



## AMELIA COUNTY PLANNING COMMISSION

### Regular Meeting

County Administration Conference Room

16360 Dunn Street,  
Amelia, Virginia 23002

Monday, August 28, 2023  
7:30 P.M.

### AGENDA

### Action Needed

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| 1. | <b>Call to Order and Welcome of Guests:</b> Larkin Moyer, Chairman | Call to Order |
| 2. | <b>Determination of Quorum</b>                                     | Quorum        |
| 3. | <b>Approval of Minutes</b>   |               |
|    | I. Regular Meeting July 24, 2023                                   | Motion        |
| 4. | <b>Old Business</b>  |               |
| 5. | <b>New Business</b>  |               |
|    | I. Review of Bylaws (Meeting Date)                                 | Motion        |
| 6. | <b>Chairman Comments</b>   |               |
| 7. | <b>Informational</b>   |               |
| 8. | <b>Adjournment</b>   |               |

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### **SPEAKER RULES OF PROCEDURE**

**Please respect all speakers and allow all opinions to be expressed in a tolerant atmosphere.**

- Speakers may speak only once during a specific comment time and all comments should be directed to the Planning Commission.
- Speakers should approach the podium so they may be visible and audible to the Commission.
- Each speaker should clearly state his/her name and address.
- All questions should be directed to the Chairman. Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
- Speakers should be brief and avoid repetition of previously presented comments.

VIRGINIA: AT A REGULAR MEETING OF THE AMELIA COUNTY PLANNING COMMISSION HELD IN THE CONFERENCE ROOM OF THE COUNTY ADMINISTRATION BUILDING ON MONDAY, JULY 24, 2023, AT 7:30 P.M.

PRESENT: LARKIN MOYER- Chairman  
ROY EASTER – Vice-Chairman  
JERRY “WHIT” MORRIS  
DENNIS RAMSEY  
JOHN AARON  
MICHAEL BATES  
TRAVIS BARNARD  
JUAN WHITTINGTON  
DAVID FELTS, JR. – Board of Supervisors Representative

ABSENT: RICHARD CUMBIE, JR.  
JENNIFER HARRIS

Amelia County Planning Commission

BRADY DEAL, Director of Community Development

I. CALL TO ORDER

Chairman Moyer called the meeting of the Amelia County Planning Commission to order at 7:30 p.m.

II. DETERMINATION OF QUORUM

Chairman Moyer declared there was a quorum with 9 of 11 members present at 7:30 p.m.

III. APPROVAL OF MINUTES

Prior to approval of minutes, Chairman Moyer noted that there was an item that needed to be added to the agenda, which was a Zoning Text Amendment for M-1 Industrial District. Vice Chairman Easter made a motion, seconded by Commissioner Morris to approve the amended agenda and approve the minutes for the June Meeting.

The motion carried 9-0 recorded as follows: Larkin Moyer- AYE, John Aaron- AYE, Dennis Ramsey- AYE, Juan Whittington- AYE, Michael Bates- AYE, Travis Barnard- AYE Whit Morris- AYE, Roy Easter- AYE, David Felts- AYE.

IV. OLD BUSINESS

Rezoning – Dutch Gap Gas & Grill– R-1 to Planned Community District (PCD)

Chairman Moyer asked for Mr. Deal to provide an update on this item since the last meeting was held.

Mr. Deal stated that the applicant's engineering consultants, Kimley Horn, have been working with VDOT on the conceptual site plan. He added that a new plan was submitted which portrays one entrance and a stub that could be improved as an entrance at a later date. Mr. Deal stated that the stub would connect to a neighboring property and therefore would be reliant on an easement from that property owner to be improved. He added that VDOT has signaled verbal approval of the proposed conceptual site plan (one entrance and the stub) but has not submitted an official transmittal letter.

Chairman Moyer asked the applicant's representative Ms. Emily Hayzlett if she had anything to add to this information.

Ms. Hayzlett stated that they were in negotiations with the owners of the adjacent property and that they are pretty agreeable with an easement for a sidewalk but that it will likely be more difficult to get an easement for a road since it would be a larger portion of their property.

With no further questions for the applicant, Chairman Moyer asked the Commissioners what they would like in regards to a recommendation for the item.

Commissioner Ramsey made a motion, seconded by Commissioner Bates to recommend approval of the rezoning request to the Board of Supervisors.

Commissioner Easter stated that he understood the access and sidewalk concerns were being worked on but that he was not comfortable with recommending approval until those items were completely worked out.

Chairman Moyer asked if Commissioner Easter wanted to suggest an amendment to the motion.

Commissioner Felts stated that from a Board perspective, he would like the items of concern to be addressed as the Board will be concerned over those same issues.

Commissioner Whittington spoke against the motion and stated that though the applicant had made good progress with the updated conceptual plan of development, he felt the item needed to be deferred for another 30 days.

Commissioner Morris asked Commissioner Felts if the motion from Commissioner Ramsey was approved with the amendment that vehicular and pedestrian access issues be resolved, would the Board be satisfied.

Commissioner Felts stated that the most important aspect is that VDOT will accept the proposed roadways into their maintenance system.

Commissioner Easter stated that he would like the pedestrian access to be resolved as their will kids and other residents walking to the village from the development. He added that he was agreeable with the access coming through the adjoining property but that he would like the item to be resolved before he could recommend approval.

Chairman Moyer asked if there was any further discussion and/or questions on the item. With no further discussion a vote was held on Commissioner Ramsey's motion, seconded by Commissioner Bates to recommend approval of the rezoning request to the Board of Supervisors with the condition that the vehicular and pedestrian traffic concerns be addressed by the applicant.

After an initial voice vote that was inconclusive, Chairman Moyer asked for the Commissioner to sign their vote by raising their hand.

The motion carried 5-4 recorded as follows: Larkin Moyer- NAY, John Aaron- AYE, Dennis Ramsey- AYE, Juan Whittington- NAY, Michael Bates- AYE, Travis Barnard- AYE Whit Morris- AYE, Roy Easter-NAY, David Felts- NAY.

## V. NEW BUSINESS

### Public Hearing – Special Exception Request – David Deans (Detached Dwelling Unit)

Chairman Moyer asked Mr. Deal to provide the staff report on this item.

Mr. Deal stated that Mr. David Deans was requesting a SEP for a detached dwelling unit for his aging mother-in-law. He described the subject property and prospective locations of the detached dwelling unit, the drain field, and well.

Chairman Moyer asked the applicant, Mr. Deans to come forward to speak to questions from the Planning Commission.

Chairman Moyer asked if the lot would be divided off after house was constructed. The applicant stated that it would not. Mr. Deal added that the County Subdivision Ordinance doesn't allow anymore than 3 lots per easement and that the private part of Rock Castle Lane was already maxed out.

Chairman Moyer asked what the applicant intended to use the property for upon the future death of his mother-in-law. Mr. Deans stated that his parents, who are also aging would likely come live in the house.

Commissioner Easter asked how many houses relied on Rock Castle Lane. The applicant stated that the lane currently serves 3 houses.

Chairman Moyer opened the public hearing at 7:53 p.m.

No one spoke in favor or in opposition of the request.

Chairman Moyer closed the public hearing at 7:53 p.m.

Commissioner Easter made a motion, seconded by Commissioner Morris to recommend approval of the Special Exception Request to the Board of Supervisors with the condition that it not be used as rental property and either be divided off to its own lot or removed upon family no longer living there.

The motion carried 9-0 recorded as follows: Larkin Moyer- AYE, John Aaron- AYE, Dennis Ramsey- AYE, Juan Whittington- AYE, Michael Bates- AYE, Travis Barnard- AYE Whit Morris- AYE, Roy Easter-AYE, David Felts- AYE.

### Public Hearing – Special Exception Request – Amelia County Emergency Management (Wireless Support Structures in excess of 80 feet)

Chairman Moyer asked Mr. Deal to provide the staff report on this item.

Mr. Deal stated that the Amelia County Department of Emergency Management was requesting a special exception permit for two towers that will be instrumental to the operation of the new dispatch radio system. Specifically, he stated that one tower would be located at the convenience center on Soap Stone Road and that the other tower would be located at the emergency operations center in the Village. Mr. Deal added that there were representatives from Motorola and CTA Communications to provide a detailed presentation on the project.

Cheryl Giggetts, Rachel Soward, and Jeremiah Knowles were present from CTA Communications. Eric Kohl spoke on behalf of Motorola.

The presentation included a magnitude of detail on the site layouts, design specifications, structural integrity and failure prevention measures, historical impact analysis, and environmental review results.

Commissioner Barnard asked what type of signals would be going out and if other commercial applications could use the towers.

Ms. Giggetts responded that other users could place equipment on the tower but that they would prioritize public safety and ensure no new equipment conflicts with it.

Commissioner Easter asked if they were adding a generator at the emergency operations center.

Ms. Giggetts stated that there was already a generator at that site that they would use.

Chairman Moyer asked if there would be lights on the towers.

Mr. Knowles stated that the tower in the Village would not have lights but that the tower on Soap Stone would have a light to comply with FAA regulations

Commissioner Barnard asked why the other tower near the Courthouse area was not being used since it already exists.

Mr. Knowles stated that it was not ideal because the tower had a substantial amount of equipment already on it and they were uncertain of its ability to accommodate the additional equipment. Also, he added that the tower next to the EOC best allowed for communication to the Sheriff's Office which is where the dispatch is located.

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Chairman Moyer opened the public hearing at 8:34 p.m.

No one spoke in favor or in opposition of the request.

Chairman Moyer closed the public hearing at 8:34 p.m.

Commissioner Easter made a motion, seconded by Commissioner Whittington to recommend approval of the special exception request for the two radio towers to the Board of Supervisors.

Commissioner Whittington thanked the applicants for their thorough presentation.

The motion carried 9-0 recorded as follows: Larkin Moyer- AYE, John Aaron- AYE, Dennis Ramsey- AYE, Juan Whittington- AYE, Michael Bates- AYE, Travis Barnard- AYE Whit Morris- AYE, Roy Easter-AYE, David Felts- AYE.

Public Hearing – Zoning Text Amendment – Amelia County Planning Commission  
(M-1 “Mining of minerals, other than coal”

Chairman Moyer asked Mr. Deal to provide the staff report on this item.

Mr. Deal stated that the Board of Supervisors wanted staff to review this use being listed as a “by-right” use in the M-1 rather than it being considered a “special exception” use due to its potential impact on a property and adjacent properties. He added that the rezoning of the Richardson Road property for the EDA was the impetus for this discussion.

Commissioner Morris made a motion, seconded by Michael Bates to recommend approval of the zoning text amendment by changing this use from a by-right use to a special exception use to the Board of Supervisors with the change of language that the phrase read “mining of minerals.”

The motion carried 9-0 recorded as follows: Larkin Moyer- AYE, John Aaron- AYE, Dennis Ramsey- AYE, Juan Whittington- AYE, Michael Bates- AYE, Travis Barnard- AYE Whit Morris- AYE, Roy Easter-AYE, David Felts- AYE.

VI. CHAIRMAN’S COMMENTS

Chairman Moyer stated that he had received a call from a resident in the county that they wanted to place land they owned on Route 360 in a conservation easement. He added that they had been turned down some years back. He advised the gentleman to contact Mr. Deal and work on the matter to see if there was a route that the county could support his effort.

VII. INFORMATIONAL

VIII. ADJOURNMENT

There being no further business to come before the Planning Commission, Chairman Moyer adjourned the meeting at 8:45 p.m.

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Larkin Moyer, Chairman  
Amelia County Planning Commission

ATTEST:

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Brady Deal  
Director of Community Development