: None.

CALL TO ORDER: By Chair Ohrstrom at 3:01PM.

1. Approval of Agenda

The Commission had no additions to the agenda as presented by Staff.

Mr. Stidham introduced new Planning Commission member, Ryan Reed, serving from the Buckmarsh District.

2. Review of December 1 Business Meeting Agenda Items

A. Agenda Review

Mr. Stidham reviewed the agenda items for the business meeting. He said there is a public hearing scheduled for TA-23-04, Solar Power Plan Use Regulations. He said that the Board asked the Planning Commission to develop a text amendment that would prohibit the development of new solar power plants in the county while ensuring that the ones that are in place or pending remain conforming and are reverted to a non-conforming use with expansion limitations. He added that the Board also wanted property owners to be able to participate in behind the meter solar so they can have their own residential solar systems and potentially participate in net metering where they are able to sell the excess electricity back to the grid for credits. He said the text amendment that the Commission created accomplished those three goals and noted that all existing and future solar power plants must be located adjacent to one of the two existing electrical substations in the county. He said behind the meter solar system has been expanded and is defined as a system that allows for solar energy produced by the system to be consumed primarily for onsite use, but also for incidental resale back to the service provider. He continued that this prepares the way for net metering and allows for greater resale back to the grid through community scale solar. He added that community scale solar will be further discussed during the Rural Lands Plan policy meetings.

Chair Ohrstrom asked if the Board of Supervisors has seen the text amendment and if they had any comments. Mr. Stidham replied that he discussed the text amendment with a few board members and that it seems acceptable as it takes away the possibility that one could argue that a new substation could be constructed elsewhere in the county and allow a solar power plant to be developed adjacent to it.

Mr. Camp provided an update on the continued public hearing for Horus Virginia, LLC. He said Staff has yet to receive any new submittals from the applicant's last deferral request two months prior. He said the continued public hearing will proceed and that Staff recommends approval of the applicant's additional one-month deferral request.

Mr. Camp reviewed the Staff Report for the Cather minor subdivision application and noted that Staff recommends approval. He said it meets all of the requirements of the zoning and subdivision ordinance after the new septic system is approved but noted that the existing system is an unapproved cesspool that is not required to be abandoned. Mr. Stidham commented that a potential text amendment is on the agenda for next year to address this issue.

Mr. Stidham said Staff is implementing a new policy as of January 1, 2024 to require resistivity testing to be completed in order for Staff to accept a minor or major subdivision application as complete. He added the Subdivision Ordinance language states that the Zoning Administrator is the subdivision agent and has the ability to set the application requirements.

B. Status of Deferred Applications

Mr. Camp provided the status of various deferred applications including phase two of the Markee minor subdivision that is delayed due to review of VDOT entrance improvement requirements. He said the Foster minor subdivision should be ready by January and noted the delay was due to Mr. Foster being inaccessible while out of the country during resistivity testing. He continued that the Berryville Berries Campground special use permit and site plan is in deferral status due to compliance with privy design requirements from the Virginia Health Department for primitive campgrounds but that they should be ready soon. Regarding the Regan Partnership minor subdivision, VDOT noted that Liberty Hill Lane is one of the worst public roads in the area and they do not recommend additional development on it. He said the applicant plans to submit a waiver request to the Planning Commission unless they decide to coordinate those details through the Conservation Easement Authority. He added there has been a slight halt on this application due to internal decision-making and he is uncertain as to when it will be ready for the Commission's review.

Mr. Camp explained that Watermelon Park Campground submitted a new application to convert tent sites to RV sites and that he expects a special use permit application soon from Long Branch to bring special events into compliance. He also briefly noted the site plan for the pump station at Double Tollgate.

3. Old Business – None scheduled

A. Discussion, Draft Transportation Plan – Revised Projects List Based on VDOT Comments

Mr. Stidham presented the Transportation Plan updates and noted that he is looking for direction from the Commission on resubmission to VDOT. He said the Policy and Transportation Committee wanted to prioritize the projects that have been in the plan for several years. He added that the State requires VDOT to review all county transportation plans before they are adopted to ensure conformance with State Code as well as the statewide six-year transportation program. He continued that the previous nine projects have been revised based on VDOT's recommendation to provide quantifiable metrics to explain the importance of each project using an online crash-data tool. He continued that this criterion not only pushes these projects forward but also identifies other areas of the county that may be considered. Upon using this online tool, he said he revised six of the projects to include various segments of roads along Route 7 between Quarry Road and Castleman Road, Route 7 between Triple J Road/Crums Church Road and West Main Street, the Waterloo intersection, Route 7 between Pine Grove Road and Blue Ridge Mountain Road, and lastly the Double Tollgate intersection.

Mr. Stidham continued that the projects that could not be supported based on VDOT's criteria were placed in a separate list of existing projects. He said that VDOT should not have any concerns with these projects even though they were not prioritized. He listed the projects including improvements to East Main Street between the railroad and Route 7, West Main Street from Hermitage Boulevard to the bypass, drainage improvements in the US 340 corridor through the town of Boyce, a park and ride lot to be located west of Berryville, and the southeastern collector road proposed by the town of Berryville.

Mr. Stidham read another set of projects that that showed up in crash rankings but have not been previously contemplated. He said the first one is located on US-340 south of Berryville between Smallwood Lane and the Town of Berryville limits. He said he recommends corridor studies for the following – 1) from US-340 town limits to the West Virginia line, 2) Blue Ridge Mountain Road between Paris Mountain Lane and Valley View Lane, and 3) Route 50 between the Shenandoah River Bridge and the Fauquier County line.

Commissioner Lee commented that traffic on East Main Street would certainly be affected should the Friant property be developed at Route 7 East. Mr. Stidham agreed that it would be a challenge especially during peak times and that it ultimately depends on how improvements are agreed upon.

Chair Ohrstrom asked if the Town of Berryville met about the proposed housing development. Mr. Stidham replied that it is still at the Planning Commission level and noted they are to meet at 7:00pm tonight. He continued that he believes the town's staff is to recommend that the applicant defer as there are unanswered questions at this time.

Mr. Stidham said that if the Commission is comfortable with the prioritized list that he will send it to VDOT before the holidays and hopes to have it returned before the February meeting. It was the consensus to accept Staff's recommendation.

4. New Business

A. Preparation for 2024 Organizational Meeting

Mr. Stidham reviewed the Organizational Meeting items. He noted the committee appointment vacancies in the Policy and Transportation and the Plans Review committees. He said if anyone is interested in participating in either committee or another committee to inform Chair Ohrstrom.


The Commission agreed by consensus to move the July meetings ahead one week as well as the January 2025 meetings due to the holidays that fall on these meeting dates.

Mr. Stidham said a copy of the correct bylaws are provided and that there is no recommended changes at this time. He said a copy of the updated project priorities list will be provided next month and also noted the Comprehensive Plan and Component Plan schedules. He added there are no five-year resolutions to adopt in 2024 and that the main focus will be on completing the Transportation Plan and the Rural Lands Plan.

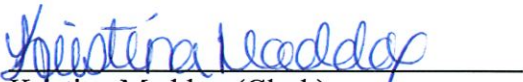
Commissioner Lee asked if Mr. Stidham still plans to combine the Mountain Plan and the Valley Plan. Mr. Stidham replied yes.

ADJOURN

The Work Session adjourned by consensus at 3:41PM.



George L. Ohrstrom, II (Chair)



Kristina Maddox (Clerk)