



Minutes
Louisa County Planning Commission
Thursday, April 13, 2023
7:00 PM
Louisa County Public Meeting Room

CALL TO ORDER

Chairman Disosway called the April 13, 2023, regular meeting of the Louisa County Planning Commission to order at 7:00 p.m.

ROLL CALL

Attendee Name	Title	Status	Arrived
Tommy J. Barlow	Mountain Road District Supervisor	Present	7:00 PM
Gordon Brooks	Commissioner	Present	7:00 PM
Ellis Quarles	Commissioner	Remote	7:00 PM
Cyrus Weaver	Commissioner	Present	7:00 PM
George Goodwin	Commissioner	Absent	
John Disosway	Chairman	Present	7:00 PM
Ed Jarvis	Town of Mineral Representative	Present	7:00 PM
H. Manning Woodward	Vice Chairman	Present	7:00 PM
James Dickerson	Commissioner	Present	7:00 PM
John J. Purcell	Town of Louisa Representative	Present	7:00 PM

Others Present: Josh Gillespie, Director of Community Development; Tom Egeland, Senior Planner; Kyle Eldridge, Assistant County Attorney; Kurtis Rogers, Planning Associate; and Deborah Johnson, Administrative Assistant.

INVOCATION

Mr. Dickerson led the invocation.

PLEDGE OF ALLEGIANCE

Mr. Woodward led the Pledge of Allegiance.

CONSENT AGENDA

None.

APPROVAL OF AGENDA

On the motion of Mr. Brooks, seconded by Mr. Woodward, which carried a vote of 6-0, the Planning Commission voted to approve the agenda of the April 13, 2023, meeting as presented.

APPROVAL OF PLANNING COMMISSION MINUTES

Planning Commission - Regular Meeting - March 9, 2023 7:00 PM

On the motion of Mr. Dickerson, seconded by Mr. Weaver, which carried a vote of 6-0, the Planning Commission voted to approve the minutes of the March 9, 2023, meeting without changes.

PUBLIC ADDRESS

Chairman Disosway opened the public address period.

With no one wishing to speak, Chairman Disosway closed the public address period.

UNFINISHED BUSINESS

Chairman Disosway and Mr. Dickerson provided a brief update, stating that information is still being collected from several departments within the County regarding the public utilities and other services, and the Small Area Plans in support of the Comprehensive Plan.

PUBLIC HEARINGS

CUP2022-07 - the Amanda Reidelbach Revocable Trust, the Frank B Boxley, Jr. and Hilda P Boxley Revocable Trust, and Horsepen Branch Solar, LLC, Applicants/Owners

Tom Egeland presented the request for a conditional use permit from the Amanda Reidelbach Revocable Trust, the Frank B Boxley, Jr. and Hilda P Boxley Revocable Trust, and Horsepen Branch Solar, LLC, to approve a forty (40) year solar generation facility, utility scale, in the Agricultural (A-2), Agricultural (A-1), and General Residential (R-2) zoning districts. The 304-acre proposed project is located in the Jackson Election District, northwest of the Lake Anna Airport, north of the railroad right of way, and between Pottiesville Road and Kentucky Springs Road. The 2040 Comprehensive Plan's Future Land Use Map designates the land as Rural. Approval of the project will require the Louisa County Planning Commission to find the project substantially in accordance with the 2040 Louisa County Comprehensive Plan pursuant to Virginia Code 15.2232.

Chairman Disosway opened the public comment period.

Mr. Ed Rumler, representative of Clenera, the project developer for Horsepen Branch Solar, LLC, gave a presentation of the proposed solar project. He presented slides with information on the project's location, including vegetation buffers, setbacks, and landscaping plans. He addressed the concerns of possible impacts regarding wildlife, wetland disturbances, and erosion and sediment control. He also provided the Planning Commission with the recently revised conditions for the proposed conditional use permit.

Ms. Irene Griffie, a resident of Goochland County, spoke in opposition of the proposed solar project.

Mr. Hank Rempe, representing Lake Anna Airport, spoke in support of the projected solar project.

Mr. John Tanner, spoke in support of the proposed project, but voiced his concerns regarding the change to the buffers.

Chairman Disosway read an email that was submitted from Mistie Goodman, Jackson Voting District, expressing her support of the proposed project.

Ms. Cheri Foutz, Jackson Voting District, spoke in opposition to the proposed project.

Mr. Ed Rumbler explained the proposed setbacks and vegetative buffers to clarify any possible misunderstandings.

Chairman Disosway closed the public comment period.

Back and forth discussion took place between the Planning Commission and Mr. Ed Rumler regarding the revisions to the proffers.

Mr. Egeland introduced Mr. Scott Foster, applicant's legal counsel with Gentry Locke. Mr. Foster explained the revised proffers (conditions) in further detail to the Planning Commission. Further discussion took place between the Planning Commission, Mr. Foster, and Mr. Egeland regarding details of the type of vegetative proposed buffers.

Further discussion ensued resulting in Chairman Disosway asking the applicant to consider moving forward without changes to condition items number twenty-four (24) and thirty-one (31), and working with the Community Development staff before presenting to the Board of Supervisors to revise the condition language to better meet the needs of those involved. Mr. Foster agreed to work with staff. Mr. Quarles suggested the applicant strike condition items numbered ten (10), twenty-one (21), twenty-four (24), and thirty-one (31) prior to the Planning Commission vote. Mr. Foster agreed to strike the proposed revisions to those four (4) conditions with the understanding that staff would direct the applicant to further discuss and revise the proffer language. Mr. Woodward gave a brief statement, complimenting the applicant's detailed application and thoughtful setbacks of the proposed solar project. Mr. Brooks expressed his support of the application. Chairman Disosway also complimented the proposed solar project but expressed his concerns with the recent amount of agricultural land being converted to industrial use within the County. Mr. Weaver expressed his gratitude and complimented the work of those involved in the project.

On the motion of Mr. Weaver, seconded by Mr. Woodward, which carried a vote of 3-3, with Messrs. Weaver, Woodward, and Brooks voting for, and Messrs. Disosway, Quarles, and Dickerson voting against, the Planning Commission denied forwarding a recommendation of approval to the Louisa County Board of Supervisors on the request of conditional use permit CUP2022-07, The Amanda Reidelbach Revocable Trust, the Frank B Boxley, Jr. and Hilda P Boxley Revocable Trust, and Horsepen Branch Solar, LLC, Applicants/Owners.

NEW BUSINESS

None.

DISCUSSION

None.

REPORTS

Josh Gillespie updated the Planning Commission on the Technology Overlay District (TOD)'s adoption by the Board of Supervisors on April 3, and provided information on personnel changes, including positions available in the department. Staff will begin training on a new administrative software, upgrading from MinuteTraq, for board and commission agendas and other administrative forms to implement in June 2023. The most visible change to the Commission members and general public is the appearance will slightly alter.

ANNOUNCEMENTS AND ADJOURNMENT

On the motion of Mr. Brooks, seconded by Mr. Woodward, which carried a vote of 6-0, the Planning Commission voted to adjourn the April 13, 2023, meeting at 8:24 PM.

BY ORDER OF:

JOHN DISOSWAY, CHAIRMAN
PLANNING COMMISSION
LOUISA COUNTY, VIRGINIA