

September 12th/25th, 2024 PLANNING COMMISSION MINUTES

**VIRGINIA:** at the **REGULAR MEETING** of the **Tazewell County Planning Commission** held **September 12th, 2024** 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**  
**Jason Herndon-Member**  
**Hayden Lyons—Member**  
**Kyle Cruvey—Member**  
**Lance Wimmer—Member**  
**Anthony Ramella—Member**

**OTHERS**

**PRESENT:** **Kenneth Dunford, Jr., -- Director of County Engineering**  
**Brad Gibson - Executive Secretary (Interim)**  
**Chase Collins-- County Attorney**  
**Dick Houchins - Architect and Project Manager with Thompson & Litton**  
**Elliot Delp - Civil Engineer with Thompson & Litton**  
**Connor Willis - Designer with Thompson & Litton**  
**Andrew Crawford - Engineer with Bailey Engineering**  
**Robert Carlson--Visitor**

**ABSENT:**

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Chairperson Robinson called the September 12, 2024 regular meeting to order and presided at approximately 6:32 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-Chairman Moss.

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**APPROVAL OF THE AGENDA FORMAT**

Upon motion of Vice-Chairman Moss, seconded by Member Herndon, and adopted by a vote of 7 to 0, the Tazewell County Planning Commission does hereby **APPROVE** the agenda.

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**APPROVAL OF THE AUGUST 8TH, 2024 REGULAR MEETING MINUTES**

Upon motion by Vice-Chairman Moss, seconded by Member Lyons, and voted on by a vote of 7 to 0, the Tazewell County Planning Commission does hereby **APPROVE** the August 8th, 2024 Regular Meeting Minutes as written.

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**ITEMS FOR DISCUSSION:**

**TAZEWELL COMMUNITY CLINIC**

Dick Houchins, the architect and project manager with Thompson & Litton for the Tazewell Community Clinic, spoke on behalf of the project along with Elliot Delp (Civil Engineer), and Connor Willis (Designer), both with Thompson & Litton. The site is on Market St, and the entrance will be near Food Lion. The clinic will feature 111 parking spaces, 55 ADA spaces, an ambulance entrance, and a large canopy for drop offs at the main entrance of the structure. The current plan includes offices for up to 8 medical providers, 20 exam rooms, a central laboratory to ensure efficiency, and general staff areas.

The E&S plan includes a detention pond to the southeast of the site with a BayFilter that will then flow into the Clinch River. During construction, they will use inlet protections, diversions, sediment traps, and silt fences to prevent sediment runoff.

Kenneth Dunford, Jr., Director of Engineering, reviewed the plan and corresponded with Thompson & Litton. Mr. Dunford recommended that the Planning Commission approve the plan contingent on the following items:

- 1) Payment of \$60 permit fee
- 2) Payment of bond that Mr. Dunford will calculate
- 3) Issuance of any other needed permits for the project

Chase Collins, County Attorney, said that the project appears to be in full compliance with the new Tazewell County Erosion & Sediment Control ordinance. Mr. Collins concurred with Mr. Dunford's recommendations, including the three contingencies.

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Upon motion by Vice-Chairman Moss, seconded by Member Lyons, and voted on by a vote of 7 to 0, the Tazewell County Planning Commission does hereby **APPROVE** the Tazewell Community Clinic E&S plan contingent upon the permit fee and bond being received, and the issuance of any other needed permits for the project.

### **Richlands Elementary School Drainage E&S**

Andrew Crawford with Bailey Engineering spoke on behalf of the Richlands Elementary School Drainage E&S plan. The project intends to repair outdated pipes at the field adjacent to Richlands Elementary School in order to exit the water onto Front St between Roma and Pizza Hut. The project has already begun, but a Stop Work Order was issued by the Tazewell County Engineering due to lack of permits and erosion control measures, and the Town of Richlands also asked activity at the site to cease.

Mr. Dunford has been in contact with Bailey Engineering, and there are still issues that need to be addressed for the drainage plan. Mr. Dunford recommends that the Planning Commission recess the current meeting for two weeks to allow Bailey Engineering and Tazewell Elementary School more time to bring their plan to compliance. The Planning Commission then considered Mr. Dunford's recommendation. The recess meeting would still need a quorum to hold the meeting, and they discussed which date and time would be best for the commission members.

Upon motion by Vice-Chairman Moss, seconded by Member Herndon, and voted on by a vote of 7 to 0, the Tazewell County Planning Commission does hereby **TABLE** discussion of the Richlands Elementary School Drainage E&S plan until Wednesday, September 25th, at 6:00 PM.

### **Division of 141-A-0063A near Kents Ridge Rd**

The division intends to create two parcels from the Cordle property (141-A-0063A). The properties are currently serviced by water. In order to be approved, there needs to be a variance granted that connects the parcels to a state or county maintained roadway, as well as a variance for sewer access.

Upon motion by Member Herndon, seconded by Member Ramella, and voted on by a vote of 7 to 0, the Tazewell County Planning Commission does hereby **APPROVE** given the consideration of variance to connect the parcel to a state or county maintained roadway, and sewer access.

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After the motion was approved Chairperson Robinson inquired if adjacent property owners would need to be notified, and it was determined that notice of the subdivision/variance would be needed. Mr. Collins and Mr. Dunford suggested that the division be tabled until the recess meeting on Wednesday, September 25, at 6:00 PM.

Upon motion by Member Herndon, seconded by Member Ramella, and voted on by a vote of 7 to 0, the Tazewell County Planning Commission does hereby **RESCIND** the division and consideration of variance to connect the parcel to a state or county maintained roadway, and sewer access until notice is given to adjacent property owners.

Upon motion by Member Herndon, seconded by Member Ramella, and voted on by a vote of 7 to 0, the Tazewell County Planning Commission does hereby **TABLE** discussion of the Division of 141-A-0063A until the recess meeting on Wednesday, September 25, at 6:00 PM.

Mr. Dunford recommended that the subdivision fee be waived due to any potential delays caused by tabling discussion of the division.

Upon motion by Member Herndon, seconded by Vice-Chairman Moss, and voted on by a vote of 7 to 0, the Tazewell County Planning Commission does hereby **WAIVE** the subdivision fee for the Division of 141-A-0063A.

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### SUBCOMMITTEE REPORTS

**None at this time.**

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### CITIZENS COMMENTS:

Robert Carlson of 1142 Laken Witten Road, North Tazewell, 24630, provided a handout to the Planning Commission (which will be attached to the minutes) regarding Virginia Tech's research into the impact of large solar farms on soil and water. Mr. Carlson also discussed solar farm issues in nearby counties.

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### MEMBER CONCERNS

**Member Herndon:** Appreciates that members agreed to come to the recess meeting.

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Upon motion by Vice-Chairman Moss, seconded by Member Cruey, and voted on by a vote of 7s to 0, the Tazewell County Planning Commission is hereby recessed at approximately 7:25 p.m. until the recesses meeting time on Wednesday, September 25, 2024 at 6:00 p.m.

September 12th/25th, 2024 PLANNING COMMISSION MINUTES

**VIRGINIA:** at the **RECESSED MEETING** of the **Tazewell County Planning Commission** held September 25th, 2024 at 6:00 p.m. in the Tazewell County Administration Building, Tazewell, Virginia - 197 Main Street

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

**OTHERS**

**PRESENT:** **Kenneth Dunford, Jr., -- Director of County Engineering**  
**Brad Gibson-Executive Secretary (Interim)**  
**Chase Collins-- County Attorney**  
**Richard Bailey - Owner of Bailey Engineering**  
**Andrew Crawford - Engineer with Bailey Engineering**  
**Katherine White - Visitor**

**ABSENT:** **Kyle Crucey—Member**  
**Lance Wimmer—Member**  
**Anthony Ramella—Member**

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Chairperson Robinson called the recessed September 12, 2024 meeting to order and presided at approximately 6:05 p.m.

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**ITEMS FOR DISCUSSION:**

**Richlands Elementary School Drainage E&S**

Richard Bailey of Bailey Engineering spoke on behalf of the project. Mr. Bailey said that the project has been discussed for quite some time, and the pipe system under the field adjacent to Richlands Elementary School has been experiencing flooding and ponding for several years. Mr. Bailey did not initially believe that he needed an E&S permit for the project, but the contractor disturbed more land than he expected, resulting in a Stop Work Order and a need for the project to be permitted.

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Mr. Bailey has surveyed the work that has already taken place and determined that .94 acres has been disturbed, so a wastewater permit will only be necessary if more area is disturbed. Mr. Bailey proposed the installation of a sediment trap to handle the drainage area, and silt fences along the perimeter. The contractor created a channel that now needs to be stabilized.

Mr. Dunford reviewed the plan a few days before the meeting and determined that it complies with the E&S ordinance. Mr. Dunford also recommended the following stipulations for approval:

- 1) Stake out the limits of disturbance
- 2) The Town Manager of Richlands needs to be notified of the plans, and when work will begin
- 3) Waive the permit fee since the property is owned by the Tazewell County School Board
- 4) The bond of \$9,964.69 will still need to be paid with the following stipulations
  - a) Work can resume after approval. However, if the bond is not paid within 30 days, then a Stop Work Order will be issued.
  - b) If work is finished within 30 days, then there will be no need for a bond.

Upon motion by Member Herndon, seconded by Member Lyons, and voted on by a vote of 4 to 0, with Members: Cruey, Ramella, and Wimmer absent from the meeting, the Tazewell County Planning Commission does hereby **APPROVE** the Richlands Elementary School Drainage E&S plans, contingent on stipulations 1-4 that are underlined above.

### **Division of 141-A-0063A near Kents Ridge Rd - Variance**

Katherine White of 250 Bryant St, Cedar Bluff, VA 24609, raised her concerns regarding the division, and the current notification process that she says almost prevented her from being able to express her issues with the project. The notice she received was incorrectly addressed, failed to provide an address for the meeting location, requested a written response but did not include a return address, and did not provide an email address for communication even though it was referenced in the letter. Richard Bailey of Bailey Engineering said that the notification letter sent from his office was based on a template provided by Tazewell County. Katherine White recommended that the Planning Commission revise the notification template, and update their notification timeframe. Furthermore, White is worried that the divided property could be developed into something that would be detrimental to her current living situation, such as a mobile home park. A response letter by Katherine White is attached to the minutes.

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Andrew Crawford with Bailey Engineering made adjustments to the plat that was shown at the September 12 meeting, correcting boundaries that crossed into Katherine White’s property. Mr. Collins stated that Bailey Engineering complied with ordinances, and that the variance was able to be approved if the Planning Commission wished to do so. Mr. Collins also said that he would take a look at the notification template that Tazewell County is providing. Member Herndon does not believe there is enough space in the division to create the infrastructure for a mobile home park, and if there were, it would need to be approved by the Planning Commission.

Upon motion by Member Herndon, seconded by Vice-Chairman Moss, and voted on by a vote of 4 to 0, with Members: Cruvey, Ramella, and Wimmer absent from the meeting, the Tazewell County Planning Commission does hereby **APPROVE** the Division of 141-A-0063A with a variance for sewer and roadway connection to a county or state maintained road.

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**MEMBER CONCERNS**

**Member Herndon:** I think going forward we should put more consideration into notices.

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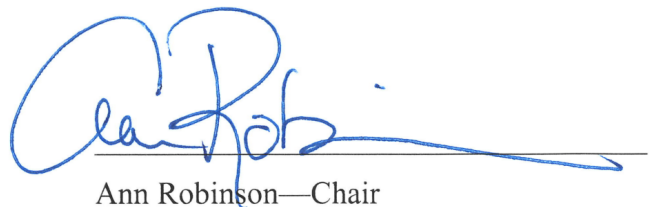
Upon motion by Vice-Chariman Moss, seconded by Member Herndon, and voted on by a vote of 4 to 0, with Members: Cruvey, Ramella, and Wimmer absent from the meeting, the Tazewell County Planning Commission is hereby adjourned at approximately 6:45 p.m. until the regular meeting time on Thursday, October 10, 2024 at 6:30 p.m.

Respectfully Submitted:

**Brad Gibson**

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Brad Gibson—Executive Secretary (Intirum)



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Ann Robinson—Chair

Tazewell County Planning Commission

**ECONOMY**

# Virginia Tech-led researchers to study large solar farms' impact on soil and water

*A six-year project aims to break new ground in terms of the scope of real-world data collected on sediment and stormwater runoff at utility-scale solar facilities.*


 by **Matt Busse**  
 August 8, 2023



A Dominion Energy solar farm in Powhatan County. Courtesy of Dominion Energy.

A Virginia Tech-led research team plans to spend six years studying how large solar farms affect soil erosion and stormwater runoff, going beyond modeling based on assumptions and instead focusing on collecting real-world data at a level perhaps not seen before.

Backed by a \$3.4 million grant from the Virginia Department of Environmental Quality, researchers plan to identify six large solar farm sites in a variety of locations and states of development. Then, they'll install instruments at those sites to measure water quality, runoff from solar panels and more.

While Virginia's clean energy goals call for more new solar energy sources in the decades to come, DEQ is concerned about utility-scale solar farms potentially increasing stormwater runoff and furthering the loss of sediment and nutrients on site — not just during the facilities' initial setup, but also after they're operational and even further down the road when they're decommissioned.

"DEQ staff have noticed a number of stormwater and erosion issues related to the current design standards for solar projects and have determined that the state of the science has not kept up with the needs of this industry in Virginia," DEQ spokesperson Irina Calos said in an email.

But the agency says it is not aware of any studies that use actual site-specific measurements that reflect runoff from such facilities under conditions typically found in Virginia. That's where the research team comes in.

"The ability to collect these field data at this scale is a great, unique opportunity," said Ryan Stewart, associate professor in Virginia Tech's School of Plant and Environmental Sciences and the project lead.

The research team, which also includes experts from Virginia State University, hopes the six solar farm sites will reflect a variety of geographic areas within Virginia as well as a variety of stages of development, with some sites still under construction and others fully established.

"Every site's going to be a little bit unique in how the actual instrumentation is put in because the drainages are different, the conveyances, all of that looks a little different," Stewart said. "We're still in the process of figuring out exactly what recipe goes for each site, and what those sites are."

With data in hand, researchers will be able to look at how closely their measurements match up with the models used to develop the solar farms' site plans — for example, how much runoff was a site predicted to generate, versus how much runoff actually occurs.






"If it's not doing a good job of matching up, can we adjust certain things within those models to get a more accurate estimate for future installations of these solar sites?" Stewart



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said, explaining a potential application of the research.

Lee Daniels, the T.B. Hutcheson Jr. Professor Emeritus in Virginia Tech's School of Plant and Environmental Sciences and a fellow investigator on the project, said he is especially interested in studying what happens to the sites during the process of clearing the land and installing solar panels.

"What happens at many of them, not all, but many of them is that what was there as a preexisting natural soil or landscape gets considerably cut and filled and moved around," Daniels said.

That, along with how much vegetation a site has and how much vegetation is replanted after construction work is done, are among the factors that can affect runoff and the loss of sediment, he said.

Solar farms are a growing part of Virginia's energy portfolio. For example, Dominion Energy, the state's largest electric utility, today has just over 1,500 megawatts of solar energy in operation — enough to power 375,000 homes — and just under 6,500 megawatts in various stages of development, said spokesperson Aaron Ruby.

"We're moving full steam ahead on building out solar in communities across Virginia," Ruby said.

*[Disclosure: Dominion is one of our donors, but donors have no say in news decisions; [see our policy.](#)]*

But building solar farms is not without controversy. Utilities have fielded complaints from neighboring landowners about the impacts on their properties and in some cases paid thousands of dollars in fines.

In March, Energix US, which operates seven solar farms across Southwest and central Virginia, agreed to pay \$97,651 and fix problems related to violations of erosion and sediment control regulations, [according to The Roanoke Times](#).

In Louisa County, neighbors of Dominion's Belcher solar project [told the Richmond-based station WTVR](#) in 2021 that excess runoff from the solar facility was eroding their land; one county supervisor called it "pretty catastrophic." Dominion told the TV station that heavy storms the previous year had hampered its ability to properly stabilize the construction site.

Recently, some localities, including [Culpeper](#), [Henry](#), [Mecklenburg](#) and [Surry](#) counties, have adopted ordinances limiting the amount of solar farm development that can be approved there. It's a result of [local governments trying to balance](#) a growing demand for energy with residents' desire to preserve agricultural land.

Ruby said that since Dominion started building solar farms 10 years ago, the utility has learned lessons about mitigating their impact on the environment.

Buffers, silt fences, sediment basins and vegetation have all been used to keep stormwater runoff out of streams and rivers, Ruby said. But today, for example, the utility might install double rows of silt fencing instead of single rows to better reduce soil erosion, or it might replant grass at a solar farm site sooner than it would have in years past.

Dominion is among industry partners supporting the research. Virginia's largest utility has offered the team access to its solar facilities and has offered a \$250,000 grant toward the project, said Amelia Boschen, manager of environmental services for Dominion.

"If their data can provide information about whether what's being done is effective, or what types of things might be more effective, that's a benefit," Boschen said, "because ultimately our intention now, and the way that we're developing solar now, is with the goal of both being mindful to our neighbors and ensuring that we're not impacting our neighbors, Virginia's waterways and ultimately are minimizing any nutrient or sediment loss from the site."

Appalachian Power, the largest electric utility operating in Southwest Virginia, is not involved in the project, likely because it only owns one solar farm; most of its solar power is purchased from elsewhere, said spokesperson Teresa Hamilton Hall.

Regulations around solar farms continue to evolve. Just last year, Gov. Glenn Youngkin's administration introduced a number of new rules related to stormwater management and development, including [classifying solar panels as impervious surfaces unable to absorb runoff](#).

"Research findings could help DEQ, Virginia localities, and the solar industry to better understand the impacts of [utility scale solar] facilities on surface waters and determine what best practices are needed to minimize such impacts to land and water," Calos said.

Although the project has a six-year timeline, some of the information it yields could come out earlier. Graduate students will use the work in their theses, while Stewart aims to submit the project's findings to peer-reviewed publications.

For now, the next steps include identifying the six sites and gathering the necessary measuring instruments.

“This study and how it’s set up in combination where we’re doing this site-specific work and gathering these data sets and the actual runoff amounts and the water quality — I’m not aware of anything being done like it on solar sites anywhere,” Daniels said. “And even related work in urban environments, most of that kind of work is decades old. ... This one is much larger in scope and time.”

*Related stories*



**MATT BUSSE**

[matt@cardinalnews.org](mailto:matt@cardinalnews.org)

Matt Busse covers business for Cardinal News. He can be reached at [matt@cardinalnews.org](mailto:matt@cardinalnews.org) or (434) 849-1197. [More by Matt Busse](#)

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**September 19, 2024**

**Katherine White**  
250 Bryant Street  
Cedar Bluff, VA 24609

**Bailey Engineering & Land Surveying Inc.**  
Attn: Andrew Crawford  
183 Old Dominion Drive  
Rosedale, VA 24280

***RE: Austin Cordle Property***

Dear Andrew Crawford,

I am writing in response to the letter I received from your office concerning a variance for my neighbor to create a subdivision. Unfortunately, the letter lacked crucial details and was misaddressed, and raises several concerns that I would like to address:

1. The letter was incorrectly addressed to "Ms. Justus." It should have been addressed to the appropriate recipient, which is me, Katherine White,
2. While you mentioned a meeting, the letter failed to provide an address for the meeting location.
3. The letter requested a written response, but you did not provide an address for submission nor a stamped envelope. Your comment that "comments not received by meeting day with not be considered", seems unreasonable and blatantly orchestrated to suppress our responses.
4. You referenced an email address for communication, yet no such email was provided in the letter.
5. One of your letters was sent to Mr. Austin Cordle's 78-year-old grandmother on her birthday. She mistook it for a gift, only to discover it was a variance notice, of which she had no prior knowledge from her grandson, Austin Cordle. I am sure you can imagine how upsetting that was. This lack of sensitivity and courtesy further reflects how poorly this matter has been handled to date.
6. When I requested a copy of the plat, you indicated that you needed to speak with your client "Austin Cordle" and suggested I might receive it by the weekend, though the hearing is scheduled for Wednesday. Fortunately, I was able to obtain a copy elsewhere, but this document should have been included with your original letter along with a clear explanation of the variance being requested. This omission seems like an attempt to take advantage of individuals who are unfamiliar with the process.

It is apparent that this letter was sent on the last day allowed by law, suggesting a pattern of behavior by both you and Mr. Cordle to either circumvent due process or mislead the Planning Commission. Additionally, it seems that your intention was for us to contact your office, as no direct contact information for the Planning Commission was provided. Is this typical protocol?

I am formally contesting this variance and will be requesting a 60-day extension to allow adequate time for me and all affected neighbors to consult with an attorney. Furthermore, I am notifying your client, through this letter, that I will be seeking reimbursement for all legal fees and related costs incurred until this matter is resolved.

Bailey Engineering & Land Surveying Inc.

9/19/2024

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For further communication, my email is eastcoastacct@gmail.com. Please note that I work full-time and am accountable to my responsibilities during business hours. It may take me 24 hours to respond but I will do so when my schedule permits. Any further communication should ***not*** be sent to me via certified mail because I am not going to the post office to sign for anything. We have elderly homeowners as well and they should not be required to do that either. You can pay for personal service.

Additionally, I will be forwarding this letter as well as providing additional letters to the County Administrator, the Tazewell County Planning Commission, and the Tazewell Board of Supervisors to express my concerns.

Sincerely,  
Katherine White