

Patrick County Planning Commission
Public Hearing and Regular Business Meeting

Minutes of the March 21, 2023

6 p.m.

Present: Larry Cowley, Chairman, Kurt Bozenmayer, Vice-President, Richard Hazelwood, David Lusk and Barbara Jo Newton; Cynthia Cowley and Jane Fulk, Citizens at Large members; Doug Perry, Board of Supervisor Liaison

Also Present: Teresa McCormick, Clerk and Mark Popovich, County Attorney

Larry Cowley called the meeting to order:

Approval of meeting Agenda:

Jane Fulk made a motion to approve the agenda; seconded by Richard Hazelwood and carried unanimously by all voting members present.

Voting Yes: All members present

Approval of the Minutes for February 21, 2023 Work Session and February 21, 2023 Regular Meeting; the Special Called Meeting for March 1, 2023.

Jane Fulk made a motion to approve the agenda; seconded by David Lusk and carried unanimously by all voting members present.

Voting Yes: All members present

The public hearing commenced at 6:00 p.m. The purpose of the hearing is to amend the Land Use section of the 2021 Comprehensive Plan to include the use of residential, commercial, and utility scale renewable energy by providing for the location of solar generator facilities while minimizing the impact of such facilities on Patrick County's view shed and the County's natural, agricultural, scenic, tourism and cultural resources.

Larry Cowley, Chairman opens the Public Hearing.

No one signed up to speak at the Public Hearing.

David Lusk made a motion to close public hearing; seconded by Kurt Bozenmayer and carried unanimously by all voting members present.

Kurt Bozenmayer asked Mark Popovich, County Attorney regarding information received from the Department of Environmental Quality sighting 9VAC15-60.30 and Code of Virginia 10.1-1197.6. Both codes are referencing Permit by Rule for Small Renewable Energy Projects. Kurt Bozenmayer asks if the codes have any validity in potential solar projects here in the County, also does the Permit by Rule mean if an applicant meets all the federal regulations that they automatically get the permit without going through the locality.

New Business:

Mark Popovich stated the Permit by Rule it is part of the sighting process if the locality signs off on the certification of sighting that solar facility under the Comprehensive Plan, then goes through the State. The local government given the authority to put additional control on through a zoning ordinance. Mark Popovich stated being the County does not have zoning suggested to amend the Comprehensive Plan to indicate bases by which the Planning Commission is going to analyze whether the facility is in conformity with the Comprehensive Plan. Mark Popovich stated this will give the Planning Commission the ability to have some say in how the process works.

David Lusk made a motion to approve the amendment to Land Use section of the Comprehensive Plan; seconded by Kurt Bozenmayer and carried unanimously by all voting members present.

Voting Yes: All members present

Planning Commission went into regular business meeting.

Present to speak at Public Comment:

Ed Pool from Moneta, VA; Lynne Bogle, Malcolm Roach, Jamie Clark, Rickie Fulcher, Denise Stirewalt, Shannon D'Albero and Mike Cooper citizens of Patrick County.

Skyler Zunk, CEO – Energy Right

Question and Answers from public comment recording available. Please see Teresa McCormick for the recording of this meeting.

Old Business:

David Lusk made a motion to replace the word “promote” to “regulate” in the Objective for the Land Use section of the Comprehensive Plan; seconded by Barbara Jo Newton and carried unanimously by all voting members present.

Voting Yes: All members present

Kurt Bozenmayer made a motion to approve the Solar Facilities policy as written by Mark Popovich, County Attorney; seconded by David Lusk and carried unanimously by all voting members present.

Voting Yes: Larry Cowley, Kurt Bozenmayer, Richard Hazelwood, David Lusk and Cynthia Cowley

Voting No: Jane Fulk

Jane Fulk made a motion to change the front page of the Patrick County, Virginia Solar Ordinance from “Policy” to “Ordinance”; seconded by Kurt Bozenmayer and carried unanimously by all voting members present.

Voting Yes: All members present

Jane Fulk made a motion to close the meeting; seconded by and carried unanimously by all voting members present.

Larry Cowley, Chairman