

**AT A REGULAR MEETING OF THE ROCKBRIDGE COUNTY PLANNING  
COMMISSION HELD ELECTRONICALLY AND, IN THE COUNTY,  
ADMINISTRATIVE OFFICE BUILDING, 150 SOUTH MAIN STREET, LEXINGTON,  
VIRGINIA MAY 12, 2021 AT 7:00 PM.**

**PRESENT: ROBERT LUCAS, MELISSA HENNIS, AND DAVID WHITMORE**

**PRESENT ELECTRONICALLY: LEE MCLAUGHLIN, JR.**

**ABSENT: KIMBERLY HINES**

**SECRETARY: CHRIS SLAYDON**

**STAFF PRESENT ELECTRONICALLY: BRANDY FLINT**

**INPERSON STAFF: CHRIS MUSSO**

**COUNTY ATTORNEY: VICKIE HUFFMAN**

**OTHERS PRESENT: JOSEPH HALLOCK, JIM JONES, AND JAMES  
PANABAKER, MATT PAXTON**

**PRESENT ELECTRONICALLY: SHELLEY PAREKH, PAT HASTINGS,  
DEREK SHEEHAN, SCOTT WILEY, BOB  
BERSACK, JEFFERY SINGLETON**

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Mr. McLaughlin called the meeting at 7:07 pm with a verbal roll call of the Planning Commission members as follows: Mr. Lucas – Present (in person); Ms. Hennis – Present (in person); Ms. Hines – Absent; Mr. Whitmore – Present (in person); Mr. McLaughlin – Present (online).

Mr. McLaughlin then advised that the meeting is being held by electronic means pursuant to the Continuity of Government Ordinance adopted by the Board of Supervisors on April 5, 2021, and then read the procedures for the meeting.

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The second agenda item was Citizens Comments. Mr. McLaughlin stated that the meeting would proceed with Citizen Comments. He indicated that, in addition to participating by Zoom or telephone, written Citizens Comments had been solicited for receipt via email, U.S. Mail, and the drop box located at the County Administration Building.

At 7:10 pm, Mr. McLaughlin asked Mr. Slaydon if anyone physically present wanted to speak. Mr. Slaydon indicated there was, but first, he introduced the newest staff member to the Community Development Office, Mr. Chris Musso. He gave a brief introduction of Mr. Musso. Mr. Slaydon then advised that Mr. Mat Paxton was present to speak.

Mr. Paxton advised that he was present to comment on the solar facility in Fairfield. He stated that he favors developing renewable power sources, and he is all for it, but he thinks that this has to be carefully done, or it will be a negative factor. He indicated that he thinks the Fairfield project, which is between two major highways, is not the best location, and it should be moved somewhere else. He noted there is no way to screen it from the view of the neighbors, and this type of project could harm tourism in the area. He said that Fairfield is named after

farmland, including the Lipscomb property. He stated that if this project passes, he will suggest to his friends they change the name from Fairfield to Electric Grid.

Mr. Slaydon advised there was no one else physically present to speak and that there was no one online requesting to speak.

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The third agenda item was the review of the April 13, 2021 meeting minutes. Upon a motion by Ms. Hennis, seconded by Mr. Whitmore, the Commission voted unanimously to approve the minutes as presented with corrections.

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The fourth agenda item was the Board of Supervisors report. At their May meeting, Mr. Slaydon stated that the TCO reviewed the Dynamic Energy Solutions project, and he will discuss that more during the agenda item. Mr. Slaydon informed the Commission that the TCO approved a drive-thru for Lexington Coffee Roasters off Route 11. He noted that the Board of Supervisors at their April 26th meeting voted 2-2 to deny the special exception application for BARC; at the May 10th meeting, a motion to reconsider was entertained, and the BARC application for the special exception permit was approved until 2023 based on the Commission's recommendations.

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Mr. McLaughlin advised that the Commission will use the same process for public hearings as citizen comments.

The fifth agenda item was the continued discussion on the special exception permit application Dominion Energy to expand the Balcony Falls Substation in the Agricultural and General Uses (A-2) Zoning Districts.

Mr. Slaydon reviewed the application as submitted, including the zoning on the property and the surrounding property.

Ms. Shelley Parekh with Kimley-Horn thanked staff for their presentation before reviewing the updated landscape plan that was formulated with Planning and Zoning staff to meeting regulations and set conditions.

Mr. McLaughlin indicated that he was glad the dull coloring was being used not the patina.

Ms. Hennis asked about the retaining walls, especially the one that is eight or nine feet tall since that is a substantial height.

Ms. Parekh indicated the fall across the site with the less than an acreage expansion called for two walls with a cut condition and a fill condition. She indicated it will not be that visible from the road.

Ms. Hennis asked what the wall would be made of.

Ms. Parekh indicated one is poured concrete and one is block.

Mr. Whitmore stated that brown walls would blend better with the natural environment if coloring it is possible. He asked if the hollow wood juniper is under the powerlines instead of Leland Cyprus because of the power lines.

Ms. Parekh indicated the arborist met onsite with the County and that was the recommendation.

Mr. Slaydon agreed that the meeting with arborist ended with those plant being chosen.

Mr. McLaughlin asked if any of the proposed plantings were invasive species.

Mr. Slaydon responded that he did not think they were but could not say for sure.

With no further discussion, Ms. Hennis motioned that the Planning Commission recommend to the Board of Supervisors that the Special Exception Permit for expansion of the existing Balcony Falls Substation in the Agricultural and General Uses (A-2) zoning district, per LDR Section 603.03-9, identified as Tax Map #115A-A-1, be approved, with the following conditions:

(1) The development of the property (TM #115A-A-1) shall be in substantial compliance with the development plan entitled "Special Exception Plan Balcony Falls Substation" dated March 17, 2021, with a revision date of April 1, 2021, and the landscaping plan prepared by Kimley-Horn, entitled "Dominion - Balcony Falls Substation, Rockbridge County" dated April 27, 2021.

(2) Backbone structures associated with the substation shall be constructed with dulled galvanized steel.

Mr. Lucas seconded the motion and the Commission voted unanimously.

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The sixth agenda item was the continued discussion for Dynamic Energy LLC.

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Mr. Slaydon advised that this is a continued discussion on the special exception permit application for Dynamic Energy LLC for a solar array in the A-2 Zone. He reviewed the zoning on the property and advised that the Planning Commission held and closed its public hearing in April but asked that the applicant continue to discuss the landscaping with staff. Mr. Slaydon then reviewed the TCO discussion. He stated that the TCO preferred the plantings closer to Route 11, and they determined the wood fence is not a viable screening option. Their recommendation was to plant under the utility easement or plant a double row of Leland Cyprus outside of the utility easement. The TCO continued their meeting to the 19th to allow the applicant to produce photo sims of those two recommendations, which they will present to the Planning Commission tonight.

Mr. Slaydon advised that Pat Hasting and Derek Sheehan with Dynamic Energy LLC and Scott Wiley with Timmons were online to discuss the application.

Mr. Pat Hasting thanked Mr. Slaydon for the recap and then shared the photo simulations. He stated that they realize the beauty of the area and want to address the aesthetics views of the area. He noted that the first option recommended by the TCO was a low grow line in the utility line easement as approved by Dominion or a second row of giant green arborvitae, as shown in the simulations. He indicated that these trees do not screen as well during the fall and winter. He

also showed the two rows of evergreens as proposed in the second option.

Mr. Scott Wiley with Timmons stated they worked with the nursery to determine the best native species. They decided that the Nelly Stevens holly, American holly, and green giant arborvitae were the best trees to plant because they are hardy, tried, and true while providing the most screening.

Mr. McLaughlin asked if the low grow row would be in place and the double second row.

Mr. Hastings indicated it would not.

Ms. Hennis asked how long it will take to grow to full height.

Mr. Hastings indicated they plan to start at six feet.

Mr. Wiley indicated that the ultimate maturity would be in 20 years.

Ms. Hennis stated that it is the same timeframe as the decommissioning plan; therefore, the trees would not reach full maturity and screening ability until the end of the project life.

Mr. Hasting stated the land lease is 25 years, but if the system is working, it could last longer.

Ms. Hennis asked about tax benefits to the county residents.

Mr. Derek Sheehan stated that the benefit to the county residents is the ability to enroll in the shared solar program. They would get a solar credit and would pay into the solar garden.

Ms. Hennis asked about tax revenue since this land is currently in land use.

Mr. Sheehan stated they could enter into a pilot program, but it is not permitted to happen in Virginia. He advised they are using a local law firm that has advised them they could compensate the county in another way since the pilot option is not allowed. He indicated the solar array could produce more taxes than the current use. He made several suggestions of ways to pay taxes and referred to state regulations before stated that they would work on the best way to make it work for the county and everybody.

Mr. Slaydon advised that the Board's role will include the economic impact, and the Planning Commission's role is to review and recommend approval of the special exception.

Mr. McLaughlin asked about option one, as suggested by the TCO.

Mr. Hasting showed the pictures of option one and advised that the photo shows the second row as a mature plant but not at total growth.

Mr. Wiley added that the low grow at full-grown is about 10 feet tall. He noted the second row included in the low grow option would be shorter than the second row as part of the second option. He stated that they used Google Street view to make the photos sims. He advised that Google Street view uses a camera on the top of a car; therefore, the phot sims show above eyesight from the road.

Ms. Hennis asked again how long to maturity.

Mr. Wiley advised that they would be mature at three feet when planted and would meet maturity at 10 feet in a few years.

Mr. Slaydon asked Mr. Wiley to discuss maturity levels on the double-row plan.

Mr. Wiley advised that if planted at six feet and with an average of one to two feet per year.

Ms. Hennis stated that she grew up in Roanoke and a recycling facility went in, and it is an eyesore. She indicated that she does not want to see this project located here. She advised that she does not think this is the right spot for it, and it would take away from our view. She stated that she wants to see beautiful fields instead of a metal field and that a ten-percentage saving was

not worth losing that beauty.

Mr. Hasting responded that there are benefits to the homeowners who join and that he felt with the rate of speed on the highways that they will barely see the solar field.

Ms. Hennis stated that we approved one in Rockbridge Baths, but barely any cars drove by that one.

Mr. Slaydon advised that he received about a dozen phone calls about the project, and once he expanded where the array was going, the calls stopped. He then reviewed zoning in the area and the uses, including the school and sawmill.

Ms. Hennis stated she is thinking about what opportunity there is for residential development in that area and if anyone would want to build there if they have to look at this.

A lengthy discussion on the two landscaping options continued, along with a discussion regarding plants along the sawmill side of the parcel. The conclusion was that a row of Nelly Stevens Holly be planted in the front and a double staggered row of American Holly and Green Giant Arborvitae behind them be planted along route 11 as well as 200 ft. of this same planting along the north side of the property beginning at route 11. In addition to the landscaping plan presented for the interstate side of the property. The Commission indicated they would like the trees to be planted at 7-8 feet tall.

Upon a motion by Mr. Whitmore, the Planning Commission recommend to the Board of Supervisors that the Special Exception Permit for development of a 5 MW (AC) solar project on approx. 40 acres of the Alexander Farm in the Agricultural and General Uses (A-2) zoning district, per LDR Section 603.03-9, identified as Tax Map #38-10-A, be approved subject to receipt of a revised landscaping plan, with the following conditions:

- (1) The development of the property (38-10-A) for which the application is being made shall be in substantial accordance with the development plan prepared by Dynamic Energy, with revision dates of September 25, 2020, April 7, 2021, and a future date incorporating plantings as discussed during the Planning Commission meeting.
- (2) The maximum height of the tilt for the solar array shall be fifteen feet (15').
- (3) Landscaping shall be maintained in healthy condition for the life of the project.
- (4) Acceptance of a Decommissioning Agreement, incorporating the decommissioning plan dated May 12, 2021.
- (5) Approval contingent on the Tourism Corridor Overlay (TCO) Board approval, and VDOT and Erosion and Sediment/Stormwater Management approvals.

Mr. Lucas seconded the motion. The Commission voted three to one, with Ms. Hennis voting nay.

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The seventh agenda item was the public hearing for the special exception permit for Chaos Mountain Brewing LLC to have beverage manufacturing in the B-1 zone as follows:

*Notice is hereby given per Section 15.2-2204 of the Code of Virginia and Section 802.03, 04 and 05 of the County of Rockbridge Land Development Regulations that public hearings will be held by the Rockbridge County Planning Commission on Wednesday, May 12, 2021, at or after 7:00 p.m. in the Board of Supervisors Meeting Room in the County Administrative Building, 150 South Main Street, Lexington, Virginia 24450,*

*followed by public hearings by the Board of Supervisors on Monday, May 24, 2021, at or after 6:00 p.m. at the same location to consider the following applications: Joseph Hallock, 421 Summer Breeze Drive, Boones Mill, Virginia 25065 has made an application for a special exception permit in order to develop a satellite brewery and tasting room. The property is owned by Stonewall Lodge & Cottages LLC, PO BOX 87, Natural Bridge, VA 24578. The property is located in the General Business (B-1) Zoning District and per section 605.03-5 of the County of Rockbridge Land Development Regulations, Beverage Manufacturing is a use by special exception in the B-1 District. The property (6387 S Lee Highway, Natural Bridge, VA 24578) is located on the eastside of S Lee Highway (Route 11), at the intersection of S Lee Highway (Route 11) and Wert Faulkner Highway (Route 130) and is further identified as tax map number 106-50-34. The property is located in the Natural Bridge Magisterial District.*

Mr. Slaydon reviewed the application as presented and the adjoining property owners.

Joseph Hallock stated that breweries are not regulated by the health department in Virginia and they will not be serving food. He noted they were approached by the hotel, which is unusual, and the site is small, but this will be a tasting room only that is open from noon to nine seven days a week. He stated he has no intention of changing the exterior of the building except signage. Mr. Hallock indicated they will be redoing the inside of the building entirely. He advised the hotel plans to have a food truck/trailer adjacent to the building. The parking lot has four entrances in the middle of the intersection, so three will be closed, leaving one entry. The reduction to one entrance allows an increase in parking spaces. He noted they will have outside seating with sunshades that will not be permanent.

Ms. Hennis asked if you could buy a six-pack onsite.

Mr. Hallock indicated that they plan to, and there will be four beers that will be made with all Virginia in ingredients and there will be a total of eight taps.

Mr. McLaughlin opened the public hearing at 8:45 p.m.

Mr. Jim Jones, Natural Bridge State Park Manager and resident of the Natural Bridge District, stated that the Park received its Dark Sky designation and his biggest concern is the lighting plan. He asked that the lighting fall under International Dark Sky standards if possible but at least within the county regulations.

Ms. Hennis asked if there are times that the lights need to be off.

Mr. Jones indicated that the Park would close at 9 pm.

Mr. Slaydon stated that the conversation on lighting was held this week, and it will have to be reviewed by the TCO. He stated that he feels that lights on a timer are only as good as the operator. He noted that all lighting will have to be within the County regulations but they would not be required to follow Dark Skies if it was more restrictive. He indicated that the County regulations are pretty restrictive themselves.

With no additional comments, the Public Hearing closed at 8:50 pm.

Mr. Whitmore asked that the cooler areas be concealed as much as they can.

Ms. Hennis made a Motion that the Planning Commission recommend to the Board of Supervisors that the Special Exception Permit to develop and operate a satellite brewery and tasting room, with beverage manufacturing, in the General Business (B-1) Zoning District, per LDR Section 605.03-5, in an existing building located at 6387 S. Lee Highway, Natural Bridge,

VA, 24578, and identified as Tax Map #106-50-34, be approved with the following conditions:

- (1) The development of the property (TM #106-50-34) shall be in substantial compliance with the schematic plan titled "6387 S Lee Highway," dated May 6, 2021.
- (2) Approval contingent on final approval from the TCO Board, VDOT, and the ABC licensing.

David Whitmore seconded the motion and the Commission voted unanimously.

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The eighth agenda item was for ThunderBRidge Campground LLC to rezone from C-1 to A-2 as follows:

*Notice is hereby given per Section 15.2-2204 of the Code of Virginia and Section 802.03, 04 and 05 of the County of Rockbridge Land Development Regulations that public hearings will be held by the Rockbridge County Planning Commission on Wednesday, May 12, 2021, at or after 7:00 p.m. in the Board of Supervisors Meeting Room in the County Administrative Building, 150 South Main Street, Lexington, Virginia 24450, followed by public hearings by the Board of Supervisors on Monday, May 24, 2021, at or after 6:00 p.m. at the same location to consider the following application: Thunder BRidge Campground LLC, 445 Arnolds Valley Road, Natural Bridge Station, VA 24579 has made an application for a rezoning from the Conservation (C-1) Zoning District to the Agricultural Transitional (A-T) Zoning District. The property is owned by the Commonwealth of Virginia, State Board of Juvenile Justice, Department of General Services, Bureau of Real Estates Services, 1100 Bank Street, Fifth Floor, Richmond VA, 23219. The property (1425 Arnolds Valley Road, Natural Bridge Station, VA 24579) is on the east and westside of Arnolds Valley Road (Route 759), approximately .41 miles south of the intersection of Arnolds Valley Road (Route 759) and Back Run (Route 781) and is further identified as tax map number 113-A-7. The property is located in the Natural Bridge Magisterial District.*

Mr. Slaydon reviewed the application as submitted, a history of the property, and the zoning in the area.

Mr. James Panabaker stated he and his wife Karen and their son Adam live two miles from the boys' home. He indicated they are buying it from the state to operate a rustic campground. He advised that the name ThunderBRidge reflects the history and topography of the Blue Ridge Mountains including the publication of the Bridge News that was produced onsite among many other historical references which they will highlight to their campers.

Mr. Whitmore stated he had no concerns, and Ms. Hennis agreed.

Mr. McLaughlin opened the public hearing at 9:01 pm.

Mr. Slaydon advised no one was present to speak, and no one on Zoom requested to speak.

With no comments, Mr. McLaughlin closed the public hearing at 9:02 p.m.

Ms. Hennis stated this is a perfect fit for this property and a good use before making a

Motion that the Planning Commission recommend to the Board of Supervisors that the Rezoning of the property, consisting of 99.08 acres, more or less, on the east and west side of Arnolds Valley Road (Route 759) and Back Run (Route 781), and identified as Tax Map #113-A-7, from the Conservation (C-1) Zoning District to the Agricultural Transitional (A-T) Zoning District, be approved.

Mr. Lucas seconded the motion and the Commission voted unanimously.

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The ninth agenda item was the special exception permit for ThunderBRidge Campground LLC to operate a campground in the A-2 district as follows:

*Notice is hereby given per Section 15.2-2204 of the Code of Virginia and Section 802.03, 04 and 05 of the County of Rockbridge Land Development Regulations that public hearings will be held by the Rockbridge County Planning Commission on Wednesday, May 12, 2021, at or after 7:00 p.m. in the Board of Supervisors Meeting Room in the County Administrative Building, 150 South Main Street, Lexington, Virginia 24450, followed by public hearings by the Board of Supervisors on Monday, May 24, 2021, at or after 6:00 p.m. at the same location to consider the following application: Thunder BRidge Campground LLC, 445 Arnolds Valley Road, Natural Bridge Station, VA 24579 has made an application a special exception permit in order to develop campground/private seasonal camp. The property is owned by the Commonwealth of Virginia, State Board of Juvenile Justice, Department of General Services, Bureau of Real Estates Services, 1100 Bank Street, Fifth Floor, Richmond VA, 23219. The property is currently located in the Conservation (C-1) Zoning District, this application is contingent on the pending rezoning application from the C-1 District to the Agricultural Transitional (A-T) Zoning District. Per section 603B.03-8 of the County of Rockbridge Land Development Regulations, Campgrounds. private seasonal camps are a use by special exception in the A-T District. The property (1425 Arnolds Valley Road, Natural Bridge Station, VA 24579) is on the eastside and westside of Arnolds Valley Road (Route 759), approximately .41 miles south of the intersection of Arnolds Valley Road (Route 759) and Back Run (Route 781) and is further identified as tax map number 113-A-7. The property is located in the Natural Bridge Magisterial District.*

Mr. Panabaker stated that Camp New Hope existed on this site for many years. He advised they will have fifty sites for rustic camping. Encourage the use of the amenities and tourist attractions in the Rockbridge area while highlighting the property's history. Mr. Panabaker stated there would be studio space for an artist who is camping to use and that the campground plan application has been submitted to the health department. He said they are very excited about the campground and what to breathe new life into the old boys' home.

Ms. Hennis asked who will do the work.

Mr. Panabaker indicated they will do the work but will hire out trades if needed.

Ms. Hennis asked if they would be willing to allow the use of the fields and gym for outside use.

Mr. Panabaker indicated they would at some point when everything is complete. He then reviewed the site plan with the planned campsites and noted which ones are existing and new.

Mr. Whitmore asked about the flooding of the creek.

Mr. Panabaker indicated you could tell where it comes up, but they are not concerned about it because it floods the national forest property more than the camp.

Ms. Panabaker advised they have been in the Valley for over 22 years and have a vested interest in Arnold Valley.

Mr. McLaughlin opened the public hearing at 9:19 pm.

Mr. Slaydon advised there was no one present in person and no one online.

Mr. McLaughlin closed the public hearing at 9:20 pm.

Mr. McLaughlin stated he thought this was a great plan and all the Commission members agreed.

Ms. Hennis made a Motion that the Planning Commission recommend to the Board of Supervisors that the Special Exception Permit to develop and operate a campground/private seasonal camp in the Agricultural Transitional (A-T) zoning district, per LDR Section 603B.03-8, on property identified as Tax Map #113-A-7, be approved with the following conditions:

(1) The development of the property (TM #113-A-7) shall be in substantial compliance with the schematic plan titled "Thunder Bridge Campground, LLC Plan".

(2) Approval contingent on final approval from VDOT, Building Department, and the Health Department approvals.

Mr. Whitmore seconded the motion, and the Commission voted unanimously.

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The tenth agenda items discussion on solar utilities.

Mr. Slaydon advised that last month staff and Commission received a letter from the Farm Bureau and it asked that tax revenue and general assembly legislative being addressed, which is not in the purview of the Commission; however, the last item to come up with a large-scale unity ordinance is in the responsibility of the Commission. Mr. Slaydon reviewed in what districts they are permitted and which ones they are not—only permitted in industrial property. He noted that he had received correspondence from Jeff Singleton as well. He advised the Commission that there were several citizens present online to speak regarding this matter. Mr. McLaughlin allowed public comments.

Mr. Bob Biersack, Chairman of RACC offered their research and observation to the table. He noted that the Farm Bureau would be helpful to have as well. They have been researching for the last couple of months.

Mr. Jeff Shingleton from Middlebrook indicated he has a 35-year career with building small- and large-scale solar systems. He offered his expertise to the committee.

Mr. Slaydon suggested a committee of two Planning Commission members and other interested parties could be used.

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With no further business to discuss, Mr. McLaughlin adjourned the meeting at 9:36 pm. on a unanimous vote, with Mr. Lucas making the motion and seconded by Ms. Hennis.

Respectfully Submitted,

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Christopher T. Slaydon  
Secretary