

Mount Jackson
Planning Commission Meeting
June 6, 2022
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Regular Meeting

Chairman Larry Ambrose called the meeting to order at 7:00 PM in the council chambers at 5901 Main Street. Commissioners Jim Hines, Evelyn Burner, Dennis Andrick, and Anita Miller were in attendance. Also present were Erick Moore, Planning and Development Director; and Debbie Allen, Town Clerk. Neil Showalter, Town Manager, was absent. Nick Harpold from the Northern Virginia Daily was present.

Agenda Additions/Deletions/Changes: None

Introduction of Guests: None

Hear from Visitors: None

Approval of the Previous Meeting Minutes – Commissioner Burner MOVED, seconded by Commissioner Miller to APPROVE the Minutes of May 2, 2022 Regular Meeting.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Andrick			
Commissioner Miller			
Commissioner Burner			
Commissioner Hines			
Commissioner Ambrose			
5 AYES, motion carried			

Old Business:

1. Progress Report on the 2022 Comprehensive Plan.

Mr. Moore stated he will be collaborating with The Berkley Group on certain sections, such as transportation figures and budgets, however his focus is primarily on outdoor recreation and parks, the Rails to Trails project, and walking trails. He stated he does not foresee any changes in zoning districts on the land use map in the near future. Mr. Moore stated once the draft is complete there will be a work session followed by a public hearing, hopefully in the fall.

New Business:

1. Planning Commission By-Laws.

Mr. Moore stated Darla Orr reviewed the by-laws, and provided her suggested changes today. He stated 95% of the by-laws remained the same, with only a few slight changes, such as keeping the membership number at 5, and adding the remote participation policy that was adopted in February.

2. Robert's Rules of Order.

Mr. Moore stated this reference sheet was borrowed from another locality, and he finds it to be a valuable tool for the Planning Commission. Robert's Rules of Order is quite lengthy, but this shortened version is very easy to understand and he strongly suggests Commissioners keep for future reference.

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3. Planning Commission Survey (VA Tech).

Mr. Moore provided a survey to Commissioners, that was done by Virginia Tech in 2011, for informational purposes. The survey asked questions of Planning Commissions across the state, such as; is there training for newly appointed Commissioners; how is the Chairman chosen and is there a limit to how long they can serve; and how often are their by-laws reviewed and updated to incorporate any new standards/laws through the General Assembly. Chairman Ambrose stated this survey shows 29% of Planning Commissions have 5 members, so Mount Jackson is in line with that.

4. Rails to Trails Update.

Mr. Moore stated he attended a meeting on May 13, the first in-person meeting since the pandemic began. The main topic discussed was the proposed budget for the project, and the request was for 30 million dollars from the General Assembly. On the congressional side a 30 million dollar earmark was requested as well, which is basically a general fund for districts to utilize for small projects. Mr. Moore stated there was discussion regarding if DCR or VDOT would do the actual work to convert it to a trail once the railroad right-of-way is purchased. The favored opinion was VDOT because they have more experience, more equipment, and more of a budget. He stated maintenance of the trail was also discussed, with the projection that some localities will assist. Although specific details were not discussed, some examples in which localities can assist would be to provide comfort stations or parking. Chairman Ambrose stated he has received letters from a lawyer in Kansas City regarding landowners whose property is used for recreational trails. Mr. Moore stated he also received these letters, and it was discussed in the meeting as well. This firm has been involved in representing landowners for years, and there were public hearings in Harrisonburg and Woodstock. Mr. Moore stated he believes once the sale of the railroad right-of-way is complete, every thing else should fall into place. Mr. Andrick stated maintenance on these trails is costly, and he has a major problem with the Town not being given an estimate of what that cost would be. Mr. Moore stated it is too early at this point, it was only discussed as being a possibility whether the Town would assist. An economic impact analysis was done and the trail is a shared benefit, but things such as protecting property owners, infrastructure, and easements are still in discussions.

5. General Assembly Legislative Update.

Mr. Moore stated he attended a Zoom meeting last week with the Northern Shenandoah Planning District, which he believes is the only planning district that has a legislative member of their team to look at laws and promote things that are important to planning and zoning. The session broke down as follows: 2150 bills were introduced, 223 were carried over, 1100 were defeated, 734 were signed into law, and 26 were vetoed. Many of the bills introduced dealt with solar farm use. House Bill (HB 206-Solar) involves impacts on natural resources, and if the DEQ determines there will be significant adverse impacts on wildlife, historic resources, and prime agricultural soils, the applicant must submit mitigation plans with a 45-day comment period. The land deemed significant was broken down as; 10 acres or more for prime agricultural land, 50 acres or more contiguous forest lands, and forest lands enrolled in a forestry preservation program. This bill sets rules for conditions that have to be met, and takes effect December 2024. House Bill (HB 774-Renewable Energy Facilities) involves the SCC, Department of Energy, and DEQ creating a task force to analyze the life cycle of renewable energy facilities. The SCC shall report the findings of the task force to the Governor and the Chairman of the House Committee on Agriculture, Chesapeake and Natural Resources, no later than May 1, 2023. House Bill (HB 894-Advanced Small Modular Reactors) involves the consideration of economic development of rural Virginia land while minimizing the impact on primary farmland, and is a key priority in updating its Virginia Energy Plan.

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This bill requires the Virginia Cooperative Extension to develop and maintain a map or repository of prime farmland in the Commonwealth, in consultation with the Department of Agriculture and Consumer Services, the Department of Forestry, the Department of Conservation and Recreation, and the Department of Energy. An initial report of such map or repository will be submitted to the General Assembly by December 1, 2022. Finally, Senate Bill (SB 666-Eminent Domain) redefines lost access and profit for the purpose of determining just compensation.

Board of Zoning Appeals Report: None

Town Council Items: Mr. Andrick stated the Council approved the solar panels on Robert Whitehurst's property with stipulations to be fulfilled, all of which have been done.

Zoning Administrator Report: Mr. Moore stated there were 5 zoning applications approved; two sheds; one pool; one business license; and one sign application provided but not returned. There is a pending site plan approval for a commercial redevelopment project along Conicville Road, for the unincorporated land on the other side of I-81, which would require annexing. Staff is also in discussions with a land broker for a prospective retirement community and a telecommunications tower next to the ice company. Mr. Moore stated he was asked by the tower applicant to point out certain locations to do a balloon float test, where photos are taken at 199 feet. He provided some pertinent locations, but nothing has been officially submitted. He has a meeting tomorrow regarding a potential agricultural chemical fertilizer commercial business on a vacant piece of land across from the Caverns on the corner lot. Mr. Moore stated Randy's Do-It-Best Hardware had a soft opening today, and there will be a Planning Commission work session on Monday, June 27 @ 7:00 PM to review their special use permit application requesting outdoor storage of materials in the side yard. The standard for the Town's zoning ordinance states all outdoor storage is to be in the rear yard, so staff is requesting this to be a temporary use ending a certain date, which the applicant is happy with. The work session is a new idea he brought forward to the Chairman, and has worked well in other localities, primarily so the Planning Commission can review the more complex cases before its regular meeting.

Board Members' Items: Ms. Burner stated her neighbor would like to install a flagpole and asked if a building permit is needed. Mr. Moore asked she inform her neighbor to email or call him, which will allow him time to review the ordinance. Ms. Burner states she has noticed clean-up activity at the Mill recently, and she and Mr. Andrick asked if work permits have been pulled for this. Mr. Moore stated he has noticed some activity the past six weeks as well, and has discussed it with Mr. Showalter. For now, it is not enough of a remodel that would require a building permit, but this historic district would require a review process before anything more is done, and the applicant would need to provide a detailed plan. Mr. Moore stated in March he discussed with the property owner exactly what she needs to do, but has not heard back. Any use in that building would require a site plan and currently there is no availability for off-street parking for a multi use. A single use for this property may allow for fewer on-street parking, however. Another issue is some of the property is in the floodway. Mr. Moore stated he does watch the site regularly, and received an email requesting a meeting, so hopefully he will gain a better understanding of what the goal plan is.

Commissioner Miller made a motion, seconded by Commissioner Andrick, to adjourn the meeting at 8:00 PM.

Submitted by: Deborah L. Allen, Town Clerk