

**Town of Amherst Planning Commission  
Minutes  
September 6, 2023**

A meeting of the Town of Amherst Planning Commission was called to order by Chairperson June Driskill on September 6, 2023, at 7:00 P.M. in the Council Chambers of Town Hall at 174 S. Main Street.

It was noted that a quorum was present as indicated below:

P	June Driskill	P	Michael Driskill
P	William Jones	P	John Vandervelde
P	Anne Webster Day	P	Veda Butcher
P	Clifford Hart		

Town Manager Sara McGuffin, and Clerk of Council Vicki K. Hunt in her capacity as Secretary, were also present.

The Chair opened the floor for citizen comments. There being no one present in person or otherwise to speak, no comments were made.

Mr. Hart made a motion that was seconded by Mr. Driskill to approve the minutes of the August 2, 2023, meeting.

There being no discussion, the motion carried 7-0 according to the following:

June Driskill	Aye	Anne Webster Day	Aye
Michael Driskill	Aye	John Vandervelde	Aye
William Jones	Aye	Veda Butcher	Aye
Clifford Hart	Aye		

Town Manager McGuffin gave a report on a proposed donation to the Town of Amherst from Paul Kilgore of 22 acres of land which is a portion of the property generally known as the “Ambler property,” designated as tax map numbers 95-A-90, 90A, 91, and 110-A0103, and generally located across South Main Street from the Amherst County High School. Mr. Kilgore is seeking to place a conservation easement on the land. To be compliant with the Town’s adopted Comprehensive Plan staff requested that the 22 acres of land be designated for public/semi-public uses.

The proposal was advertised for public hearing for two consecutive weeks, as required by State Code. Because the public hearing was not set by the Planning Commission, staff requested ratification of the public hearing by the Commission.

Mr. Vandervelde made a motion that was seconded by Mr. Driskill to ratify the setting of a public hearing on determination of whether to amend the adopted Town of Amherst Comprehensive Plan, Section 13, Land Use Profile, to include a provision to address parks in specific suitable

areas; and whether to amend the Town’s Future Land Use Map to include a proposed public use designation on a portion of the property generally known as the “Ambler property,” designated as tax map numbers 95-A-90, 90A, 91, and 110-A0103, and generally located across South Main Street from the Amherst County High School, as recommended by staff.

After discussion, the motion carried 7-0 according to the following:

June Driskill	Aye		Anne Webster Day	Aye
Michael Driskill	Aye		John Vandervelde	Aye
William Jones	Aye		Veda Butcher	Aye
Clifford Hart	Aye			

The Chair opened a duly advertised public hearing at 7:04 p.m. on determination of whether to amend the adopted Town of Amherst Comprehensive Plan, Section 13, Land Use Profile, to include a provision to address parks in specific suitable areas; and whether to amend the Town’s Future Land Use Map to include a proposed public use designation on a portion of the property generally known as the “Ambler property,” designated as tax map numbers 95-A-90, 90A, 91, and 110-A0103, and generally located across South Main Street from the Amherst County High School.

Mr. Kilgore was present to answer questions.

There being no one else present who wished to speak on the matter, the public hearing was closed at 7:22 PM.

Mr. Driskill made a motion that was seconded by Mr. Hart to make a recommendation to Town Council for approval of an amendment to the adopted Town of Amherst Comprehensive Plan, Section 13, Land Use Profile, to include a provision to address parks in specific suitable areas and to amend the Town’s Future Land Use Map to include a proposed public use designation on a portion of the property generally known as the “Ambler property,” designated as tax map numbers 95-A-90, 90A, 91, and 110-A0103, and generally located across South Main Street from the Amherst County High School, as recommended by staff.

After discussion, the motion carried 7-0 according to the following:

June Driskill	Aye		Anne Webster Day	Aye
Michael Driskill	Aye		John Vandervelde	Aye
William Jones	Aye		Veda Butcher	Aye
Clifford Hart	Aye			

Town Manager McGuffin gave a report on consideration of an amendment to the Town’s Zoning and Subdivision Ordinances, Chapter 24, that would, if approved, allow the creation of flag lots in those instances where severe topographic constraints or unusual existing lot lines make this type of lot arrangement the only feasible way to develop the tract and which meet certain criteria.

The Chair opened a duly advertised public hearing at 7:23 p.m.

Paul Kilgore, a resident of the Town of Amherst, came forward in support of the proposal.

There being no one else present who wished to speak on the matter, the public hearing was closed at 7:28 PM.

Mr. Vandavelde made a motion that was seconded by Mr. Hart to make a recommendation to Town Council for approval of an amendment to the Town's Zoning and Subdivision Ordinances, Chapter 24, that would to allow the creation of flag lots in those instances where severe topographic constraints or unusual existing lot lines make this type of lot arrangement the only feasible way to develop the tract and which meet certain criteria, as recommended by staff.

After discussion, the motion carried 7-0 according to the following:

June Driskill	Aye		Anne Webster Day	Aye
Michael Driskill	Aye		John Vandavelde	Aye
William Jones	Aye		Veda Butcher	Aye
Clifford Hart	Aye			

Town Manager McGuffin gave a report on the application of Jeremiah and Andrea Kirkland for a special use permit to allow a bed and breakfast at their residence 146 N. Main Street, Amherst, Virginia. A public hearing was held on the matter by the Commission on August 2, 2023, at which time the matter was deferred to allow the applicants sufficient time to present a list of conditions for consideration.

Jeremiah Kirkland was present to answer questions.

Mr. Vandavelde made a motion that was seconded by Ms. Day to make a recommendation to Town Council for approval of a special use permit of a bed and breakfast at 146 N. Main Street, with the following conditions:

1. The Special Use Permit shall only apply to the use of the duplex unit as a bed and breakfast unit and shall only apply to the garage structure if the living space is compliant with the Accessory Dwelling Unit zoning and Building Code requirements.
2. A maximum of two rental units shall be allowed on the property, and only if all dwelling units on the property meet zoning requirements.
3. The property owner shall live on the property while the short-term rental use is in effect.
4. If the property owner will not be home for the night while the property is being rented, they will have a responsible property manager on site for the night.
5. Quiet hours shall be from 10 p.m. to 7 a.m., consistent with the Town's adopted noise ordinance.
6. Occupancy in the duplex rental unit shall be limited to four people.
7. Occupancy in the garage unit shall be limited to two people.
8. Camping, overnight stays in RV's or other motor vehicles is prohibited.
9. All guest parking must be off street parking.

After discussion, the motion carried 7-0 according to the following:

June Driskill	Aye		Anne Webster Day	Aye
Michael Driskill	Aye		John Vandervelde	Aye
William Jones	Aye		Veda Butcher	Aye
Clifford Hart	Aye			

Town Manager McGuffin gave a report on consideration of a proposed amendment to the Town's zoning ordinance that, if approved, would allow more than one accessory unit on a residential lot, and on consideration of a proposed amendment to the Town's zoning ordinance that would, if approved, allow more than one dwelling unit on a lot based on the underlying zoning district and/or size of parcel. A public hearing was held on the matter by the Commission on August 2, 2023, at which time the matter was deferred to allow staff an opportunity to present a draft code amendment for consideration.

After discussion, by consensus the matter was deferred to the October 4, 2023, Planning Commission meeting for further discussion and consideration.

There being no further business, on motion of Mr. Vandervelde which was seconded by Mr. Hart and carried 7-0, the meeting adjourned at 8:09 PM, according to the following:

June Driskill	Aye		Anne Webster Day	Aye
Michael Driskill	Aye		John Vandervelde	Aye
William Jones	Aye		Veda Butcher	Aye
Clifford Hart	Aye			

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June Driskill, Chairperson

Attest: \_\_\_\_\_