

MINUTES OF THE LUNENBURG COUNTY PLANNING COMMISSION

October 5, 2023, AT 6:00 PM

The Lunenburg County Planning Commission held its meeting on October 5, 2023, at 6:00 p.m. in the 2nd floor courtroom, Lunenburg Courts Bldg., Lunenburg, VA.

The meeting was called to order at 6:02 p.m. Mrs. King conducted a roll call of Commissioners, which Commissioners Drummond, Garrett, Jennings, Pennington, Tharpe, Thompson, and Trent were present. Also, in attendance were Assistant County Attorney, Drew DiStanislao and Clerk of the Planning Commission, Taylor N. King. Commissioner Shell was absent.

Chairman Tharpe called for any additions or modifications to the agenda. None were brought forward.

Chairman Tharpe called for declarations of conflict of interest to be disclosed. None were brought forth by any member.

Chairman Tharpe called for action on the minutes of the September 7, 2023, meeting. There being no additions or corrections to the minutes, a motion was made by Commissioner Pennington and seconded by Commissioner Trent that the minutes be approved, as presented. Roll call vote conducted, which was unanimous.

The Director of Planning and Economic Development monthly report was provided. It was advised that it was in their packet. No questions arose from the Commission.

Chairman Tharpe called for Citizen Time. None came forward.

Chairman Tharpe read, "**CUP 5-23: Conditional Use Permit for Parrish View Farms to operate an Event Venue** on tax parcels 049-0A-0-68 and 049-0A-0-69A, 2571 Dundas Road, Kenbridge, VA 23944, consisting of 73.06 acres in an A-1 Agricultural zone."

Following the calling of the case, Commissioner Pennington made a motion to open the public hearing, which was seconded by Commissioner Garrett, which was unanimously approved.

The applicant, Mr. Jeff Parrish—2571 Dundas Road, Kenbridge, VA 23944, presented their application, where he highlighted that they have been a pumpkin patch for fifteen (15) years and then about a year and a half ago (1 ½), two (2) of their children decided to get married and wanted to do it at the farm, so they converted to an Event Venue, as well. They are not an Event Venue full-time; however, they are trying to utilize the Event Venue to supplement the current agriculture use of the property. He noted that the staff report highlighted much of the information that would have been presented.

Chairman Tharpe thanked Mr. Parrish for their business. A motion to exit the public hearing was made by Commissioner Pennington and seconded by Commissioner Thompson, which was unanimously approved. Chairman Tharpe said that due to the delay in receiving the staff report, he felt more comfortable with deferring a vote on recommendation to the Board of Supervisors. Chairman Tharpe made the motion, which was seconded by Commissioner Pennington. A roll call vote was conducted due to 4-3 vote:

- Brenda Jennings: Nay to defer recommendation: Read the report.
- Luther Drummond: Yah to defer recommendation.
- Harry C. Garrett: Nay to defer recommendation: Read the report.
- Buck Tharpe: Yah to defer recommendation.
- Edward Pennington: Yah to defer recommendation.
- Tony Trent: Yah to defer recommendation.

- Walter Thompson: Nay to defer recommendation. Read the report and the 4 closest residents have signed with approval.

The motion to defer a recommendation until the November meeting was passed.

Chairman Tharpe read, “**CUP 7-23: Conditional Use Permit for Justin Clement—Impact Arms, LLC, operate a Retail Store and Shops, and Personal Service Business (mainly web-based and mail-order sales of firearms and ammunition, manufacturing/gunsmithing, cerakoting/hydrographic design for firearms and other items per customer request, and ATF Federally Licensed Firearms Licensee)** on tax parcel 022-0A-0-20, 3028 Poorhouse Road, Victoria, VA 23974, consisting of 17.819 acres in an A-1 Agricultural zone.”

Following the calling of the case, Commissioner Pennington made the motion to enter into public hearing, which was seconded by Commissioner Drummond and unanimously approved.

The applicant, Mr. Justin Clement—3028 Poorhouse Road, Victoria, VA 23974, presented the application. He provided a background of the business and his intent as well as the process he would go through to obtain his licensure from the ATF.

Chairman Tharpe questioned if there were any questions of the Commission. None were brought forth. Commissioner Pennington made a motion to exit the public hearing, which was seconded by Commissioner Trent and unanimously approved.

Chairman Tharpe said that due to the delay in receiving the staff report, he felt more comfortable with deferring a vote on recommendation to the Board of Supervisors. Chairman Tharpe made the motion, which was seconded by Commissioner Pennington. A roll call vote was conducted due to 4-3 vote:

- Brenda Jennings: Nay to defer recommendation: Read the report.
- Luther Drummond: Yah to defer recommendation.
- Harry C. Garrett: Nay to defer recommendation: Read the report.
- Buck Tharpe: Yah to defer recommendation.
- Edward Pennington: Yah to defer recommendation.
- Tony Trent: Yah to defer recommendation.
- Walter Thompson: Nay to defer recommendation. Read the report.

Chairman Tharpe read, “**CUP 9-23: Conditional Use Permit for Jonathan and Jessica Shelton to construct and operate a Retail Store and Shop, and Personal Service Business as well as Office (primarily to repair/maintain the fleet for Shelton’s Excavating, Inc. and Shelton’s Outlaw Trucking, Inc., but the potential to broaden the customer base in the future)** on tax parcel 032-0A-0-82, 12570 Courthouse Road, Victoria, VA, 23974, consisting of 18.52 acres in an A-1 Agricultural zone.”

Following the calling of the case, Commissioner Pennington made the motion to enter into public hearing, which was seconded by Commissioner Trent and unanimously approved. The applicant was not present. A motion was made by Commissioner Thompson to exit the public hearing, which was seconded by Commissioner Drummond and unanimously approved.

Chairman Tharpe made the motion to defer the public hearing and recommendation to the next meeting due to the applicant not being present. The motion was seconded by Commissioner Thompson and unanimously approved.

Chairman Tharpe called for Old Business, where the Solar Facility Study was discussed. Chairman Tharpe noted that there is no timeline, the discussion among the Commission the addressed:

- I. Comprehensive Plan:
 - a. Loss of Agricultural Land and Open Space
 - i. HB 206, but a decision has not been made on the HB.
 - b. Protection of Water Resources

- i. This is important.
 - c. Solar Facilities
- II. Solar Ordinance:
 - a. Acreage Coverage
 - i. Consider limiting the project size, i.e., 500 acres.
 - ii. Fair Share—Calculate the County’s electricity consumption then add a percentage for new business.
 - b. Density
- III. Other aspects:
 - a. Sloping
 - i. Impact of runoff/erosion on adjacent properties.
 - b. Adding language like DEQ regulations to the ordinance, which allows the County to step in if enforcement from DEQ is not occurring.
 - c. Utilization of third-party services.
 - d. Topography of the Eastern and Western portions of the County being drastically different, which could be an aspect, which is reviewed as it pertains to the location or size of projects.
 - e. Enforcement.
 - f. Keeping existing buffer during clearing of the land.
 - g. Fee schedule.
 - h. Need for a battery storage ordinance.

Mrs. King reiterated that this is a pause and not a moratorium.

Chairman Tharpe called for Attorney Update. Attorney DiStanislao advised that he only had one item, which is a motion to defer the public hearing for CUP 1-23: Oral Oaks Solar to the December meeting. The motion to defer the public hearing was made by Commissioner Thompson, which was seconded by Commissioner Pennington and unanimously approved.

The announcement of the next Planning Commission meeting on November 2, 2023, at 7:00 p.m. (time may be changed based on the number of agenda items) was made. On a motion by Commissioner Thompson, and seconded by Commissioner Trent, the meeting was adjourned.

James Tharpe, Chairman
Lunenburg County Planning Commission

Taylor N. King, Clerk
Lunenburg County Planning Commission