

SEPTEMBER 14TH, 2023 PLANNING COMMISSION MINUTES

VIRGINIA: at the **REGULAR MEETING** of the **Tazewell County Planning Commission** held **September 14th, 2023 at 6:30 p.m. in the Tazewell County Administration Building, Tazewell, Virginia -- 197 Main Street**

PRESENT: **Ann Robinson-Chairperson**
Robert “Bob” Moss-Vice Chairman
Hayden Lyons-Member
Jason Herndon-Member
Maggie Asbury—Member
Anthony Ramella-Member

OTHERS

PRESENT: **Kenneth Dunford, Jr., --Director of County Engineering**
Chase Collins—County Attorney
Eric Young-County Administrator (by phone)
Kimberly Hilbert-Executive Secretary
Jim Talbert-Press
Warren Hinkle-Press
Jim Ribble—Alpha Land Surveyors
Jim Best—Visitor
Robert Carlson—Visitor
Allan Gorospe—Visitor
Naoka Harold—Visitor
Mary Hodge—Visitor (by phone)

ABSENT: **Darrel Addison-Member**


Chairperson Robinson called the September 14th, 2023 regular meeting to order and presided at approximately 6:35 p.m.

She then welcomed all visitors and all those in attendance.

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INVOCATION AND PLEDGE


Chairperson Robinson gave the invocation, followed by, the Pledge of Allegiance to the US flag by Vice-Chair Moss.



APPROVAL OF THE AGENDA FORMAT


Upon motion of Vice-Chair Moss, seconded by Member Herndon, and adopted by a vote of 6 to 0, with Member: Addison absent from the meeting; the Tazewell County Planning Commission does hereby move item 11. Citizens Comments to item # 8. To follow Item # 7. Jim Best Solar Concerns.

Upon motion of Member Herndon, seconded by Vice-Chair Moss, and adopted by a vote of 6 to 0, with Member Addison absent from the meeting, the Tazewell County Planning does hereby **APPROVE** the agenda as changed.



APPROVAL OF THE AUGUST 10TH, 2023 REGULAR MEETING MINUTES

Upon motion by Member Herndon and seconded by Member Lyons, and voted on by a vote of 6 to 0, with Member: Addison absent from the meeting, the Tazewell County Planning Commission does hereby **APPROVE** the August 10th, 2023 Regular Meeting Minutes as written.



ITEMS FOR CONSIDERATION

E & S FOUR SEASONS STORAGE

Jim Ribble, Alpha Land Surveyors, appeared to speak on the proposed project. Property is located at Springville and owned by Mr. RJ White who has two storage buildings already on the property and is going to add two more. Project will consist of grading prep work for the storage additions.

Kenneth Dunford, Jr., Director of Engineering, has reviewed the project and it meets the E & S requirements. He recommends approval contingent upon the Permit Fee of \$70.00 and Bond Fee of \$2,033.78 being received.

Chase Collins, County Attorney, recommends approval.

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Upon motion by Member Herndon, seconded by Member Ramella, and voted on by a vote of 6 to 0, with Member Addison absent from the meeting, the Tazewell County Planning Commission does hereby **APPROVE** the E & S Plan for Four Seasons Storage upon receipt of the permit and bond fees.

E & S CAMELBACK CATTLE COMPANY, LLC

Kevin Steele, Engineer, appeared to speak on the proposed project. Shannon Proffitt, Property Manager, was also present and ready to speak on the project. It will consist of construction upgrades for the access roads for cattle on the farm.

Kenneth Dunford, Director of Engineering, added that it was an agricultural project and it was not exempt from E & S Permitting. A stop work order was issued until a plan could be prepared and presented to the Engineering Department. Mr. Steele had submitted the plan and it has been reviewed and all concerns have been addressed. Mr. Dunford recommends approval contingent upon the Permit Fee of \$177.00, Bond Fee and Storm Water permit being received.

Vice-Chair Moss had several concerns about the project. There are several piles of brush that may wash down stream and clog up drains and bridges. The hillside that has been cleared and there is no vegetation to hold the soil back. Recommends hydro-seeding the hillside.

Upon motion by Member Hendon, seconded by Member Asbury, and voted on by a vote of 6 to 0, with Member Addison absent from the meeting, the Tazewell County Planning Commission does hereby **APPROVE** the Camelback Cattle Company E & S Plan contingent upon the Permit Fee, Bond and Storm Water Permit being received.

SUBDIVISION—WILSON & THOMAS

Mr. & Mrs. Wilson, Cedar Bluff, VA, described the subdivision. They had bought a lot adjacent to their property from Dustin Thomas and their attorney misunderstood and thought it fell under the family division exemption.

Kenneth Dunford, Director of Engineering, stated that there was some confusion from the lawyers about the family division being exempt from the Subdivision Ordinance. Since, the property came from a cousin it does not fall into the family division category. Both parcels front a state-maintained road. A variance would be need for the water.

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Upon motion by Member Herndon, seconded by Vice-Chair Moss, and adopted by a vote of 6 to 0, with Member Addison absent from the meeting, the Tazewell County Planning Commission does hereby **APPROVE** the Wilson-Thomas Subdivision with a variance being granted from the Sub-Division Ordinance:

Sec. 4-4-5 Private water and sewer must meet all the requirements of the state water control board, the state health department, and any other state or local regulatory agency having jurisdiction and authority over such installation.

JIM BEST SOLAR PROJECT CONCERNS—15 MINUTES

Mr. Best was present to speak on concerns about the Energix Solar Projects in Tazewell County. His concerns are:

1. State Park with solar panels at the entrance.
2. OSHA heavy metals—toxic to humans
3. No zoning.
4. Agricultural Land being destroyed

Mr. Best has solar panels on his home and lives off grid. His panels are different from Panels Energix would be using.

Chairperson Robinson questioned his concerns with Energix. Was it the company or the panels. Mr. Best stated it is the type of panels they use. They are harmful to the land and children. Some concerns that changes may need to be made for use of land from agricultural to solar. Chairperson Robinson questioned if all other counties where Energix has tried to go have zoning? Mr. Best stated that all of the counties had zoning. Mr. Collins corrected that some of the counties do have zoning. Member Asbury stated that she is concerned with what the residents in her district think and feel. Mr. Collins stated that the Commonwealth of Virginia expressly states what is required for the county to adhere to and do concerning solar energy. The Attorney General does not allow spot zoning. There are a lot of legal challenges strictly for zoning.

Eric Young, County Administrator, by phone. The county realizes the concerns for wild life and the community with solar energy. The ordinance needs to be specific for the issue at hand. Three ways specified for zoning:

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1. Board passes an Ordinance
2. Specific Agreement
3. Solar Company applies to Planning Commission (exempt local taxation)

Some type of agreement has to be reached. The land belongs to somebody. The Comprehensive Plan needs to address Green Energy.

Robert Carlson—Visitor, estimate on how much earn? 6 million. Mr. Young stated the project taxation exempt. Agreement to share the revenue \$200,000 of \$154,000,000 budget.

- 1, Fire—who puts it out and responsible for clean up?
2. Remediation—make them responsible not county and citizens.
3. Know the parent company
4. Performance Surety Bond.

This is dangerous and hazardous to the county.

Allan Gorosve—Disabled Veteran--Concerns:

1. Health of county
2. Signed Petition against Solar Farm
3. Something negative will happen eventually.

Chairperson Robinson thanked him for his service.

SUBCOMMITTEE REPORTS

Nothing at this time.

COMPREHENSIVE PLAN

Mr. Collins stated that there is a tentative date for November 2023, for a Baseline Solar Ordinance Plan. Maybe meet at 5:30 prior to the November Planning Commission Meeting at 6:30. Maybe have any comments for the next meeting on October 12th, 2023.

MEMBER CONCERNS

Member Ramella—None at this time.

Member Lyons—None at this time.

Member Moss—None at this time.

Member Herndon—Pro/Cons Solar Ordinance.

Chase Collins—Specific Area vs Specific Use

Member Asbury—BOS Tuesday Night Meeting—New Ordinance for Littering/Junk

Requires action from BOS, County Attorney, Sheriff’s Office and Commonwealth’s Attorney’s Office. Ensure the populations Health and Safety.

Passed unanimously by BOS.

Member Asbury and Member Plaster on the Committee.

Mr. Young receive complaint.

Send to Committee

Review with cost to remedy condition.

Mr. Collins commended Member Asbury for her lead on the issue.

Mr. Dunford stated that there were no signs up yet with maximum penalty for littering.

ADJOURNED MEETING

Upon motion of Member Herndon, seconded by Vice-Chair Moss, and adopted by a vote of 6 to 0, with Member: Addison absent from the meeting, the Tazewell County Planning Commission Regular Meeting is hereby adjourned at approximately 8:15 p.m. until Thursday, October 12th, 2023 at 6:30 p.m.

Respectfully submitted:

Kimberly Hilbert

Kimberly Hilbert- Executive Secretary

Ann Robinson –Chair
Tazewell County Planning Commission