

A Regular Meeting of the Westmoreland County Board of Supervisors was held Monday, May 12, 2025, in the public meeting room of the George D. English, Sr. Memorial Building, located at 111 Polk Street, Montross, Virginia. Those members present were Darryl E. Fisher, W.W. Hynson, Jeffrey McCormack, and Timothy Trivett. Also present were Richard Stuart, County Attorney, Jim Taylor, County Administrator and Donna Cogswell, Assistant County Administrator.

Chairman Fisher stated that Mr. Ingram was absent due to his daughter graduating from Northern Neck Technical Center and he should join later in the meeting.

1. CALL TO ORDER

Chairman Fisher called to order at 6:06 p.m.

2. CONSIDERATION OF AMENDMENTS TO THE AGENDA

The Chairman asked the Board if any amendments needed to be added to the agenda.

Let the record show that there were no amendments or changes. With no further discussion, upon a motion by Mr. Hynson, seconded by Mr. McCormack, and carried unanimously, the Board approved the agenda, as presented.

3. COMMENT PERIOD

A. Chairman and Board Member Comments

Let the record show there were no comments from the Chairman or other Board members.

B. County Administrator Comments

Mr. Taylor gave updates and other information from the previous meeting.

- i. The county is working with DWR and VDOT on an issue with a dam and road closure at Gardy's Mill Road and will continue to communicate with residents in the area with the county's alerting system and social media.
- ii. The county has identified duplicate road names, including two roads with the name Great House Road, and is planning to have a community

meeting on May 20th for residents in the area to discuss and provide their input, there will be more information to follow.

- iii. The animal shelter is full and are working with neighboring counties and rescue groups. Stop by if you are considering a new dog or puppy. They are still looking for volunteers to get the dogs out for exercise.
- iv. Convenient center decals are being printed and will be mailed out with the next few weeks and they have received calls about it. The decals will replace the hang tags at the trash sites and mailing them out is a new service.
- v. Household Hazardous Waste Collection event is scheduled for May 17th from 9:00 a.m. to 2:00 p.m. at the A. T. Johnson Building.
- vi. The work session on May 28th has been canceled due to them not needing it this month.
- vii. The Boys and Girls Club of the Northern Neck will be having an open house at the old W & L High School on Wednesday, May 28th at 5:00 p.m. There will be more information on the County Facebook Page.

4. REQUEST FOR APPROVAL OF MINUTES

- A. Request for Approval of Minutes: Board of Supervisors Meeting – April 14, 2025, and April 28, 2025.

Chairman Fisher stated that everyone should have had an opportunity to review the minutes from the Regular Board meeting on April 14th and the Work Session on April 28th. The Chairman asked if any changes needed to be made to the minute, if not, he asked for a motion to approve. With no further discussion, upon a motion by Mr. Hynson, seconded by Mr. Trivett, and carried unanimously, the Board approved the minutes from the April 14th and April 28th meetings, as presented.

5. REQUEST FOR ADMINISTRATIVE APPROVALS

A. Request for Approval of Accounts Payable and Payroll Register April 2025

Chairman Fisher stated that you all received the Accounts Payable and Payroll Register and asked if there were any questions, observations, or concerns. If not, Chairman Fisher asked for a motion to approve the Payroll Register and Accounts Payable as presented for April 2025.

With no further discussion, upon motion by Mr. McCormack and seconded by Mr. Hynson, and carried unanimously, Mr. McCormack, Mr. Hynson, Mr. Trivett, and the Chairman voted "aye". The Board approved the Accounts Payable and Payroll Register for April 2025, as presented.

B. DSS Appropriation County Budget and State Budget Reconciliation, Keri Cusick, Director DSS

Ms. Cusick was present to discuss the appropriation. She stated that she came before the Board to request an appropriation amount of \$4,650.00 and there is no additional local money needed. She noted that \$ 3,900.00 is for family partnership meetings that were held between December 2024 and February 2025 and \$750.00 was added to the base budget for kin placement for children. The Chairman asked if any board members had any questions about the appropriation, if not, he would entertain a motion for approval.

With no further discussion, upon motion by Mr. McCormack, seconded by Mr. Hynson, and carried unanimously, Mr. Trivett, Mr. McCormack, Mr. Hynson, and Chairman Fisher voted aye. The Board approved the appropriation from the Department of Social Services in the amount of \$4,650.00.

Ms. Cusick stated that for twelve (12) straight months the Department has been in 100% compliance in the Child Protective Services measures, which is a huge accomplishment.

C. Proclamation - National Police Week May 11-17, 2025

Sheriff Balderson came to the podium to discuss the Proclamation. He stated that it began in 1962, President Kennedy proclaimed May 15th as Police Officer Memorial Day and the whole week the official National Police week. He noted that it is an honor to honor those who have made the ultimate sacrifice that have had their lives taken in the line of duty in the field of law enforcement and to have a week dedicated to those who protect the community. Sheriff Balderson appreciated the Board for taking the opportunity to proclaim this week as such and he urged people to say “thank you” whenever they see a deputy, police officer or state trooper. It won’t go unnoticed or unappreciated.

With no further discussion, upon motion by Mr. McCormack, seconded by Mr. Hynson, and carried unanimously, Mr. Trivett, Mr. McCormack, Mr. Hynson, and Chairman Fisher voted “aye”. The Board adopted the Proclamation for National Police Week, May 11-17, 2025 as presented.

The Chairman thanked the Sheriff’s Office for everything they do.

***SEE PROCLAMATION BELOW ***

DARRYL E. FISHER, CHAIRMAN
ELECTION DISTRICT NO. 1
HAGUE, VIRGINIA 22469

TIMOTHY J. TRIVETT, VICE CHAIRMAN
ELECTION DISTRICT NO. 5
COLONIAL BEACH, VIRGINIA 22443

JEFFREY A. MCCORMACK
ELECTION DISTRICT NO. 2
MONTROSS, VIRGINIA 22520

MATTHEW D. INGRAM
ELECTION DISTRICT NO. 3
MONTROSS, VIRGINIA 22520

W. W. HYNSON
ELECTION DISTRICT NO. 4
COLONIAL BEACH, VIRGINIA 22443



WESTMORELAND COUNTY, VIRGINIA

Board of Supervisors

MONTROSS, VIRGINIA 22520-1000

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**PROCLAMATION
NATIONAL POLICE WEEK
MAY 11-17, 2025**

Recognizing National Police Week 2025 and to honor the service and sacrifice of those law enforcement officers killed in the line of duty while protecting our communities and safeguarding our democracy.

WHEREAS, there are more than 800,000 law enforcement officers serving in communities across the United States, including the dedicated members of the WESTMORELAND COUNTY SHERIFF'S OFFICE; and

WHEREAS, since the first recorded death in 1786, there are currently more than 24,000 law enforcement officers in the United States have made the ultimate sacrifice and been killed in the line of duty; and the names of these dedicated public servants are engraved on the walls of the National Law Enforcement Officers Memorial in Washington, DC; and

WHEREAS, 345 new names of fallen heroes are being added to the National Law Enforcement Officers Memorial this spring, including 148 officers killed in 2024 and 197 officers killed in previous years; and

WHEREAS, the service and sacrifice of all officers killed in the line of duty will be honored during the National Law Enforcement Officers Memorial Fund's 37th Candlelight Vigil, on the evening of May 13, 2025; and the Candlelight Vigil is part of National Police Week, which will be *observed* this year May 11th-17th; and

WHEREAS, Thursday, May 15th is designated as Peace Officers Memorial Day, in honor of all fallen officers and their families and U.S. flags should be flown at half-staff.

THEREFORE, BE IT RESOLVED that Board of Supervisors of Westmoreland County Virginia will observe May 11-17, 2025, as National Police Week in Westmoreland County, and publicly salutes the service of law enforcement officers in our community and in communities across the nation.

DATED: May 12, 2025

Darryl E. Fisher, Chairman
Westmoreland County Board of Supervisors

D. Proclamation - National EMS Week May 18- 24, 2025

Deputy Chief Robyn Manthey came to the podium to discuss the appropriation. She stated that EMS week starts the week of May 18th and the theme is EMS for Everyone. They will celebrate all employees and everyone involved and recognize them for their service to the community. They will update their Facebook page for the theme for each day and educate the community about different things they can do in the event of an emergency. The Chairman thanked EMS for everything they do and stated it does not go unnoticed.

With no further discussion, upon motion by Mr. McCormack, seconded by Mr. Hynson, and carried unanimously, Mr. Trivett, Mr. McCormack, Mr. Hynson, and Chairman Fisher voted "aye". The Board adopted the Proclamation for National EMS Week, May 18-24, 2025, as presented.

*** SEE PROCLAMATION BELOW***

DARRYL E. FISHER, CHAIRMAN
ELECTION DISTRICT NO. 1
HAGUE, VIRGINIA 22469

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**PROCLAMATION
EMS WEEK
MAY 18-24, 2025**

Recognizing EMS Week 2025 and to celebrate EMS professionals and the important work they do in our nation's communities.

WHEREAS, emergency medical services is a vital public service; and the members of our emergency medical services team are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and emergency medical services fills healthcare gaps by providing important services; and

WHEREAS, the members of our emergency medical services team, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of our emergency medical service providers by designating the week of May 18th Emergency Medical Services Week.

THEREFORE, BE IT RESOLVED, the Board of Supervisors of Westmoreland County in recognition of this event do hereby proclaim the week of May 18th- 24th, 2025, as **EMERGENCY MEDICAL SERVICES WEEK**.

The 51st anniversary of EMS Week theme is **WE CARE FOR EVERYONE**. We encourage the community to observe this week with appropriate programs, ceremonies, and activities in honor of our EMS profession and the essential service they provide to our community.

DATED: May 12, 2025

Darryl E. Fisher, Chairman
Westmoreland County Board of Supervisors

E. Proclamation- National Safe Boating Week May 17-23, 2025

Chairman Fisher stated that the Coast Guard Axillary used to come and speak.
He noted that it is important to practice safe boating.

With no further discussion, upon motion by Mr. McCormack, seconded by Mr. Trivett, and carried unanimously, Mr. Trivett, Mr. McCormack, Mr. Hynson, and Chairman Fisher voted "aye". The Board approved to adopt the Proclamation for National Safe Boating Week, May 17-23, 2025, as presented.

*** SEE PROCLAMATION BELOW***

DARRYLE FISHER, CHAIRMAN
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HAQUE, VIRGINIA 22469

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**PROCLAMATION
NATIONAL SAFE BOATING WEEK
MAY 17-23, 2025**

For over 100 million Americans, boating continues to be a popular recreational activity. From coast to coast, and everywhere in between, people are taking to the water and enjoying time together boating, sailing, paddling and fishing. During National Safe Boating Week, the U.S. Coast Guard and the National Safe Boating Council, along with federal, state, and local safe boating partners encourage all boaters to explore and enjoy America's beautiful waters responsibly.

Safe boating begins with preparation. The Coast Guard estimates that human error accounts for most boating accidents and that life jackets could prevent nearly 75 percent of boating fatalities. Through basic boating safety procedures – carrying lifesaving emergency distress and communications equipment, wearing life jackets, attending safe boating courses, participating in free boat safety checks, and staying sober when navigating – we can help ensure boaters on America's coastal, inland, and offshore waters stay safe throughout the season.

National Safe Boating Week is observed to bring attention to important life-saving tips for recreational boaters so that they can have a safer, more fun experience out on the water throughout the year.

Whereas, on average, 650 people die each year in boating-related accidents in the U.S.; 75 percent of these are fatalities caused by drowning; and

Whereas, the vast majority of these accidents are caused by human error or poor judgment and not by the boat, equipment or environmental factors; and

Whereas, a significant number of boaters who lose their lives by drowning each year would be alive today had they worn their life jackets.

Therefore, the Westmoreland County Board of Supervisors, do hereby support the goals of the Safe Boating Campaign and proclaim May 17-23, 2025 as National Safe Boating Week and the start of the year-round effort to promote safe boating.

DATED: May, 12, 2025

Darryl E. Fisher, Chairman
Westmoreland County Board of Supervisors

6. PRESENTATIONS

A. VDOT Monthly Report, David Beale, Resident Engineer

Mr. Beale was present and went over the monthly report below. After Mr. Beale read the report, he asked if the Board had any questions.

Mr. Hynson stated that he received a letter, petition and other documentation regarding Crocket and Miller Lane off of Longfield Road. Mr. Hynson gave Mr. Beale the packet he received so Mr. Beale can follow up.

Mr. Taylor thanked Mr. Beale and VDOT for their hard work and that there is a lot of work that goes on behind the scenes. He noted that the trash cleanup was exceptional. Mr. Taylor asked when they start mowing in June if they will also pick up the litter as well. Mr. Beale stated that they will plan another county wide pick up in June.

Chairman Fisher asked Mr. Beale what happened at Gardy's Mill Road.

Mr. Beale stated that they were notified Saturday and it looked like water was going on the outside of the culvert through the embankment and it has progressed since then. He noted that the road isn't safe to pass across, the asphalt is eroding. DWR is out there monitoring it 24/7. They have closed the road for the near future so DWR and VCR could assess the problem.

Mr. Hynson thanked Mr. Beale for the trash pickup last month and stated it is the cleanest the roads have been in a while.

SEE REPORT BELOW



**Westmoreland County Board of Supervisors
May 2025 VDOT Report**

Maintenance Activity Highlights

Completed:

- Patching (Rt 639 Winter Harbor Rd, Rt 1308 Rolando Dr, Rt 625 Twiford Rd, Rt 600 Nomini Grove Rd, Rt 606 Bancton Rd, Rt 626 Mt Holly Rd, Rt 1530 Royal Way)
- Brush removal (Rt 600 Nomini Hall Rd, Rt 671 Wilson Dr, Rt 612 Antioch Rd, Rt 600 Nomini Hall Rd)
- Ditching cleaning (Rt 616 Tavern Run Rd, Rt 1316 Monticello Dr)
- Grading gravel roads (Rt 632 New Monrovia Rd, Rt 742 Foxhall Rd, Rt 651 St Pauls Rd, Rt 685 Ashbury Rd, Rt 740 Pleasant Retreat Rd, Rt 636 Cottage Farm Rd, Rt 721 Haywood Ln)
- Pipe cleaning from beavers (Rt 601 Kings Mill Rd, Rt 626 Beales Mill Rd, Rt 675 Mt Pleasant Rd, Rt 637 Leedstown Rd, Rt 616 Tavern Run Rd)
- Address work orders countywide
- Litter removal (secondary routes)

Upcoming:

- Brush cutting (Rt 624 Grants Hill Church Rd, Rt 612 Coles Pt Rd, Sandy Pt Rd, Rt 607 Kinsale Bridge Rd)
- Ditch cleaning (205 James Monroe Hwy, Rt 664 Bowie Rd)
- Grade gravel roads countywide (in progress)
- Patching potholes countywide
- Address work orders countywide
- Pavement patching (Rt 600 Ebenezer Church Rd, Rt 600 Nomini Hall Rd, Rt 620 Threeway Rd)
- Asphalt patching (Rt 1308 Rolando Dr)

Pavement Schedule

Plant Mix:

Rt 3 (Flat Iron Rd to Finchs Hill Rd) Rt 203 (Cople Hwy to Steamboat Landing)

Latex: Under Construction

Rt 631 Longfield Rd

Cape Seal: Under Construction

Rt 612 Antioch Rd Rt 638 Ferry Landing Rt 785 Industrial Park Dr

Surface Treatment: Under Construction

Rt 600 Ebenezer Church Rd	Rt 600 Nomini Grove Rd	Rt 600 Nomini Hall Rd
Rt 604 Sandy Point Rd	Rt 606 Bancton Rd	Rt 608 White Point Rd
Rt 610 Sandy Point Rd	Rt 612 Woodbine Rd	Rt 624 Longwood Rd

Rt 625 Horners Mill Rd
Rt 628 Stoney Knoll Rd
Rt 703 Eden Ln
Rt 739 King Copsico Ln
Rt 1401 Pine Ln

Rt 626 King Copsico Rd
Rt 662 McGuire's Wharf Rd
Rt 705 Burnt House Pt
Rt 766 Templemans Rd

Rt 626 Hering Ln
Rt 665 Beales Wharf Rd
Rt 711 Hickory Point Dr
Rt 1009 Levelgreen Dr

Construction Projects

SSYP:

Rt 652 Charles Way; Fall 2025
Rt 610 Skipjack Rd; Summer 2029

Rt 685 Ashbury Rd; Summer 2028

HSIP:

Rt 202 paved shoulder (Rt 3 to Nomini Creek Bridge); 2025 Construction
Rt 3 paved shoulder (County line to Oak Grove); 2025 Construction

Revenue Sharing:

Deux Rue; *Under Construction*
Hickory Ln; Summer 2025
Woodmount Dr; Summer 2025
Lakeview Ln; Summer 2026

Holly Way Ph III; *Under Construction*
Birch Ln; Summer 2025
Pinewood Ln; Summer 2025
Rt 610 Skipjack Rd; Summer 2029

Bridge:

UPC 121539 Rt. 658 over Monroe Creek; *Under Construction*

Contacts:

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Hague Area Headquarters Superintendent
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B. Audit FY2024, Mike Moran, CPA - Robinson, Farmer, Cox Associates

Mr. Moran was present to give a presentation on the Westmoreland County Audit for FY 2024. He stated in the Independent Auditors Report for year ending June, 30, 2024 they are reporting an unmodified opinion. He then went over the management discussion and analysis, the introduction to the financial statements, and an overview of the fiscal year. He discussed the statement of net position, the balance sheet for long-term assets and liability, the capital assets and any long-term debt. He pointed out that the total net position for governmental activities for the county is \$40.6M. The business activities (water and sewer) total net position is \$20.1M. These activities total \$60.M. The total net position for the school board, as of June, 30, 2024, is \$10.2M.

Mr. Moran then went over the statement of activities which is the income statement on full accrual basis. He pointed out the change in net position is \$235,000.00 for governmental, \$250,000.00 for water and sewer, the total change is \$515,000.00. He noted that the school board had \$2.3M change in position which is due to capital assets and pension liability. He reviewed the balance sheet on the modified accrual basis such as general fund, capital projects and other governmental funds like Placid Bay and Cabin Point – Glebe Harbor Sanitary Districts. He noted that the total fund balance for the end of the fiscal year was \$16.3M, but \$7.1M was unassigned fund balance. The capital projects has \$361,000.00 and the other governmental fund was \$1.1M at year end for a total of \$17.9M. He reviewed the statement of revenue expenditures and changes in the fund balance, and the general fund decreased \$691,000.00, the capital projects decreased \$23,271.00 and the other governmental funds decreased \$140,000.00. He then reviewed the statement of net position and noted that it will be more detailed on the water and sewer of what makes up those assets.

Mr. Moran then reviewed the balance sheet for the school board, they have three funds which are operating, cafeteria, and activity. By June 30, 2024 the operating fund was \$1.5M, cafeteria was \$251,000.00 and school activity was \$170,000.00. The net decrease for year-end for operating fund was \$2.7M, cafeteria decreased \$365,000.00 and activity decreased \$26,000.00. He stated that there is a schedule of revenues budget versus actual, which is a line-by-line detail of what makes up the revenues compared to the original and final budget. He reviewed the auditor reports which are internal controls over financial reporting and compliance and other matters. He stated for the year end they did identify four material weaknesses. He went over the report for the single audit and they didn't find any material weaknesses or significant deficiencies related to the single audit that they completed. He stated in the back of the report there is a letter from the auditor and the Board, if there were any significant audit matters such as county estimates ,any county policies or difficulties with management , corrected or uncorrected mistakes , disagreements with management , if other CPAs had to be consulted it would be in that letter. He noted that there are other letter in there that have minor management comments and recommendations. There is also a summary of what was discussed about the audit. Mr. Moran stated that if the Board had any questions now and later to feel free to contact him.

Mr. Taylor thanked Mr. Moran for his hard work on the audit and glad to have him present tonight. He acknowledged that there are some areas that they found in the audit and they have provided a response to that and will work together moving forward to improve in those areas. He noted that the Board approved an audit consultant to work with the county and the audits which will make a difference moving forward. He noted that they are getting started right away on the current year's audit so it can be done in a timely manner.

C. Town of Colonial Beach Update, Natasha Tucker, Town Manager

Kyler Brower, Assistant Town Manager was present to discuss the events of the town;

- i. They are currently working on their budget; and
- ii. They have a Memorial Day event on May 26th, 2025 at 11:00 a.m.; and
- iii. The Potomac River Festival is June 13-15, 2025.

D. Town of Montross Update, Fran Taylor, Town Manager

Fran Taylor, the Town Manager was present to discuss the events of the town.

- i. The initial First Friday was a huge success and the next First Friday is June 6th; and
- ii. There will not be a First Friday in July due to the 4th of July Holiday; and
- iii. They will be having an Armed Forces Day on May 17th, 2025 which will include a military appreciation concert and wounded warrior benefit from 12:00 p.m. to 9:00 p.m. at the Northern Neck Brewery; and
- iv. The Fall Festival Committee has held its first meeting this season and the town council has committed to trying to help grow and promote as much as possible; and
- v. They met with Mr. Taylor and Ms. Cogswell to finalize the MOU between the county and town regarding trash services; and
- vi. The Town Council has reviewed a draft budget for FY 25-26, which will be presented at a public meeting on May 20th prior to the Town Council meeting.

Mr. McCormack stated that the Sherriff's Office is hosting their Second County-wide Neighborhood Watch Meeting on May 15, 2025, at 6:00 p.m. at the Sherriff's office.

Ms. Taylor thanked the County and VDOT for their efforts on the county-wide cleanup of the litter on the roads.

E. Strategic Plan Update, Jim Taylor, County Administrator

Mr. Taylor gave a presentation and updates on the strategic plan. He went through the presentation slide by slide. He noted that he would like to keep the momentum up for the strategic plan. Mr. Taylor asked the Board to review the proposed questions for the survey to the residents and if they want to change or add let him know. After His presentation, he asked if the Board had any questions.

Mr. McCormack stated that this is fantastic and is exactly what they are looking for. He thought that the Westmorelandcountyyva would be confusing and felt that Westmorelandva would be better.

Mr. Hynson stated that next year is going to be a big year for the county and it is time to start thinking about what effort, time, and money will be put into the 250th anniversary. He noted that you cannot wait until the last minute to plan something and we need to work with the museum and James Monroe's Birthplace and George Washington's Birthplace. He stated that what is done now isn't as important as what has been done many years ago and that is what made Westmoreland County important.

Mr. Taylor agreed with Mr. Hynson and stated that they will have a parallel process going on for the 250th anniversary and we should put time on the agenda to start planning for that. He noted that some of the surrounding partners are already planning and it would be helpful for them to come and share the information. We are doing work on the museum to try and get it ready to reopen.

Chairman Fisher stated that putting the strategic plan in place is vitally important and many years ago the strategic plan that is now complete was put together. You need to have the same vision and hope of what you would want the county to look like in the next 15-30 years. Nothing happens overnight. He noted that the last strategic plan was put together with a lot of public input and in this plan it would be as equally important to get the resident's input on what

they think is important to focus on. He asked the younger generation to be involved which will help as the plan evolves.



Board of Supervisors Strategic Plan Community Input

May 12, 2025



Strategic Plan 2025



Process Update

- Draft work on Vision Statement, Mission Statement and Guiding Principles
- Opportunity to engage the public in the process through input survey

Public Safety

- How would you rate the current level of public safety in your community? (1 = Poor, 5 = Excellent) 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐
- What are the top three public safety concerns in your community? (Select up to 3)
 - Crime prevention
 - Emergency response times
 - Traffic safety
 - Cybersecurity
 - Disaster preparedness
 - Neighborhood watch programs
 - Other (please specify): _____
- What specific improvements would you recommend for public safety? [Open-ended text box]

Public Schools

- How would you rate the quality of public schools in Westmoreland County? (1 = Poor, 5 = Excellent) 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐
- What are the most critical areas for improvement in our public schools? (Select up to 3)
 - Academic programs
 - Technology integration
 - Teacher support and training
 - Infrastructure and facilities
 - Special education services
 - Extracurricular activities
 - College and career readiness
 - Other (please specify): _____
- What additional educational resources or programs would you like to see developed? [Open-ended text box]

Human Services

- Which human services do you believe need the most attention in our county? (Select up to 3)
 - Mental health support
 - Senior citizen services
 - Youth programs
 - Disability support services
 - Homeless assistance
 - Substance abuse programs
 - Healthcare access
 - Other (please specify): _____
- What gaps do you see in current human services? [Open-ended text box]

Economic Development

- What do you believe are the greatest economic challenges in Westmoreland County? (Select up to 3)
 - Job creation
 - Small business support
 - Workforce training
 - Attracting new businesses
 - Retention of young professionals
 - Infrastructure development
 - Technology and innovation support
 - Other (please specify): _____
- What industries or sectors should Westmoreland County focus on for economic growth? [Open-ended text box]

Cultural & Historical Assets

- How important are cultural and historical preservation to you? (1 = Not Important, 5 = Extremely Important) 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐
- Which cultural and historical assets would you like to see preserved or developed? (Select up to 3)
 - Museums
 - Historical sites
 - Arts and cultural centers
 - Community festivals
 - Local heritage programs
 - Historic preservation projects
 - Other (please specify): _____
- What additional cultural or historical initiatives would you recommend? [Open-ended text box]

Parks & Recreation

- How would you rate the current parks and recreation facilities in Westmoreland County? (1 = Poor, 5 = Excellent) 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐
- What types of parks and recreation improvements are most important to you? (Select up to 3)
 - More walking/hiking trails
 - Improved playground equipment
 - Additional sports facilities
 - Community centers
 - Outdoor fitness areas
 - Bike paths
 - Nature preservation areas
 - Other (please specify): _____
- What additional recreational programs or facilities would you like to see developed? [Open-ended text box]

Affordable Housing

- How would you rate the current affordable housing options in Westmoreland County? (1 = Poor, 5 = Excellent) 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐
- What are the most significant affordable housing challenges in our county? (Select up to 3)
 - Lack of affordable rental properties
 - High housing costs
 - Limited options for first-time homebuyers
 - Insufficient housing for low-income families
 - Limited housing for seniors
 - Housing for essential workers (teachers, first responders, etc.)
 - Housing for young professionals
 - Other (please specify): _____
- What strategies would you recommend to improve affordable housing in Westmoreland County? [Open-ended text box]

Environmental

- How would you rate the current environmental initiatives in Westmoreland County? (1 = Poor, 5 = Excellent) 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐
- What environmental concerns are most important to you? (Select up to 3)
 - Water quality
 - Air quality
 - Waste management and recycling
 - Green space preservation
 - Climate change mitigation
 - Renewable energy development
 - Wildlife and habitat conservation
 - Other (please specify): _____
- What additional environmental initiatives or programs would you like to see implemented? [Open-ended text box]

Financial Stewardship

- How would you rate the county's current financial management? (1 = Poor, 5 = Excellent) 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐
- What areas of financial stewardship should be prioritized? (Select up to 3)
 - Transparent budget reporting
 - Efficient use of tax dollars
 - Infrastructure investment
 - Debt management
 - Technology infrastructure
 - Long-term financial planning
 - Cost-saving initiatives
 - Other (please specify): _____
- What suggestions do you have for improving the county's financial management? [Open-ended text box]

Future Vision

- What is the single most important thing that could improve quality of life in Westmoreland County? [Open-ended text box]
- Would you be interested in participating in future community planning discussions?

Website Domain

- New domain with new website
 - www.westmorelandcounty.gov
 - www.westmorelandcountyva.gov
 - www.westmorelandva.gov

Proposed Timeline – Strategic Plan

January	Feb/March	April	May/June	July
Draft Plan	Citizen Survey	Present Recommendations	Share with Public	Finalize





Discussion



7. ACTION ITEMS

A. VDOT 6-year Secondary Plan PUBLIC HEARING & Approval, David Beale, Resident Engineer

Mr. Beale gave a presentation on the 6-year Secondary plan and went through the presentation slide by slide. Mr. Beale stated that this is a plan for projects for the secondary routes in the county. He noted that secondary routes are numbered 600 and above. It starts in July 2025, fiscal year 2026, and ends in fiscal year 2031. Mr. Beale noted that there are two sources of funds district grants for unpaved roads, which can only be used on gravel roads that are already in the state system, the money is allocated based on the lame miles of road that have more than fifty vehicles per day. The other source is Tele fees, those fees are the fees that the utility companies pay to place utilities in the right of way. That money is reallocated for construction projects on secondary roads, distributed based on population. He stated after the public hearing there will be public comments and the board has added a project to the secondary SSYP. He then showed the projects that are already in the SSYP, Skipjack Road, Charles

Way, Ashbury Road, and county engineering surveying is a placeholder where they park the funds until a project comes up and future unpaved funds and you don't lose the funding. He noted that they have Charles Way to do this year, Ashbury Road doesn't come up until the fall of 2027, and Skipjack is in 2029. There is plenty to do and a project doesn't need to be added unless there is one that is needed. He stated that there is \$260,000 that can be allocated towards a road if the Board chooses. He then went over the parameters of the unpaved road projects. Mr. Beale showed a list of the unpaved roads in the county.

Mr. Beale asked if the Board had any questions.

Mr. McCormack asked how much was left over in the tele fees.

Mr. Beale answered \$104,000 and isn't available until 2030 and 2031. He stated that he keeps \$25,000 in tele fees available just in case if something comes up or if they overspend in a different category, you will have some wiggle room, which is available now.

Chairman Fisher opened up the public hearing portion of the meeting for the VDOT 6-year Secondary Plan.

Let the record show that no one came to the podium to speak and the Chairman closed the public hearing portion of the meeting on the VDOT 6-year Secondary Plan.

Mr. Beale stated that if they want to add a project they would need to adopt the plan and amend the plan with the additional project or if the Board doesn't want to add anything they would need to adopt the plan as presented.

Mr. McCormack asked if they could amend the plan later in the year or if they have to wait for an entire year to change the plan. Mr. Beale stated that a plan can be added at any time, but they are required to do it annually in the spring.

With no further discussion, upon motion by Mr. McCormack, seconded by Mr. Hynson, carried unanimously with Mr. Trivett, Mr. McCormack, Mr. Hynson and Chairman Fisher voted "aye". The Board approved the VDOT 6-year Secondary Plan with no changes, as presented.



**Westmoreland County
Draft Secondary Six Year Plan (SSYP)
FY2026 – 2031**

May 12, 2025
David L. Beale, P.E.
Northern Neck Resident Engineer

**Secondary System
Westmoreland County
Construction Program
Estimated Allocations**

Fund	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	Total
TeleFee	\$39,792	\$39,792	\$39,792	\$39,792	\$39,792	\$39,792	\$238,752
District Grant - Unpaved	\$68,352	\$68,352	\$68,352	\$68,352	\$40,775	\$40,772	\$354,955
Total	\$108,144	\$108,144	\$108,144	\$108,144	\$80,567	\$80,564	\$593,707

Board Approval Date:

Residency Administrator

Date

County Administrator

Date



125878 RTE 610 - SKIPSACK ROAD - WIDENING										PE 7/25/2025
ESTIMATE	Fund Source		Previous	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	TOTAL
	Revenue Sharing - State	6030806	\$0	\$0	\$127,617	\$127,617	\$0	\$0	\$0	\$255,234
	Revenue Sharing - Local	6071700	\$0	\$0	\$127,617	\$127,617	\$0	\$0	\$0	\$255,234
	Telecommunications	6030806	\$150,061	\$14,792	\$39,792	\$39,792	\$39,792	\$60,303		\$284,229
	Local Funds - Westmoreland									\$60,303
\$855,000	Total	ALLOCATIONS	\$150,061	\$14,792	\$295,026	\$295,026	\$100,095	\$0	\$0	\$855,000
	As of April 8, 2025	EXPENDED	\$0							\$0
		AVAILABLE	\$150,061	\$14,792	\$295,026	\$295,026	\$100,095	\$0	\$0	\$855,000

122274 CHARLES WAY										CN 9/23/2025
ESTIMATE	Fund Source		Previous	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	TOTAL
	Telecommunications	6030806	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	HB1887 - DGP Unpaid	6071700	\$67,120	\$32,880	\$0	\$0	\$0	\$0	\$0	\$100,000
\$100,000	Total	ALLOCATIONS	\$67,120	\$32,880	\$0	\$0	\$0	\$0	\$0	\$100,000
	As of April 8, 2025	EXPENDED	\$0							\$0
		AVAILABLE	\$67,120	\$32,880	\$0	\$0	\$0	\$0	\$0	\$100,000



122273 ASHBURY ROAD										CN 5/30/2025
ESTIMATE	Fund Source		Previous	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	TOTAL
	Telecommunications	6030806	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
	HB1887 - DGP Unpaid	6071700	\$0	\$35,472	\$68,352	\$56,176	\$0	\$0	\$0	\$160,000
\$160,000	Total	ALLOCATIONS	\$0	\$35,472	\$68,352	\$56,176	\$0	\$0	\$0	\$160,000
	As of April 8, 2025	EXPENDED	\$0							\$0
		AVAILABLE	\$0	\$35,472	\$68,352	\$56,176	\$0	\$0	\$0	\$160,000

112685 COUNTYWIDE ENGINEERING & SURVEY										MONITORING FUNDS
ESTIMATE	Fund Source		Previous	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	TOTAL
	Telecommunications	6030806	\$0	\$25,000	\$0	\$0	\$0	\$39,792	\$39,792	\$104,584
	Total	ALLOCATIONS	\$0	\$25,000	\$0	\$0	\$0	\$39,792	\$39,792	\$104,584
	As of April 8, 2025	EXPENDED	\$0							\$0
		AVAILABLE	\$0	\$25,000	\$0	\$0	\$0	\$39,792	\$39,792	\$104,584



3229 FUTURE UNPAVED FUNDS: YR4-YR6			MONITORING FUNDS							MONITORING FUNDS
ESTIMATE	Fund Source		Previous	FY2026	FY2027	FY2028	FY2029	FY2030	FY2031	TOTAL
	HS1867 - DGP - Unpaved	6071700	\$0	\$0	\$0	\$12,176	\$68,352	\$40,775	\$40,772	\$162,075
	Total	ALLOCATIONS	\$0	\$0	\$0	\$12,176	\$68,352	\$40,775	\$26,599	\$162,075
	As of April 6, 2026	EXPENDED	\$0							\$0
		AVAILABLE	\$0	\$0	\$0	\$12,176	\$68,352	\$40,775	\$26,599	\$162,075



RURAL RUSTIC ROADS

- The Rural Rustic Road program is a practical approach to paving Virginia's low-volume roads. It aims to keep traditional rural lane ambience, while improving road surfaces within the current right-of-way.
- Criteria:
 - Must be an unpaved road already within the State Secondary system
 - Must carry no more than 1,500 Vehicles Per Day
 - Must be a priority (line item) in the approved SSYP if the funding source is from the secondary system allocations; if secondary allocations are not used it is not required to be in the SSYP
 - Must be predominately for local traffic; Board of Supervisors must make an effort to limit growth on roads improved under the program
 - Must have sufficient roadway drainage or require only minor improvements
 - For additional requirements, please reference the Local Assistance Division website; <http://www.virginiadot.org/business/local-assistance.asp>



WESTMORELAND COUNTY UNPAVED ROADS						
ROUTE	NAME	FROM	TO	LENGTH (mi)	VPD 2023	SYIP
686	Westmoreland Park Roads	Route 347	2.40 Mi N Route 347	2.40	140	
682	Charles Way	Route 628	Dead End	0.62	110	Y
685	Ashburn Rd	Route 3	Dead End	0.37	80	
708	Jenkins Point Rd	Route 645	Dead End	0.25	60	Y
632	New Montross Rd	0.25 Mi N Route 205	1.01 Mi N Route 205	0.76	60	
653	Waverly Rd	Route 640	Route 624	0.55	40	
747	Halbrook Ln	Route 729	Dead End	0.30	40	
689	Erins Dr	Route 649	Dead End	0.50	40	
601	Kings Mill Rd	Route 600	Route 602	3.00	30	
733	Bull Neck Rd	Route 615	Dead End	0.75	30	
743	Kelly Ln	Route 622	Dead End	0.28	30	
734	Weavers Rd	Route 643	Dead End	0.35	30	
762	Woods Rd	Route 610	Dead End	0.17	30	
634	Meadow Lane	Route 3	Dead End	0.30	30	
636	Cottage Farm Rd	Route 634	Route 638	1.95	30	
602	Vault Field Rd	Route 601	Dead End	0.65	30	
737	Wainut Farm Rd	Route 621	Dead End	0.18	20	
719	Route 719	Route 202	Dead End	0.10	20	
742	Foxhall Rd	Route 634	Dead End	0.60	20	
1005	Sigourney Dr	Route 1003	Dead End	0.11	20	
648	Stratford Hall Rd	Route 643	Dead End	0.40	20	
651	St Pauls Rd	Route 3	Route 621	0.43	20	
740	Pleasant Retreat Ln	Route 690	Dead End	0.15	20	
721	Haywood Ln	Route 3	Dead End	0.35	20	
649	Deep Point Rd	Route 645 E	Dead End	0.40	20	
1402	Long St	Route 671	W Route 1403	0.20	20	
1403	Shore Ln	Route 1401	Route 1402	0.22	20	
1403	Shore Ln	W Route 1402	E Route 1403	0.18	20	
669	Old Park Rd	Route 3	Route 347	0.50	20	
673	Cedar Field Rd	Route 621	Dead End	0.20	10	
1404	Cave Ln	Route 1402	Dead End	0.04	10	
675	Mt Pleasant Rd	Route 612	Dead End	0.64	10	
717	Weeks Rd	Route 643	Dead End	0.45	10	
709	Meadow Dr	Route 645	Dead End	0.08	10	
648	Norwood Dr	Route 645	Dead End	0.10	10	
700	Pine Rd	Route 701	Dead End	0.50	10	
642	Cloverdale Ln	Route 3	Dead End	1.00	5	
678	Harts Landing Rd	Route 625	0.76 Mi S Route 625 (@ Turnaround)	0.76	4	
TOTAL Unpaved				20.99		
TOTAL > 50 VPD				4.40		

VDOT



Questions?

B. Contract for Custodial Services at Westmoreland County Buildings, Jim Taylor, County Administrator.

Mr. Taylor gave an overview and presentation on a proposed contract for custodial services. He went through the presentation slide by slide.

After Mr. Taylor's presentation, he asked if the Board had any questions.

Mr. Hynson asked if it was the same company they already had.

Mr. Taylor stated that it is a new company however, Social Services uses this company and is happy with their services.

Mr. Stuart asked to make sure that the motion is also subject to approval by the County Attorney.

With no further discussion, upon motion by Mr. McCormack, seconded by Mr. Hynson, and carried unanimously, Mr. Trivett, Mr. McCormack, Mr. Hynson, and Chairman Fisher voted "aye". The Board approved the motion to allow the County Administrator, subject to approval by the County Attorney, to enter into a contract for custodial services for one year (with the option of additional years) not to exceed \$120,000 annually for the first year.

C. CASE#2404-SE-02 Requesting Special Exception Permit Extension on Popes Creek Solar, LLC project, Kelly DeJesus, Land Use

Ms. DeJesus gave a brief overview and presentation on the special exception.

She stated that this project was approved in April 2024 and the applicants are asking for an extension to the special exception as to when their deadline is for starting the permits within the county. She noted that it takes time to get through all of the permitting processes at the state level and come up with the site plan. She went through the presentation slide by slide. She showed a picture of the location of the project and stated that there is an approved solar project that is right beside it and the current one will be compatible with use on the adjacent lot. She then showed a series of pictures such as the access site, and an updated conceptual plan. She stated that there is a resolution prepared to extend the solar panel facility if the board sees fit.

Mr. Stuart asked if a public comment was needed.

Ms. DeJesus stated this is a renewal for Hexagon Energy.

Mr. Stuart asked if you are extending it, wouldn't you have to have a public hearing on the extension since you are going beyond the original approval?

Ms. DeJesus stated that from her understanding it just needed to be done by resolution.

Chairman Fisher stated that if he remembered correctly due to the time constraints, it was difficult for people to meet the deadline and they were given guidance to grant the extension without going back doing a public hearing again. If there isn't a substantial change in the project itself.

Mr. Hynson stated that no one was getting it done in a year and it was taking 2-3 years.

Ms. DeJesus stated in this case the applicants are requesting for the deadline to be extended to April 8, 2029. She noted that it does take time to get everything up and running.

The Chairman stated to move forward based on the belief that the Board is in the right to do it, if not, they will come back and take action correctly.

Ms. DeJesus noted that the initial deadline doesn't expire until April 2026, it would be a 3-year extension from the existing deadline.

With no further discussion, upon motion by Mr. Hynson, seconded by Mr.

Trivett, and carried unanimously, Mr. Trivett, Mr. McCormack, Mr. Hynson, and Chairman Fisher voted "aye". The Board approved the resolution to extend the initial special exception for a Solar Photovoltaic Project.

DARRYL E. FISHER, CHAIRMAN
ELECTION DISTRICT NO. 1
HAGUE, VIRGINIA 22469

TIMOTHY J. TRIVETT, VICE CHAIRMAN
ELECTION DISTRICT NO. 5
COLONIAL BEACH, VIRGINIA 22443

JEFFREY A. MCCORMACK
ELECTION DISTRICT NO. 2
MONTROSS, VIRGINIA 22620

MATTHEW D. INGRAM
ELECTION DISTRICT NO. 3
MONTROSS, VIRGINIA 22620

W. W. HYNSON
ELECTION DISTRICT NO. 4
COLONIAL BEACH, VIRGINIA 22443



WESTMORELAND COUNTY, VIRGINIA

Board of Supervisors

MONTROSS, VIRGINIA 22520-1000

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Resolution to Extend the Initial Approval of a Special Exception for a Solar Photovoltaic Project

WHEREAS, Special Exception case #2404-SE-02 was approved by this Board on April 8th, 2024 for a future solar facility on Tax Map parcel #10-52 owned by Lawrence W. Latane III, Rebecca S. Latane, Rebecca L. Ripley, and Charles J. Ripley;

WHEREAS, that Special Exception was approved for an initial period of two years, during which time the project was to commence;

WHEREAS, the preparation for permitting, constructing, and implementing this project has proven to be a lengthy process that will take a longer time period to complete than the original allowance of two years;

WHEREAS, the developers have already expended a significant amount of time, money, and effort towards this project; and

WHEREAS, Westmoreland County desires to allow the applicants a reasonable amount of additional time to initiate this project;

THEREFORE, BE IT RESOLVED that the Westmoreland County Board of Supervisors hereby extends the deadline to commence this project until April 8th, 2029.

Date of Adoption: May 12, 2025

Darryl E. Fisher, Chairman
Westmoreland County Board of Supervisors

D. CASE#2503-SE-03 Presentation (Deferred from April 14, 2025) Requesting a Five (5) year Special Exception to install mounted solar panels; project site 39 acres on Pomona Road.

Chairman Fisher stated that this project was heard at the last meeting but the action was deferred 30 days and the public hearing has already been completed. Ms. DeJesus stated since the last meeting the county has come up with a public policy on solar panels. She then did a brief overview and presentation on the special exception from the last meeting. She went through the presentation slide by slide. She showed a picture of the parcel and she noted that the parcels will run through easements so the power lines can connect to Dominion Emergency on James Monroe Highway. She then showed an overview of the project site. She noted that at the last meeting, there were questions from the Board regarding wetlands. There are upland wetlands on site and the project was intentionally designed to avoid the upland wetlands. She stated the applicants provided a buffer that would be set back from there. She noted the VA state code does specify the RPA requirements regarding the upland wetlands in whether or not they are protected in the resource protection area due to the intermittence stream not having a constant source of water thus connecting the water feature, it isn't tightly connected to a perineal stream to the Chesapeake Bay, it will have no requirement for the upland wetland, or setback. Her next slide was a diagram of the different soils on site and noted that the wetlands would be the least formidable in this regard. She then showed a chart of each different type, by name, characteristics, and months of primary saturation. She reviewed the breakdown of the soils by farm ability, little to no farming value, all areas are prime farmland, farmland of statewide importance, and prime farmland if drained. She went over the proffers offered by the applicants and proposed economic benefits. She stated that when this project came before the Planning Commission it was split 2-2. The initial vote didn't pass to approve or deny and was left unresolved by the Planning Commission. She noted that the

Planning Commission voted favorably with them complying with the Comprehensive plan, with a 3-1 vote.

After Ms. DeJesus' presentation, she asked if the Board had any questions.

Chairman Fisher stated that Land Use did go back and address the questions that the Board had from the last meeting. The public hearing has been held in April and he asked what the pleasure of the Board was.

Mr. Hynson stated that the Planning Commission worked really hard and the project area is only 39 acres and it abides by everything they have been working on for the solar policy. He is okay with the 39 acres due to its size being small and everyone understood that if something isn't seen, it doesn't exist. There is a 75 foot buffer.

Ms. DeJesus stated that they had a 75-foot buffer along the roadway.

Mr. Hynson stated that he hoped that it won't be offensive to the woman that has her house close to there. Mr. Hynson felt that if it is too offensive there needs to be a screen.

Ms. DeJesus stated that the solar panel would not encompass the house it would be south of the house. She noted that they will have screening requirements in the zoning ordinance.

Mr. Hynson stated that he would like the project to be approved due to its size and to go by the Planning Commission recommendations.

Ms. DeJesus stated that the Planning Commission didn't get a chance to see the modified conditions.

Mr. Stuart stated if Mr. Hynson would like to make a motion to approve he would suggest that the motion would be to approve the project's 39 acres of panels including the conditions offered by the applicant.

With no further discussion, upon motion by Mr. Hynson, seconded by Mr.

Trivett, and carried unanimously, Mr. Trivett, Mr. McCormack, Mr. Hynson, and Chairman Fisher voted "aye". The Board approved CASE#2503-SE-03 Requesting a Five-year Special Exception to install mounted solar panels; project site 39

acres on Pomona Road, and to include the conditions by the Planning Commission and applicants recommended conditions, as presented.



Westmoreland County, Virginia
LAND USE ADMINISTRATION
PO Box 1000
Montross, VA 22620
804-493-0120

Building Official
Zoning Official
Planning Commission
Board of Zoning Appeals
Board of Building Appeals
Wetlands Board

Special Exception
Staff Report

Date: March 12th, 2025 – Revised May 8th, 2025
From: Kelly V. De Jesus
Case Number: CASE#2503-SE-03
Site Address: Pomona Road
Colonial Beach, VA 22443
Site Location: North, South, & East of 1935 Pomona Road
Magisterial District: Washington District (Electoral District 4)
Site Tax Map: 5-46; 5-47; 5-48; 5-62-5-63
Owner: The Davis Corporation c/o Jonnelle Davis
9212 Windsor Drive
King George, VA 22485
Applicant/ Agent: Colonial Solar, LLC c/o Adrian Ortlieb
940 Harding Street
Lafayette, LA, 70503
Site Property Size: 14,018,043 square feet/ 231.81 acres
Site Zoning District: Agriculture (R-1)
Utilities: No permanent potable water or proposed sewage disposal
onsite
Project Description: Five (5) Year Special Exception Request to Install Mounted
Solar Panels: Project Site 39 acres/ 4.8 MWacs
Public Meeting: Monday, May 12th, 2025 (6:00 p.m.)

Parcel Information

Tax Map #5-46, which fronts both Pomona (State Route #628) and Longfield Roads (State Route #631) in Colonial Beach, VA, is a 231+ acre parcel in the (A-1) Agriculture District. It will serve as the primary project site. The other parcels mentioned will host easements establishing a means of connectivity with Dominion Energy. The lots are predominantly surrounded by other A-1 properties.

The project site will be approximately 75' from the center of the right-of-way and 25' from the property line which contains the closest single family dwelling.

Topographically, the lot is wooded and composed of gentle slopes. There are upland wetlands on this lot, according to both an onsite delineation and the National Wetlands Inventory. Also verified onsite are Intermittent¹ and Forested Palustrine² Streams.

Project Description

Colonial Solar, LLC proposes to construct a 4.8 MWac solar photovoltaic energy facility. Upon completion, the project site will be approximately 39 acres. This is roughly 5.5% of the parcel's area. The project site will have direct access to State Route #628, Pomona Road. The interconnection point will be reached through a series of easements of up to 50' in width, traversing Tax Maps #5-47, 5-48, 5-62, and 5-63. They are oriented in an eastwardly direction toward James Monroe Highway thus providing access to existing Dominion Energy poles. The maximum height of the panels, at full tilt, will be less than 20' above grade.

The applicants intend to leave the existing woods between the project site and property line intact and will plant additional vegetative buffers on the outside of the fence line in order to meet landscaping requirements. The facility is intended to operate for approximately 30 years and will be decommissioned returning the parcel to its original condition or to another permissible use, based on the property owners' wishes.

The electricity procured from the site will be sold to Dominion Energy through the Virginia Shared Solar Program.

Project Impacts

Environmental:

An environmental site assessment showed the presence of upland wetlands and streams.

According to a Virginia archaeological archival records review, there are no known cultural resources or burial sites within ½ of a mile of the project area.

The United States Department of Interior, Fish and Wildlife Service stated in their IPaC database that two mammals may be affected by the project, the northern long-eared bat and the tricolored bat. One amphibian, the salamander, and one plant, the joint-vetch, are both potential candidates for impact as well, being associated with the adjacent wetlands. Not found within the report is the

¹ Intermittent: A stream that has flowing water during certain times of the year, when groundwater provides water for stream flow. During dry periods, intermittent streams may not have flowing water. Runoff from precipitation is a supplemental source of water for stream flow.

² Palustrine: The Palustrine System includes all nontidal wetlands dominated by trees, shrubs, persistent emergents, emergent mosses or lichens, and all such wetlands that occur in tidal areas where salinity due to ocean derived salts is below 0.5 parts per thousand. It also includes wetlands lacking such vegetation, but with all of the following four characteristics: (1) area less than 8 ha (20 acres); (2) active wave-formed or bedrock shoreline features lacking; (3) water depth in the deepest part of basin less than 2 m (6.6 feet) at low water; and (4) salinity due to ocean-derived salts is less than 0.5 parts per thousand.

eagle nest buffer which crosses over the northeastern-most property line. The edge of the buffer, however, will be roughly 2,000' +/- from the project site.

The solar arrays will be positioned a minimum of 100' from the delineated wetlands and verified streams, thus maintaining a Resource Protection Area and complying with Chesapeake Bay Act.

Glare:

The applicants stated there shall be no hazardous glare, except at specific angles. It was unclear whether the applicants used the Federal Aviation Administration's (FAA) Solar Glare Hazard Analysis Tool, or if this was determined following a notice to the FAA.

Community:

The project is intended to provide eligible and low-to-moderate-income customers with bill credits.

Economic Benefits

The Virginia Shared Solar program offers a reduced bill for certain qualified customers, 30% of which must be low-to-moderate-income. 25 full-time jobs will be created during construction.

County, State, and Federal Regulations

"Solar Farms" are not currently defined within the Westmoreland County, VA Zoning Ordinance and are therefore regulated as "Public Utility Facilities." Within Article 2, Sec. 2-13.3 states the uses allowed by Special Exception within the (A-1) Agriculture District.

The Virginia Department of Environmental Quality (DEQ) will conduct a site plan review for stormwater management compliance. This review includes the construction, best management practices (BMPs), and any potential grading plans if and after the Special Exception has been issued.

The United States Department of Interior, Fish and Wildlife Services states, "...any project with a federal nexus (e.g., the project entails any federal funding, permits, or federal agency action) must comport with consultation requirements pursuant to Section 7 of the Endangered Species Act. To ensure such compliance, the project applicant or proponent should access the USFWS Virginia Field Office Project Review (IPaC) website."

Comprehensive Plan and § 15.2-2232 Compatibility

Section 3.2.1.1 "Rural Lands" of the Westmoreland County Comprehensive Plan states, "Rural lands are intended to retain their existing character as much as possible. That is, they will remain primarily for agricultural or forestland use, but also with some areas of residential, commercial, institutional, and industrial uses. Public utilities such as water and sewer would not be planned for these areas, except to address the health and environmental concerns related to existing

development and areas already committed to more intensive development.” *This project does not intend to permanently alter the state and future availability of the land.*

While the project is just outside of a primary growth area, the Comprehensive Plan does state that it wants to foster economic growth in the county. *This appears to have been taken into consideration by the applicants.*

Section 3.2.4.7 of the Westmoreland County Comprehensive Plan, entitled “Military Compatibility - Additional Guidance for All Land Uses” further states that as a neighboring community, the county’s governing body, when reviewing proposed developments, should be mindful of impacts to the neighboring base to include light and glare pollution. *The applicants state that this recommendation has been met.*

Recommendations

*** Please see the attached memo and condition recommendations. ***

Planning Commission Results

Final Vote for the Special Exception:

Final Recommendation: Split Vote 50/50 for Case #2503-SE-03

Motioned: Mr. Thompson motioned to deny / **Seconded:** Mr. Coates

Additional Comments: The Planning Commission's hearing for the Special Exception resulted in two failed motions, whether to approve or deny the application, as there is not enough guidance pertaining to solar panels in the Comprehensive Plan or Zoning Ordinance.

Felt	Nay
Coates	Aye
Schick	Nay
Thompson	Aye
Carey	Absent

1st Vote for the Special Exception:

Motioned: Schick motioned to approve / **Seconded:** None

Additional Comments: Motion failed for want of a second.

Vote for Compliance with § 15.2-2232:

Final Vote: Favorable, Confirming Compliance w/ the Comprehensive Plan

Motioned: Mr. Schick / **Seconded:** Mr. Coates

Additional Comments: Solar Facilities are not directly contrary to the Comprehensive Plan because they're not discussed.

Felt	Aye
Coates	Aye
Schick	Aye
Thompson	Nay
Carey	Absent

§ 15.2-2232 Language Used for the Motion:

Pursuant to Virginia Code section 15.2-2232, the Westmoreland County Planning Commission has determined that the Public Utility Facility as proposed in Case #2503-SE-03 is substantially in accord with the current Comprehensive Plan of Westmoreland County.

****Direct Request to the Board of Supervisors on behalf of the Planning Commission****

Formal Motion Made by the Planning Commission:

Motion: The Planning Commission hereby requests the Board of Supervisors to provide guidance on the parameters for approval or denial pertaining to solar facilities and/or whether a moratorium should be placed on entertaining future cases until further notice or an ordinance is drafted.

Motioned: Mr. Schick / **Seconded:** Mr. Thompson

Background: Without having an ordinance from which to base their votes, it is unclear under which lenses to review solar facility applications.

Felt	Aye
Coates	Aye
Schick	Aye
Thompson	Aye
Carey	Absent



Memo

Date: May 12th, 2025

To: Board of Supervisors

From: Kelly V. De Jesus, Assistant Planning Director

CC: Jim Taylor, County Administrator, Donna Cogswell, Assistant County Administrator, Beth McDowell, Zoning Administrator, Kelsie Reyes, Administrative Assistant, and file

Legal counsel for the applicants, Ms. Ann Neil Cosby, drafted new recommended conditions for the Board's consideration in connection to the proposed solar facility situated to the east of Pomona Road. County Attorney, Richard Stuart, agreed it would be best practice and appropriate to replace the original recommended conditions with these.

Please note: these conditions were proposed after the Planning Commission Public Meeting held on March 3rd, 2025. The commissioners did not review the applicants' recommendations when the vote was made.

Solar Panel Special Exception Case #2503-SE-03

Applicant: Colonial Solar, LLC Owner: The Davis Corporation c/o Jonnelle Davis

CONDITION
RECOMMENDATIONS

Should the Board consider approval of the request, staff recommends the following conditions:

1. The Special Exception is approved in substantial accordance with the conceptual plan entitled *Colonial Solar LLC Conceptual Site Plan*, prepared by Hewitt Solutions. This Special Exception may be transferred, but shall be binding to any successors, assignees, current or future lessee, sub-lessee, or owner of the facility.
2. The applicant shall record the conditions prescribed within the approved Special Exception, as furnished by the Board of Supervisors, with the Westmoreland County Courthouse. A copy of the recorded instrument shall be submitted to the Land Use Administration prior to issuing any permits for this construction.
3. As much as reasonably possible, construction deliveries shall not occur during the higher-traffic hours of 7:00 to 9:00 in the mornings and 3:00 to 5:30 in the evenings. As much as reasonably possible, construction deliveries shall be limited to daylight hours.
4. Transitional landscape screening shall be provided in accordance with ZO Article 6-8 between the project area and the adjacent lots. A 25-foot wide buffer area shall be reserved along all lot lines that abut residential and agriculturally zoned properties, outside of any delineated wetland areas, and existing vegetation should be preserved in those areas. If the preserved vegetation on land abutting another lot is removed at any time during the operation of this facility, a landscape area in accordance with Article 6 shall be planted.
5. In accordance with Article 6-7.3(5), existing vegetation along all public right-of-ways should be preserved as part of the landscape area. If the preserved vegetation is removed at any time during the operation of this facility, a landscaped area shall be planted in accordance with Article 6.
6. Existing vegetation shall also be maintained within 100-feet of perennial waters and/or Chesapeake Bay Preservation Act jurisdictional wetlands; removal of any vegetation within those limits shall only occur with the approval of the County Land Use Administration staff and with proper replanting in accordance with CBPA standards.
7. Access to the facility will be developed in accordance with VDOT standards and will be designed and maintained to minimize impact to adjacent properties.
8. The total height of the solar arrays shall not exceed twenty (20) feet above the ground. This height limitation requirement shall not apply to facilities at the interconnection point to the local utility power grid distribution lines.
9. Fencing along the exterior of the facility shall be at least seven (7) feet in height, allowing the top foot consisting of angled rows of barbed wire, if desired. The fencing shall be maintained while the facility is in operation.

10. Any expansion of this use beyond the terms provided herein shall require amendment to this Special Exception approval.
11. In accordance with the provision of Article 10-3.12 (11) of the Westmoreland County Zoning Ordinance, the activity shall begin within 1,825 days (5 years) of the approval of this Special Exception by the Board of Supervisors. This includes the request for additional time of initial approval. Prior to the start of the activity, construction permits must be sought and granted.
12. This Special Exception and all conditions listed herein shall run with the land but may be revoked by the County of Westmoreland or its designated agent for failure by the applicant or its assigns to comply with any of the listed conditions or any provision of Federal, State, or Local regulations.
13. No additional or future development will be permitted on the property except in compliance with all the applicable codes.
14. The Applicant shall submit a Construction Traffic Management Plan to include entrances and comply with all Virginia Department of Transportation conditions for the traffic management plan during construction and decommissioning of the facility.
15. The Applicant shall be responsible for repairing any damage to roadways utilized for construction traffic occurring during development/construction or following decommissioning of the project, or any portion thereof, and directly attributable to such construction or decommissioning. Prior to the commencement of development/construction activities, the County and the applicant shall agree to the existing state of applicable roadways, to be documented by video furnished by the applicant in coordination with the County, or by the County with costs assumed by the applicant. During development/construction, the roadways shall be monitored for damage, and the applicant, once notified by the County of damages, shall make repairs caused by construction traffic at the direction of the County Administrator within 30 days of notice. After construction activities are completed, the roadways will be evaluated for damage as measured against the condition prior to construction activity; the applicant will be required to restore such roadways to equivalent or better condition as existed prior to commencement of construction activity.

16. Prior to approval of the site plan and commencement of construction, the applicant shall provide a bond or other security, in a form and amount acceptable to the Zoning Administrator and County Attorney, to cover 100% of the anticipated costs of repairs to be necessary during development. The bond or security shall be released following construction and final roadway inspection by the County and/or VDOT.
17. Any physically damaged panels or any portion or debris thereof shall be collected by the solar facility operator and removed from the site or stored on site in a location protected from weather and wildlife and from any contact with ground or water until removal from the site can be arranged. Storage of damaged panels or portions thereof shall not exceed thirty (30) days.
18. The applicant shall submit a Decommissioning Plan to the County for approval in conjunction with the final site plan. At minimum, the Decommissioning Plan shall provide that, upon decommissioning, all physical improvements, materials, and equipment related to the solar facility, both surface and subsurface components, shall be removed in their entirety. The plan for decommissioning shall include recycling to the extent practical of all related improvements including solar collectors, cabling, electrical components, any bases or footers, and other associated items. The soil grade will also be restored following disturbance caused in the removal process. All access roads will be removed, including any geotextile material beneath the roads and granular material, unless otherwise requested by the current landowner.
19. Within twelve (12) months after the cessation of use of the solar facility for electrical power generation or transmission, the Applicant, at its sole cost and expense, shall commence decommissioning of the solar facility in accordance with the Decommissioning Plan approved by the County. If the Applicant fails to decommission the solar facility within twenty-four (24) months, then the County may, but is not required to, commence decommissioning activities per Condition 21 below. Upon completion of decommissioning and approval by the County, the County shall sign documentation releasing the Decommissioning Security.
20. The Applicant shall provide a bank letter of credit, surety bond, or other form of security (the "Decommissioning Security") as a means of assuring payment of decommissioning costs in an amount reasonably acceptable to the Zoning Administrator and in a form reasonably acceptable to the County Attorney. The Decommissioning Security for the facility shall be posted prior to Commercial Operation Date. As used in these conditions, the term "Commercial Operation Date" means the date upon which the Applicant first transmits test electricity generated from the Project to an electrical substation or otherwise transmits or distributes electricity generated from the Project to the power grid. The Decommissioning Security shall include language that failure to renew the current commitment, or provide a new guarantor acceptable to the County, at least ninety (90) days prior to the termination date of the current commitment, will constitute an event of default. If the County receives notice that any form

of security has been revoked and Applicant fails to reestablish adequate Decommissioning Security in compliance with this Condition within thirty (30) days after receipt of written notice of such revocation from the County or financial institution providing the letter of credit or surety bond, the County may revoke the Special Exception and shall be entitled to take all action to obtain the rights to the form of security. The Applicant shall reimburse the County's reasonable costs for an independent review and analysis by a licensed engineer of the initial decommissioning cost estimates. The Applicant will update the decommissioning costs estimate every five (5) years and reimburse the County's reasonable costs for an independent review and analysis by a licensed engineer of each decommissioning cost estimate revision.

21. If the Applicant or the property owners fail to timely decommission the solar facility, the County shall have the right, but not the obligation, to commence decommissioning activities and shall have access to the property, access to the full amount of the Decommissioning Security, and the right to dispose of the solar facilities, equipment and materials on the property, without incurring any financial liability to the owner of the solar facility or the property owner, and without obligation for the County to secure salvage value (if any) for the property disposed of. If applicable, any excess decommissioning security funds shall be returned to the designated party identified in the decommissioning surety.
22. The County may enter the Project Site in accordance with *Code of Virginia* Section §15.2-2241.2. Nothing herein shall limit other rights or remedies that may be available to the County to enforce the obligations of the Applicant, including under the County's zoning powers.
23. The applicant, and if different than the applicant, the facility owner and/or operator, shall provide the substantial cash payments set forth in this condition for substantial public improvements, the need for which is not generated solely by the granting of this permit, so long as such conditions are reasonably related to the solar facility that is the subject of this permit. The applicant and the County acknowledge and agree that the County may identify in future budget years qualifying substantial public improvements that will be funded by these substantial cash payments to be provided by the applicant, facility owner, and/or operator. The substantial cash payments set forth in this condition are in addition to real estate taxes and machinery and tools taxes that the applicant, facility owner, and/or operator must pay on the site and the facility. The substantial cash payments incorporated into this condition are the following three (3) substantial cash payments which total \$50,000.
 - a. The first payment, in the amount of \$12,500 (25% of the total payment), will be due within 75 days of the issuance of this Special Exception.
 - b. The second payment, in the amount of \$12,500 (25% of the total

payment), will be due upon approval of the final site plan for the solar facility.

- c. The third payment, in the amount of \$25,000 (50% of the total payment), will be due on or before the date that is 45 days following the Commencement of Commercial Operation of the solar facility.

The applicant, facility owner, and/or operator shall provide written notice to the Zoning Administrator within ten (10) business days of when the solar facility commences commercial operation. The payment by the applicant, facility owner, and/or operator of all substantial cash payments shall be a condition of this Special Exception. The permit holder, facility owner, and/or operator shall be jointly and severally responsible for the payment of all substantial cash payments required by this condition.

The applicant also agrees to pay \$1,400 per megawatt to be paid annually on each anniversary of the approval date of the Special Exception. The generation capacity shall be measured in alternating current (AC) generation capacity of the facility and the determination of the generation capacity shall be based on submissions by the facility owners to the interconnecting utility. If the County amends Article XV of the Westmoreland County Code to make the article applicable to solar photovoltaic (electric energy) systems less than five (5) megawatts (and specifically including projects of 4.8 megawatts), then the applicant shall not be required to pay the \$1,400/year set forth in this condition.

E. CASE # 2505-CA-01 – PUBLIC HEARING & Presentation on Proposed amendment to County Code Section 30-2 pertaining to hunting and firearms.

Beth McDowell, Land Use

Ms. McDowell stated that this is a proposed amendment to the county code, section 30-2, which deals with hunting with certain firearms. The proposal is to allow the hunting with rifles under certain conditions, the rifles should be larger than .22 and should be used from an elevated platform of at least 8 feet in the air. She noted that the concern in the past has been that the terrain is so level, so the rifle shots would carry and the provision to be elevated if you fire you would be aiming downward. She then went over the proposed language below.

Ms. McDowell stated that the proposed language has been reviewed by the Planning Commission and they have recommended approval as presented.

After Ms. McDowell's presentation, she asked if the Board had any questions.

Mr. McCormack asked Ms. McDowell if she had received any feedback from the public.

Ms. McDowell answered no.

There was no further discussion and the Chairman opened up the floor for public hearing portion of the meeting for CASE # 2505-CA-01 Presentation on Proposed amendment to County Code Section 30-2 pertaining to hunting and firearms:

Kevin Goldman – Stated he was at the Planning Commission meeting and the issue he had and thought was dangerous was the provision for handicapped people to be able to use the rifles without the 8-foot elevation.

Ms. McDowell stated that there isn't anything in the county code about that but it is something that is allowed by the state and it is a special permit through DWR.

Mr. Stuart stated that it was also his understanding, rather than the county trying to figure that out, DWR handles that.

Let the record show, that no one else came to the podium to speak and the Chairman closed the public hearing portion of the meeting for CASE # 2505-CA-01 Presentation on Proposed amendment to County Code Section 30-2 pertaining to hunting and firearms.

With no further discussion, upon motion by Mr. McCormack, seconded by Mr. Hynson, carried unanimously with Mr. Trivett, Mr. McCormack, Mr. Hynson, and Chairman Fisher voted "aye". The Board approved CASE # 2505-CA-01 on the proposed amendment to County Code Section 30-2 pertaining to hunting and firearms as presented.

*** Memo on Next Page***



Westmoreland County, Virginia
LAND USE ADMINISTRATION

Building Official
Zoning Official
Planning Commission
Board of Zoning Appeals
Board of Building Appeals
Wetlands Board

P.O. Box 1000

Montross, VA 22520

(804) 493-0120

MEMORANDUM

To: Westmoreland County Board of Supervisors

From: Beth McDowell, *Planning Director*

Date: May 6, 2025

Subject: Consideration of amendment of County Code Section 30-2 pertaining to hunting prohibitions and rifles

The Board of Supervisors have been discussing possible changes to the County Code related to the use of rifles within the County. Currently, deer hunters may only use shotguns during the regular firearms hunting season. Under consideration is amended text that would allow hunting with rifles of a caliber larger than .22 under certain circumstances. Those circumstances are limited to hunting from elevated platforms (such as tree stands) of 8 feet or higher from the ground and the ground level use of the weapon only to dispose of animals injured by the allowed elevated use.

Hunting with rifles was previously not permissible in the County due to the relatively flat topography and the longer distances that a rifle shot can travel. By allowing rifle use on an elevated platform, the trajectory of the cartridge will be directed downward and quickly enter the ground if the target is missed.

The Board considered also allowing pistols of a caliber .23 or larger, as mentioned in the advertising, but did later agree to omit pistols from the proposed language.

CURRENTLY ADOPTED CODE:

Sec. 30-2. - Hunting prohibitions; exceptions.

A. Definitions.

The definitions for words used in this section shall be those which are contained in Code of Virginia, §29.1-100.

B. Prohibited acts.

It shall be unlawful for any person to hunt wild birds or game species in the county with a shotgun loaded with slugs or a muzzle-loading rifle other than during the prescribed open seasons for the hunting of big game species or with a rifle of a caliber larger than 0.22 caliber. Any person who violates this section shall be guilty of a class 3 misdemeanor.

(Code 1988, § 11-2; Ord. of 4-12-1999; Ord. of 12-13-1999(1); Ord. of 3-12-2012)
State Law reference—Authority to adopt weapons restrictions, Code of Virginia, § 29.1-528.

PROPOSED LANGUAGE:

Sec. 30-2 Hunting with Certain Firearms Prohibited/Limited.

- A. The definitions used in this section shall be those which are contained in the VA Code.
- B. As provided for in VA Code § 29.1-528, the following activities are allowed:
 - 1. During the special two-week season set aside for that purpose, rifles which are muzzle-loading may be used to hunt and kill deer, provided that such use shall comply with all applicable state and local laws and regulations.
 - 2. Rifles of .23 caliber or larger with a maximum magazine capacity of five (5) rounds may be used to hunt deer during the firearms deer season provided the hunter is in an elevated stand at least 8 feet above ground level and has first obtained written permission from the landowner. The rifle may have a round in its chamber only when it is on the elevated stand, except such weapon may be discharged on the ground when necessary to dispatch deer wounded from the elevated platform.
 - 3. Rifles larger than .22 will be allowed to hunt groundhogs and coyotes outside of the general firearms deer season.
 - 4. Muzzleloaders shall be legal firearms during any firearms season.

Sec. 30-2.1 Penalty.

- A. Any person violating any provision of this chapter for which no specific penalty is prescribed shall be subject to Section 4 of this code of ordinances.
- B. The violation of § 30-2 shall be a Class 3 misdemeanor.

F. CASE#2404-SE-03 Blue Iris Commercial Investments LLC. PO Box 711 King George VA 22485 Applicant Eileen Kim PO Box 711 King George VA 22485 request a special exception for additional buildings on the self-storage facility.

Ms. McDowell gave a presentation on the special exception. She stated a year ago, they came before the Board and asked for a special exception to expand the eagle storage on Kings High Way, which was approved. They are currently trying to permit that project and at the time of the special exception they underestimated the size of the structures. She stated the applicant thought that it would be 14 feet wide but they are actually close to 16 feet. They are asking to amend the previously approved special exception. Ms. McDowell then showed the applicant the current site plan.

Chairman Fisher asked if a public hearing is necessary and if they can just move forward.

Ms. McDowell stated that it is a small change and is just an amendment to a previous approval.

Mr. Stuart felt that it was incorrect and that a public hearing is needed if you are changing the previously approved special exception.

Chairman Fisher asked what the time constraint was.

Ms. McDowell stated if they need to re-advertise they can get it back before the Board next month and the applicants have been waiting a long time.

Let the record show that Mr. Ingram arrived at the meeting.

The Chairman stated so they can be sure they have it right, it would be in their best interest to re-advertise with that change. He noted they tend to follow what council says and if he believes in making that change they would need to re-advertise, it is what's needed and they have the authority to waive fees for them to come back.

Mr. Taylor asked if the case has to come before the Planning Commission again.

Ms. McDowell stated that it could if it needed to, it isn't a substantial change to what was originally reviewed.

Mr. Taylor stated they want to do the right thing in terms of the process and he did speak with the owner and it sounded like a small technical adjustment and the total change in the project was 10 feet. Mr. Taylor felt that it was a minor change and at the last meeting the Board did bring a case back up and made a technical adjustment but that was for a special events permit, which is different than a special exception.

Mr. Stuart stated that he apologized that he didn't have the documents for the meeting beforehand but he is confident that under Virginia law, you must have a public hearing to amend a special exception. A special permit that was done for the racetrack is a creature of county code and is something the board requires to give special permits for certain things. A special exception is created by Virginia law and if you are going to change it you have to have a public hearing because you have to have a public hearing to get a special exception. He noted if you are going to amend it, there is a provision concerning certain things that says if you are not changing the use or the density then there can be administrative changes and you cannot argue that you are aren't changing the density because you are covering additional area that the board wanted certain widths of 3 ways. If you approved it tonight it could be invalid and if it was challenged by a neighbor they may have to tear it up. Mr. Stuart encouraged the Board to follow the statutory process which is starting with the Planning Commission and then coming back before the Board and having a public hearing at each.

One of the applicants came to the podium and stated that Mr. Stuart just said under Virginia law to make a change to the special exception you have to have a hearing. He asked the Board to look at Action item 7C, that is a special exception as well and the board approved the extension for 3 years.

Mr. Stuart stated that he said the same thing when that case was being heard too.

Ms. McDowell stated that there is a special provision for solar facilities in the state code.

The applicant stated that it doesn't say that it just says special exception permit, he stated that it is only a 5 ½ difference on each building. They have been waiting for 1 ½ years on a gravel layer and put metal containers on. He asked the Board to approve this, they have been through this with the neighbors and they have no issue, there is no substantial change in the plan, everything has been updated, runoff on water management, everything has been done, and all drawings have been corrected.

The applicant couldn't understand why the board would approve the special exception earlier in the meeting without a public hearing and not approve his. He would like to see it in writing.

Chairman Fisher stated that once a precedent is set on not following the rule, the rule never comes back, however small. If later down the road there is a larger item then they have already disregarded what they believe. The Chairman agreed with Mr. Stuart and stated that it would hold true if they were going to make a substantial change, even though this one seemed small. It is a change from what was originally approved that went through the process. The Chairman stated that there is a provision for solar farms that was sent to the Board during that time to extend the time because they couldn't meet the time constraints in most cases. He felt that this case needs to be re-advertised taken back through the Planning Commission and brought back to the Board for action, it should be approved they just have to do it the right way.

Mr. Hynson felt that it was ridiculous to have to go through the whole process again for the few inches they are talking about but if the County Attorney tells you that it needs to go through the process again, you listen. Mr. Hynson stated that he makes mistakes but if you are voting on a mistake, it isn't an accident. Mr. Hynson told the applicant that he understood their frustration but if you give inches now, it could be miles tomorrow.

Mr. Ingram is aware that they are only talking about 12 inches or so and the applicant has been trying to get the project going for a while and there is rules and procedures that they need to go by but he wanted to know if there is

anything they can do to speed the process up and make it more streamline for the applicant.

Ms. McDowell stated that she will advertise this coming Friday for the Board of Supervisors meeting in June and is already done advertising for the Planning Commission but can run it late.

Chairman Fisher asked how long it has to be advertised in the newspaper.

Ms. McDowell stated it has to be in the paper for 2 weeks and at least 5 days prior to the meeting.

Chairman Fisher didn't see a way to make the timeline any shorter for the applicant and they wouldn't be able to hear the case again until the June meeting.

Mr. Ingram asked if it would be possible to do a continuation of this meeting.

Chairman Fisher stated the time frame still wouldn't work in order to get it to the Planning Commission and back before the Board, he then asked if they could do a conjoined meeting with the Planning Commission.

Ms. McDowell stated that you could do a conjoined meeting but it would only gain a week at most due to advertising being a 3-week process and the deadline for advertising to make this week's paper was this morning. She noted that they have to wait until next week to get it in the newspaper.

The Chairman asked the applicant if they could streamline the process by one week if that would make a difference.

Eileen Kim, applicant came to the podium to speak and she stated that they are trying to put 24 portable buildings, no concrete, just on gravel. They have been waiting for 1 ½ years and spending a lot of money on the engineer and have done everything legally. She is paying \$7,000 in real estate taxes and she was hoping that Board would help them. She hoped the board would consider their situation and have to go through the process again. They only have one neighbor and she doesn't understand why it's taking so long and why they have to go through the process again for only a few inches change. She stated that there is another storage facility and they bought the portable units at the same time and

place they did and they put it in without any hearing or permit. She has a property in 4 different counties and has never had this many issues in any other county. She noted that is a small error and everything has been updated and asked them to reconsider.

Mr. Stuart explained again that there are provisions that if there are minor changes zoning administrator can do it on their own but if it comes before the board it is deemed a major modification and it has to go through the process again, it is the law.

Mr. Taylor asked if the applicant can get started for what has been approved with the footprint that's already been established and then come back through the process for an additional building so it can be considered at that time.

Ms. McDowell stated that they can get started with the land disturbing potentially, however that has already been done.

Mr. Ingram wanted to know what determines a minor and major change, if certain things can be changed in the zoning office, can they let them review the case again and see if Ms. McDowell can make that change without the applicant having to go through the whole process again?

Mr. Stuart stated when it was adopted there were certain conditions and there would have been something in there that said it has to be completed in substantial performance or something beyond those lines, as the zoning administrator, she has the authority to determine if something is a minor or major modification. Mr. Stuart was concerned that if the Board acted on this to approve, they would be violating Virginia law, and if it is denied due to it not being done properly and according to the law when you deny something the applicant would have to wait 1 year or they would have to substantially change the application. Mr. Stuart suggested that the board would refer this case back to Ms. McDowell for her review to determine whether or not she believed that it would be a minor or major modification and go from there.

Eileen Kim came to the podium again and stated that Mr. Stuart's son at the zoning office told her all you had to do was to call the site engineer and change

the number and you don't have to be in a hearing and that it would be okay. She noted that it was her fault that the wrong footage was put on the initial plan 1 year ago due to her dealing with family issues.

The Chairman stated that the Board will have to make a decision whether or not they will have to follow what the procedures are and what the law says or just make an exception. Chairman Fisher didn't feel comfortable going around established procedures due to it coming to haunt them down the road and they want to help the applicant as much as they can. He stated that their process may be cumbersome but by the applicants' admission, there was a miscalculation. He noted that Ms. McDowell brought it back to the Board for a reason and they have to go back through the steps to get it right. It is for the protection of the applicant and the Board due to them having other cases down the road and they will remind the board of what was done in the past.

The Chairman apologized to the applicant and stated that everyone on the Board wants to help they have to do things right and not everything can be fixed instantaneously.

Upon Motion by Mr. Ingram, seconded by Mr. McCormack, carried unanimously with Mr. Trivett, Mr. Ingram, Mr. McCormack, Mr. Hynson, and Chairman Fisher vote "aye" to defer the case back to the Building and Zoning office for review by the Director.

The Chairman explained the motion and what would happen next to the applicant and stated once the Director reviews the case she can determine if the case must go through the process again, and will take the necessary action to move it forward.



**Westmoreland County, Virginia
LAND USE ADMINISTRATION**

Building Official
Zoning Official
Planning Commission
Board of Zoning Appeals
Board of Building Appeals
Wetlands Board

P.O. Box 1000

Montross, VA 22620

(804) 493-0120

MEMORANDUM

To: Westmoreland County Board of Supervisors

From: Beth McDowell, *Planning Director*

Date: May 8, 2025

Subject: Consideration of amendment of previously approved Special Exception for Blue Iris Commercial Investment (d.b.a. Eagle Storage), Case # 2404-SE-03

The Board of Supervisors previously approved the approved-referenced Special Exception in April 2024 for the expansion of Eagle Storage on Kings Highway by adding additional storage units. During the permit application process, it has been discovered that the storage units are slightly larger than was anticipated. At this time, the applicant is asking to amend the Special Exception to reflect the proposed size of the structures. A revised site plan has been provided showing the corrected dimensions.



Westmoreland County, Virginia
LAND USE ADMINISTRATION
PO Box 1000
Montross, VA 22520
804-493-0120

Building Official
Zoning Official
Planning Commission
Board of Zoning Appeals
Board of Building Appeals
Weedlands Board

Special Exception
Staff Report

<u>Date:</u>	April 2, 2024
<u>From:</u>	Beth McDowell, Planning Director
<u>Case #:</u>	#2404-SE-03
<u>Site Address:</u>	7218 Kings Highway (DBA Eagle Storage)
<u>Site Location:</u>	near Flat Iron Road intersection
<u>Magisterial District:</u>	Washington Magisterial District
<u>Site Tax Map:</u>	19-43
<u>Owner/Applicant:</u>	Blus Iris Commercial Investment LLC
<u>Site Property Size:</u>	9.97 acres
<u>Site Zoning District:</u>	B-1 General Business
<u>Utilities:</u>	private well & septic
<u>Authority:</u>	10-3.12 Special Exception Permit
<u>Project Description:</u>	Request for Special Exception expansion for additional storage capacity at existing self-storage facility
<u>Planning Commission:</u>	<i>At their April 1, 2024 meeting, the Planning Commission unanimously recommended approval of this application with the recommended conditions.</i>
<u>Board of Supervisors:</u>	Monday, April 8, 2024 (6:00 p.m., English building)

FINDING OF FACTS

Project Description:

The property is commercially zoned and located on Route 3 near Flat Iron; the business is currently known as Eagle Self Storage. The land is developed with an existing self-storage facility consisting of nine separate storage structures, as well as an office, a tool shed, and a private garage. Phase I of the conceptual plan shows three additional storage buildings of 14'x80' dimensions to be located in the cleared area nearest Route 3. These storage buildings are intended to consist of the assembly of portable modular units of 7'x20' each, with a height slightly less than 8 feet.

Additionally, the conceptual plan shows the future development of a 30'x90' RV shelter for the storage of approximately eight (8) recreational vehicles and/or the creation of a gravel area

Blue Iris 2404-SE-03

Page 1 of 5

toward the rear of the lot to store RVs. The three proposed buildings would add 3,360 square feet and the RV shelter would be another 2,700 square feet of enclosed area. The proposed total cleared area for RV parking is a maximum of 1 acre.

Following discussion at the Planning Commission work session, the applicants submitted a revised conceptual plan showing the first two phases as described above, as well as a Phase III future use area of approximately 0.895 acres to the south of the office building. This area is denoted as being for parking of vehicles and/or additional portable units, but specific building numbers or dimensions have not been submitted for Phase III. In this case, expansion could occur as the market demands and as feasible subject to buffering requirements, stormwater management regulations, and applicable setbacks, etc. as required for construction permits.

One concern related to Phase III is that this area includes the location of the existing drainfield and existing well; staff has suggested several conditions to ensure that these features are protected from potential damage.

Need for Board Action & History of Past Actions:

Self-storage facilities require Special Exception approval on B-1 zoned properties. On February 13, 2006, the Westmoreland County Board of Supervisors approved the rezoning of the property from A-1 to B-1, as well as a Special Exception for self-storage units on this parcel for McDaniel & Son Homebuilders. The SE approval included several conditions, including limiting the amount of storage to approximately 8,400 square feet of storage area and the retention of a 150-foot deep forested buffer along Route 3.

Later in 2006, McDaniel built an office building and two storage units, equal to roughly half of the allowed storage building area. A new owner purchased the property in 2018 and completed construction of the approved amount of self-storage area, resulting in four storage buildings. In 2021, that same owner was granted and executed a second Special Exception for five additional buildings, adding another 8,400 square feet of storage area.

At this time, all previously approved capacity has been constructed, and the landowner wishes to again increase the storage capacity of the property. Additional storage area necessitates a new Special Exception review and approval.

Surrounding Zoning and Development:

Most of the surrounding properties are large tracts of agriculturally-zoned forestland or farmland. To the east along Route 3 there are several low-density residential lots, as well as several other businesses, including Morris Garage.

Water/Sanitary System:

The property has an existing septic system and well. Staff doesn't anticipate an increase in demand or usage of these facilities due to the proposed expansion of the storage use.

Transportation:

A commercial entrance was installed and accepted when the initial structures were built. The Virginia Department of Transportation (VDOT) doesn't estimate a significant increase in daily traffic for additional storage units, but they could review the future site plan upon the County's request.

Comprehensive Plan Considerations:

This property has been designated as Rural Lands in the County's Comprehensive Plan. "Rural Lands are intended to retain their existing character as much as possible. That is, they will remain primarily for agricultural or forestland use, but also with some areas of residential, commercial, institutional, and industrial uses... Scattered and isolated commercial uses are expected within the rural lands. Most businesses will be related to the natural resources of the area, or are small secondary businesses to help support the farmers and other rural residents.

The rural lands will also have scattered industrial uses... Future industrial uses in the rural lands may also include those which are not resource related, but may be difficult to site in the towns or the other designated growth areas."

Landscaping and Screening:

The original Board approval required that a minimum of 150 feet of forestry was to be maintained between the development and Route 3 to serve as a visual buffer. This forested area was to be on the subject property and not in the VDOT right-of-way and/or its adjacent utility easement. This condition for a forested buffer was carried over as a recommendation for the second project. However, measurements using aerial photos suggest that it has been reduced to roughly 120 feet.

Additionally, a cursory review of the conceptual plan and the location of existing structures indicates that it is likely impossible to retain a full 150 feet forested buffer and install the proposed 80 foot long structures. One or possibly two similar-sized structures parallel to the road could be accommodated, but not three that are perpendicular to the roadway.

The question to be (re)considered is how deep of a forested buffer is appropriate and reasonable for this site. This property currently has the widest required buffer of any self-storage facility in the County, to staff's knowledge. The Zoning Ordinance typically requires an average width of 30 foot of landscaping along a right-of-way for commercial/industrial development. However, the Comprehensive Plan recommends a 100-foot wooded buffer along primary roads such as Route 3 in order to retain the rural aesthetic of the County, provide stormwater management benefits, and to preserve an undeveloped area for future walking/biking pathways. Please note that recently Route 3 was widened to four lanes in this specific area, however VDOT already had

most of the necessary right-of-way area due to a relocation of the roadway many years ago and this buffer suffered little impact from that project.

At the time of the writing of this report, staff is recommending the retention of a forested buffer of at least 100 feet between the right-of-way and/or easements and the clearing for the development.

RECOMMENDATION

We believe that this request for a Special Exception for an expansion of the self-storage facility has merit, with the suggested conditions listed below.

Should the Board consider approval of the request, staff recommends the following conditions:

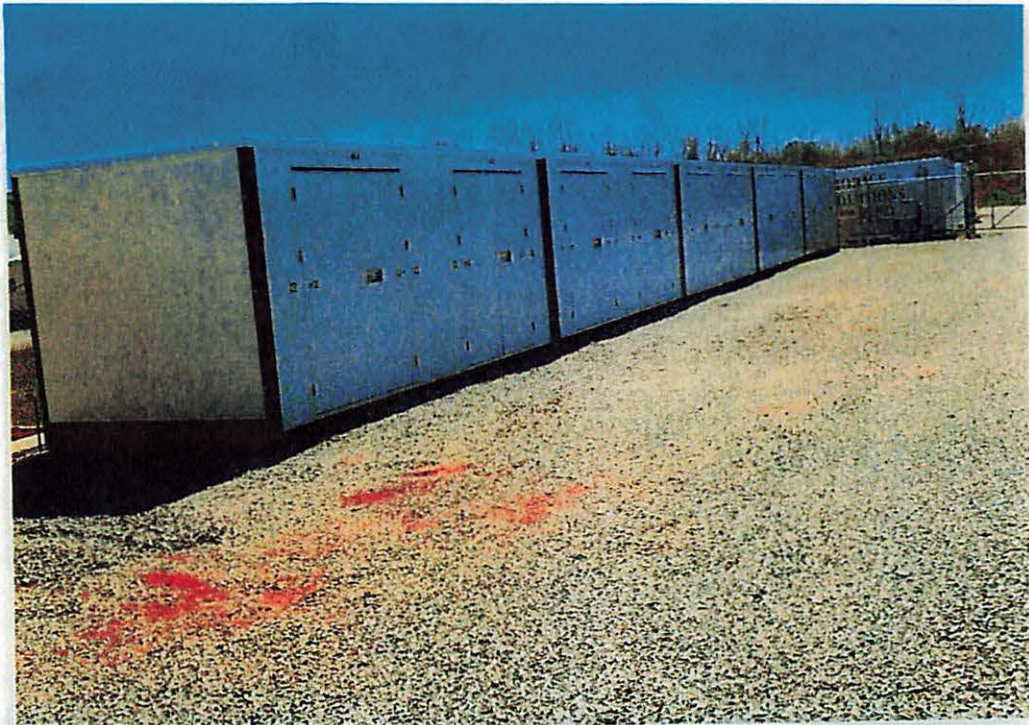
1. The location and conditions of the Special Exemption shall be in general conformance to the Conceptual Plan 3 presented with this application. All structures shall be at least 20 feet away from the septic tank, drainfield area, and well, which shall be protected by fencing, bollards, or similar to prevent damage from vehicle traffic.
2. A minimum of 100 feet of forestry shall be maintained between the cleared land of the development and the right-of-way for Route 3 and/or any adjacent utility easement.
3. A 25-foot buffer of vegetated transitional screening shall be maintained from all adjacent lands in accordance with Zoning Ordinance Article 6-7.5(1), excluding Kings Highway which shall maintain at least 100 feet of vegetation.
4. Outdoor storage of recreational vehicles, boats including their trailers, motor vehicles, or similar may occur in the areas designated as 'Phase II' and 'Phase III' on the conceptual plan, subject to all applicable codes including permitting, screening, and stormwater management capacity. The servicing and repair of any vehicle shall not be permitted on this site, beyond minor work necessary to keep the vehicle operational. No vehicles shall be parked closer than 25 feet from the well to prevent contamination, likewise no asphalt shall be installed within 25 feet of the well.
5. The site development shall be completed and all buildings shall obtain their Certificate of Occupancy within five (5) years. Up to an additional five-year extension may be approved by the Zoning Administrator upon request and review. Development not granted a permit or approved for occupancy within that timeframe shall be voided from the approved plan.
6. All outdoor storage, waste disposal, and recycling facilities shall be screened with an opaque fence and/or landscape.
7. All exterior light shall be shielded from abutting properties and directed into the site. Extra safety measures shall be taken to assure that no lighting shall interfere with the vehicular traffic on any public right-of-way.

8. All storage buildings shall be at least twenty (20) feet apart to accommodate a fire lane, as well as loading and unloading at individual cubicles. Adequate turning radiuses shall be provided, where appropriate, for a thirty-foot long single unit truck or moving van.
9. The total impervious cover of this property, including all driveways, travel lanes, structures, etc., shall not exceed 60% of the total lot area in accordance with Zoning Ordinance Article 3-1.10 B(1)(b).
10. In accordance with the provision of Article 10-3.12 (11) of the Westmoreland County Zoning Ordinance, construction activity related to this use shall begin within 365 days of the approval of this Special Exception by the Board of Supervisors. Prior to the start of the construction activity, zoning and/or building approval must be sought and granted.
11. Any expansion of this use beyond the terms provided herein shall require amendment to this Special Exception approval. No additional or future development will be permitted on the property except in compliance with all the applicable codes.
12. This Special Exception and all conditions listed herein shall run with the land but may be revoked by the County of Westmoreland or its designated agent for failure by the applicant or its assigns to comply with any of the listed conditions or any provision of Federal, State or Local regulations that are specifically applicable to this use.

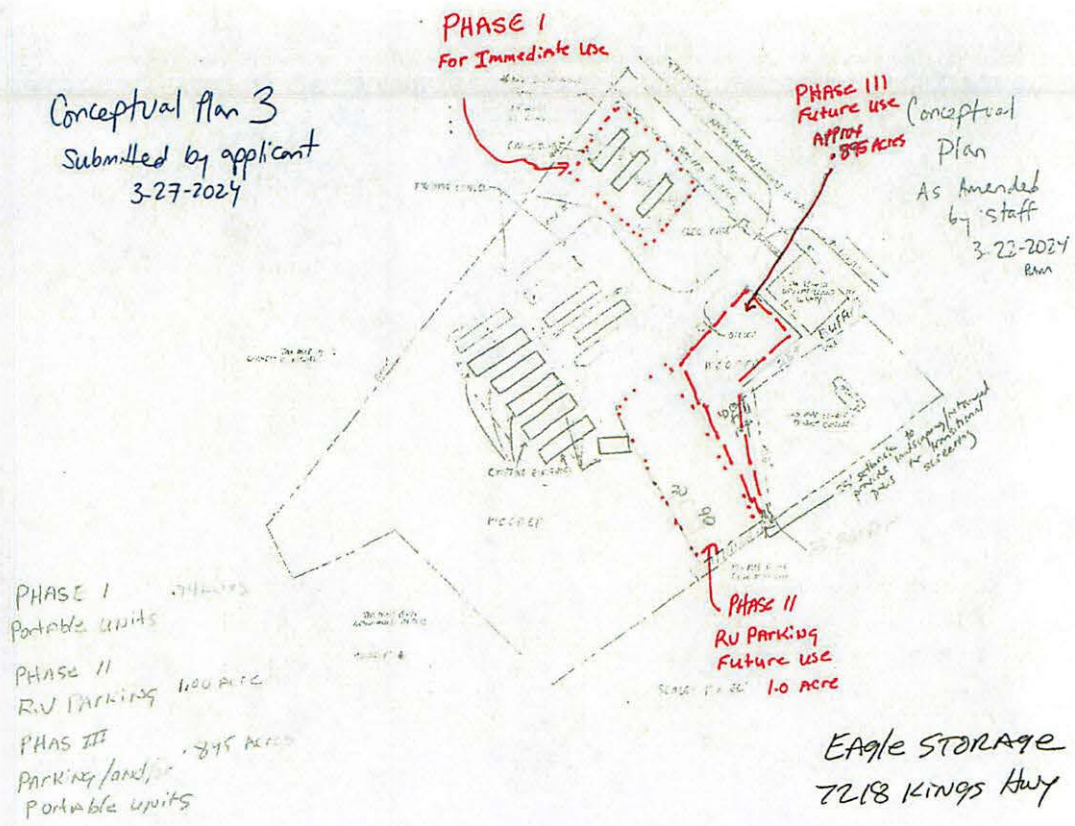
Attachments:

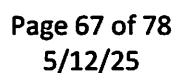
Application
Aerial photo of lot and surrounding area
Conceptual Plan 3, submitted March 27, 2024
Plat, drawn by Edward Holsinger, dated October 18, 2005
Photos (2) of intended portable storage units, pictures taken by applicant at storage facility in Northumberland County





Conceptual Plan 3
Submitted by applicant
3-27-2024





G. Appointments to Commissions

i. Planning Commission- District 4

The Chairman asked Mr. Hynson asked if there was a representative to be nominated from District 4.

Mr. Hynson stated that he does not have a nomination for the Planning Commission for District 4 at this time.

ii. Board of Zoning Appeals- District 4

The Chairman asked Mr. Hynson if there is a representative to be nominated from District 4.

Mr. Hynson stated that he does have a nomination for the Zoning Appeals Board for District 4 and it is James McConkie.

Upon motion by Mr. Hynson, seconded by Mr. Ingram, and carried unanimously, Mr. Trivett, Mr. Ingram, Mr. Hynson, Mr. McCormack, and the Chairman voted “aye”. The Board approved the nomination of James McConkie to the Zoning Appeals Board for District 4.

ii. Wetland Board- District 4

The Chairman asked Mr. Hynson if there was a representative to be nominated from District 4.

Mr. Hynson stated that he does have a nomination for the Wetlands Board for District 4 and it is Elgin Niningner.

Upon motion by Mr. Hynson, seconded by Mr. Ingram, and carried unanimously, Mr. Trivett, Mr. Ingram, Mr. Hynson, Mr. McCormack, and the Chairman voted “aye”. The Board approved the nomination of Elgin Niningner to the Wetlands Board for District 4.

8. PUBLIC COMMENT

Chairman Fisher stated that they are now at the Public Comment portion of the meeting, where they will hear from the public present. He asked whoever would like to come to the podium to state their name for the record and proceed to address the Board. Below is who spoke during Public Comment.

Richard Wilkins - Mr. Wilkins read a quote that said, "Light travels faster than sound, this is why some people appear bright until you hear them speak." Mr. Wilkins asked the county to get money back from Republic Services, he noticed in the budget that there was a savings from them.

Mr. Taylor stated that they are realizing savings in the current year which will carry on to next year as well. The issue was discovered and addressed due to that the county is saving money. They're controlling the charges against the county for people bringing their trash to the transfer station.

Mr. Wilkins then stated that the Board controls the purse strings of the school board and a few years ago they had their 50th class reunion at the old W & L High School and there were a lot of trophies and plaques left behind. Mr. Wilkins felt that they should be displayed as history and accomplishments of the students and they shouldn't be forgotten, they need to be displayed somewhere. He noted that they could put them in the first part of the old high school as history. Mr. Wilkins then read a message from Larry Hinson about the Cople Elementary School building being in bad shape and spoke about a nuisance law 48.1 that needs to be applied and also for the Board to not let any more solar farms be approved in the county. Mr. Wilkins would rather it be called a solar facility due to them not producing anything for human consumption. He then read another quote that said "A fine is a tax for doing wrong and a tax is a fine for doing well."

James Hall - Mr. Hall stated that Chairman Fisher stated that hazardous materials is ongoing, 1962 by Kennedy, police officers week is still being celebrated, trash clean up continues, historical sites are being renovated Parks and Recreation's futures, encouraging young people to get involved, and if it isn't seen it doesn't exist. He stated that the old town dump started in 1920 by Westmoreland County and closed by the

EPA in 1975, and nothing has been done to it since. He noted that it is a federal crime scene now and due to that federal laws, clean and air act, the Wilderness Act, the Wild and Scenic River Act, and Earth Day are being violated. He stated that he has been complaining about the dump for 30 months to the board and the town of Colonial Beach, they have sold the land to a private individual and in that contract, he isn't responsible for any cleanup. He was asked by the federal government to ask the Board whoever applied for any assistance to the state and the federal level. It is 20 acres, a mile of shoreline. He then showed a picture of where the dump is located and what areas are contaminated. He stated that it is contaminated with petroleum, cleaning products, cars, tires, propane, etc. He noted that the older generation calls it appliance hill, 30 feet high of appliances and you can only get back there by a small boat or a canoe. The hazards continue to get into the water. He would like the name of the person who applied for state and federal assistance to get the dump cleaned up and stated that the 4 laws that he previously mentioned established funds to help people clean up things like this and is available but the county has to act on it.

Mr. Hall asked Mr. Stuart if he had any other information and he didn't want to start a lawsuit but it is in his rights to do that. The James Monroe house is right next to the old town dump, it is a 105-year-old dump that was never sanctioned as one and was never closed properly and left abandoned.

Mr. Stuart stated since Mr. Hall is threatening litigation he urged the Board to not respond. He had DEQ down there some time ago to try to evaluate what could be done and if there is money available to clean it up and he was advised that there isn't but if Mr. Hall has specific information or funds that might be available he is happy to inquire. Mr. Hall stated that he does have that information but only when the county starts a paper trail and when that will get done.

Mr. Stuart stated again if Mr. Hall had the information he would be happy to inquire. Mr. Hall asked if anyone inquired before and Mr. Stuart stated that he had DEQ go out there.

Chairman Fisher stated in the public comment period they don't get into a questions and answer but the information that was relayed, if he would send the information to

them they will follow up. He noted that this issue isn't new and they have explored several avenues that have gone unnoticed but have been reviewed.

Mr. Hall wanted to know what has been done.

Chairman Fisher stated that he would get county administration to provide him with a list of the time, dates, and what was done.

Heather Fanning - She lives on Pomona Road and she came before the board to speak about her house that will be affected by the solar facility that was just approved. She then gave a brief presentation below and went through each slide. She showed a picture of the property of when it was logged and stated that you can still see the cleared area with the buffer they just approved. She stated that she wasn't angry she is disappointed. She has sent a lot of information about the project and then gave them nothing more than what land use office gave them, which she believed was 25 feet. She stated if you look at what was submitted by the land use office it is 25 feet and the picture Ms. Fanning showed was 75 feet and you can still see everything and when she walks out her front door all she will see is those panels. She then went over the history of the home. She stated that all of the history of the home should have been considered and the view shed of the property has been destroyed. She reviewed the definition of a special exception and then gave an example from Fauquier County and her issues with the solar policy that was approved on April 28th, 2025. Her next slide was about different industries' definitions of utility-scale solar projects that vary widely. She then went over how the focus should be shifted to residential use vs commercial/ industrial use. Her last slide was regarding public notice and stated that she received no notice about the project for the Planning Commission meeting and wanted to know why the public is kept in the dark. She stated when they moved here they bought the property and wanted to be good stewards for the property and it is going to be hard for them and the new owners.

Archibald Campbell came from a distinguished and learned Scottish family—his nephew, Thomas Campbell, became one of Britain's greatest poets.

POMONA IS A DOCUMENTED
HISTORIC HOME



POMONA

Pomona was built by Reverend Archibald Campbell around 1775. He purchased the property it sits on in 1766.

Pomona's floor plan utilizes a combination of side and center-hall construction. The two steel support rods that run between the ceiling of the first floor, and the floor of the second floor have steel stars on both ends outside the house.

There have been some changes to the house since it was originally built. It is 10 ft. x 10 ft.

[illegible]

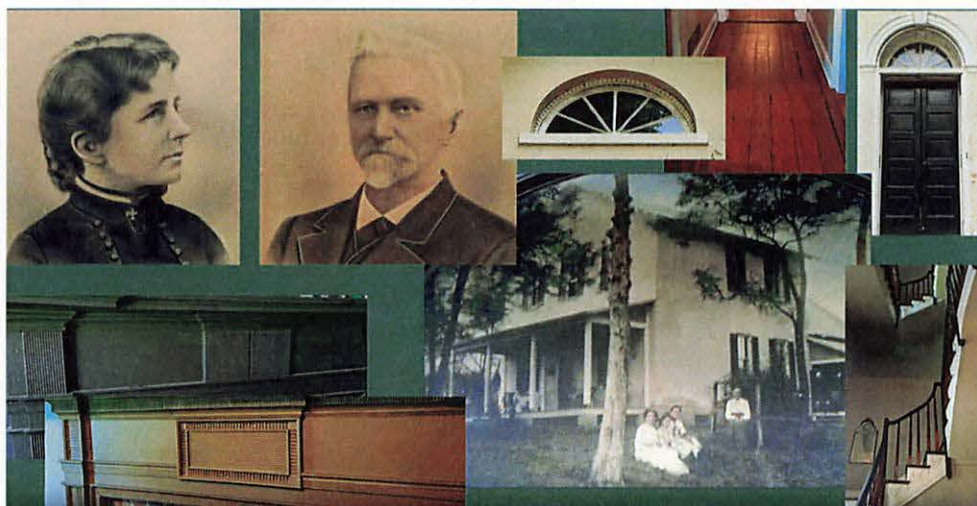
- Page 72 of 78
5/12/25



POMONA

- Rev. Archibald Campbell acquired the property in 1760; built home shortly thereafter. Original land patented by John and Thomas Bowcock in 1666
- Unusual floor plan – combination of side- and center-hall plans
- Interesting mantels with reeded and herringbone elements in a Westmoreland style
- Brick construction, horsehair plaster walls, heart of pine floors, cross window stairs
- Five fireplaces including corner fireplace; two remaining functional chimneys
- Foundation walls laid in English bond suggesting an earlier home dating to 1736

POMONA
FEATURED IN NEWS
ARTICLES AND
HISTORIC HOMES
TOURS



A SPECIAL EXCEPTION IS BEING SOUGHT FOR A SOLAR FACILITY ON POMONA ROAD WHICH WILL, AS CURRENTLY DESIGNED, SUBSTANTIALLY NEGATIVELY ALTER THE VIEWSHED FROM THE HISTORIC PROPERTY, POMONA. THE PROJECT WILL ALSO ADVERSELY AFFECT THE VALUE AND ENJOYMENT OF RESIDENTIAL PROPERTIES NEAR THE PROJECT AREA. THE PROJECT LAND IS ZONED A-1 WHICH DOES NOT ALLOW SOLAR FACILITIES.

A SPECIAL EXCEPTION IS A PERMIT FOR A USE OR STRUCTURE THAT IS NOT ALLOWED AS A MATTER OF RIGHT, BUT MAY BE PERMITTED, IF CERTAIN STANDARDS DEFINED IN THE ZONING ORDINANCE ARE MET. A SPECIAL EXCEPTION USE IS ONE THAT MAY BE APPROPRIATE IN CERTAIN SITE LOCATIONS BUT NOT IN ALL LOCATIONS; THUS, REVIEW IS MADE ON A CASE-BY-CASE BASIS TO ENSURE THE SURROUNDING AREA AND WIDER COMMUNITY ARE NOT ADVERSELY AFFECTED BY THE USE.

<https://www.fauquiercounty.gov/government/departments-a-g/community-development/planning/current-planning/special-exceptions>

PROBLEMS WITH THE WESTMORELAND COUNTY SOLAR ENERGY POLICY AS APPROVED ON 4/28/2025



Limited to nonstandard, arbitrary definition of “utility-scale” solar, removing smaller projects from protections



Focus should be on purpose of project – non-residential vs. residential use, not solely project size



Updated public notice requirements need to be addressed



INDUSTRY DEFINITIONS OF “UTILITY-SCALE” SOLAR PROJECTS VARY WIDELY



- US Energy Information Administration (EIA): “most projects designated utility-scale produce 1-5MW, some generate 50MW or greater”
- Solar Energy Industries Association (SEIA): “the most common utility-scale power plant size is between 1-5MW”
- American Clean Power: “utility scale systems are typically defined as upwards of 1MW”
- Some solar companies are categorizing utility-scale projects as those generating “a few megawatts” to 20MW or several hundred megawatts

SHIFT FOCUS TO RESIDENTIAL USE VS. COMMERCIAL / INDUSTRIAL USE

AWAY FROM ACREAGE AND
PROJECTED POWER



Residential use designed “to serve the electricity or thermal needs of that property upon which such facilities are located”



Commercial or industrial use “that is designed to serve, or serves, the electricity or thermal needs of any property other than the property where such facilities are located”

Code of Virginia § 15.2-2288.7. Local regulation of solar facilities



- Publish *Planning Commission* applications and meeting agendas on social media platforms as well as print media and county websites
- Enhanced signage at project sites
- Signage at all likely vantage areas, not merely project address
- Widen the notice area for adjacent property owners

Mike Mills - He invited everyone to the 31st Annual Northern Neck Regional Antique Show at Stan's Skate Land on May 17th, 2025 from 8:00 a.m. to 2:00 p.m. The Hard to Tell band will supply the music and they will have a 50-50 raffle.

Paul Traube - He came before the Board about a property at 485 Wires Wharf Road, there is a house that is falling into the river. He thanked Mr. McCormack and Mr. Taylor for their effort to get the matter resolved after 4 years and the county purchased the property. He noted that he didn't give up and the person who represented his district before Mr. McCormack promised Mr. Traube for years that he would do something but never did. Mr. Traube stated that Chairman Fisher stated at the meeting he originally gave his presentation that he remembered riding his bicycle down the road and seeing an air conditioner almost in the street and now it is gone but the wall is still there. He stated that Mr. Stuart wouldn't let the county purchase the property due to the demo cost being too high. He asked now that the county owns the property what they are planning to do to get it cleaned up. The wall is in the Nomini Creek and is covered in asbestos and lead. He noted that it could have been stopped 4 years ago but it has been ignored. Mr. Traube wanted to know when it will be cleaned up before it gets worse and stated under state law some pertained to this and he would go to the circuit court with 4 other people and ask for a special grand jury to look into this matter, which is his right. Mr. Traube stated that the Board is talking about the 250th anniversary of the county and stated that they need to clean up the county first, anywhere you go some buildings are falling down and the county doesn't have anyone in land use to address that matter.

He noted that they don't even own a condonation sign. He stated that he sent an email that he is starting a citizens group to stand up for their rights and get the county cleaned up.

James Hall - he stated on the same property at the old town dump, there is Native American burial grounds that were covered up with the dumpsite and they deserve more respect than that.

9. CLOSED SESSION Section 2.2-3711.A7 Consultation with legal counsel pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body. For the purposes of this subdivision, "probable litigation" means litigation that has been specifically threatened or on which the public body or its legal counsel has a reasonable basis to believe will be commenced by or against a known party.

With no further discussion, upon motion by Mr. Trivett, seconded by Mr. McCormack, and carried unanimously, the Board moved into closed session.

RECORDING WAS STOPPED, AND THE MEETING MOVED TO CLOSED SESSION

Chairman Fisher asked for a motion to return to Regular Session from Closed Session. Upon motion by Mr. McCormack, seconded by Mr. Hynson, and carried unanimously, the Board returned to Regular Session from Closed Session.

Chairman Fisher then asked for a Certification Motion stating that nothing other than what was listed on the call under Sec 2.2-3711(A)(7) was discussed during the Closed Session, and no action was taken.

Upon motion by Mr. McCormack, seconded by Mr. Hynson, and carried unanimously, Mr. Trivett, Mr. McCormack, Mr. Ingram, Mr. Hynson, and the Chairman voted "aye." The Certification Motion was approved.

10. ADJOURNMENT

Chairman Fisher asked if there was any further business to bring before the board, and then he asked for a motion to adjourn.

With no further business, upon motion by Mr. Trivett, seconded by Mr. McCormack, and carried unanimously, the Board Meeting was adjourned at 9:30 p.m.

The next scheduled meeting is Monday, June 9th, 2025, at 6:00 p.m. in the George D. English, Sr. Memorial Building.

Darryl E. Fisher
Chairman, _____