

**GREENE COUNTY PLANNING COMMISSION
JANUARY 17, 2024**

THE REGULAR MEETING OF THE GREENE COUNTY PLANNING COMMISSION WAS HELD ON WEDNESDAY, JANUARY 17, 2024, AT 6:30 PM HYBRID IN-PERSON WITH REMOTE VIA TELEPHONE AND ELECTRONIC MEANS.

Members present: Ron Williams, Member
John McCloskey, Member
Angela Hawkins, Member
Mark Kelpé, Member
David Mastervich, Member

Staff present: Jim Frydl, Planning Director/Zoning Administrator
Stephanie Golon, Deputy Planning Director
Earl Keys, Zoning Officer

CALL TO ORDER

Mr. Frydl called the meeting to order.

DETERMINATION OF QUORUM

Each Commissioner stated their name to establish a quorum.

Mr. Kelpé
Ms. Hawkins
Mr. Williams
Mr. McCloskey
Mr. Mastervich

There was a quorum with five Commissioners present.

PLEDGE OF ALLEGIANCE & MOMENT OF SILENCE

Mr. Frydl stated they would start the meeting with the Pledge of Allegiance and a moment of silence.

ELECTION OF OFFICERS/APPOINTMENT OF LIAISONS

Mr. Frydl asked for nominations for the Chairman of the Planning Commission.

Mr. McCloskey nominated Mr. Ron Williams

Mr. Frydl stated that was no other discussion and asked for a roll call vote:

Mr. Mastervich - Aye
Mr. McCloskey - Aye
Ms. Hawkins - Aye
Mr. Kelpé - Aye
Mr. Williams – Abstained

Mr. Williams is the chairman.

Mr. Frydl turned the meeting over to Mr. Williams

Mr. Williams asked for nominations for Vice Chairman.

Mr. Williams nominated Mr. McCloskey as Vice Chairman.

Mr. Williams stated that there was no other discussion and asked for a roll call vote:

Mr. Mastervich – Aye
Mr. McCloskey – Abstained
Ms. Hawkins – Aye
Mr. Kelpé – Aye
Mr. Williams – Aye

Mr. Frydl stated that Mrs. Snead is the only applicant for Secretary and it would be Mrs. Snead for the nomination.

Mr. Williams nominated Mrs. Snead.

Mr. Williams asked if there were any other nominations. There were not; Mr. Williams asked for a roll call vote:

Mr. Mastervich – Aye
Mr. McCloskey – Aye
Ms. Hawkins – Aye
Mr. Kelpé – Aye
Mr. Williams – Aye

Liaisons

For the Town of Stanardsville:

Mr. McCloskey agreed to be the liaison for the Town of Stanardsville.

For Ruckersville Area Committee:

Ms. Hawkins agreed to be the liaison for the Ruckersville Area Committee.

For Economic Development Authority:

Mr. Mastervich agreed to be the liaison for the Economic Development Authority.

With a roll call vote:

Mr. Kelpé – Aye
Ms. Hawkins – Aye
Mr. McCloskey – Aye
Mr. Mastervich – Aye
Mr. Williams – Aye

Mr. Williams stated that Mr. McCloskey would be the liaison for the Town of Stanardsville, Ms. Hawkins would be the liaison for the Ruckersville Area Committee, and Mr. Mastervich would be the liaison for the Economic Development Authority.

REVIEW BY-LAWS

Mr. Williams asked the other commissioners if they had any suggestions or if any changes should be made. Mr. Kelpé suggested that the planning commission meetings start at 6 P.M. instead of 6:30 P.M. The commissioners discussed the start time change and they all agreed on the change, and for that to be changed in the planning commission by-laws. There were no other changes recommended for the by-laws.

Mr. Williams asked for a motion.

Ms. Kelpé made the motion to approve the by-laws with the new start time of 6:00 P.M.

Mr. Hawkins seconded.

Mr. Kelpé – Aye
Ms. Hawkins – Aye
Mr. McCloskey – Aye
Mr. Mastervich – Aye
Mr. Williams – Aye

With a roll call vote of 5-0, the by-laws were approved with the new start time of 6:00 P.M.

RECOMMENDATION OF ACTION

Denis Torres requests a special use permit for a home business, (construction and roofing) as required by Article 5-1-2.6 of the Greene County Zoning Ordinance. The parcel is identified as TMP# 65A-(2)-13 & 64A-(2)-14 (0.99 acres), and is located at 241 Westwood Drive, Ruckersville. The parcel is in the R-1, Residential zoning district, and the Greene County Future Land Use Map designates it as a “Rural Area.” (SUP23-006)

Ms. Golon reviewed the request and presented the maps and the photos of the parcels.

The commissioners began the discussion by stating that the public hearing was held last month. The reason for deferring the recommended action was that the commission wanted to hear from the applicant, as he was not present for the public hearing.

The applicant Mr. Denis Torres was present and he addressed the commission explaining his business, his hours of operation, how many work trucks are on the property, and how many employees he has. He stated that there is a storage building on the vacant parcel with small tools in it. He stated that he put a screening fence up along the back parcel line, to put ladders behind it so that they are not an eye sore. Mr. Torres advised the commission that they get all large shipments sent straight to the projects instead of the materials being sent to his property. Mr. Torres also stated that his employees are family members and neighbors who live in the subdivision.

The commission and Mr. Torres discussed screening, and Mr. Torres agreed. Then the commission discussed the number of vehicles that are work vehicles associated with the business, and whether the number of vehicles involved in the business should be limited. Ms. Golon advised the commission that is considered an impact that can be limited by condition.

It was also decided by the commission that the hours of operation for the home business should be 7:00 A.M. to 7 P.M.

They also discussed whether the screening should be a fence and vegetation, or one or the other. The commission decided that vegetation would better fit the character of the subdivision as a screening measure.

Mr. Kelpé made the motion In accordance with the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and good zoning practice, I move to approve SUP#23-006, for a home business as listed in Article 4-1-2.16 and 22 of the Greene County Zoning Ordinance with the following conditions:

- a. Failure to comply with the conditions of this SUP may result in the issuance of a Notice of Violation (NOV) by the zoning administrator. The Zoning Administrator may present this SUP to the Board of Supervisors for revocation if the NOV is not resolved as directed.
 - b. All activities associated with this SUP shall be in compliance with all local, state, and federal laws.
 - c. The home business for construction, roofing and landscaping shall be located in the existing detached accessory structure.
 - d. The home business shall only be a construction, roofing and landscaping contractor without customer traffic to the location.
 - e. The regular hours of operation will be Monday through Friday, 7 AM to 7 PM.
 - f. An evergreen screening yard shall be installed along the front (northern), eastern and western sides of current parcel 14. Screening yards shall contain sufficient vegetation to provide an adequate screen between uses. Evergreen vegetation shall be planted and spaced in staggered rows, at a 15-foot center. Existing vegetation, such as hedgerows and trees may be used to satisfy the requirements of this ordinance. Plantings must be at least 5' tall at installation.
 - g. The boundary line between parcels 13 & 14 shall be abandoned, creating one parcel, prior to final zoning approval.
 - h. No more than 5 vehicles associated with the business are allowed
- Mr. Mastervich seconded the motion.

Mr. Kelpé – Aye
Ms. Hawkins – Aye
Mr. McCloskey – Aye
Mr. Mastervich – Aye
Mr. Williams – Aye

With a roll call vote, of 5-0 SUP23-006 was recommended for approval with conditions.

PUBLIC HEARING

Dwayne Sims requests a special use permit for a home business, (vehicle repair garage) as required by Article 4-1-2.16 of the Greene County Zoning Ordinance. The parcel is identified as TMP# 47-(9)-D1 (2 acres), located at 912 Amicus Road. The parcel is in the A-1, Agricultural zoning district, and the Greene County Future Land Use Map designates it as a "Rural Area." (SUP23-007)

Mrs. Golon started by explaining the home business as a vehicle repair garage and stated that his business is in an accessory structure outside of his residence. Mrs. Golon then presented photos that were taken of the parcel and the accessory structure. She advised the commission that staff and the building department are currently working with the applicant to bring his accessory structure into building code and zoning compliance.

Mrs. Golon showed a photo of the entrance to the residence and explained that VDOT has reviewed the entrance and found that it was adequate to their standards. Mrs. Golon then presented an aerial, which showed the driveway, she stated the driveway is shared by two homes. She stated it is a legal shared driveway for both residences and the 17 acres of property through there. Mrs. Golon then showed the plat that indicates that the driveway is a deeded and platted legal shared easement.

Mrs. Golon advised the commission that this parcel is in the rural area, she stated that the comprehensive plan does support small businesses in this area, however, it shall not have any impact on the neighboring properties.

Mrs. Golon stated that the Virginia Department of Health indicated that the restroom facilities are adequate for the one additional employee that Mr. Sims has. They then stated that no vehicles shall be stored on the drain field or the reserve drain field.

Mrs. Golon stated that the applicant was present.

Mr. Sims addressed the commission, explained his business, and which vehicles that are on site that are his and which belong to a dealership and will be removed from his property. He stated that he disposes of fluids at Advance Auto and that he has one other employee, his business hours are from 9 AM to 5 PM, except for the tow service which is 24 hours. Mr. Sims advised the commission that he is an independent contractor and has a tow service also. He stated that he does not and will not be doing any state inspections. Mr. Sims stated that he has at the most seven vehicles that he works on at one time.

One of the commissioners asks what type of surface is on the applicant's driveway. Mr. Sims stated that it is crushed asphalt millings.

The commissioners and the applicant discussed the driveway. Mr. Sims stated that there is no road maintenance agreement. Mr. Sims stated that there is a pull-off at one area of the driveway where two vehicles can pass.

Mr. Williams opened the public hearing.

Lewis Jollett, Sharon Wyant, Joe Wyant, Kevin Tewes, and Bridget Tewes spoke with concerns.

The concerns included:

- Stored vehicles and, vehicle parts with fluids that could leak into the ground
- Two vehicles can not pass on the driveway
- Upkeep of the driveway
- Trespassing
- Activity all hours of the night
- Adjacent property re-sale value decline
- Environmental concerns
- Business does not fit the character of the neighborhood

Christina Sims spoke for the business.

- The business has good reviews
- The extra vehicles that belong to the other dealership will be removed
- They will be happy to go by any conditions that will help with any impacts.

Mr. Williams closed the public hearing.

The commissioners and Mrs. Golon discussed the setbacks for the garage that is being used for the business. The commissioners then discussed what impacts could be mitigated and that the road/driveway was not an impact that could be mitigated by a condition.

Mr. Williams stated that there have been other recent requests for special use permits for home-based businesses. He then stated that those requests did not include patrons coming and going from the home-based businesses but this one does.

The commissioners agreed that there is an environmental concern, regarding the runoff of vehicle fluids. There is also a concern with the private road/driveway, and it not being wide enough for two lanes of traffic.

Mr. McCloskey motioned in accordance with the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and good zoning practice, he moved to deny SUP#23-007 on TMP# 47-(9)-D1, for home business as listed in Article 4-1-2.16 and 22 of the Greene County Zoning Ordinance, based on the intensity, change in the character of the neighborhood, and accessibility to the parcel from the road/driveway.

Mr. Kelp seconded the motion

Mr. Kelp – Aye
Ms. Hawkins – Aye

Mr. Mastervich – Aye
Mr. McCloskey – Aye
Mr. Williams – Aye

With a roll call vote of 5-0, the request was recommended to be denied.

OLD/NEW BUSINESS

Mrs. Golon reminded the commissioners that it is helpful to do sight visits. She stated that we could take two planning commissioners at a time.

MINUTES

December 20, 2023, minutes

Mr. Kelpé motioned to approve the December 20, 2023, minutes.

Mr. Hawkins seconded.

Mr. Williams asks that all commissioners that approve to state aye.

December 20, 2023, minutes were approved 5-0.

OTHER PLANNING MATTERS

Ruckersville Advisory Committee – Commissioners discussed the Citizen's Academy which will be starting in the next few weeks. Mrs. Golon stated that the Citizen's Academy will be available online on Granicus.

Town of Stanardsville – Mr. McCloskey stated that the Town of Stanardsville is preparing for an audit. They have also adopted an ordinance for cleaning off the sidewalks in the town, for snow removal, and for damage. Mr. McCloskey also stated that the Town is writing a resolution to the Board of Supervisors regarding the Blue Ridge Meadows development, and the Rt 33 by-pass entrance, to ask the Board of Supervisors to reconsider that entrance. Mr. McCloskey stated that they are currently looking for members to complete their Board of Zoning Appeals. Mr. McCloskey stated that the Town Council has been meeting an hour early to talk about their comprehensive plan.

Next Month's Agenda – Comprehensive plan, red-lined temporary events.

Mrs. Golon introduced the Board of Supervisors member Mr. Goolsby who is the Planning Commission liaison.

ADJOURNMENT

Respectfully submitted,
Cristy Snead,
Secretary



Planning Commission, Chairman

TOWN OF STANARDSVILLE PLANNING COMMISSION

CALL TO ORDER

Mr. Frydl called the meeting to order.

DETERMINATION OF QUORUM

Each Commissioner stated their name to establish a quorum.

Mr. Kelpé
Ms. Hawkins
Mr. Mastervich
Mr. McCloskey
Mr. Williams

There was a quorum with five Commissioners present.

ELECTION OF OFFICERS

Mr. Frydl asked for nominations for the Chairman of the Planning Commission.

a. Chairman

Mr. McCloskey nominated Mr. Ron Williams

Mr. Frydl stated that there was no other discussion and asked for a roll call vote:

Mr. Kelpé - Aye
Ms. Hawkins - Aye
Mr. Mastervich - Aye
Mr. McCloskey - Aye
Mr. Williams - Aye

Mr. Frydl turned the meeting over to Mr. Williams

Mr. Williams asked for nominations for Vice Chairman.

b. Vice Chairman

Mr. Williams nominated Mr. McCloskey

Mr. Kelpé seconded.

Mr. Williams stated that there was no other discussion and asked for a roll call vote:

Mr. Kelpé – Aye
Ms. Hawkins – Aye
Mr. Mastervich – Aye
Mr. McCloskey – Aye
Mr. Williams – Aye

c. Secretary

Mr. Frydl stated that Mrs. Snead has agreed to be the Secretary.

Mr. Williams stated that there is one nominee for Secretary, Cristy Snead.

Mr. Williams asked if there were any other nominations. There were not; Mr. Williams asked for a roll call vote:

Mr. Kelpé – Aye
Ms. Hawkins – Aye
Mr. Mastervich – Aye

Mr. McCloskey – Aye
Mr. Williams – Aye

Mr. Frydl asked the commission about adding the by-laws for the Planning Commission for the Town of Stanardsville. The commissioners discussed mirroring the County Planning Commission's by-laws. Mr. Frydl and the commissioners discussed adding the times and the dates in the by-laws for the TOS planning commission. Mr. Frydl stated that there will be a draft at the next planning commission meeting for potential adoption. These by-laws would be separate from the County planning commission by-laws.

ADJOURNMENT

Respectfully submitted,
Cristy Snead,
Secretary



Planning Commission, Chairman