

FLUVANNA COUNTY PLANNING COMMISSION
MEETING MINUTES
132 Main Street Palmyra, VA 22963,
Tuesday, April 8, 2025
Work Session 6:00 | Regular Meeting 7:00 pm

MEMBERS PRESENT:

Barry Bibb, Chair
Howard Lagomarsino, Vice-Chair
Kathleen Kilpatrick, Commissioner
Loretta Johnson-Morgan, Commissioner
Bob Dorsey, Commissioner
Mike Goad, Board of Supervisors Representative

STAFF PRESENT:

Todd Fortune, Director of Planning
Dan Whitten, County Attorney
Margie Bamford, Administrative Assistant
Eric Dahl, County Administrator
Kelly Harris, Assistant County Administrator
Jason Overstreet, Senior Planner

WORK SESSION:

- **WORK SESSION CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:**
At 6:00 pm Chairman Bibb called the April 8th, 2025 work session to order, led in the Pledge of Allegiance, and conducted a Moment of Silence.
- **LANDSCAPING ORDINANCE:**
 - Mr. Fortune introduced Mr. Bob Dorsey, the new Rivanna District representative.
 - Mr. Fortune and Mr. Whitten presented their power point on the proposed changes and additions to the ordinance and how proffers could be obtained, based on State Code and from research from surrounding areas. Ms. Morgan wanted to know how this pertained to the Vaughn Property. Mr. Bibb had questions about the wording in the proffer statement and Mr. Whitten explained that it was just an example, not the exact wording the County wanted to use. Ms. Kilpatrick wanted to know about how community meetings affected proffers. Mr. Whitten explained how the meetings can affect the proffers with their wants and needs, and the Board and Planning Commission can hear the results of these meetings and adjust proffer packages accordingly. Ms. Johnson-Morgan wanted to know how the timing of the landscaping ordinance pertained to the timing of the eventual tree canopy percentage. Mr. Bibb had questions about obtaining landscaping bonds and if the County still collected those, Mr. Whitten and Mr. Fortune answered that we did. Mr. Whitten discussed the option of the Tree Canopy Fund, what it was and how it would work when companies could not feasibly meet the tree canopy percentage and how the fund could be donated to and what the funds would be used for. Ms. Kilpatrick wanted to know how to get landscaping proffers for the Vaughn Property and Mr. Whitten explained that can only be done in the re-zoning phase. Ms. Kilpatrick discussed how the Comprehensive Plan Committees can be utilized to change this.
- **ADJOURNMENT:**
 - Mr. Bibb adjourned the work session at 6:35pm.

REGULAR MEETING:

- **MEETING CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:**
At 7:00 pm Chairman Bibb called the March 11th, 2025 regular meeting to order, led in the Pledge of Allegiance, and conducted a Moment of Silence.

- **Adoption of the Agenda:**

MOTION:	To Approve the Adoption of the Agenda of the Planning Commission meeting for April 8, 2025 with deferral of the Minutes to the May 13, 2025 meeting.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **Director's Report:**

- **Staff Updates:**

- James Alex Porter has accepted the position of Planner/GIS Technician.
 - His first day was April 7.

- **Commission Update-**

- Robert Dorsey has been appointed to represent the Rivanna District on the Planning Commission.
 - He succeeds Eddie Shifflett, who resigned from the Planning Commission in March.

- **Draft Ordinance Change-Food Trucks:**

- The two versions of the DRAFT Ordinance changes related to mobile food units were distributed to known food trucks owners for review and feedback. According to county records, there are 10 known operators in the County.
- There are two public hearings on the agenda for tonight.
 - SUP-Specialty Retail Store
 - SUP- Primitive Campground
- There are three SDP sketch plans that will be presented to the Commission tonight for review
 - Puopolo Living Trust: Warehouses
 - TLP Construction, Martin Horn: Contractor's Storage Yard
 - Dominion Energy/VEPCO: CCR Landfill
- There are two changes to the Commission bylaws that will be presented to the Commission tonight for approval.
 - Policy for advertising public hearings.
 - Remote participation in meetings.

- **Future Meetings-**

Day	Date	Time	Public Hearings and Public Meetings	Location
Tuesday	May 13, 2025	6pm 7PM	Work Session (TDB) Regular Meeting	Morris Rm
Tuesday	Jun 10, 2025	6pm 7PM	Work Session (TDB) Regular Meeting	Morris Rm
Tuesday	Jul 8, 2025	6pm 7PM	Work Session (TDB) Regular Meeting	Morris Rm

- **Minutes:** Deferral until the May 13, 2025 meeting while changes are made.

- **Public Comments:**

- Mr. Bibb opened the first round of public comments at 7:05pm. Mr. Leon Harris, of 1516 Stage Junction Rd, spoke out against the new mobile food unit ordinance and gave thoughts on the sign ordinance as well. Mr. James Collier Jr, of 899 North Boston Rd, spoke against the mobile food unit ordinance and stated concerns over the high school construction and costs throughout the years. Bruce Foley, of 300 8th St NW, Charlottesville, spoke of the problems with the zoning, housing and general disrepair in Columbia and the mobile food unit ordinance. Kirk Johnson, of 6210 West River Rd, spoke out about the zoning and businesses in Columbia and against the mobile food unit ordinance. Carolyn Tinsley, of 1066 Stage Junction Rd, spoke out against the mobile food ordinance as well as the general disrepair of Columbia and the lack of businesses. No one else came forward and Mr. Bibb closed the first round of public comments at 7:25pm.

- Public Hearings:

- SUP25:01 Sprouse-Specialty Retail Store, Jason Overstreet, Senior Planner-

- Mr. Overstreet presented a power point on the proposed SUP, an archery and sporting goods store, and introduced Mr. Sprouse, the store owner. Ms. Johnson-Morgan had questions on signage and had concerns on the traffic increase. Ms. Johnson-Morgan also wanted to know if Mr. Sprouse had conducted any community meetings to see if the neighborhood had any concerns on the business. Mr. Overstreet answered that he was not aware of any community meetings and VDOT did not have any concerns for traffic in the Technical Review Committee meeting. Mr. Overstreet also explained there was a low access commercial entrance already in place and explained that it was a 50 vehicle a day entrance. Ms. Johnson-Morgan expressed again she was concerned that no community meeting had been held and proposed the owner conduct community meetings. Mr. Overstreet expressed that the planning department would discuss it with the owner and that APO's had been sent out and public hearing signs were in place, and no one had come forward with concerns. Mr. Sprouse then spoke on behalf of his business, explaining his customer base, how it would not affect traffic. Mr. Sprouse explained that traffic was not a concern at his current location on RT 250 in Albemarle County. Mr. Sprouse explained that he had out grown his current space and needed to expand and also explained his rental process with a Mr. Alan Powell. Mr. Sprouse described the parking area as well. Mr. Sprouse explained that he does not get very much walk in traffic and most his clientele was referral based. Mr. Sprouse then explained his plans for the building, including an archery range and lessons. Ms. Johnson-Morgan reiterated concerns that Mr. Sprouse had not held community meetings. Mr. Sprouse explained that he had verbally conferred with several people in the area and no one had expressed concerns to him. Mr. Sprouse then asked about sign sizes, but continued talking before his questions could be addressed. Mr. Dorsey had questions about the outdoor archery range and how it would be constructed. Mr. Sprouse explained the structure and how it would be constructed, then explained his safety measures for the archery range. Mr. Dorsey then questioned Mr. Sprouse on what items he planned on selling. Mr. Dorsey wanted to know about storage and safety measures for that as well. Mr. Sprouse went over his gun safety precautions in the shop as well. Mr. Lagomarsino wanted to know more about the ammunition and wanted to know if Mr. Sprouse would be storing black powder, Mr. Sprouse he did not have the proper permits to sell real black powder but did sell synthetic black powder that you did not need a permit for. Mr. Sprouse then gave a general idea of how much ammunition he was storing, but did not have an exact number. Ms. Johnson-Morgan once again reiterated concerns about the community not being aware of the store and wanted Mr. Sprouse to hold community meetings. Mr. Lagomarsino had additional questions about fire marshal inspections to which Mr. Sprouse advised he had never had a fire marshal inspection in his current store, but the Albemarle County Fire Marshal was aware of the business because his wife was Mr. Sprouse's book keeper. Ms. Kilpatrick wanted to know if anyone was living on the property and Mr. Sprouse was not aware of anyone living on the residence on the property.
- Mr. Bibb opened the Public Hearing at 7:49pm. Tracy Smith, of 2 Sandy Beach Court, advised she was not here originally for this public hearing but was in favor of community meetings and had concerns about a house being built near the property that Mr. Sprouse stated was the owner's daughter. With no one else coming forward, Mr. Bibb closed the public hearing at 7:51pm.
- Mr. Bibb confirmed that no one on the Planning Commission had further questions, Ms. Kilpatrick stated she had no concerns, citing Mr. Sprouse's knowledge of the business and the lay of the land and the fact that the planning department had no comments about the public hearing signs or the APO's. Ms. Johnson-Morgan once again expressed concerns about the neighborhood and the fact that where is Mr. Sprouse is operating now is what she thinks is a business district in Albemarle County. Ms. Johnson-Morgan recommend deferral based on her feeling that Mr. Sprouse needs to alert the community of his business.

MOTION:	I move that the Planning Commission recommends deferral of SUP 25:01, a special use permit request in the A-1, Agricultural, General District to operate a specialty retail store on an approximately 7-acre parcel located at 1474 North Boston Road and also known as Tax Map Parcel 10-A-60A subject to the conditions as described in the staff report until the May 13, 2025 Planning Commission meeting.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:				Second	Motion
VOTE:	Aye	Aye	Nay	Aye	Aye
RESULT:	4-1 Deferred				

○ SUP 25:02-Spessard-Primitive Camp Site, Todd Fortune, Director of Planning-

- Mr. Fortune presented a power point on a special use permit for a primitive camp site with 3 sites. He introduced Mr. and Mrs. Spessard who were there to answer any questions the Commission had. Mr. Lagomarsino had questions about a culturally sensitive area on the property. Mr. Fortune confirmed that there was a Cultural Resource Protection Area on site but the campground would not affect that. Mr. Spessard came forward as well to speak on it and advised he did not actually know what exactly the site was and he had several such sites on his property and that his campground would not affect it. Mr. Fortune pointed out that the property was 80 acres, but the camp site purposed was only 6 acres of that property. There was a discussion between Mr. Fortune and Mr. Whitten on where that was located in the packet.
- Mr. Bibb then opened the Public Hearing at 8:01pm. Tom Beecher, of 216 Lowfield Lane, came forward with concerns about motor noise on the river and what he has been hearing and concerns that the campground may be making that worse. Also, Mr. Beecher had concerns about boater safety since the river is dangerous in the area. Mr. and Mrs. Spessard answered his questions, stating the noise may be from motors on other boats traveling the river. Mr. Fortune then read an email from Grant McNeely that reads the following:
 - To whom it may concern. I am one of the owners of the neighboring property to Seven Islands Farm. I received the notice of public hearing but will not be able to attend. Our property is Beechwater LLC. which joins Seven Islands Farm on the West side. I would hope that the request for a special use permit for campsites on Seven Islands is denied. I enjoy the peace, quiet and wildlife on the James River in our remote area and would prefer that it is not disturbed. I feel there is enough boat traffic on the River as it is with the public boat landing at Bremsmo already in place and we fear the proposed campsites on Seven Islands Farm will be a detriment to a beautiful natural area. The campsites would certainly bring more traffic, trash, and noise. I also fear that allowing something like this to happen could have a snowball effect and set the precedent that any property owner with river frontage could do the same thing and cause much more harm than good for the river. If Fluvanna county has riverfront property and is interested in developing some campsites that could be officially maintained and policed that is one thing but allowing anyone with riverfront property to create these campsites will be a mistake. Sincerely, Grayson McNeely

With no one else coming forward Mr. Bibb closed the public hearing at 8:09pm.

- Mr. Bibb opened the Planning Commission discussion, Ms. Kilpatrick wanted to know who regulated the watercraft on the river, for noise ordinance violations. Mr. Whitten advised the Conservation Police handled incidents on Virginia waterways. There was a discussion between Mr. Whitten and Ms. Kilpatrick on what could be enforced on the James

River and that the Sherriff’s office would handle issues on land. Ms. Kilpatrick wanted to add conditions about motors on boats. Mr. Spessard addressed her stating that there were no boat landings at the camp site so no one could launch boats from there. Ms. Johnson-Morgan agreed and wanted a condition added in case a boat landing was added in the future. Mr. Bibb then stated you cannot build a boat landing without permission from several local and state agencies. Mr. Spessard then gave information on the gentleman that wrote the letter and provided information that he had verbal permission from an adjoining property owner to use his property and how they did not want to do that and cause trespassing issues and how if there were problems they would remove problem campers from the property.

MOTION:	I move that the Planning Commission recommends approval of SUP 25:02, a special use permit request in the A-1, Agricultural, General District to operate a primitive campground under Section 22-4-2.2, with three campsites, on 6 acres of a parcel totaling 80 ± acres and known as Tac Map 57-A-34, with the conditions as described in the staff report.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion	Second		
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

• Site Development Plans-

○ SDP25:02-Puopolo Living Trust, Todd Fortune, Director of Planning-

Mr. Fortune presented his power point on the site information and proffers from the re-zoning for this project as well as the side walk waiver. Mr. Fortune then introduced representatives from the developer for questions from the Commission. Mr. Dorsey wanted to know what was being stored on the property. Mr. Sean Schweiker, a representative for the project, did not have an answer, stated that it was whatever the company that was currently associated with the property wanted to store there. But they would be following County ordinances on what can be stored there. Mr. Schweiker stated he thought there was cable installation items stored there now. Mr. Dorsey then wanted to know what would be parked on the gravel lots, he had concerns over pollution and leakage from trucks that could be parked there, Mr. Sean Schweiker stated it was for outdoor storage, not overnight parking of vehicles. Mr. Ryan Schweiker, the other representative for the project, then discussed the housing of chemicals on site and how it was not permissible by the health department because of the septic system that was being put in place. Mr. Bibb then wanted to know how many employees where being utilized on site, Mr. Sean Schweiker proved the answer of 30-40 employees, he then explained the number of employees on site now as well as the changes that were to be made when more employees were hired.

MOTION:	I move that the Planning Commission accept SDP 25:02, a sketch plan request to construct industrial warehouse buildings on three parcels totaling approximately 12.7 acres, Tax Map 4-A-24, 4-A-25, and 4-A-26. I move that the Planning Commission approve a request for a variation to the sidewalk regulations required by Sec. 22-23-6 for SDP 25:02.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Second		Motion(Both)	
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

○ SDP25:04-Martin Horn Storage Yard, Jason Overstreet, Senior Planner-

- Mr. Overstreet presented a power point on the site information as well as water and sewer needs for the site. Mr. Overstreet went over the VDOT

entrance information updates as well as proffered out uses from the re-zoning. Mr. Overstreet then discussed the information for the requested sidewalk waiver. Ms. Johnson-Morgan had questions about a cemetery on site. Mr. Overstreet was able to provide the location on the sketch plan and show that it was not affected by the construction.

MOTION:	I move that the Planning Commission accept SDP 25:04, a sketch plan request for a contractor’s storage yard on Tac Map 5-A-22, a 4.2-acre industrial parcel located on Better Living Dr.				
	I move that the Planning Commission approve a request for a variation to the sidewalk regulations required by Sec. 22-23-6 for SDP 25:04.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Second			Motion(Both)
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **SDP25:05-Virginia Power Landfill, Todd Fortune, Director of Planning-**
 - Mr. Fortune presented a power point on the site information, the proffered out uses from the re-zoning as well as the sidewalk wavier. There was no discussion by the Planning Commission

MOTION:	I move that the Planning Commission accept SDP 25:05, a sketch plan request to construct a Coal Combustion Residuals (CCR) Landfill and associated support structures on two parcels totaling approximately 220.89 acres identified as Tax Map 60-A-7 and Tax Map 59-A-27.				
	I move that the Planning Commission approve a request for a variation to the sidewalk regulations required by Sec. 22-23-6 for SDP 25:05.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:				Motion(Both)	Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **Resolutions:**
 - **ZTA 25:05-An ordinance adding 22-1-3 to identify the county’s GIS map as the official zoning map of Fluvanna County, Jason Overstreet, Senior Planner.**
 - Mr. Overstreet gave the presentation to the commission on the resolution of advertise proposed ZTA to add the County’s GIS as the official GIS map. There were no questions from the Planning Commission.

MOTION:	I move that the Planning Commission approve resolution 2025-05 to advertise a public hearing on May 13, 2025 to consider ZTA 25:05 to amend the Code of the County of Fluvanna, Virginia by adding § 22-1-3 to identify the county’s GIS map as the official zoning map of Fluvanna County.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **Presentations**
 - None
- **Subdivisions:**


- None
- **Unfinished Business:**
 - **PC Bylaws, Todd Fortune, Director of Planning:**
 - Mr. Fortune presented the bylaws with the changes to remote participation for members caring for family members and for changes to the policy to allow for rescheduling public hearings cancelled by the weather.

MOTION:	I move that the Planning Commission approve an amendment to page two of the planning commission bylaws to change the policy for advertising public hearings and amendments to pages three and four and five of the Planning Commission bylaws to change the policy for remote participation.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:				Second	Motion
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **Comprehensive Plan-Todd Fortune, Director of Planning:**
 - Mr. Fortune presented a power point on the Committee updates and presented the new survey, there was agreement from the Commission members that they approved it. Ms. Johnson-Morgan wanted to know the list the department was planning distribution and had a few more locations to add as well as requested copies so she could distribute them.
- **ZTA 25:02-Todd Fortune, Director of Planning-**
 - Mr. Fortune presented research that was done by staff on the proposed Solid Waste Recovery ordinance. Mr. Fortune and Mr. Whitten presented changes made to the ordinance. There was a discussion on using the ordinance as presented or just referencing the State Code, several members of the Commission wanted to just refer to the State Code. It was decided to change the wording and bring it back to the Planning Commission meeting May 13, 2025.
- **New Business:**
 - None
- **Public Comments #2:**
 - Mr. Bibb opened the second round of public comments at 8:55 PM and Tom Diggs, of 947 Jefferson Dr, came forward with proposed changes to the citizen survey to change the numbers of members in the household, Mr. Fortune agreed to make the changes. With no one else coming forward, Bibb closed the second round of public comments at 9:02 PM.
- **ADJOURNMENT**
 - There was a discussion prior to adjournment on the Food Truck ordinance, by Ms. Johnson-Morgan with some confusion over why there was an ordinance being proposed, not a checklist, it was decided to go back and check the meeting transcript to verify.
 - Chair Bibb called for a motion to adjourn the March 11, 2025 Planning Commission regular meeting.

MOTION:	Motion to Adjourn the March 11, 2025 Planning Commission regular meeting at 9:10 pm.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:			Second		Motion
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

Minutes were recorded by Margie Bamford, Administrative Programs Specialist.



Barry Bibb, Chair
Fluvanna County Planning Commission