

**FLUVANNA COUNTY PLANNING COMMISSION
SPECIAL CALLED MEETING MINUTES
Carysbrook Performing Arts Center
8880 James Madison Hwy, Fork Union, VA 23055
Tuesday, February 24, 2026
Special Called Meeting 7:00 pm**

MEMBERS PRESENT:

Barry Bibb, Chair, Cunningham District
Howard Lagomarsino, Vice-Chair, Palmyra District*
Kathleen Kilpatrick, Fork Union District
Loretta Johnson-Morgan, Columbia District
Robert Dorsey, Rivanna District
Mike Goad, Board of Supervisors Representative
*Remote participation via Zoom

STAFF PRESENT:

Todd Fortune, Director of Planning
Dan Whitten, County Attorney
Jason Overstreet, Senior Planner
Eric Dahl, County Administrator
Kelly Harris, Assistant County Administrator
Noble Pearson, Assistant County Attorney
Jennifer Schmack, Economic Development Director
Alex Porter, Planner / GIS Technician
Jenny Cassell Faulknier, Admin. Programs Specialist

SPECIAL CALLED MEETING CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:

At 7:00 pm Barry Bibb, Chair called the February, 24, 2026 Special Called Meeting to order, led the Pledge of Allegiance, and conducted a Moment of Silence.

• **Allow Remote Participation:**

MOTION:	TO ALLOW VICE-CHAIR MR. LAGOMARSINO TO PARTICIPATE IN THE FEBRUARY 24, 2026 PLANNING COMMISSION MEETING REMOTELY DUE TO ILLNESS.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Absent	Aye
RESULT:	4-0 Approved, 1 Absent				

• **Adoption of Agenda:**

MOTION:	TO APPROVE THE ADOPTION OF THE AGENDA OF THE PLANNING COMMISSION MEETING FOR FEBRUARY 24, 2026 MEETING AS PRESENTED.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:			Second		Motion
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

• **Approval of Minutes:**

- None

• **Public Comments:**

- Mr. Bibb opened the first round of public comments.
 - Tracey Smith, 2 Sandy Beach Ct., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - Jennifer Kingrea-Ruffner, 11 Zephyr Rd., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - David Vogt, 2633 Antioch Rd., Scottsville, VA 24590, spoke in **support** of the proposed Expedition Gas Power Plant.
 - Ron Barche, 204 Panorama Ct., Palmyra, VA 22963, spoke in **support** of the proposed Expedition Gas Power Plant.

- **Recess:**
 - Planning Commission recessed from 7:18 pm to 7:26 pm due to technical difficulties.
- **Public Comments Continued:**
 - Mr. Bibb re-opened the first round of public comments.
 - Raymond Bassi, 50 Smokewood Dr., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant, and Valley Link transmission lines.
 - Mario Kuhar, 3247 West River Rd., Scottsville, VA 24590, spoke in **support** of the proposed Expedition Gas Power Plant.
 - Jean DeMarco 1 Liebenow Ct., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - Rebecca Smith, 26 Evergreen Ln., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - Vina Hayes, 10 Barefoot Ln., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - Channing Snoddy, 1342 Salem Church Rd., Palmyra, VA 22963, spoke in **support** of the proposed Expedition Gas Power Plant.
 - Larry Edgington, 581 Country Creek Way, Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - Brian Faulknier, 4021 Ruritan Lake Rd., Palmyra, VA 22963, spoke in **support** of the proposed Expedition Gas Power Plant.
 - Angus Murdock, 417 Loughton Ln., Kents Store, VA 23084, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - Will Murdock, 417 Loughton Ln., Kents Store, VA 23084, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - Nancy Kidd, 4629 Rolling Rd., Scottsville, VA 24590, spoke in **support** of the proposed Expedition Gas Power Plant.
 - Gary Osteen, 2567 Sclaters Ford Rd., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - Donna Shaunesey, 1003 Birdwood Rd., Charlottesville, VA 22903, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - Erin Wise-Ackenbom, 2042 Friendship Way, Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - Michelle Dubert-Bellrichard, 1830 Hunters Lodge Rd., Troy, VA, 22974, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - Josephus Allmond, 42 Partridge Berry Ln., Troy, VA 22974, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - Jason Banton, 40 Steger Creek Ln., Troy, VA 22974, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - Ashleigh Crocker, 442 Justin Dr., Palmyra, VA 22963, spoke in **opposition** of the proposed Expedition Gas Power Plant.
 - No one else came forward to speak, and Mr. Bibb closed the first round of public comments.
- **Public Hearings:**
 - None
- **Resolutions:**
 - None
- **Unfinished Business:**
 - **ZTA 25:09 – Height Regulations for Power Plants**
 - **ZTA 25:09** – A request to amend § 22-17-16 of the County Code to give the Board of Supervisors the authority, when issuing a special use permit for a power production plant, to grant a waiver or modification of the maximum height allowances for chimneys and stacks on power production plants.
 - The Planning Commission held a public hearing on this request at its October 7, 2025 monthly meeting and deferred the request until January 13, 2026.
 - Per Section 22-20-1 of the Fluvanna County Code, in conjunction with Section 15.2-2285 of the Code of Virginia, the Planning Commission has 100 days from the date when the Commission first considers the application to make a recommendation.
 - The Planning Commission does not have the ability to further defer this unilaterally. However, it could be deferred upon request by the applicant.
 - The applicant had requested a further deferral of this proposed ZTA until February 24, 2026. The Planning Commission deferred this proposed ZTA until February 24, 2026.

- o **Applicant made a Presentation.**
- o **Planning Commission Members Discussion:**
 - Commission Members and Board Representative discussed the reason for voting on the ZTA prior to the SUP.
 - Commissioners stipulated that the word “new” be added to the text of the ZTA to clarify that the authority pertains only to new SUPs and cannot be applied retroactively to existing chimneys and stacks.

MOTION:	I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF ZTA 25:09 – AN ORDINANCE TO AMEND AND REORDAIN “THE CODE OF THE COUNTY OF FLUVANNA, VIRGINIA” BY AMENDING § 22-17-16 TO ALLOW THE BOARD OF SUPERVISORS TO GRANT A WAIVER OR MODIFICATION FOR MAXIMUM HEIGHT ALLOWANCES FOR CHIMNEYS AND STACKS ON NEW POWER PRODUCTION PLANTS.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:			Motion	Second	
VOTE:	Abstain	Aye	Aye	Aye	Nay
RESULT:	3-1 Approved, 1 Abstain				

- o **SUP 25:04 - Special Use Permit, Expedition Generation Holdings**
 - **SUP 25:04 Tenaska Project Expedition** – A Special Use Permit request in the A-1, Agricultural, General District to construct a gas-fired electric generation facility on approximately 414.05 +/- acres known as Tax Map 27-A-1 (165 acres) and Tax Map 27-A-4 (249.05 acres), which are located along Branch Road (Route 761) and Rock Lane. Tax Map 27-A-1 is located in the Rural Residential Planning Area, and Tax Map 27-A-4 is located within the Rural Preservation Planning Area. Both parcels are located within the Cunningham Election District.
 - The Planning Commission held a public hearing on this request at its monthly meeting on October 7, 2025, and deferred this request until January 13, 2026. The request was further deferred until tonight’s meeting.
 - Related to this SUP request, the Planning Commission heard a request to review this project to determine whether it is in Substantial Accord with the County’s Comprehensive Plan. On January 13, 2026, the Commission voted 3-1 (with one member absent) to determine that the project is NOT in substantial accord with the Comprehensive Plan.
 - The applicant has appealed that decision to the Board of Supervisors. The Board is scheduled to hear that appeal at its regular meeting on March 18, 2026.
 - Legally, the Commission can make a recommendation on this SUP request while the appeal of the Substantial Accord decision is pending.
 - The parcels are zoned A-1, Agricultural, General. The proposed use qualifies as “Utility, major” under the County Code, which requires a SUP in A-1. The proposed facility would be constructed and operated on Tax Map 27-A-1. Tax Map 27-A-4 would be used as a laydown area for construction. After construction, the applicant plans to restore Tax Map 27-A-4 to a natural area.
 - The project site is adjacent to the existing Tenaska facility, accessed from Branch Road.
 - Water use for power generation at the facility would be from surface waters. The only groundwater use at the facility would be for employees to use the bathroom and running water for uses like washing hands and dishes.
 - Related to this project, the applicant seeks to acquire two additional parcels south of the project site, totaling approximately 354.82 acres, and place conservation easements on those parcels. Those parcels, in turn, could be used as natural and recreational areas.
- o **SUP Conditions**
 - The applicant and the County have been discussing conditions for the SUP. In addition, the County has retained the Berkley Group and Sands Anderson to review and comment on the proposed conditions. The Board of Supervisors and Planning Commission held a joint work session on January 7, 2026, to review the conditions and comments from each firm. The applicant and the County have since had additional meetings to review the SUP conditions. A revised set of conditions are available on the County web site and in the packet for tonight’s meeting.
 - The initial SUP conditions submitted for the October 7, 2025 Commission meeting consisted of 31 conditions. The current proposed SUP conditions now contain 45 conditions.
 - **Significant changes since the October 7 meeting include:**
 - **Noise**
 - Attenuation measures condition amended to apply sound limits to Leq levels (as opposed to L90 readings) – Condition 5.

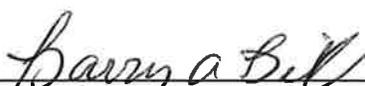
- New condition added that sound level limits will apply to sound from plant operations alone – Condition 6.
 - New condition added to include sound attenuation measures in addition to the 300-foot vegetative buffer – Condition 7.
 - Condition regarding sound from construction activities amended to restrict times and dates for noises above a Leq level of 60 dBA at the Project Boundary Lines – Condition 8.
 - New condition added to stipulate baseline sound testing prior to Commercial Operation Date – Condition 9.
 - New condition added to stipulate remedy for sounds exceeding applicable limits – Condition 10.
 - New condition added to identify monetary penalties for repeated or uncorrected exceedances of sound limits – Condition 11.
 - New condition added to stipulate sound testing by an Institute of Noise Control Engineers certified acoustical practitioner approved by the County, paid by the applicant – Condition 12.
 - New condition added to define “Commercial Operation Date” – Condition 13.
 - New condition added to define “Project Boundary Lines” – Condition 14.
 - **Traffic**
 - First condition amended to clarify that project access will comply with VDOT requirements – Condition 28.
 - New condition added to stipulate that the applicant will reimburse the County for the traffic study and construction traffic management plan developed by TRC – Condition 29.
 - The condition regarding the development and implementation of a construction traffic management plan by the applicant modified to include specific measures to be included in the plan – Condition 30.
 - New condition added to stipulate the applicant will comply with VDOT requirements regarding construction entrances, access, roads, and timing of deliveries – Condition 31.
 - New condition added to include the provision of funding by the applicant to undertake roadway improvements at the intersection of Route 53 and Route 619 in the amount of up to \$5,500,000 – Condition 32.
 - **Off-site conservation**
 - The condition regarding deeded conservation easements was amended to include more details about how the easements would be held – Condition 37.
 - **Other**
 - New condition added to stipulate the submission (by the applicant) of a decommissioning plan subject to County approval – Condition 36.
 - Condition added to mandate the provision of a security plan by the applicant to the Fluvanna County Sheriff’s Office – Condition 44.
 - Condition added to emphasize that the SUP may be deemed abandoned if the use has not been initiated within two years of approval, and clarifies the meaning of “initiated” – Condition 45.
 - **Declaration of restrictive covenants**
 - The impervious surface coverage on the Restricted Property shall not exceed 13% of the gross acreage,
 - Allows above ground wires, cables, conduits, and support structures for electricity transmission, natural gas, water supply, waste water, and other utilities to be constructed on a portion of the restricted property to serve the new power plant; such utilities would be allowed within a 250-foot easement.
 - Establishment of “Good Neighbor Fund” with a minimum amount of \$5,000,000 to help mitigate impacts of construction for homeowners within 2 miles of the plant’s footprint.
 - “First responder contribution” to the County for the construction of a new fire/EMS station in the Kidd’s Store area and funding needs for the Sheriff’s Department for a total amount of \$5,000,000.
- **Applicant made a Presentation.**
 - **Planning Commission Members Discussion:**
Commission Members and Board Representative discussed their concerns with the project (and others), and the effect on the County.

MOTION:	I MOVE THAT THE PLANNING COMMISSION RECOMMEND DENIAL OF SUP 25:04 – A SPECIAL USE PERMIT REQUEST IN THE A-1, AGRICULTURAL, GENERAL DISTRICT TO CONSTRUCT A GAS-FIRED ELECTRIC GENERATION FACILITY ON APPROXIMATELY 414.05 +/- ACRES AND KNOWN AS TAX MAP 27-A-1 AND TAX MAP 27-A-4 SUBJECT TO THE CONDITIONS LISTED IN THE STAFF REPORT.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Motion			Second
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

- **New Business:**
 - None
- **Public Comments #2:**
 - **Mr. Bibb opened the second round of public comments.**
 - Ron Barche, 204 Panorama Ct., Palmyra, VA 22963, spoke in support of the proposed Expedition Gas Power Plant.
 - Vina Hayes, 10 Barefoot Ln., Palmyra, VA 22963, thanked the Commission Members for voting not to recommend the SUP.
 - Ashleigh Crocker, 442 Justin Dr., Palmyra, VA 22963, thanked the Commission Members for voting not to recommend the SUP.
 - No one else came forward to speak, and Mr. Bibb closed the second public comment period.
- **ADJOURNMENT:**
 - Chair Bibb called for a motion to adjourn the February 24, 2026 Planning Commission meeting at 9:57 pm.

MOTION:	MOTION TO ADJOURN THE FEBRUARY 24, 2026 PLANNING COMMISSION MEETING AT 9:57 PM.				
MEMBER:	Bibb	Kilpatrick	Dorsey	Lagomarsino	Morgan
ACTION:		Second	Motion		
VOTE:	Aye	Aye	Aye	Aye	Aye
RESULT:	5-0 Approved				

Minutes were recorded by Jenny Cassell Faulknier, Administrative Programs Specialist.



 Barry Bibb, Chair
 Fluvanna County Planning Commission