



Mathews County Planning Commission

Tuesday, December 10, 2024 at 7:00 PM

MINUTES

1. **CALL TO ORDER** *The meeting was called to order by the Chair at 7:00 pm.*

2. **PLEDGE OF ALLEGIANCE**

3. **INVOCATION** *Mr. Wilton provided the Invocation.*

Mr. Wilton provided the invocation.

4 ROLL CALL / ESTABLISHMENT OF A QUORUM

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Commissioners Present:	Chairperson Billy Cook Vice-Chair Harry Meeks Member Julian Wilton Member Frances Minor Member Byron Rauch Member James Meade
Commissioners Absent:	Donald Morgan
Staff Present:	Ramona Wilson, Interim Director of Zoning Bobby Andrade, Planning & Zoning Director Joshua Bartlet, Planning & Zoning Planner Judi Green, Senior Executive, Deputy Clerk Kelly Bassford, Administrative Support Tom Bowen, Board of Supervisor, Ex-Officio

5. APPROVAL OF MINUTES

5.A. November 12th, 2024 Meeting Minutes

MOTION: On Motion of Byron Rauch, seconded by Julian Wilton, the Mathews County Planning Commission voted 6-0-0 as follows: Harry Meeks, Julian Wilton, Frances Minor, Byron Rauch, James Meade, Billy Cook - aye; None - nay; to Approve November 12, 2024, Minutes as presented.
Roll Call Vote:

Billy Cook, Chair - Aye
Harry Meeks, Vice Chair - Aye
Doug Wilton, Member - Aye
Frances Minor, Member - Aye
Byron Rauch, Member - Aye
James Meade, Member - Aye

6. PUBLIC COMMENT PERIOD

Mr. Cook invited Ms. Green to introduce the new Administrative Support Specialist for Planning and Zoning, Ms. Kelly Bassford

7. PUBLIC HEARING AND REVIEW OF PUBLIC HEARING PROCEDURE

7.A. Public Hearing Procedures

Ms. Green read the Guidelines for Public Hearing Comment Period.

7.B. **Application #11-CUP-24:** Request by WLGEPP Valley View, A Virginia Business Trust, Property Owners and Mathews Solar 1 LLC (Applicant-Leaseholder), for a Conditional Use Permit pursuant to Section §175-5.3 B (28), §175-93-(T) and §175-19.12 of the Mathews County Zoning Ordinance, to allow for the construction of a shared solar garden or solar farm, which is classified as a utility use, major. The subject property is located at 8444 Buckley Hall Road, Mathews, VA 23109. The property is identified as Tax Map Parcels 16-A-26 & 16-1-1 and are zoned Rural (R-U).

Speaker Linds Edwards, Consultant with the Berkley Group, read the Staff Report from Planning, Zoning & Wetlands for Application #11-CUP-24, Request by WLGEPP Valley View, A Virginia Business Trust, for a Conditional Use Permit to allow the construction of a Solar Garden or Solar Farm. Commission Member Rauch requested clarification on some of the report's points and there was no further discussion. Mr. Daniel Martin, Attorney for Applicant, came forward to speak on behalf of Applicant for #11-CUP-24, New Energy Equity, LLC, with regard to legal issues pertaining to the application. There were no discussions relating to the content of this presentation. Jesse Diamond, employee and spokesperson for the Applicant's Parent Company, New Energy Equity, LLC came forward to present the benefits of Solar Energy. He cited the cost savings on subscribers' energy bills, which was projected to be approximately 10% or around \$174 per year. Mr. Diamond added that New Energy Equity, LLC Applicant accepts sole responsibility for decommissioning the project upon expiration of the lease, to include removal of all the panels, to be fully disposed of in an ecologically responsible manner and the land restored to a grassy field. The removal and restoration funding to be secured in the form of a bond equal to 110% of the total cost of decommissioning.

Chair Cook opened the floor to Commissioners to clarify points made by Mr. Diamond's presentation. Questions regarding the true cost savings to subscribers and the ecological ramifications in the event of storms or other natural destructive occurrences were raised.

Chairman Mr. Cook opened the floor for public comments. Ms. Judi called citizens forward to speak as follows:

Mark Zamanian

Cobbs Creek, VA

was not in favor of approving the application.

Donald Chandler

Halliford, VA

asked the board to be cautious in approving the application.

Jim Drummond
 Mathews, VA
 spoke in favor of approving the application.
 Bruce Dwyer
 Hudgins, VA
 spoke against approving the application.
 David Jones
 Buckley Hall Road, VA
 addressed as citizen, requested the application not be approved
 Breck Ingles, Attorney
 Gloucester, VA
 spoke on behalf of Mr. & Mrs. Robert Diggs, Mathews, against approving the application.
 Christopher Dier
 Mathews, VA
 requested that the board not approve the application.
 Jackie Wilton
 Hallieford, VA
 spoke against approving the application.
 Brenda Reed
 Mathews, VA
 property owner, spoke against approving the application.
 Glen Gwynn
 Gwynn's Island, VA
 spoke against approving the application.
 Mike Walls
 Hudgins, VA
 speaking as a citizen, spoke against approving the application.
 Fred Wicker
 Grimstead, VA
 spoke against approving the application.
 Ken Childress
 Hudgins, VA
 spoke against the Solar Farm.
 There were no additional public questions or comments, and Chair Cook closed this public hearing
 MOTION: On Motion of Byron Rauch, seconded by Harry Meeks, the Mathews County Planning
 Commission voted 6-0-0 as follows: Billy Cook, Harry Meeks, Julian Wilton, Frances Minor,
 Byron Rauch, James Meade - aye; None - nay; to Deny the Application #11-CUP-24.
 Roll Call Vote:
 Billy Cook, Chair - Aye,
 Harry Meeks, Vice Chair - Aye,
 Doug Wilton, Member - Aye,
 Frances Minor, Member - Aye
 Byron Rauch, Member - Aye,
 James Meade, Member - Aye

- 7.C. **Application #12-CUP-24:** Request by Robert and Judy Gayle, Property Owners and Mathews
 Solar 2, LLC (Applicant-Leaseholder), for a Conditional Use Permit pursuant to Section §175-5.3
 (B) (28), §175-9.3 (T) and §175-19.12 of the Mathews County Zoning Ordinance, to allow for the
 construction of a shared solar garden, or solar farm, which is classified as a utility use, major, The

subject properties are located on Church St, Mathews, VA 23109. The properties are identified as Tax Map Parcels 20-A-74 and 20-9-3 zoned Rural (R-U) and Business 2 (B2), respectively.

Chair Cook called Linds Edwards, Consultant with Berkley Group, to present the Staff Report for Application #12-CUP-24.

Jesse Diamond, Mathews Solar LLC employee, indicated that this application is basically the same as the previous application; #11-CUP-24, and addressed questions both public hearings had on the applications.

Chair opened the floor for Public Comments.

Dave Jones

Mathews, VA.

Speaking as a citizen, requested the board vote against approving the application.

Fred Wicker

Grimstead, VA

Came forward to speak against approving this application.

Mark Zamanian

Cobbs Creek, VA

Spoke against approving the application.

Greta Dyer

Mathews, VA

Spoke against approving the application.

Wayne Smith

Mathews, VA

Presented a letter from Mr. Yancy Noble, Mathews Va., who wrote in opposition to approving the application. Mr. Smith also voiced his own request that the Commission vote against approving the application.

John Lewis

Port Haywood, VA

Spoke against approval of the application.

Richard Moughon

Mathews, VA

Spoke against approving the application.

Rick Carson

Onemo, VA

Spoke against approving the application.

No additional persons came forward to address the meeting, and Chair Cook closed the Public Comment Period.

MOTION: On Motion of Julian Wilton, seconded by Harry Meeks, the Mathews County Planning Commission voted 5-0-1 as follows: Billy Cook, Harry Meeks, Julian Wilton, Byron Rauch, James Meade - aye; None - nay; Frances Minor - Abstain, citing personal friendship with the Applicant, to Deny the Application #12-CUP-24.

Roll Call Vote:

Billy Cook, Chair - Aye

Harry Meeks, Vice Chair - Aye

Doug Wilton, Member - Aye

Frances Minor, Member - Abs.

Byron Rauch, Member - Aye,

James Meade, Member - Aye

- 7.D. **Application #3-ZA-24:** Text amendment to the Mathews County Zoning Ordinance §175-23.4 Telecommunications Facility Structures Permitted by Zoning District, initiated by a motion of the Planning Commission to add zoning district Residential-2 District (R-2) :

§175-23.4. Telecommunications facility structures permitted by zoning district.

A. The following telecommunications facility structure(s) shall be permitted in the Rural District (RU), Residential-1 District (R-1), Residential-2 District (R-2), Business Districts (B-1 and B-2) and Industrial District (I):(1)Alternative support structure.(2)Data pole.

B. The following telecommunications facility structure(s) shall be permitted in the Rural District (RU), Residential-1 District (R-1), Residential-2 District (R-2), Business Districts (B-1 and B-2) and Industrial District (I) subject to all other requirements of this chapter, only upon obtaining a conditional use permit from the Board of Supervisors:(1)Telecommunications tower (including lattice towers, guyed towers and monopole towers).

Planning and Zoning Director, Bobby Andrade, presented Staff Report for Application #3-ZA-24 to the Commission. After a brief discussion, no other questions or comments were raised, and the Chair closed the Commission question and comment hearing.

Chair Cook opened the floor for public comments.

Mark Zamanian, Cobbs Creek, Va., spoke in favor of passing the Application.

There were no additional public comments.

MOTION: On Motion of Byron Rauch, seconded by Julian Wilton, the Mathews County Planning Commission voted 6-0-0 as follows: Billy Cook, Harry Meeks, Julian Wilton, Frances Minor, Byron Rauch, James Meade - aye; None - nay; to Approve the Application #3-ZA-24.

Roll Call Vote :

Mr. Meeks, Vice Chair - Aye

Mr. Wilton, Member - Aye

Ms. Minor, Member - Aye

Mr. Rauch, Member - Aye

Mr. Meade, Member - Aye

Mr. Cook, Chairperson - Aye

8. UNFINISHED BUSINESS

9. NEW BUSINESS

- 9.A. Schedule A Public Hearing To Amend The Major Utility Ordinance §175-23.2(28)

Chair Cook asked that this Application be reviewed further before discussing at the Planning Commission Meetings. The Board discussed that the wording in the Application is vague and needs to be clarified prior to scheduling a Public Hearing to Amend the Utility Ordinance §175-23.2. Director Bobby Andrade cautioned that the wording in the Ordinance needs specific amendment to differentiate between private use solar panels attached to commercial and county buildings and Major Utility Solar Farms. For this reason, Chair Cook moved to table scheduling the Hearing to Amend the Utility Ordinance §175-23.2(28) until the Board and Director Andrade can work out these specifics.

Chair Cook suggested Director Andrade meet with the County Attorney for assistance in clarifying the wording.

Motion: On Motion of Byron Rauch, seconded by Julian Wilton, the Mathews County Planning Commission voted 6-0-0 as follows: Billy Cook, Harry Meeks, Julian Wilton, Frances Minor, Byron Rauch, James Meade - aye; None - nay; to Table the Public Hearing to Amend the Major Utility Ordinance §175-23.2(28).

- 9.B. Nomination for and Election of Chair and Vice-Chair following the procedures stated in Article III of the Planning Commission Bylaws as adopted on April 9th, 2024 (attached)

Board Member Ms. Minor expressed gratitude to Chair Cook and Vice Chair Meeks for a very good job over the past year. She nominated Mr. Cook to Chairperson for the next year. Ms. Minor nominated Mr. Meeks to Vice Chair for next year. There was no additional discussion and no other nominations.

MOTION: On Motion of Ms. Minor, seconded by Mr. Wilton, the Mathews Planning and Zoning Commission voted 5-1-0 as follows: 5 - aye; 1 - nay; to the Election of Billy Cook to be 2025 Chair of the Planning Commission.

Roll Call Vote:

Mr. Meeks, Vice Chair - Aye
Mr. Wilton, Member - Aye
Ms. Minor, Member - Aye
Mr. Rauch, Member - Nay
Mr. Meade, Member - Aye
Mr. Cook, Chair - Aye

Ms. Minor nominated Mr. Harry Meeks for Vice Chair of Mathews County Planning Commission for 2025. Mr. Wilton seconded this motion. There were no additional nominations or discussion. The Mathews Planning and Zoning Commission voted 5-1-0 as follows: 5 - aye; 1 - nay; to the Election of Mr. Meeks to Vice Chair.

Roll Call Vote:

Mr. Meeks, Vice Chair - Aye
Mr. Wilton, Member - Aye
Ms. Minor, Member - Aye
Mr. Rauch, Member - Nay
Mr. Meade, Member - Aye
Mr. Cook, Chair - Aye

- 10. PLANNING DIRECTOR'S REPORT**
11. PLANNING COMMISSION REQUESTS/DIRECTIVES
12. OTHER MATTERS

Commission member Rauch requested an update on the Comprehensive Plan now that Director Andrade is in office. The Commission agreed that this is a very large project and will need the data to be created in segments. It's additionally decided that Public Hearings for input will need to be scheduled. Chair Cook agreed to discuss going forward.

- 13. ADJOURN**

MOTION: On Motion of Byron Rauch, seconded by Harry Meeks, the Mathews County Planning Commission voted 6-0-0 as follows: Billy Cook, Harry Meeks, Julian Wilton, Frances Minor, Byron Rauch, James Meade - aye; None - nay; to Adjourn the Meeting.

Roll Call Vote:

Billy Cook, Chair - Aye
Harry Meeks, Vice Chair - Aye
Doug Wilton, Member - Aye
Frances Minor, Member - Aye
Byron Rauch, Member - Aye
James Meade, Member - Aye