

**Orange County Planning Commission  
Regular Meeting  
Thursday, April 7, 2022**

**Present:** Jason Capelle, George Yancey (Virtual), Donald Brooks, Julie Zeijlmaker, Bryan Nicol,

**Absent:** Mark Johnson, Board of Supervisors Liaison

**Staff Present:** David Smitherman, Interim Planning and Development Services Director, Eric Lansing, Assistant County Attorney; Tracey Newman, Planning Services Associate

**1. Call to order and determination of quorum:**

Chairman Brooks called the meeting to order at 6:00 pm and a quorum was established. Mr. Yancey's remote attendance was approved by Chairman Brooks.

**2. Approval of agenda:**

Chairman Brooks requested item 6.a. be removed from the agenda. Mr. Capelle made a motion to approve the Agenda with 6.a. being removed. The motion received a second from Mr. and carried on vote 5-0.

**3. Approval of minutes:**

**a. April 7, 2022 regular meeting:**

Mr. Nicol noted typographical errors. Mr. Nicol made motion to approve the Minutes with noted changes. Mr. Capelle seconded the motion; and the Commission voted to approve the motion (5 votes in favor, 0 opposed, 0 abstentions). The amended minutes will be included in the Agenda Packet for the May 5, 2022 meeting.

**4. Public Comment:** none

**5. Public Hearings:**

**a. REZ 22-01**

Complete Care of VA has applied to rezone property at 23325 Village Rd, Unionville, VA, to amend the C-2 conditions limiting the property use. The property is identified as Tax Map Parcels 32-65 and 32-65A, contains 4.23 acres and is in the Recommended Future Land Use Village category as described in the Orange County Comprehensive Plan.

Planner Kyra Davis presented the application and staff report. Three (3) people spoke in opposition to the rezoning. Conditions were reviewed and lengthy discussion ensued, with the Planning Commissioners suggesting two (2) additional conditions:

Applicant proffered conditions

1. Should we locate a dumpster on the property we would enclose the dumpster with something that is suitable for the area and aesthetics.
2. Should we update the outside security lighting we would point the lights down as to not be intrusive to the neighbors.
3. Keep the area clean of debris as in household goods from being stored outside.

The Planning Commission added two (2) additional conditions:

4. The property will be used as an office and storage for a water treatment business, and may contain an existing dwelling unit.
5. The applicant will take down the old signs and any new sign will be placed on the door.

Applicant Dave Purks agreed with all conditions. Mr. Nicol made motion to recommend approval of REZ 22-01 with conditions. Mr. Capelle seconded the motion and it carried on 5-0 vote.

Yays: Capelle, Brooks, Yancey, Zeijlmaker, Nicol

Nays:

**b. SA 22-01/SUP 22-01**

Sweet Springs Solar c/o Hexagon Energy has applied for a Special Use Permit to construct a 1-megawatt solar facility on the property of 19362 Constitution Highway, with an entrance constructed on Porter Road near the Orange County Landfill. The property is identified as Tax Map Parcel 46-1 and is zoned Agricultural, with a Future Land Use category of Agricultural. As required by VA Code §15.2-2232, a public hearing is required to determine whether the location, character, and extent of the proposed solar facility is in substantial accord with the Orange County Comprehensive Plan, prior to any approval of the special use permit for the facility

Planner Keri Ragland explained the requirements for compliance with Virginia Code §15.2-2232 and one (1) person spoke in opposition. Mr. Nicol made motion to approve the general and approximate location, character and extent of the Sweet Springs Solar facility as being substantially in accord with Orange County's adopted Comprehensive Plan. The motion received a second from Mr. Capelle and it was approved unanimously.

Ms. Ragland presented the SUP 22-01 application and staff report. Applicant representatives Brendan Grajewski and Adam Ventre, as well as property owner Tom Jennings, answered Planning Commissioners' questions and two (2) spoke in opposition to the special use permit.

My Yancey made a motion to recommend approval of SUP 22-01 with the proffered conditions: Mr. Capelle noted staff recommendations and suggested conditions. Discussion ensued and recommendations were confirmed.

Mr. Capelle then motioned to amend Mr. Yancey's motion by adding the following proffers:

1. Approved Decommissioning Plan as well as a surety bond in the full amount as specified by a third party professional engineer, without discounts for salvage value. The plan will require the land to be returned to as close to the original condition as soon as possible.
2. Erosion and Sediment Control as well as the appropriate bonds.
3. Vehicular access be through an approved VDOT entrance
4. Submit a Fire Emergency Response Plan and a Vegetation Management Plan.
5. An approved VDOT construction entrance and Transportation Plan.
6. A favorable Glare Study performed and submitted by an approved 3<sup>rd</sup> party.
7. Site Maintenance Plan to include regular ground maintenance.
8. Prior to site construction, a Phase 1 Cultural Resource Survey/Archaeological Assessment be completed. Any recommended mitigation will be approved by Virginia Department of Historic Resources (VDHR).

Mr. Yancey approved the amended motion as presented and was seconded by Mr. Nicol. The motion carried on 5-0 vote.

**6. New Business – none**

**7. Old Business – none**

**8. Reports**

- a. Board of Supervisors report – Mark Johnson
- b. Planning and Development report – David Smitherman

Mr. Smitherman advised the plat backlog has been exhausted. He also discussed Energov and CivcClerk are moving forward with new digital processes. In addition staff has been working every week with the Wilderness Cross applicants.

**9. Commissioner Comments**

Mr. Capelle thanked staff for their hard work and providing good information

Mrs. Zeijlmaker thanked the planners for their organized presentations.

Mr. Yancey thanked staff for efforts to enable him to attend remotely.

**10. Next Meeting date – May 5, 2022**

**11. Adjourn**

On a motion of Mr. Nicol and seconded by Mr. Capelle, which carried by a vote of 5-0, the meeting adjourned at 8:40 p.m.



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Donald Brooks, Chairman



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Planning Commission Secretary

*The events of this meeting were captured via digital audio recording. These written minutes shall serve as the official record of actions taken during the meeting.*