

**AMHERST COUNTY  
PLANNING COMMISSION MEETING  
THURSDAY, AUGUST 2, 2012  
MINUTES**

**VIRGINIA**

A public meeting for the Amherst County Planning Commission was held on Thursday, August 2, 2012, in the Board of Supervisors Room located in the Administration Building at 153 Washington Street, Amherst, VA.

**MEMBERS PRESENT:** Donald Hedrick, Chairman  
Mitch Heishman, Vice-Chairman  
Donald Kidd, Board of Supervisors Liaison  
Derin Foor  
George Brine  
Leslie Irvin  
Beverly Jones

**STAFF PRESENT:** Jeremy Bryant, Director of Planning/Zoning  
Matthew Rowe, Planner/Assistant Zoning Planner  
Stacey Stinnett, Administrative Assistant

**Agenda**

1. Call to Order
2. Approval of Agenda
3. Citizens Comments
4. Role of County Attorney
5. Subdivision Plat Review
  - A. 0612-SUB-003 Ballard Tract Subdivision (Clayton Bryant, Jr.)
6. Sign Ordinance 2012-15
7. Comprehensive Plan Discussion
8. Old/New Business
  - A. VDOT Six Year Plan
  - B. 2012-14 Verizon – Moses Mountain Rd. Amherst
  - C. Joint Meeting – Sept. 18, 2012
9. Monthly Report for August 2012
10. Adjournment

## **1. CALL TO ORDER**

The meeting was called to order at 7:00 PM.

## **2. APPROVAL OF AGENDA**

The amended agenda was approved as submitted.

### **Planning Commission Action:**

**Motion:** Heishman Motion to approve the amended agenda. .

**Second:** Jones

**The motion carried by a 6-0 vote**

## **3. CITIZENS COMMENTS**

There were none.

## **4. ROLE OF COUNTY OF ATTORNEY**

Ms. Ellen Bowyer, County Attorney, briefly explained her role as the County Attorney and answered the Commissioner's questions. Ms. Bowyer then proceeded to agenda item six (6) (which is addressed in order for the purpose of these minutes). Ms. Bowyer emphasized that her role was to insure that proposed documents were in the proper form for submittal as code. She assured the commissioners that she did not go into technical contest of proposed documents.

Ms. Bowyer left the room at 7:59 pm.

## **5. SUBDIVISION PLAT REVIEW**

### **A. 0612-SUB-003 Ballard Tract**

In accordance with Section 1007, Appendix A of the Code of the Amherst County, Clayton C. Bryant, Jr. (contract owner) submitted a request for approval of a preliminary plat prepared by Micheal Ray Goin, of Dickerson Surveying, LLC, dated May 8, 2012, for a seventeen (17) lot subdivision on the above-referenced property bordered by the Buffalo River to the North, Rocky Creek Lane (State Route 603) to the West, Richmond Highway (U.S. route 60) to the South and Park Lane (State

Route 602) to the South East. The lots without public road frontage will be served by private road "Ballard Trail". The total project area is 179.10 acres. No common areas are being reserved for parks or open space, however, the plat does legitimize and reconfigures an existing family cemetery lot that has not been depicted on the County's Tax Map.

Mr. Rowe presented the Staff report and concluded his comments by stating that Staff recommends the following conditions must be approved by the Planning Commission.

1. The applicant shall provide evidence satisfactory to the County Attorney of the easement for the private road "Ballard Trail".
2. The applicant shall provide evidence satisfactory to the County Attorney indicating that all lots will be included in the homeowner's association.
3. The applicant shall provide a copy of the homeowner's association agreement satisfactory to the County Attorney.

Mr. Heishman stated that any concerns and conditions from the Virginia Department of Transportation should also be included as a recommendation on Staff's report.

Mr. Kidd stated that it was important to have the Homeowner's Association declaration of covenants established and available prior to approval to protect the landowners and the County.

Mr. Phil Verdow, the applicant, asked that the request be granted with the exception that his attorney will have items 1 through 3 prepared and presented to the County Attorney.

The Planning Commission had discussion and raised questions and concerns as to granting this request prior to the County Attorney's conditions having not been met.

**Planning Commission Recommendation:**

**Motion:** Irvin

Due to public necessity, convenience, general welfare and good zoning practice, I make a motion that the preliminary Ballard Tract Subdivision request 0612-SUB-003 be denied due since satisfactory to evidence has not been provided to the County Attorney regarding the prior three (3) conditions.

**Second:** Brine

**The motion carried by a 6-0 vote**

## **6. SIGN ORDINANCE 2012-15**

Ms. Bowyer stated that she had made text changes (related to language) in the Sign Ordinance. Ms. Bowyer answered the Planning Commission's questions.

Mr. Irvin stated that all ordinances need to be thoroughly reviewed and any legal questions that the Commission may have are to be answered by the County Attorney prior to the public hearing.

Ms. Bowyer suggested that when the Commission seeks changes to the County Code that the information should be in ordinance format when reviewed by the Commission.

The Planning Commission had the County Attorney explain the changes she made to the Sign Ordinance.

**Motion:** Heishman

Motion to approve the Sign Ordinance 2012-15  
with the amendments as noted.

**Second:** Foor

**The motion carried by a 6-0 vote**

## **7. COMPREHENSIVE PLAN DISCUSSION**

Mr. Bryant briefly updated the Planning Commission and stated that he is working with Scott Smith with Region 2000 to prepare a complete document to present at the Planning Commission public hearing in October.

## **8. OLD/NEW BUSINESS**

### **A. VDOT Six Year Plan**

Mr. Bryant updated the Planning Commission and stated that Virginia Department of Transportation (VDOT) will be having a representative, Randy Hamilton, to come and speak to the Board of Supervisors on August 7, 2012 and a public hearing is scheduled for August 21, 2012.

The Planning Commission discussed the issue with Woody's Lake Rd. intercepting with Stratford Place. Due to lack of VDOT funding for the road improvements, the subdivision street extension will have to connect to Odens Bow.



B. 2012-14 Verizon – Moses Mountain Rd. Amherst, VA 24521

Mr. Bryant briefly explained that this item would be on the Planning Commission agenda for August 16, 2012 due to an advertising error, however, would still be scheduled for the August 21, 2012 Board of Supervisors Meeting. Mr. Bryant stated that a balloon test would be conducted at this property at 8:30 am on August 6, 2012 and a rain date would be at 8:30 on August 8, 2012.

C. Joint Meeting – September 18, 2012

Mr. Bryant asked that the September 18<sup>th</sup> Planning Commission meeting be a joint meeting with the Board of Supervisors to discuss the RMU-1 Old Town Madison Heights rezoning. Mr. Bryant stated that by having a joint meeting it would save the County time and money due to postage and advertising. Mr. Bryant stated that he would like to know how many Commissioners could attend to see if a quorum was present. Mr. Foor, Mr. Heishman, Mr. Irvin, Mr. Hedrick and Mrs. Jones all spoke that they would be in attendance.

**9. MONTHLY REPORT FOR AUGUST 2012**

The monthly report was reviewed.

**10. APPROVAL OF MINUTES FOR MAY 17, JUNE 21 & JULY 5, 2012**

**Planning Commission Recommendation:**

**Motion:** Jones                      Motion to approve the May 17, 2012 minutes as submitted.

**Second:** Foor  
**The motion carried by a 4-0 vote (Heishman and Irvin abstained)**

**Planning Commission Recommendation:**

**Motion:** Foor                      Motion to approve the June 21, 2012 with changes made.

**Second:** Irvin  
**The motion carried by a 4-0 vote (Heishman and Jones abstained)**

**Planning Commission Recommendation:**

**Motion:** Heishman

Motion to approve the July 5, 2012 with changes made.

**Second:** Foor

**The motion carried by a 6-0 vote**

Mr. Bryant recognized Matt Rowe for his work as a Planner with the Planning Department and wished him well as he starts September 12<sup>th</sup> as the Planning Director for Charles City, Virginia.

**11. ADJOURNEMENT**

**Planning Commission Recommendation:**

**Motion:** Jones

Motion to adjourn.

**Second:** Irvin

**The motion carried by a 6-0 vote**

There being no further business to discuss, the meeting was adjourned at 9:34 p.m.

/ss/8.28.12

  
Chairman