

A regular meeting of the Westmoreland County Planning Commission was held on September 3, 2025 in the George D. English Sr. Memorial Building, Montross, VA. Those members present were John Felt, Lewis Thompson, and James Coates. Planning Director Beth McDowell, Assistant Planning Director Kelly De Jesus, and Planner Richard Stuart Jr. were also present.

CALL TO ORDER

Chairman Felt called the meeting to order at 1:31 p.m. The roll was called and a quorum declared.

PRIOR MINUTES

Chairman Felt asked if the members received and reviewed the minutes for the August meeting and if there were any changes to be made. There being none, Mr. Coates moved to approve the minutes for the August 2025 meeting as submitted. Mr. Thompson seconded, and the motion passed with unanimous vote.

COMMISSION'S CONCERNS

Mr. Thompson requested that staff look into the County's regulation of data centers; Ms. McDowell explained that there is not currently a comparable use but that is something that has been discussed and can be considered in the coming months. Mr. Coates also reiterated his concern about the depression on the side of the road at the intersection of Longfield Road and James Monroe Highway.

CASE# 2509-CBAE-07 – Suzanne & Matthew Brady 454 Ships Row Montross VA 22520 & agent Bayshore Design LLC 8518 Cople Highway Hague VA 22469 request approval for a deck expansion to be located within the 100' and 50' Resource Protection Areas. This project is located at 454 Ships Row Montross, TM 25B3-4-20, Cople Magisterial District.

Mr. Stuart presented the research and findings about the project. Jeff Minner, agent from Bayshore Design, then provided additional information. Mr. Felt confirmed with the agent that the plan will have a filtered area beneath the deck and that the proposed plantings will mitigate for the entirety of the new encroachment. The owner briefly thanked the Commission for their consideration.

There being no other public comment, Mr. Thompson moved to approve Case# 2509-CBAE-07 with the staff's recommended conditions. Mr. Coates seconded, and the motion passed with all members voting in favor of approval of Case # 2509-CBAE-07 with the following conditions:

1. The proposed development shall be in substantial conformance with the Structural & Vegetative Mitigation, E&S plan designed by Bayshore Design and dated August 11, 2025.
2. Any changes made to the approved site plan or construction on site or failure to abide by these requirements or conditions will result in the immediate revocation of this approval.

3. The site plan, which was submitted for the purposes of a Chesapeake Bay Act Exception (CBAE) and approved by the Planning Commission, must reflect the exact footprint of construction on the site plan submitted for the building permit application, construction documents, and onsite conditions during and after construction. All deviations will require the applicant to apply to the Planning Commission for a CBAE Amendment, providing staff with seven (7) copies of a new site plan, which shall be revised to meet Stormwater Management and Chesapeake Bay Act planting requirements, as well as accurately depict the project in its entirety.
4. This Exception to the Chesapeake Bay Act shall be granted approved for 365 days from the date of the Commission's determination. The owner is required to obtain all applicable permits within this time period. Should the owner fail to obtain these permits, this Chesapeake Bay Act Exception shall be declared null and void.
5. The site development shall be completed within two (2) years from the date of which the permit shall be issued.
6. No additional development will be permitted on the property except in compliance with the Zoning Ordinance.
7. The owner or his agent shall furnish to the Westmoreland County Land Use Administration certification by the Clerk of the Circuit Court of the Deed Book number and page number upon which the Chesapeake Bay Act Exception and all conditions have been recorded. The Deed Book number and page number must be placed on all copies of the CBAE approval prior to giving validation to the Building Official for issuance of a building permit.
8. The CBAE shall become effective one day after the Westmoreland County Land Use office receives notification of recordation.

CASE# 2509-CBAE-08 – Richard McMurray and Cammie & Cheryl Mangrum 10221 Dale Drive Fairfax VA 22030 & agent Bayshore Design LLC 8518 Cople Highway Hague VA 22469 request approval for a replacement home and related construction to be located within the 100' and 50' Resource Protection Areas. This project is located at 608 Narrows Beach Road Hague, TM 38C-1-10, Cople Magisterial District.

Mr. Stuart provided an overview of the proposed project, explaining that the footprint of the proposed replacement home will be less than 250 square feet larger than the current home. Jeff Minner, agent from Bayshore Design, expanded on the flood zone information as provided on the site plan and noted that the proposed vegetation was chosen specifically to be salt-tolerant.

Chairman Felt opened the meeting to public comment. Several emails from adjacent landowners had been received by staff and presented at the work session. The public portion was then closed.

Mr. Coates moved to approve Case# 2509-CBAE-08 with the staff-recommended conditions. Mr. Thompson seconded, and the motion passed with all members voting in favor of approval of

Case # 2509-CBAE-08 with the following conditions:

1. The proposed development shall be in substantial conformance with the Structural & Vegetative Mitigation, E&S plan Plan designed by Bayshore Design and dated June 20, 2025.
2. Any changes made to the approved site plan or construction on site or failure to abide by these requirements or conditions will result in the immediate revocation of this approval.
3. The site plan, which was submitted for the purposes of a Chesapeake Bay Act Exception (CBAE) and approved by the Planning Commission, must reflect the exact footprint of construction on the site plan submitted for the building permit application, construction documents, and onsite conditions during and after construction. All deviations will require the applicant to apply to the Planning Commission for a CBAE Amendment, providing staff with seven (7) copies of a new site plan, which shall be revised to meet Stormwater Management and Chesapeake Bay Act planting requirements, as well as accurately depict the project in its entirety.
4. This Exception to the Chesapeake Bay Act shall be granted approved for 365 days from the date of the Commission's determination. The owner is required to obtain all applicable permits within this time period. Should the owner fail to obtain these permits, this Chesapeake Bay Act Exception shall be declared null and void.
5. The site development shall be completed within two (2) years from the date of which the permit shall be issued.
6. No additional development will be permitted on the property except in compliance with the Zoning Ordinance.
7. The owner or his agent shall furnish to the Westmoreland County Land Use Administration certification by the Clerk of the Circuit Court of the Deed Book number and page number upon which the Chesapeake Bay Act Exception and all conditions have been recorded. The Deed Book number and page number must be placed on all copies of the CBAE approval prior to giving validation to the Building Official for issuance of a building permit.
8. The CBAE shall become effective one day after the Westmoreland County Land Use office receives notification of recordation.

CASE # 2509-CA-02 – Proposed amendment to the Westmoreland County Comprehensive Plan. The proposal is to add the County's newly adopted Solar Energy Policy in its entirety as an amendment to the Comprehensive Plan. The Solar Energy Policy can be found on the County website at <https://www.westmoreland-county.org/node/613> or at the Land Use office.

Ms. McDowell explained that the proposal is to consider incorporating the Solar Energy Policy as an addendum to the Comprehensive Plan, as well as gather public opinion on future amendments to the

Comp Plan concerning solar energy facilities and their regulation at the County level.

Chairman Felt opened the meeting to public comment. Seth Cogbill representing Energy Right (a nonprofit energy policy group) spoke in opposition to the Solar Energy Policy and its proposed inclusion in the Comp Plan. He believes that the policy makes solar development more difficult in the County and that it leaves few sites available for utility-scale solar. Mr. Cogbill stressed that Virginia has a need for energy production to support its energy demands. He recommends responsible and thoughtful standards for localities, stating that too restrictive local policies may cause the state legislature to eliminate local permitting authority.

There being no further comments, Chairman Felt closed the public portion. Mr. Felt requested additional information from Mr. Cogbill related to several issues including small-scale solar projects, decibel ratings of inverters, and battery storage, and Mr. Cogbill agreed to email staff several documents to be provided to the Commission.

Mr. Thompson moved to recommend approval of Case# 2509-CA-02 by the Board of Supervisors. Mr. Coates seconded, while specifying that he is not a proponent of solar projects. The motion passed with all members voting in favor of recommending approval of Case # 2509-CA-02.

CASE# 2509-CBAE-09 – Richard & Phyllis Daugherty 313 Granville Road Chapel Hill NC 27514 & agent Bayshore Design LLC 8518 Cople Highway Hague VA 22469 request approval for a new home and related construction to be located within the 100-foot Resource Protection Area. This project is located off Fairway Lane Montross, TM 24A1-2-27C, Cople Magisterial District.

Ms. De Jesus outlined the new home project. Chairman Felt then opened the meeting for public comment. Jeff Minner, agent from Bayshore Design, provided additional information about the existing septic system and well, which were installed in approximately 1996 but never used. The landowner confirmed that shrubbery will be planted around the house, and Mr. Minner explained that the rest of the lot is heavily wooded.

There being no further public comment, Mr. Coates moved to approve Case# 2509-CBAE-09 with the staff's recommended conditions. Mr. Thompson seconded, and the motion passed with all members voting in favor of approval of Case # 2509-CBAE-09 with the following conditions:

1. The proposed development shall be in substantial conformance with the design shown on the site plan as submitted, designed by Bayshore Design LLC dated July 22nd, 2025. The site plan approved by the Planning Commission may be submitted to the Land Use office as a part of the permit application packet for construction, but staff may request modifications during plan review in order to meet compliance with all pertinent local, state, and federal codes.
2. The engineered BMP design shall be installed and maintained per specifications.
3. The approved landscape plan shall be implemented to mitigate for all impervious coverage

within the RPA.

4. Any changes made to the approved site plan or construction on site or failure to abide by these requirements or conditions will result in the immediate revocation of this approval.
5. This Exception to the Chesapeake Bay Act shall be granted approved for 365 days from the date of the Commission's determination. The owner is required to obtain all applicable permits within this time period. Should the owner fail to obtain these permits, this Chesapeake Bay Act Exception shall be declared null and void.
6. The site development shall be completed and all buildings shall obtain their Certificate of Occupancy within two (2) years from the date of which the permit shall be issued. Should the owner fail to obtain the Certificate of Occupancy, this Chesapeake Bay Act Exception and the Building and Zoning permits shall be declared null and void.
7. No additional development will be permitted on the property except in compliance with the Zoning Ordinance.
8. The owner or his agent shall furnish to the Westmoreland County Land Use Administration certification by the Clerk of the Circuit Court of the Deed Book number and page number upon which the Chesapeake Bay Act Exception and all conditions have been recorded. The Deed Book and Page Number must be placed on all copies of the CBAE approval prior to giving validation to the Building Official for issuance of a building permit.
9. The CBAE shall become effective one day after the Westmoreland County Land Use office receives notification of recordation.

CASE# 2509-CBAE-10 – Robert & Bethany Rowland 9458 Cromarty Court Bristow VA 20136 & agent Mitchell Homes 14300 Sommerville Court Midlothian VA 23113 request approval for a new home and related construction to be located within the 100' and 50' Resource Protection Areas. This project is located on Shore Drive Colonial Beach, TM 6B-3-A-10, Washington Magisterial District.

Ms. De Jesus presented the research and findings about the project. Chairman Felt reminded the Commission and audience that, at the work session, they and the applicant had agreed that the house would be moved forward 3 feet (to the front setback line) on the plans to be submitted for permitting.

Chairman Felt opened the meeting to public comment. Clay Parker of Parker Design Group, engineer of the site plan, stated that he has revised the site plan to reposition the home as far from the water as possible, although he hadn't yet provided the revised plan to staff.

Mr. Thompson moved to approve Case# 2509-CBAE-10 with the staff-recommended conditions and revisions discussed during the meeting. Mr. Coates seconded, and the motion passed with all members voting in favor of approval of Case # 2509-CBAE-10 with the following conditions:

1. The proposed development shall be in substantial conformance with the design shown on the

site plan as submitted, designed by the Parker Design Group dated July 15th, 2025, provided that the site plan shall be revised to move the house westward to the street building restriction line. The site plan approved by the Planning Commission may be submitted to the Land Use office as a part of the permit application packet for construction, but staff may request modifications during plan review in order to meet compliance with all pertinent local, state, and federal codes.

2. The engineered BMP design shall be installed and maintained per specifications.
3. The approved landscape plan shall be implemented to mitigate for all impervious coverage within the RPA.
4. Any changes made to the approved site plan or construction on site or failure to abide by these requirements or conditions will result in the immediate revocation of this approval.
5. This Exception to the Chesapeake Bay Act shall be granted approved for 365 days from the date of the Commission's determination. The owner is required to obtain all applicable permits within this time period. Should the owner fail to obtain these permits, this Chesapeake Bay Act Exception shall be declared null and void.
6. The site development shall be completed and all buildings shall obtain their Certificate of Occupancy within two (2) years from the date of which the permit shall be issued. Should the owner fail to obtain the Certificate of Occupancy, this Chesapeake Bay Act Exception and the Building and Zoning permits shall be declared null and void.
7. No additional development will be permitted on the property except in compliance with the Zoning Ordinance.
8. The owner or his agent shall furnish to the Westmoreland County Land Use Administration certification by the Clerk of the Circuit Court of the Deed Book number and page number upon which the Chesapeake Bay Act Exception and all conditions have been recorded. The Deed Book and Page Number must be placed on all copies of the CBAE approval prior to giving validation to the Building Official for issuance of a building permit.
9. The CBAE shall become effective one day after the Westmoreland County Land Use office receives notification of recordation.

OTHER MATTERS

Ms. McDowell provided the Commission with a memo related to a possible future code amendment pertaining to the use 'event venue.' She asked the Commission to review the document and consider the questions therein for a discussion at their next work session.

Ms. McDowell also explained that electronic tablets had been purchased for the Commission, but they still need to be set up prior to their distribution. Chairman Felt requested that the County also assign email addresses to the Commission members, and Ms. McDowell indicated that she

would discuss the matter with the IT Director Cabell Miller.

ADJOURNMENT

There being no other business to come before the Commission, Mr. Thompson moved that they adjourn. Mr. Coates seconded, and the motion carried by unanimous vote with the meeting adjourning at 2:32 p.m.

_____Chairman