

Building, Planning & Zoning  
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**Bath County Planning Commission**

**Bath County Courthouse – Room 115 – 6:00 P.M.**

**February 25, 2019**

**MEMBERS PRESENT:** Chairman John Loeffler, Vice-Chair Jason Miller, Monroe Farmer, Lynn Ellen Black

**MEMBERS ABSENT:** Cynthia Rudnick

**PUBLIC IN ATTENDANCE:** Mike Bollinger (press), Bugs Phillips, Harold King, Sue Hirsh, Roy Burns, Eddie Ryder, Rhonda Grimm

**STAFF PRESENT:** Sherry Ryder

**CALL TO ORDER:**

**Vice-Chair Jason Miller** called the Bath County Planning Commission meeting to order at 6:00 p.m.

**PUBLIC COMMENT—MATTERS UNRELATED TO THE AGENDA:** None

**ADDITIONS OR CORRECTIONS TO THE AGENDA:** None

**PUBLIC HEARING:**

**FY 19-24 Capital Improvement Plan – Hearing to receive input on request submitted.**

**Bath County Service Authority**

1). Chimney Run Waterline Extension.

Buggs Phillip stated, his request is the same as last year. He would like to have an interconnecting line from Warm Springs, above the Veterinarian Hospital, to connect to the existing line in Chimney Run. VDOT would like to connect to the public water. This would give the PSA more customers. Having this interconnecting line would give them the advantage of moving water from Hobby Horse Farm to

Bacova to Muddy Run to Chimney Run and Warm Springs. Most of this can be done now. Problem is, if they have a major repair job the water stops. If they could back feed water around, then cut off the water only in the area of work. It would also give a larger area of fire protection.

Improves Health and Safety:	C
Protection and Conservation of Resources:	B
Encouragement of Economic Development:	C
Project Linked to an Existing Project:	C
Replacement/Addition of Equipment:	C
Greater Efficiency:	C
Project being equitable:	B

**Overall average: C** (Project to be considered if funding becomes available: may be deferred to a subsequent year.)

Discussed Priority #2 - The need to upgrade the water tank in West Warm Springs from a 30,000 gallon storage tank with a 300,000 gallon storage tank.

Discussed Priority #3- Wastewater Land Acquisition – Locate and acquire land for a 1.5-2 million gal per day wastewater treatment plant.

Mr. Phillips informed the board, they are looking in the Cedar Creek area. This would be a long-range planning project not only for PSA, but for Bath County too. The reason for that is they can get everything to gravity feed to that area for the west side of the mountain to this location. It would help do away, in the future, with the other existing sewer stations. This station, with the complete infrastructure, would take years to complete.

Discussed Priority #4 - Millboro Well Project. This new line would become Millboro water system secondary source.

No CIP Evaluation Criteria were needed for # 2-4 at this time.

### **Mountain Grove Vol. Fire Department**

- 1). Replace aging mini-pumper.

Harold King stated Mountain Grove has a 1994 model, it is getting old and the department has had lots of trouble with it since the day they bought it. Repairs have been many. They need this truck because their area has very small roads that other pumpers can't get through and bridges that other larger pumpers can't cross.

Improves Health and Safety:	A
Protection and Conservation of Resources:	A
Encouragement of Economic Development:	B
Project Linked to an Existing Project:	--
Replacement/Addition of Equipment:	A
Greater Efficiency:	A
Project being equitable:	A

**Overall average: A** (Urgent, high-priority projects that should be done if at all possible).

**Millboro Volunteer Fire Association**

1). Replace Tanker (aging truck – current truck hauls 1,000 gallon of water. New truck hauls 2,000 gallon of water.) Time spent refilling smaller tanker for a fire results in more destruction and danger for fire fighters.

Improves Health and Safety:	A
Protection and Conservation of Resources:	A
Encouragement of Economic Development:	B
Project Linked to an Existing Project:	--
Replacement/Addition of Equipment:	A
Greater Efficiency:	A
Project being equitable:	A

**Overall average: A** (Urgent, high-priority projects that should be done if at all possible).

**Bolar Volunteer Fire Department**

1). Replace 1987 Mini-Pumper and 1984 Pumper (aging trucks with mechanical issues)  
 Fire Department in Highland Co. Evaluation - D

## **Bath County Public Schools**

### **1) BCHS Baseball Field Rehabilitation**

(Rehabilitate field to proper levels and surface for proper competitive play.)

Mrs. Hirsh explained the field is in bad shape and got worse when used as a parking location in the football season. Field is not flat and does not meet current guidelines and standards. Field is not safe for players due to the ruts and rocks. An assessment and recommendations were given by Mattern & Craig Engineers and Surveyors. \* Parking is no longer allowed on the field.

Improves Health and Safety:	A
Protection and Conservation of Resources:	--
Encouragement of Economic Development:	--
Project Linked to an Existing Project:	--
Replacement/Addition of Equipment:	A
Greater Efficiency:	A
Project being equitable:	A

**Overall average: A** (Urgent, high-priority projects that should be done if at all possible.)

### **2) BCHS Gym HVAC – Phase 2**

(Excessive heat during spring and fall events.)

**Mrs. Hirsh** explained, that not only does the heat causes the need to open the outside doors, but causes a lack of security to the building and safety to the students and those at an event.

**Sherry Ryder** stated that the heat would makes it hard on the elderly and very young, if the gym were to be used as an Emergency Shelter as it has been used in the past.

**Roy Burns** stated his wife, who is on the rescue squad, has been called for people feeling ill or faint due to the heat. He also stated the importance of being able to have the building doors locked for safety reasons and stated his support for the upgrading of the football and ball fields for safety reasons.

Improves Health and Safety:	A
Protection and Conservation of Resources:	--
Encouragement of Economic Development:	A
Project Linked to an Existing Project:	A

Replacement/Addition of Equipment:	A
Greater Efficiency:	A
Project being equitable:	A

**Overall average: A** (Urgent, high-priority projects that should be done if at all possible).

No CIP Evaluation Criteria were needed for projects # 3-6, at this time.

The Planning Commission will send their recommendations on the CIP to the Board of Supervisors

**PUBLIC HEARING:**

- a) Amendment to Bath County Land Use Regulations to consider addition of Boarding for Companion Animals in B-2 General Business, A-2 Agriculture General and A-1 Agricultural Limited for properties with a minimum of two acres with a Conditional Use Permit process.**

**Sherry Ryder:** Karen Williams asked if we bring this back up and consider amending the Land Use Regulations for boarding for companion animals. When Karen made application a few years back, across from the bank at the Black’s house, the requirements were five acres and had to be referred to a kennel to do that. The Code of Virginia has addressed the boarding for companion animals, so I have put it in here. I put down 2 acres, after looking at what other localities have done. We have B-2 General Business, A-2 Agriculture General and A-1 Agricultural Limited and they would still require a Conditional Use Permit after the two acres in there. They can have a larger acreage or less.

The two definitions; Board establishment for companion animals and Companion Animal, were taken from the Code of Virginia. I have put those definitions in your packet, along with the definition of a kennel, that is more on raising and breeding. The code also covers the requirement for the Boarding establishment and for groomers.

I was asked who would be the enforcement party for this, if something should happen, someone is neglecting an animal or is abusing an animal, that will still fall under the Animal Control Office, not under me. The only thing that would fall under me is the permit for the number of animals. Animal Control would cover any complaint, check on shots and tags, whatever.

With the boarding of companion animals, there would be someone in attendance to the animals twenty-four hours a day, as long as you have animals there. If an animal were to get hurt or sick, the owner of the company would be responsible to take the animal to a veterinarian and between them to settle any bill.

Right now, our code says you can have four dogs on your premises as long as they are tagged, pups are different, they need to be six months to be considered dogs. You can have dogs and keep or board someone else’s dog as long as you don’t go over 4 dogs. More than that you would need to have a

kennel license. According to the Code of Virginia a companion animal can be any animal, dogs, cats, reptiles, etc.

**Vice-Chair Jason Miller** asked if there was an application for them to look at.

**Sherry Ryder:** No, we were only asked if we could look at it and consider if we wanted to make recommendation to the Board of Supervisors to incorporate it into the Land Use Regulations. So, we are at a Public Hearing/Input section and it is up to the Planning Commission to decide if you want to put it forward to the Board of Supervisors or hold off until we amend our Land Use Regulation down the road after we do our Comp Plan amendment?

**Chairman Loeffler:** Does anyone from the public have anything to say or add? I now close the public comment and move to Board discussion.

**Mr. Farmer:** Under the Code of Virginia who ever runs that thing has to provide emergency veterinary treatment. We went around and around with this before. They did not establish with us that they had any veterinary on call. So, if we do an ordinance, definitely it's going to be in there.

**Vice-Chair Jason Miller** stated that it would be best to wait until the Comprehensive Plan is being reviewed.

**The Board noted:** The subject will be reviewed later when they update the Comprehensive Plan and Land Use Regulations. No motion is needed.

**CHAIRMAN'S REPORT:** None

## **STAFF REPORT**

**Sherry Ryder:** Gave an overview of what was going on.

## **OLD BUSINESS: Comprehensive Plan**

- **Update from public utilities (PSA, WSSC, Homestead)**

**Chairman Loeffler:** We invited Bugs, Glen Criser to talk about capacity for future growth as we identify growth areas for the Comprehensive Plan this year Where can we grow, and can't grow. Where is water, septic and internet as we rethink the growth area. We want to put it in places that we can service.

**Vice-Chair Jason Miller** asked Bugs if he had maps, more detailed, showing where service is located?

**Bug Phillips (PSA)** stated he would like to have a meeting with all the entities of those that have information, County Administrator (Mr. Harrison), Sue Hirsh (Schools), Glen Criser (Warm Springs Sanitation), Planning Commission, Board of Supervisor, BARC (for internet), set down, two or three times a year to discuss what is going on and ask, what do we have? What do we want? And brainstorm long-range planning.

**Chairman Loeffler:** Sherry, would we have to advertise a meeting?

**Sherry Ryder:** It would depend on how many of the Board members came, but we could advertise and have everyone who wanted to come could come.

**Mr. Farmer** asked if the Commission were “spinning their wheels” looking at Rt. 220 and Rt. 39 as growth areas? If we can’t get water there, sewage there.

**Bugs Phillips** stated that he and Sherry could get together and put something together on locations for water and sewer.

**Vice-Chair Jason Miller** thought it would be a good starting point before meeting altogether.

**Mr. Farmer** has concerns about the State’s mandates on affordable housing with the County being locked-in by, State, Federate Parks and Natural Conservative Easements.

**Bugs Phillips** gave a brief list of where the PSA has water/sewer right now, but couldn’t state what the limitations would be for some areas at that time. We are looking at \$60 per foot installed.

**Sherry Ryder:** We need to ask utilities, where would you like to serve in 10-15 years down the road? What direction would you like to go, to serve an area? This is the kind of things we need to be thinking about. We know Mountain Grove won’t have it in our life time, but would it be going from Muddy Run up Rt.220 one day, with water/sewer? Or up Rocky Ridge? If we decided to make that R-3, a developer might, in the future build. It’s not on your books now to build, but if it should come around, in 15 years, could we do it?

**Bugs Phillips** stated that if we did what he was talking about earlier, then it would be possible to do that by coming up through Hidden Valley Road. Because of DEQ requirement, it is getting very expensive for young families to install their own septic.

**Chairman Loeffler** asked Glen Criser where his district covers.

**Glen Criser** stated it basically runs from Chimney Run to Routier Hill/ Roseloe area and West Warm Springs. Mountain top to mountain top. They were governed more by State than County. They are licensed permitted for 80,000 gallons, but are only using, on a good month, 20-30,000. They have replaced about 90-95% of their original trunk lines. He gave an over view of what the system could handle, its life expectancy and explained how a connection was calculated. He stated that the Warm Springs Sanitation District has one of the lowest, if not the lowest, rates in the state of Virginia for sewer coverage.

**Chairman Loeffler** asked Bugs about coverage in the Millboro area.

**Bugs** stated they have coverage in the Speyside, BARC area. He gave an overview of how they calculate connections.

**Vice-Chair Jason Miller** would like Sherry, Glen and Bugs get together before next month's meeting and go over the water/sewer maps. Then a round table can be set up with the others and the public. The Board all agreed.

**NEW BUSINESS: None**

**MINUTES:**

**Chairman Loeffler:** We have the minutes for the January 28, 2019 meeting.

**Vice-Chair Jason Miller:** I make a motion we approve the January 28, 2019 minutes.

**Mr. Farmer:** Second.

**VOTE: 4-0 approved.**

**ADJOURN**

**Mr. Farmer:** I make a motion we adjourn.

**Vice-Chair Jason Miller:** I second.

**VOTE: 4-0 Meeting adjourn.**



\_\_\_\_\_  
Chairman John Loeffler

3/25/19  
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Date