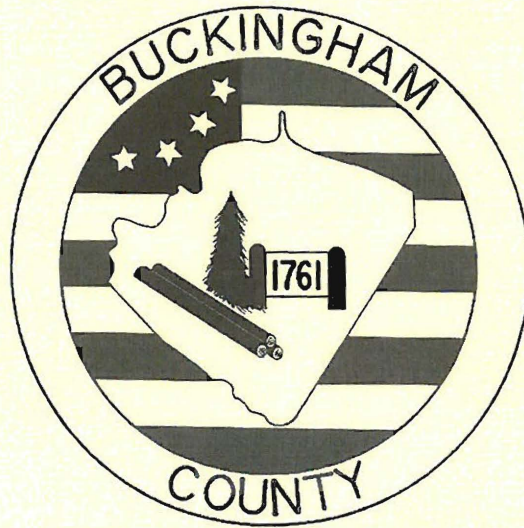


**Buckingham County
Planning Commission
Monthly Meeting
Packet**



January 25, 2021



Buckingham County Planning Commission
Agenda
Monday, January 25, 2021 7:00PM
County Administration Building
Peter Francisco Meeting Room
www.buckinghamcountyva.org

1. Call to Order by Zoning Administrator
 - Establishment of Quorum
 - Invocation
 - Pledge of Allegiance
2. Consider Vote for the Seating of Chairman of the Planning Commission
3. Consider Vote for the Seating of Vice Chairman of the Planning Commission
4. Chairman welcomes new commission member, Joyce Gooden
5. Adoption of Agenda
6. Approval of Minutes – December 21, 2020 Joint Work Session
 - December 28, 2020 Regular Meeting
7. Approval of 2021 By Laws and Rules of Procedure
8. Public Comment
9. Old Business
 - A. Public Hearing – Des Raj – 20-ZMA281
10. New Business
 - No New Business at this time

11. Reports
 - A. Building Permits Report
 - B. Zoning Administrator Report
12. Commission Matters and Concerns
13. Adjournment

In response to the COVID-19 epidemic, Public Comments AND Public Hearing Comments for Buckingham County Planning Commission Meetings and Hearings will be received using the following methods:

1. Written comments may be mailed to the Planning Commission at PO Box 252 Buckingham, VA 23921. Please limit word count to 500 words.
2. Emailed comments may be sent to publiccomments@buckinghamcounty.virginia.gov. Please limit word count to 500 words.
3. Telephone voicemail comments may be left to be played to the board by calling 434-969-5039
4. To appear virtually to the Planning Commission for comments please email publiccomments@buckinghamcounty.virginia.gov. You will receive notice with the link and/or telephone number necessary to connect virtually during the meeting.
5. In person Public Comments will be permitted by signing up (signup sheet) to speak prior to the beginning of the meeting

Please note: Please state your name, district, address, and which hearing you are commenting on. The three (3) minute rule will apply to public comments. All correspondence must be received only by the methods above, and are due by 12:00 PM the day of the meeting.

***In person attendance will be permitted at this meeting per the Governor's Safer at Home Phase Two Guidelines for All Business Sectors.**

**Buckingham County
Planning Commission
Board of Supervisors
Joint Work Session
December 21, 2020**

At a joint work session held by the Buckingham County Planning Commission joined by the Buckingham County Board of Supervisors held on Monday, December 21, 2020 at 6:00 p.m. at the Peter Francisco Auditorium of the Buckingham County Administration Complex, the following members were present: Patrick Bowe, Chairman; John E. Bickford, Vice-Chairman; Ashley Shumaker; Danny Allen; and Steve Dorrier. Alice Gormus and James D. Crews joined by zoom. For the Board of Supervisors were Harry W. Bryant, Jr., Chairman; Don Matthews, Vice-Chairman; Dennis Davis; Donald E. Bryan; Danny R. Allen; T. Jordan Miles, III and Joe N. Chambers, Jr. Also present were Cheryl T. "Nicci" Edmondston, Zoning Administrator; Karl Carter, Asst. County Administrator; and E.M. Wright, Jr., County Attorney. Rebecca S. Carter was absent

Re: Call to Order

Chairman Bowe called the Planning Commission meeting to order.

Chairman Bryant reconvened the Board of Supervisors meeting from the December 14, 2020 meeting.

Re: Establishment of a Quorum

Chairman Bowe certified there was a quorum. Five of seven members present in person, two by Zoom.

Chairman Bryant certified there was a quorum. Seven of seven members present.

Re: Invocation and Pledge of Allegiance

Commissioner Shumaker gave the invocation and the Pledge of Allegiance was led by Steve Dorrier and said by all who were in attendance.

Re: Discussion and Fact Finding Session with Agency Experts Panel to Include DEQ, DMME, Virginia Tech, VDH in Regard to Mineral Exploration Activity/Drilling/Mining

Edmondston: Good Evening, everyone. We've gathered here again tonight with our panel of experts and some more individuals who have so graciously agreed to join us and provide the information

pertaining to this core sampling for commercial prospecting. I would like to take a few moments to reintroduce those who joined us last month and also offer an introduction to those who are new to us tonight. I believe joining us via zoom we have James Golden, who is the DEQ Director of Regional Operations for the Piedmont Regional Director, Mr. Golden Are you with us tonight?

Golden: Yes, I am.

Edmondston: Thank you so much for joining. From the DMME, joining us via zoom would be Michael Skiffington, the Director of Policy and Planning along with Damien Ferrer, who's our local mine inspector with DMME. Are you both here via zoom?

Skiffington: Yes. Good evening.

Ferrer: Yes.

Edmondston: Wonderful. Thank you, gentlemen, so much. And from DMME, we have our very own David Spears who is the state geologists and he is joining us in person. Mr. Spears, thank you once again. And tonight from Virginia Tech, we are not able to have John Sarmat join us. He has other obligations and cannot attend this virtual meeting tonight. So we're sorry to miss him. But Erin Ling, who is the Senior Extension Associate and Program Coordinator for the Virginia Household Water Quality Program. Are you available tonight, Erin?

Ling: Yes, ma'am.

Edmondston: Awesome. Thank you so very much for joining us. Paul Louis is our local environmental health specialist. Paul may not have been able to join us. He just recently came back to work. We're glad to have him back. In the aggregates industry with Virginia Transportation Construction Alliance, We have Rob Lanham in the audience with us tonight. Rob, thank you very much for joining us. Spencer Young, with Boxley is joining us here in person tonight. Spencer, thank you for attending. We also have Matt Schiefer, who's Vice President of the eastern region with Luckstone. Mr. Schiefer, thank you so much for joining us tonight. And also in our audience is Kendall Fountain who is representing Weyerhaeuser, who's one of the large landowners with activity in question. So Mr. Fountain, thank you so much for attending tonight. And then that same line, there's two individuals a David Brown and Donald Taylor joining us to represent Buckingham Land and Timber. Are you both with us this evening?

Taylor: Yes.

Edmondston: Okay, wonderful. Thank you both very much. And let's see, Nancy...

Brown: This is David. I'm here.

Edmondston: Okay, Mr. Brown. Thank you. And also we have Thomas Ullrich, who's the CEO of Aston Bay Holdings joining us tonight.

Ullrich: Here. Thank you.

Edmondston: There you are. Thank you so much. It's nice to have you join us. And we did have Nancy Thompson listed with Weyerhaeuser. But I believe Mr. Fountain said that he would be handling all the communication, is that correct? Wonderful. Once again, thank you all for taking this invitation and taking your time to join us this week before the Christmas holiday. We do graciously appreciate this. And our Chairman, Mr. Bowe, Chairman Bowe is going to take care of the rest of the housekeeping for the evening. And he has some questions that they have gathered, and it's gonna lay that groundwork for us. Thank you so much.

Bowe: Thank you. Before we get started, let me just read some rules that let's try to follow here tonight. Since neither Aston Bay, nor Weyerhaeuser, have had an opportunity to address us yet, they will each be given approximately 10 to 15 minutes to make their case. All other participants are asked to try to keep their responses to about three minutes or less. The chair will ask all questions that have been submitted. After chair questions, panel. Commission members will be given a time to address additional questions that they might have come up with since the list was made. We asked that all Board of Supervisors hold their questions until this part of the program. They will have adequate time. All the time is necessary to their own question. Like if we stick to these rules, we'll get through this thing a whole lot quicker. Thank you. I'd like to start it with Ashton Bay. Mr. Ullrich. Are you in attendance?

Ullrich: Yes, sir.

Bowe: Okay, let me read you the question. We as well as yourself have heard many allegations about what Aston Bay has done here in Buckingham County. Will you please tell us what has actually happened? And the environmental impact on our county?

Ullrich: Absolutely. Commission Chairman Bowe. I'd be glad to. First of all, thank you, and the planning commission, and Board of Supervisors for giving us this opportunity to speak, I'd like to try to give background information, I think that will really, really help to explain the work we've been conducting in Buckingham County. And I'll try to be brief now I really want to let everybody have a chance to speak here. A little background of Aston Bay, you know, we are a small company, you know, we have just two employees. We are a publicly traded on the Toronto Stock Exchange. And you know, and therefore, you know, we're very highly regulated, and we're legally required to operate to the highest

standards, and just about our business. Our business is early stage mining exploration, excuse me, mineral exploration, not mining. Now, the exploration that we've conducted in Virginia, in Buckingham County, has been done at the invitation of the local landowners, and it's really important to acknowledge that Aston Bay really has no inherent rights here. We're not pretending in any way, the right to explore and the right to determine the value of the land. These are the rights of the Buckingham County land owner's and its heart, you know, really that's the issue here, you know, is an issue between the local land owners and the county administration. And I'm happy to explain that, you know, where Aston Bay comes in here, and really where that is, it's when a land owner suspects, you know, that they may be some undiscovered or suspected mineral wealth on their land, but they lack the technical or financial wherewithal, really to prove it, no need to demonstrate it. So what we do you know, at the request of the landowner, we partner with that landowner, who then lends us their rights, you know, to conduct that required exploration on their behalf and at our expense. Now, what has happened over the last year and a half, we've entered into partnerships with two local landowners. And we've conducted essentially three exploration programs over that last year and a half, totaling about 23 exploratory drill holes, in addition to some surface soil sampling, and rock sampling. Now, all this work was done with local contractors, you know, to the highest professional standards, you know, with a minimal disturbance to the land, and with absolutely no adverse environmental impacts. You know, this is of the utmost importance, really to Aston Bay and not just Aston Bay, its importance to the landowners, you know, the stewards of the land here, the drillers and the geologists who are working here. We all have significant professional, ethical and financial stakes at play here. You know, they put it very simply, it is very important for all of us to do this right, and to do it right all the time. Now, you know, in conducting this exploration, Aston Bay has invested over a million dollars in Buckingham County. Yeah, some may scoff at that and say, you know, but, but really, you know, this investment has been done at no financial risk to the county, but brings the potential for added economic activity, jobs, you know, potential tax revenue down the road, if we are successful here, you know, and it's, you know, and if it turns out that we can, you know, potentially put mine in here. We were fortunate enough, you know, what I'm saying, but, you know, some of these benefits, the immediate benefits may not be so easy to see, difficult to recognize, perhaps, you know, but I can tell you that we were fortunate enough to hire a local Buckingham County geologist full time for over a year to oversee and supervise this program. And we also hired four other local geologists from Virginia and North Carolina, and other technicians part time for direct local payroll of over \$150,000. You know, we have more work to do, and more work than we'd like to do. But unfortunately, we just can't continue at this time. Now, you know, about our activities, you know, Aston Bay has fully disclosed all of our exploration activities in North America wide press releases. You know, essentially every media outlet in Virginia receives these press releases. We've replied immediately and fully to all county requests for information. We've organized two site visits. So you know, during the last few days, for each of the drill programs, in a third follow up visit by some of the members of the Board of Supervisors, you know, while all these bylaw questions were being investigated. We've been fully open and cooperative. You know, I would like to state that this is hardly sneaking around, you know, and we're not caught doing anything untoward has been, you know, as has

been suggested by some, you know, this information was out there, you know, and any clarification, you know, requests, he was really just an email or phone call away. We're always happy to answer any questions. Now, all this, you know, really brings us to the question of permits, which is really the core question in all of this here. You know, and again, this is a Buckingham land owner rights issue. So I'll try to cut my comments short here, and give the landowners and other stakeholders here time to defend their rights. I will say in closing, however, that, you know, after, you know, what, before we did this work, you know, in in consultation with the landowners, industry and government experts at all levels of government, you know, we conducted so we like to say that we conducted our drilling programs, under the truly well founded belief that no permits or other permissions were required. Now, I'll let the landowners and other stakeholders speak more on that. But I would like to say that I'm always happy in questions not only for those assembled here, but from anyone in the county, my phone number and email on our website and or press releases. I'm always glad to talk. So I'll just wrap up quickly here and give thank you for the opportunity to speak. And glad to answer more questions as for the rest of the meeting. Thank you.

Bowe: Thank you, Mr. Ullrich. Next will be Weyerhaeuser, I believe Kendall Fountain is in the audience. Go to the mic, please.

Fountain: So to open with, first off, I'm here to answer questions. If you have questions. It was not my intent to give an extended presentation today. But I do have some words I'd like to share with the group and answer any questions you might have tonight. Okay. Do you had a question? Do you have a question for me to start with?

Bowe: Yes. Weyerhaeuser is a large landowner in the county. Is core sampling activity common in other locations than ours here in Buckingham?

Fountain: Thank you for the question. First off, again, like Aston Bay said thank you for finally letting us come here and speak tonight. We appreciate it. To introduce myself a little bit more. My name is Kendall Fountain, and I'm the General Manager of Weyerhaeuser's mineral business. I have a PhD in geology and a minor in environmental engineering. I'm a registered professional geologists and I have more than 30 years of experience with mining. And again, thank you for a chance to answer this question. First, let me state that Weyerhaeuser views the stewardship of our lands owned and managed by it very seriously when it comes to the environment, sustainability and the potential impacts that mining activities on those lands might have. To go from where we are now in the early stages of exploration with Aston Bay to the possibility of a mine will likely require an extended exploration effort with the collection of much more data before the viability of a mine in Buckingham County could possibly be determined. However, should Aston Bay or another party ultimately decide to pursue mining years from now, special use permit process as it exists in the county's zoning ordinance for the A-1 district offers a rigorous and appropriate means for both supporters and opponents, to have their voices

heard when the facts that would define a project can accurately be made available to the public. That's when the information will be available so that everyone can evaluate the benefits and risks of any proposal. Therefore, it's good to see that members of the county staff and the Planning Commission recognize the benefit of keeping the SUP language as it pertains to the A-1 district as is. And that gives the county, frankly, the most flexibility to fully address a mining proposal for gold, or if any other mineral commodity should ever be proposed. Now to answer your question, you know, Weyerhaeuser is a very large company. We own approximately 11 million acres in the United States, manage another 12 million, I think in Canada.

Bowe: That's billion with a B?

Fountain: Million, million. Don't make us that big. Um, with that said, we have about 69 active mining operations on our lands across the country. And those occur in approximately 49 different counties in 13 different states. Another statistic for you just this year, we completed 20 exploration agreements, covering over 72,000 acres across our forestry properties. So people often ask the question, is drilling, core drilling an unusual activity in rural lands? No, it's not. That's 72,000 acres, it's on an annual basis. So it's something that's constantly repeated year after year, as companies look for aggregate materials, gold, coal, you name it. And to add to that, with all of those activities and all that exploration, I've never seen another instance of where accounting wanted to treat drilling as a use. The drilling has always been approached as an activity, a preliminary due diligence activity in order to determine if you want to pursue an alternative use on a property. And that's frankly, the way Weyerhaeuser views that that we should be looking at this today. I know that's in disagreement with the way the county views things right now. And as you know, we've submitted a zoning determination letter to pursue that process. To determine what is the law in this case, and its Weyerhaeuser's intent to see that that process goes to its conclusion. Because there have been things said here, in prior meetings, where it's suggested that Weyerhaeuser or Aston Bay broke the law by drilling on its property. We could not disagree more. And we plan to show that the law is on our side. With that said, I'm open to any other questions you might have. Just that one?

Bowe: I don't know what to say. I mean, I think you made your point very clear.

Fountain: Well, I mean, it's just you know, we as a company, we see these sorts of activities all over the place. I think there's a couple of you I've spoken to in the past and told you know, there's one state you know, there was a question in the past about states permitting, exploration drilling. Of all the states that we have lands, 20 states, we see that in one state, and it's Oregon. And we know what Oregon's like, okay, yeah. But otherwise, when it comes to private property, private mineral rights, it's accepted as a completely legal activity as part of addressing what can one possibly do with property. And I'll point to your own ordinance in this issue as well. If you go look at the A-1 district and the special use permit alternative uses that are open within that district, I see there are things like airports, reservoirs, you

know, large scale storage tank facilities, large schools, and colleges. All of these types of uses which are subject to an SUP in that district would require some degree of drilling to determine if a property is viable for that intended use. So it seems to me to be unrealistic to expect people to come get a special use permit, in order to determine if they want to get a special use permit. It's an activity. It's nothing other than that. No different than if a company wanted to run a geophysical line to do some sort of analysis of a property. If they wanted to look at wetland occurrences on a property. Any of the above. They're just part of due diligence. Thank you.

Bickford: Thank you.

Bowe: Thank you, Mr. Fountain. Spencer Young with Boxley will be next. Hello, Spencer. You have worked in many different kinds of mines over the years. Why are mines important to the local economy? And do they impose environmental issues to the locality in which they operate?

Young: Yeah, thank you. Thank you, counsel and other members and all those in attendance beyond this room. I appreciate the opportunity to be here. Kendall already mentioned that Virginia is mineral rich and one of the impacts economically is that we have really low electric bills per kilowatt hour versus other states because of the mineral rich coal mining activities that we have here. Mines are important to the local economy by providing support for local real estate, legal, financial and banking, transportation and logistics, recreation, dining, hospital, and healthcare industries. Here in Buckingham County, Boxley employs approximately 35 full time miners who depend on mining to provide health care benefits, retirement planning, and steady income to support their families. Outside the job site mining operations use local railroads, use local hardware stores. We're using the local parts suppliers. And we rely on the same local fuel suppliers, general contractors, electricians, you know that everybody does here and around their homes. These are just some of the obvious reasons. I want to take a few minutes and talk about what responsible miners are and working for responsible companies that emphasize strengthening the communities we serve and raising the standard of living for his team members. So some of these are, are sort of not the obvious. We operate in nine counties in the state of Virginia. And we are making annual financial and material donations to first responders. We have 308 participating employees who've pledged over \$1.8 million in the last 20 years to the United Way, and the rural counties that they impact. We, Boxley and other mining companies have a very strong track record of hiring and supporting veterans. And here in Virginia, we're an official Virginia Values Veteran Certified company that seeks opportunities to give those who've served our country a chance to come back and work for us. So when it comes to environmental issues, you know we one of the ways we measure being responsible stewards of the environment is by the recognition we receive the demonstrates the dedication to the operational excellence and I think most of the other folks here tonight speaking realize we're highly regulated. We work with the state and federal agencies and operate within the legal limits of the permits. Encouraged participants of this meeting to who are seeking to learn more about mining, to search for sustainability reports by operators to hear ways we're keeping scrap out of

landfills, using recycled water in our processing systems. We're developing sustainable post mined land use, reclamation plans for attracting future jobs beyond the life of the mine. I just like to reiterate mining companies are what makes our way of life possible. We continue to seek improvements in how we sustainably use natural resources. We recognize the importance of our governing agencies, while acknowledging the needs for responsible mining throughout the state. Three minutes is not really long enough to talk about the awards that some mining companies in Virginia have received for outstanding environmental use full circle stuff. National recognition for some of our plants where we partnered with Boy Scouts of America. I have so much more that I could did I could give detail on about certified wildlife habitat council sites. That it's the only it's the only sustainability standard design for broad based biodiversity enhancement and conservation activities on corporate land holdings. Boxley is just one miner who achieved that status in 2019 on a 1 million ton a year aggregate operation. So you just really have to think about the operator. What opportunities that they have to work with the environment with the regulators and really look at the environmental impacts on a positive basis and see what you can do to improve the land as you use it. And for post mine land use.

Bowe: Thank you Spencer.

Young: Thank you guys.

Bowe: Next question, I'll go to Damien Fehrer with DMME. You ready Damien?

Fehrer: Yes, sir.

Bowe: The citizens fear they will, one, poison the groundwater. Two, drain the aquifer. Three, pollute the air. We have three open bed mines that have been operating? How often do you receive complaints by public about these concerns, and were they substantiated?

Fehrer: (conversation was breaking up badly so not verbatim) Well, let me start off by now for two years and I have never 15 counties that I inspect in core drilling completely mine haul road and I have concerns related to the potential for groundwater impacts and groundwater impact completely fresh was playing investigations and in each case they were resolved. Let me tell you a little bit about what DMME does specifically mineral mining when a company has a license and a permit to apply for a final lines are simple operations plans, drainage and sediment control plans to propose. The plans must describe the design process and how it must be are features on the mine site. All 100 boundaries such as privacy, etc. also needs to show all the property and found that all those property owners by the mine license has been requested and those persons have the right to request a public hearing with the DMME for part of the review process. Before we approve a mine operations plan and performance bond must be furnished by the permittee to ensure final reclamation of the mine site and adequate compliance with their operations plan and that Performance bonds currently \$3,000 per acre. After permitting, the mine

site is inspected for compliance with the approved mine operations plan and mineral mining laws and regulations. Most case, inspections are made each year. In many cases, make lead in that if complaints are brought to the wire to conduct investigation to determine whether the complaint is legitimate, and what can be done then to the issue and the interest is bringing the complaint. Those complaints under the safety laws, those complaints are required to remain anonymous. We're not allowed by law to provide the individual making those complaints. So those are some of the basic things that we do to ensure safe and environmentally responsible mining operations, mineral mining operations in Virginia.

Bowe: Okay, one more question. In your professional opinion, does the public really need to worry about these things?

Fehrer: Well, I can tell you as someone who's worked in the industry for 35 years, core drilling and for that matter, mining is not something that concerns me, because I understand it. I know how it's regulated. And I know there's a lot of limitations on what these companies can do in order to protect their interest as citizens in the state. But as far as the public and their right to concern themselves with these things, I think that's a legitimate concern. As we've heard many times during the elections over the last, the campaigning for elections over the last six months, an informed citizenry is really the foundation of our government. And I feel like if our citizens don't understand how they may be impacted by mine exploration or mining, they have a right to ask questions. And they should come to persons like those of us who are represented here this evening. So yeah, I think it's perfectly legitimate for concerned citizens to make those concerns or make their elected officials and their public servants such as myself aware of the concerns that they have.

Bowe: Thank you, Mr. Fehrer. Rob Lanham will be next. I believe he's in attendance.

Lanham: Good evening, sir.

Bowe: Good evening. How would it impact the aggregate industry if we require a special use permit for core drilling?

Lanham: Thank you, Mr. Chairman, Board and Commission members. Simply put, requiring an SUP for this activity would be an absolute deterrent for most aggregate companies looking to locate aggregate operations in Buckingham County. In my 35 years of experience doing exploratory drilling across Virginia and North Carolina, I've never drilled in the county that viewed this activity as a use under any zoning classification. It has always been viewed as a general investigation activity, much like surveying, timber cruising, wetlands delineation etc. and allowed on the subject property regardless of zoning classification. An SUP requirement would make the potential use, the name of the company and the location known to the general public, and potentially result in a lot of unnecessary concern, as these investigations oftentimes do not produce a viable site. For example, Luckstone's Nottoway County

mining permit approved in 2017 required the exploration of about 10 properties across the county over a two year period before we found one that was viable. Imagine the unnecessary concern of the general public, if the applicant applied, had to apply for an SUP on 10 separate properties over that period of time, only to find one. Requiring an SUP for mining in the A-1 as currently written clearly gives Buckingham County the ability to address the concerns of the public and approve or deny an application based on the merit of that application. It would be our recommendation that exploratory drilling be viewed as a general investigation activity and allowed in the A-1 and M-1 zoning classification and not be viewed as a use. Thank you.

Bowe: Okay, I have one more question of you. As the man in charge of business development at Luckstone, what advice can you give us on this very controversial subject other than what you just gave us?

Lanham: Well, as I said, I've probably, in Virginia alone, I've probably done this work in 25 different counties, if I had to pick a number, I have never been presented with this activity being considered a use where it was required to need a special use permit. And I believe if this were to take place, it begins a slippery slope as other counties, neighboring counties might look to what you have done and copy that and then also begin to further regulate that where they may require...if it was considered a by right use per se, as being proposed, another county might say it's a by right use, but it has to have a special I mean, it's not a by right use it needs to have a special use permit, which is kind of why we're here tonight. So you know, my recommendation and what we've seen in the rest of the State of Virginia and in the counties in North Carolina, where I've done work is to leave the zoning ordinance as it is and in look referred to it as an investigative or a due diligence activity.

Bowe: Thank you. Next question, we'll go to Michael Skiffington with the DMME. How does core drilling for gold compare to core drilling at places such as Kyanite and other mines in our county?

Skiffington: Actually, Mr. Chairman, it might be better if Damien answered that question.

Bowe: Okay. Go ahead, Damien.

Fehrer: Excuse me, I had to unmute my computer, I'll be happy to answer that. The core drilling for gold is not at all dissimilar from core drilling by companies like Luckstone or Kyanite Mining or Boxley Materials. Typically from what I've seen core drilling is done with small bore drills that may be two and a quarter inch outside diameter to maybe four and three quarter inch outside diameter depending on the amount of specimen that is going to be extracted. Mining is I should say mineral deposits may be initially found or by outcrops or by surveys such as comparing gravitational waves or the density of the earth in different areas. But ultimately, the only way that you can define an ore body in the ground is through core drilling. And the same applies to our aggregate operations and the properties of the stone

that they want to crush and its extent. So the core drilling as done for gold mining is not much different from that done by any of the other mines that operate across the State of Virginia.

Bowe: Thank you. I guess we're back to you, Mr. Skiffington. If gold mining does become a factor, how does it compare to existing mines in Buckingham in ways such as environmental concerns, noise and water concerns?

Skiffington: Well, Mr. Chairman, I'm the Director of Policy for the agency and that's where my expertise lies. When you get into the specifics of mining, either Damien or David Spears would be better choices to answer these questions.

Bowe: You want to grab this one again Damien?

Fehrer: I'll be happy to. If gold mining or to become a factor, how would it compare to other existing mines in Buckingham County? That's going to depend on how the material is extracted and processed. If extraction takes place underground, there are additional potential or there is additional potential for impacts to groundwater, and the nearby structures, including roadways from subsidence. If the process to extract the gold would utilize a system such as heat bleaching, where cyanide is used to dissolve and extract the gold from the crushed ore, it would have the potential for impacts that we haven't seen at the other mines in Buckingham County. On the other hand, the gold could be mined from an open pit. And after the ore is concentrated at the mine site, it may be shipped off site for further processing and extraction of the gold. So it has the potential to be quite a bit different from what we've seen at the other mining operations. But we really don't know that until the ore body is defined and the engineers that evaluate it determine the best way to process it.

Bowe: Okay, thank you. Next question, we'll go to Erin Ling with Virginia Tech. What is the impact on the people living near a goldmine versus living near current mines in Buckingham County?

Ling: I would defer to what Damien just shared recently. Um, I mean, I think it's hard to say. Most of the private water wells that are drilled in Buckingham County are drilled in crystal in bedrock aquifers, and it's relatively difficult to determine how groundwater moves. And in fact, those aquifers are known for not being very Trans missive to groundwater. So there, it's actually much less likely that you would have, you know, water at all or contaminated water moving from a site 1000s and 1000s and 1000s of feet to a private water well, on another property. I think that a lot of the regulations that are in place to regulate mining are there for this exact purpose, you know, so that private water well users can, you know, continue to use their wells with some sense of security. And the Virginia private well regulations do attempt to, you know, reinforce that as well, you know, by making there be setback distances from property lines and well construction standards. So I would say it would be hard to make a blanket statement across the board in terms of the vulnerability of those wells, but it's mostly about, you know,

the distance from where the activity is taking place and you know, the likelihood that that that that water or contaminated water would be able to be transmitted through those fractures in the bedrock.

Bowe: Are monitoring wells, excuse me, are monitoring wells ever used in conjunctions with mines?

Ling: That would be a question for Damien.

Fehrer: Yes, sir monitoring wells are used. In fact, they're often required as part of the process where the mining company would apply for a license and permit. So it's part of the mine operations plan. The applicant needs to provide an assessment for the potential of impact on the overall hydrologic balance and they need to provide a plan for the minimization of adverse effects on water quality and quantity. And the best way to do that, sometimes the only way to do that is with groundwater monitoring wells. We typically require monitoring wells in both the shallow aquifers and the deep aquifers all the way around the mining operation, or at least between the mining operation and nearby groundwater users. So that we can determine if extraction of the mineral is causing any detrimental effect to those persons who require groundwater as their primary water supply.

Bowe: And are these monitoring wells required by the state or they imposed by like a planning commission, with conditions on the SUP?

Fehrer: Those monitoring wells are required by our agency, the Department of Mines, Minerals, and Energy as part of the permit application process.

Bowe: Thank you, sir.

Fehrer: I'll just share with you that Luckstone has put a new quarry in recently in Prince Edward County. And we require a half a dozen groundwater monitoring wells around the perimeter of that site. Those wells were drilled, and have been monitored since well, let me say probably six months, at least since before extraction began to take place. And they're being monitored on a quarterly basis right now will be continued to be monitored through the life of that operation.

Bowe: Thank you, sir. Next question goes to James Golden with the DEQ. Are you there, Mr. Golden?

Golden: Yes, sir, I am.

Bowe: Does core sampling affect the water supply of the neighborhood wells?

Golden: Could you repeat the question one more time, please?

Bowe: Does core sampling or core drilling affect the water supply of neighborhood wells? There have been many people up here complaining that we were running not we, the Aston Bay folks were running their wells dry. Is this possible?

Golden: Let's talk to us about that. Yes, well, first off, the Department of Environmental Quality does not regulate core sampling at all. So we have no role in that regard.

Bowe: I thought y'all got into everything.

Golden: Fortunately, we do not. So I really couldn't answer that. We don't regulate core sampling activity.

Bowe: Is that because it's not dangerous? Is that because it's not a threat to the environment? Why don't you get involved with it?

Golden: It's I think it's just not considered to pose environmental impacts to a degree that would require any kind of regulatory activity by our agency.

Bowe: Does not, is that what I heard you say?

Golden: Yes, sir. Does not.

Bowe: Okay. Are the core sampling rigs using any chemicals or water jets spray that would contaminate neighborhood wells?

Golden: Again, I would not be the best person to answer that perhaps Damien could I'm sure he has more experience with drill rigs than I do. So I would defer to someone else.

Bowe: Okay, Damien.

Fehrer: I'm gonna defer to David Spears, who was their State Geologist or Mr. Ullrich with Aston Bay. I don't know how these whether or not these core rigs or using any chemical additive in the water that is circulated through the drilling process.

Fountain: So I've spoken to the geologists that works with me, who's working with Aston Bay on this project. And first off, we looked at what the water use was, while they were out there drilling because there was concern about the impacts of the drilling might have on local wells. If you actually look at the water usage for the time period that they were out there drilling, and the number of wells that they drilled, it equated to be about 2700 gallons a day. That's the water usage for that drilling activity. Now,

to put that in the proper perspective, that's the equivalent of a garden hose running for three hours. So they were using the equivalent of a garden hose running for three hours, each of the days that they were out there during their drilling activity. And that's on a footprint in excess of 2500 acres. As far as what they use in the...with the drilling that's taking place there. I know. But previously, it was said there was water, I believe they also may have been using what's called bentonite clay. Okay, so that is a naturally occurring clay material, also used as a food additive, I'll add, that is used to thicken the water and help push rock chips up and out of the hole as they drill. And that's the extent of it. Water and bentonite clay. Is that correct?

Ullrich: Yes. Yeah, that is correct. I should clarify, you know, that the water we were using are actually taken, you know, from natural springs that was actually injecting into the hole, rather than taking out of the holes, just to be clear.

Fountain: Yeah, I would say its use not consumption.

Ullrich: Correct, yes. And in all additives that were used are all you know, biodegradable and very innocuous, you know, that the drilling industry is highly regulated. The drillers themselves, you know, it is certainly in their best interest to make sure that they do not cause any trouble. You know, as it is, obviously, you know, as a landowner. Any of the landowners here, it's in our best interest to make sure that you know, nothing, you know, we do not damage any of these aquifers. And also, just to be clear, you know, the nearest home seer from our drill site, over about 1.5 kilometers away, which is almost 5000 feet, just to give you a bit of a perspective of where we are.

Bowe: Thank you, sir. Next question. We'll go to David Spear. Want to go to the microphone, David? Does the geology of Western Buckingham offer additional exploratory opportunities in addition to gold?

Spears: That's a very good question. Right now, the US Geological Survey is undertaking a program called Earth MRI, where they are looking for critical minerals. These are minerals that are necessary for our modern society that may have a limited supply domestically. And so they're investing in nationwide investigations as to where we might be able to find some of these minerals. Western Buckingham is part of what we call geologists called the Potomac terrain. It's a very specific...these rocks were formed in very specific tectonic setting off the ancient eastern edge of North America. Basically, it's seafloor sediments that were deposited in deep water and then squeezed up against the continent. They have some potential for things like maybe some metals like chromium, and maybe some other minerals that I just have to say the word as best for minerals. There's some low potential for those kind of minerals there. But this is how mineral deposits are found by exploration and by drilling and by sampling. The fact is, without companies private, landowners cooperating with mineral interest companies, we don't know what's out there. The State Geological Survey to a limited degree makes maps of the geology. We cooperate with our federal partners to try to help understand the minerals that are out there, but until a

private concern really expresses interest and actually invests in sampling and chemistry and physical properties analysis. We don't know what's out there, frankly, finding gold in western Buckingham did come as a bit of a surprise to geologists. It's not in the traditional gold belt that runs more or less on both sides of Route 15. It's well west of that. So if you want to know what's out there, it's in the interests of the counties to allow landowners to explore their own lands and figure out what's there.

Bowe: Thank you. Michael Skiffington next question is for you. Are you there?

Skiffington: Yes, sir.

Bowe: Okay. It has been alleged that when the gold mine closes, that the area is left in a state of disaster. Open pits, topsoil gone, piles of tailings, etc. What are the actual facts about decommissioning? And what could the citizens expect to see?

Skiffington: This is part, and I'll have Damien jump in on this as well. But this is all part of what's contained in the permit application that we touched on earlier, the operators have to tell us how they're going to reclaim the land. And we retain a bond that they put up at the front of the process. We retain that until such times we're satisfied with the law, and the conditions of the permit have been met.

Bowe: Okay.

Fehrer: That's correct. We would not allow a mine operator to walk away from conditions like those that you described, Mr. Chairman, not in the State of Virginia. Occasionally, we've had mine operations that have gone bankrupt or for some reason, financial primarily going out of business before they could meet their environmental obligations to reclaim the land. When that has happened, the state will take over the property and the land becomes will fall under our orphan mine program and funds drawn off the interest from their funding program, our pool fund would be used to cover the cost of Reclamation to that property.

Bowe: What is the reclaim mine look like to the eye? I mean, is it just still a big hole in the ground with dug out rock or whatever? What does it look like? It's reclaimed now. Closed.

Fehrer: Yes, sir. That's going to depend on the type of mining operation. And just as an example, I have operations, heavy mineral sand operations in the east part of my inspection area, that when reclamation is complete, you literally cannot tell the reclaimed land from the surrounding farmland because intensive agriculture is part of the post mining land use. So you see tobacco and peanuts and corn and soy bean planted across the ground that looks like it's never been touched by mining. When it comes to stone quarries or open pits like Kyanite Mining Corporation, reclamation will result in the pit being left open, but fenced in. And there more than likely there will be piles of overburden and mined

waste around the perimeter of that pit or the plant that are left above grade. But all those areas that were disturbed by mining have to be stabilized with a cover of vegetation. So topsoil is required to be saved as part of the extraction process. So that when these above ground fills are completed, they can be kept with that material and seeded and before we would release bond, those areas that have been revegetated would have to be under cover of... a vegetative cover that is healthy and self-sustaining. We're required by law to monitor these reclaimed areas for two years or two full growing seasons before we can consider bond release to ensure that these disturbed areas have been adequately stabilized with a cover of vegetation. In some cases, we've had open pits utilize the open pits or other disturbed parts of our mining operations use for commercial or industrial purposes. Some of you may be familiar with the Solite operation in the north part of the county that was reclaimed to an industrial post mining land use. The plant area after most of the structures were taken down and any hazards were removed, was converted to a timber processing facility. Over in Rockbridge County in the City of Lexington, we have a Luckstone mining operation that was reclaimed to a commercial post mining land use, where a shopping center is now occupying the floor of what used to be a limestone quarry. So it depends on what is, you know, what the local citizens may be interested in. And in particular, I guess opportunities for businesses or farmers, or timber producers in the community. Typically, the mining operation will work in conjunction with those landowners in the community to develop a post mining land use that will benefit that community.

Bowe: Thank you, sir. I don't know what would have done without you tonight. You've been very helpful.

Fehrer: I'm glad I'm unable to answer some of these questions.

Bowe: Well, you got a bunch of them. Oh, we've got David Brown and Donald Taylor still on the call and I think they as landowners wanted to address us for a moment or two. Are you there, David?

Taylor: Yes, sir.

Brown: This is David. I want to thank yall for time to address these issues, but Don Taylor is going to be pretty much representing Buckingham Land. Okay.

Taylor: Good evening, Chairman of the Board. I just want to say how I'm impressed I am with the speakers in answering the questions and staying to the point. Just to introduce myself, I am a landowner in Buckingham County, and have been for some time but even more importantly, I'm a geologist and I've got a master's degree in geology, been in the business over 40 years. I've done everything from grassroots exploration, which is what's going on Buckingham County to developing opening mines and running mines. Certainly, I'm the Chief Executive Officer of a company called Titan Mining. Again, it's a Canadian based mining company. We operate an underground zinc mine in upstate New York. It's

actually this mines been in operation since 1920. We've been operating for about the last three years. In my previous role, I was chief operating officer of a company called Arizona Mining. Just to give you an idea, we've kind of progressed or digressed. But we're talking about mining when the subject here is really a special use permit for exploratory drilling. But while we're on that subject, let me just say, Arizona Mining, it was a grassroots discovery. It was made because of exploratory drilling. But to give you an idea of the impact, we actually got bought out as a public company. We were bought by a larger multinational company for \$2.1 billion. The impact to that mine, that mine will employ roughly direct and indirect about 3500 individuals for a minimum of 50 years. Okay, that's going to be an underground mine. So those wages, the impact of the communities here in southern Arizona will be will be dramatic. And so as well in New York, we employ about 110 people directly. That affects about 175 to 200 people indirectly. And again, that mines been going since literally 1929, I think was the first opening. We've literally drilled, not 1000s of holes, but 10s of 1000s of exploration, pipe drill holes. Some of those are as deep as 5,000 or 6,000 feet, some ratio is a few 100 feet. Our mining activity extends to 4.5 thousand feet below the surface at this point. And I can tell you that we've got power is literally less than a quarter of a mile from our headframe. So we are monitored very closely with everything we do. And so our impact in the community is closely monitored, and we're good corporate citizens as we can be. So you'll see that there's no environmental fractions in our record. Our tailings facilities and surface facilities are monitored or checked four times a year through the State of New York. Our underground is inspected quarterly by Escher. Obviously, we have some interest citations every mine does. It is one of those things you deal with. But anyway, that's a bit about who I am and what I've done. But I've literally been drilling holes in the State of Virginia since 1996. I'd love to say it was 1000s. But it's not in the 10s. And we've done a lot of work in Campbell, Buckingham, Pittsylvania, and looking for gold. But the other minerals to your question while ago they're very likely to be found or likely to be found have been found, but not in sufficient quantities. There is certainly gold. There's copper, lead, zinc. There's a high grade silica mine that I don't think it's in Buckingham County, I think it's probably across the line there that people have looked at for years. And so the point is, is that this special use permit that you're considering is certainly going to be a deterrent. Now, my days in this business are certainly not as long in front of me there are behind me, but I can tell you through my career, that exploration finding these departments has gotten much more difficult. The easy ones have been found, the ones that are sticking out of the ground have been mined. And in the last 10 years, real great mineral deposits across the globe that were politically untouchable, many of those have now been mined or being mined. And so in a society that demands metals and progresses, you know, when you look at renewable energy in its consumption, as we go forward, we have we're going to have the impact that we are going to have to come up with more and more mineral deposits. It's understated in intact. And so we've got to be smarter with what we do. But drilling these holes is I think is as Damien said earlier, without these drill holes, we don't find anything. We don't find anything we are starting to send on foreign sources, no sources at all. And so the pitch here is that no, I think a special use permit is over the line for what we're doing. I believe that we've done it this way for well in Virginia for the last 25 years. And I can tell you that personally, because I do take it very personally, whether I'm running mine or running an exploration

program, these you can't have those black spots on your resume anywhere. Not that you want them. You simply can't have them. And he talked about the drilling additives, everything those guys you can walk up to their drill rig any day and ask them for the MSDS sheets and extra sheets to tell you what's in every add on that drill rig and they will have it available to you in a notebook. They're all biodegradable, all benign. And the other thing that has been talked about is what happens to the drill holes. We put water into the hole not take water out. So this is claimed that we know drained a well. It's probably not accurate. But if it is, you would certainly have the conversation to see what we can do to remedy it because we're responsible for that, we fix it. And the other thing is when those holes are abandoned we abandoned them and we plug those holes top to bottom, either with cement, or bentonite. Reason for that is we don't want anybody coming behind us and contaminating the groundwater down that drill hole and like water wells were left open all the time, our exploration holes are closed and abandoned properly. Actually above and beyond what the state requires. So, anyway, I'll leave it at that. I believe that, again, the special use permit for exploratory drilling is over the top. It's simply not required. And I think our history, I think the lack of incidents related to our history indicate that. I'm happy to answer any questions if I can.

Bowe: Anyone have any questions? Thank you, sir.

Allen: I got a question. Kind of in general, is part of our wording of what we were talking about doing tonight. Anybody can answer. What's the difference, what do y'all see the difference between core drilling, exploratory drilling, and the word commercial prospecting? Does anyone see a difference there? Is it all the same thing? I'm just I'm just trying to get an idea of wording.

Taylor: I'll try to answer that if I can. Commercial prospecting indicates to me that you've paid money for an activity. And I can assure you that exploratory drilling is not cheap. So I don't... I think the two terms that you've used are synonymous simply because you're paying somebody else to do it. Anyway, an exploratory drilling in commercial drilling one in the same for us because we don't own our own drill company.

? Fountain: (speaking from audience with no mic) commercial prospecting, or drilling or drilling is a type of commercial.

Bowe: Do any of the commissioners have any additional questions to the panel?

(Someone speaking from audience and could not hear on recording)

Allen: So you would see core drilling and commercial prospecting is the same thing. Okay. That's all I need.

Edmondston: Yes, sir. Mr. Schiefer, I'm going to interrupt you just one moment. Um, while we appreciate all the dialogue from the audience, we will be able to continue that but if you would all come to the microphone. Thank you very much.

Schiefer: My apologies. Um, commercial prospecting or exploratory drilling could also include what we call percussion drilling, which is much like a waterwheel where you're just trying to get to refusal to where you hit the top of the rock. So it's just you're trying to find the depth of the earth on top of the rock. So that could also be included in exploratory drilling.

Bowe: Do we have any other questions as a commission? Did anybody on the panel? Then I'm gonna turn it over to you, Harry, for your question and answer session.

Bryant: Do any Board members have any questions for the panel? I don't have anything right now.

Bryan: Mr. Young was asked a question by Chairman Bowe. You've worked in the different kinds of mines over the years. You answered why they're important to the local economy. But I didn't get a response for do they impose environmental issues the locality in which they operate?

Young: Thanks. And sorry, if I wasn't clear. There are no known environmental issues that I foresee. You know, we were clear in how we are regulated, with the permit has to include as far as the use of the land while it's being developed and while it is in reclamation and then thereafter. We've discussed monitoring wells being part of that permit, and keeping tracks on how the water could be impacted. But in my experience, we've only seen the land to be benefactor from the mine and thereafter and Damien spoke with tons of examples of how the land use and reclamation phases have brought opportunities to counties. We've partnered with the Department of Natural Resources and created wildlife habitat that did not exist prior, introduced elk into counties in southwest Virginia and, you know, we work lockstep with the regulatory agencies and the governing bodies and ensure that the environment is kept in as good a shape as it was when we got there. And a lot of reclaiming requires you to put back walls to within a certain percent grade of their existence when you started. Does that answer the question?

Bryan: You said that DMME requires him to put it back to normal. Thank you. I have one more Mr. Chairman. Two more really. Mr. Fehrer was asked a question about what kind of preventive measures does the State take to ensure problems do not occur? He answered the mine issue. Just to clarify, the state does not regulate core drilling correct?

Fehrer: This is Damien Fehrer. The Department of Mines, Minerals and Energy Division of Mineral Mining does not regulate core drilling. Core drilling is specifically excluded from the definition of mining under our reclamation and safety laws.

Bryan: Okay, thank you.

Fehrer: We do not regulate that.

Bryan: Okay. I don't know whether you can answer this one or Mr. Skiffington? You mentioned orphan mines. How many orphan mines are there in Virginia currently?

Skiffington: Yes, this is Michael Skiffington. I would have to go back and research the exact number. But I think we're north of 100, I think is fair to say and Damien, certainly, you can correct me if you've got better information. But a lot of those mines go back to when there was no regulation at all, in the in the early part of the 20th century.

Fehrer: That's correct. Where most of our orphan mine lands, or mining operations that ceased operations before the State of Virginia wrote a mineral mine Reclamation Act in 1969. So those operations may extend back to colonial days. And if they pose in environmental or safety threat to the public, we want to address that and eliminate those potential impacts. So there, there are hundreds, actually 1000s of these orphan mine sites across the State of Virginia that we have inventory. And we regularly evaluate depending upon the funds that we have available to do that reclamation work. There are some orphan mines in Buckingham County.

Bryan: Thank you.

Fehrer: You're welcome.

Matthews: This question is for Weyerhaeuser. You know, I've heard a lot of percentages and different things involving the property that is in question. What percentage do you think that particular piece of property would ever be used? Or the exploration process as a goldmine? Can you answer that question?

Fountain: I don't understand it right now.

Matthews: Well, I tell you what, what is Weyerhaeuser focus with that piece of property moving forward?

Fountain: That property right now the uses is growing and managing trees. And the use of that property has continued to be growing and managing trees while drilling was taking place. And the likelihood given the fact in fact, the rarity that sites that are explored for metals actually turned into mines, because at that site will remain a property managed for trees.

Matthews: Thank you.

Miles: Mr. Chairman. I preface my comments by thanking the these folks who've come from the different agencies and the different outfits that we've had tonight, my first question would be to Mr. Young, which based on what has been found, and I know you're in the mineral or your firm is in the mineral rights industry, not necessarily in the mining industry. But what would what sort of being speculative, what sort of chances for a mine would be where the core sampling? And I'll just use that word right now. Would there be based on the findings that you all have had, sir?

Ullrich: Thank you, sir. Now, I have to be very careful here, you know, we are a regulated industry, and we are traded on the stock exchange, we have to be very careful, but what we say what we call forward looking statements, making statements about potential size, or even types of mine, or even the fact that mining might occur, or likely, in any way. But we have to be very careful about that. And so I'm going to preface anything I say here, I'm not saying there's going to be a mine here. At the moment, we have no indication that we have enough intersections to suggest that there is a mine here. But I can refer to the publicly released information that is on our website, and you know, has been press release. And if you look at that, you know, you can see, now we've intercepted the vein, primarily, it's approximately one and a half to two meters in width, is roughly vertical, and it runs for about 200 meters. As about the size, that's where we hit that the facts now, whether that would be a mine someday or not it's really irresponsible of me to, to say anything about that. But you know, in terms of size here, you know, people often like to talk about, you know, say something like, you know, football fields. You know, like your average Walmart is about four football fields, something like that, that's sort of the footprint of it, you know, what we're looking at here, and you know, at about, you know, generously two meters by 200 meters, you know, not looking at a football field. You know, we're pretty much looking at the sidelines of one football field. I will sort of leave my comments at that. Again, I'm not saying there is a mine or there is no mine. That's what we found so far. You know, of course, we're looking for more, you know, that is our business. But that's what we found so far.

Miles: Okay, thank you, Mr. Chairman. And another question to the Department of Mines, Minerals and Energy, with regards to the wording of commercial prospecting and I want to be clear on this because I think this is important with regards to the difference or the lack thereof between commercial prospecting and core sampling are those the same?

Bryant: He told you it was.

Miles: I just want to be clear.

Allen: Who did you ask?

Miles: Mr. Fehrer, he could answer that.

Fehrer: I'd be happy to give it a try. I think it would depend upon how the county would want to define those terms. I've been listening to our other guest discuss these two terms, and I don't disagree with them at all with the definitions that they've provided. We don't actually have a definition of commercial prospecting or core drilling in our current regulations. If the county wants to define those themselves, that would be up to Buckingham County to make that decision.

Miles: Thank you.

Fehrer: You're welcome.

Bryant: Okay. Does any other Supervisor have anything they want to ask?

Davis: My thing is, we have all gotten off track here. We are talking about mining. Nobody has proposed putting a mine in Buckingham County. This is core sampling. If we don't allow these companies to core sample, we're not gonna have any companies wanting to come to Buckingham to do the work.

Bryant: Amen.

Davis: So we need to think about this thing. I'm just, it's just my opinion on it. I mean, they are in the end of the county that I represent. So I'm just saying, core sampling, is practiced industry wide. We do it on pipeline and the pipeline industry that I'm in, the gravel industry. Everybody wants to know what's in the ground now. It's part of business. So we got to be very careful how we approach this. That's just my opinion. If it was so bad, don't you think the State of Virginia would be regulating it? Or the federal government and everybody else? We're a little lonely Buckingham County is going to regulate? Just something to think about?

Bryant: Any other board member have anything? We are done, Mr. Chairman.

Bowe: Thank you. Okay, I'm gonna bring it back to the Commission for discussion.

Allen: My first question will be does y'all want to keep commercial prospecting, core drilling, or exploratory drilling? What word do y'all want to use? If you want what's in front of you, but

Bowe: I wonder if we ought to read the definition and see what they think of it.

Allen: Well, they just said we won't written in their stuff.

Bowe: I know. But I think you also said depends on how the county wanted to define it. Will you take a crack at this Mr. Fehrer?

Bryant: He said the same thing, commercial prospecting or whatever you want to call it, is all the same as I understand it.

Bowe: Mr. Fehrer?

Fehrer: Yes, sir.

Bowe: Will you listen to this definition and see if you see it being is adequate? Registered commercial prospecting as defined as the explanation exploration for the material, including but not limited to mineral, stone, gas or rock for commercial purposes, by drilling, excavation, or other land disturbing activity for commercial purposes, by an entity that is provided the following information to the zoning administrator. And it's just a simple survey that they've got to fill out. Does that seem to cover everything?

Fehrer: In my personal opinion, it seems to be adequate. I'd like to say though, if it was going to be left up to me, I'd like to see that in writing and give it more thought. I'd be happy to work with the county to help develop a comprehensive definition. I don't know that I'm prepared to do that this evening.

Bowe: Okay, thank you.

Allen: Let's go back to the others here.

Fehrer: They too can add to that.

Allen: Thank you, sir. Yes.

Spears: This is David Spears, a State Geologist from DMME. Very often, before core drilling happens, prospects like this are delineated either by soil sampling, or sampling stream gravel, where they just literally take a shovel and put it in a bag, load of gravel, and they send it off and get analyzed, or a geologist with rock hammer breaking off a piece of rock and getting it analyzed. So I guess my question is, would those activities taking a soil sample taking a stream sediment sample, or breaking off a piece of rock with those also be covered under the definition of commercial prospecting? Good as the county's trying to define it.

Allen: Would you see a different definition under core drilling or exploratory drilling? Right now, you are talking adding a little more to it.

Spears: Not at all, what I'm saying is that there's a range of activities and it's a very slippery slope for a county to try to define an activity, such as commercial exploration, which is what you're what you're trying to do. It's really a scientific, it's applied science. Yes, there are companies that are spending their money, their investors risking their investments here. But it with the hope of eventually, some sort of commercial return on that investment. But millions and millions and millions and millions of dollars are spent every year on this applied scientific approach to finding minerals without any return to those investors. So trying to say that this is a commercial activity, its applied science in the hope of an eventual return. But this is not like building a Walmart.

Allen: Me, I'd like to go back and say is core drilling or exploratory drilling? What do you think? Do you agree? I'll make a motion.

Bowe: I agree with you.

Bickford: You're going to use the same definition or what?

Allen: That definition would have to be something that we could work on a little bit more before we send it back to the Board. We add core drilling in there and remove commercial prospecting and add core drilling. And I will put backslash exploratory drilling, because that's what you can do.

Bickford: Right. I have no problem with that. I know Mr. Wright had...

Allen: I know he wrote it up.

Bickford: They have been working on this, to see about the language to see if it was feasible to if the county has the authority to specify it this way. I guess I would I have no problem with that a week ago restricted to this core sampling, but I don't know that we'll be able to meet the legal thresholds, I guess, for lack of a better way to describe it. That would be a question that Mr. Wright would have to answer.

Allen: Is he here?

Wright: The problem I was trying to avoid when we're talking with the committee and staff to develop that is I don't want to put us on the same conundrum we are now. If you specifically limited to core drilling and you heard some discussion tonight that there may be other ways of prospecting. All right, so they come in decide they want to do another type of prospecting, that's not core drilling. And we got to go through this discussion again. The idea was to make this broad enough and broad enough that it would include various forms that might come. In other words, its core drilling, this would catch it, as a land disturbing activity. If they say we're looking for a deposit of gravel, near the top of the surface, and

I'm not an engineer, or geologists or any of these things, so just bear with my bad hypothetical, if it is, and you want to come in and scrape off the top soil just to see if it is, that's a land disturbing activity that you're prospecting to see if those stones are there. So the notion with this was to make it as raw rather than limiting it to core drilling. So we don't get caught with the same conundrum. That was the notion here of trying to expand it, rather than focus it.

Allen: Well, does this commercial kick out the private person doing it?

Wright: If you want to go prospecting in the creek and try to find gold there, that's not a commercial operation.

Allen: What if I bought a drill and drill?

Wright: If you're doing it, if you're not gonna say you go and not go bring somebody else in to do it more power to you under that. Commercial implies that somebody who's got an idea of developing, they're looking forward with the idea of developing into commercial operation. The language probably can be tweaked to make it more artful. But the intent here is to talk about commercial operations, land disturbing activity, not somebody walking down and looking, you know, the initial processes as I understand it, you decide to take an hour to decide where you might want to put that hole. And you might do some other things and some percussion testing, some Sonar testing. There are other ways you might find where the deposit might be, and then you go down and stick to the grill to bring up what you think you might have found. But if an individual, now the other part, I think is important to understand, core drilling for and allowed activity in A-1, we don't have an issue with that. Won't need to come back to that. Kyanite, I'll use them, if they want to do core drilling on what they already have that they can core drill away. We don't have a hold on that. Because that is an ancillary activity and accessory use of what they already have the right to do. If Solite up are, well it's not Solite anymore, slate quarry of their property, if they want to core drill, that's not a problem. If the pipeline comes through, that's a permitted use in certain places they can call drill, because that's an accessory used to what they're already allowed to do. There is no mining in A-1 except for the special use permit. So that's not a permitted use. That's why the core drilling, in my estimation is not an accessory use. We're not talking about the broad spectrum of core drilling. We're talking about core drilling in an A-1. And we don't see it as an accessory use because there is not an underlying use that is permitted that of mining that is associated. So what we've tried to do with this definition, the committee has to make it broad. So we don't have to come back and talk about this again.

Allen: My only thought was with we've always talked about core drilling or exploratory drilling, and all sudden now we're talking about commercial prospecting.

Wright: Core drilling is an issue in front of you.

Allen: Right.

Wright: But there may be other issues in front of you down the road that talk about prospecting. And do we want to come back and talk about this then. If you want to make it that now, we can have that discussion later. That's up to yall. I have tried to say from the very beginning of this. All I want to do is tell you your options. My role has always been to keep you between the legal ditch over there and the legal ditch over here. What yall set as legal policy is up to yall. Does that help?

Allen: Yes, it does. Being all that said, I'd like to make a motion to add to A-1 and M-1 and M-2 are registered commercial drilling as a by right.

Bowe: Do I have a second?

Bickford: Second.

Bowe: Been motion made and seconded. Any discussion?

Edmondston: I do, just because to keep a little bit of order. So Mr. Allen, you made a motion to add registered commercial drilling, not prospecting.

Allen: Is that was I said, I'm sorry.

Edmondston: 'm just asking which

Allen: Drilling has been in my head so much. I said it no matter what I read. Okay, so what's exactly on paper.

Edmondston: So, commercial prospecting as a use by right in A-1, M-1 and M-2.

Allen: Exactly.

Edmondston: And do you want to add to that the definition of what that registration looks like?

Allen: Well, I thought that would be a second step. Do we have to make a motion to accept it?

Edmondston: Let's do that. Yes, sir.

Bickford: So we go make it a second motion for the registry. So is that what you are saying?

Allen: The definition would be a second motion is what I was thinking. But if that's what you want to do, if you don't want to, we can just say it.

Bowe: Okay, we'll call for the vote. We'll do it this way. And we'll call the second one. Call for the vote. Nicci, are we using the Yes, no thing here?

Edmondston: No sir. By show of hands.

Bowe: All in favor? Opposed?

Edmondston: And we also have two joining virtual. We're going to get in touch with Alice and Dabney for their vote. They're still on.

Bowe: Okay, Alice?

Gormus: No, because we couldn't register.

Allen: Oh, It is registered now, Alice. We are putting it under a registry, which will be a registration. That'll come up on the definition. When we come back.

Bowe: Do you want to change your vote, Alice?

Gormus: If it's a...I thought... I'm still confused. I thought we could not have legally asked for register.

Bowe: Now we can. Now we can Alice.

Gormus: Oh, we can? Yes. Okay.

Bowe: So are you voting yes or no?

Gormus: Yes, if we can legally do that. That's fine.

Bowe: Okay, thank you. Dabney? I guess he's lost connection.

Edmondston: He is actually here, Mr. Chairman. He just has his he's muted right now. Commissioner Cruz if you can hear us still if you could unmute your phone. Chairman Bowe was asking for your vote in regard to the motion that's on the floor. Let's see move on. I don't believe he's gonna be able to join us.

Bowe: Okay, it passes five one.

Commissioner Allen moved, Commissioner Bickford seconded to add Registered Commercial Prospecting use by right to A-1, M-1 and M-2 zoning districts. This motion passed with a 5-1-1 vote. Commissioner Bowe, Bickford, Allen, Dorrier, and Gormus voting in favor. Commissioner Shumaker opposing, Commissioner Crews absent.

Allen: Alright. I'd like to make another motion to import a definition into zoning for registered commercial prospecting. And it would read as the exploration of material including but not limited to mineral, stone, gas or rock for commercial purposes by drilling, excavation or other land disturbance activities for commercial purposes by the entity that has provided the following information to zoning administrator. The name, contact information, location of prospecting, method of prospecting and length of time for the activity, etc.

Bowe: I have a first and second. Any discussion?

Bickford: I have a question for Nicci.

Edmondston: Yes, sir.

Bickford: The register will when they, if we passes. Is that be public record?

Edmondston: Yes, any application that's taken in my office offices considered FOIAable and for public consumption.

Bickford: Okay. That's all the questions I had Mr. Bowe.

Bowe: Call for vote. All in favor? Opposed?

Bickford: You have to talk to Alice?

Bowe: Alice? Alice?

Gormus: I was trying to unmute. If we can, yes, if we can legally do that, that's fine.

Bowe: Passes five one.

Commissioner Allen moved, Commissioner Bickford seconded to add a definition into zoning for registered commercial prospecting. And it would read as the exploration of material including but not limited to mineral, stone, gas or rock for commercial purposes by drilling, excavation or other land disturbance activities for commercial purposes by the entity that has provided the following information to zoning administrator. The name, contact information, location of prospecting, method of prospecting and length of time for the activity, etc. This motion passed with a 5-1-1 vote. Commissioner Bowe, Bickford, Allen, Dorrier, and Gormus voting in favor. Commissioner Shumaker opposing. Commissioner Crews absent.

Bickford: Mr. Chairman, I believe Mr. Wright had suggested to move this to the Board of Supervisor with a joint public hearing correct? On their next meeting in January?

Allen: The Board of Supervisors will need to do the same thing as we did tonight?

Wright: Actually, the process, the short version of the process would be y'all have taken action to recommend things to the Board. You still have to have a public hearing. Quickest way to get to that results when it goes to the Board of Supervisors, the two of you need to have a public hearing on that issue. So the quickest way to get to the resolution is for y'all to schedule your public hearing with the Board of Supervisors at the next meeting. That way you can fulfill your requirements of the public hearing and make a final recommendation to the Board. They conduct their final public hearing and make final action as part of the zoning ordinance. The other part you need to understand we have the ability between now and when the final action is taken, to tweak the language to maybe get it a little bit refined. So anybody who wants to contribute, the zoning administrator or I'll be happy to receive your comments. Probably by email would be the best way this grey hair has absorbed my memory. If you want to make some comment on it, send it in an email or some type of memo.

Bickford: I assume, Mr. Wright, that also includes the questions for the register?

Wright: Yes.

Bowe: One question, E.M., I saw a lot of head shaking open the audience, when it was said that any application taken in our office as public record is just an application or registration?

Wright: its registration, and it will still be public record.

Bowe: Okay. Just clarification. We need a motion on this joint public hearing? Or is this something that we can schedule or how does that work Nicci?

Edmondston: You'll need a motion to hold the public hearing. And you, which would be January the 11th. The recommendation back to the Board. They could agree to hold a public hearing the same day on their Board of Supervisors meeting which is January 11 at 6pm. Because you require a public hearing, if they accept your recommendation, they'll be required to have a public hearing as well. So it could be one public hearing on that point on that Board of Supervisors meeting day.

Bowe: It was that done now.

Edmondston: You'll have to make the motion to hold the hearing.

Allen: I make a motion that we have a public hearing on January 11th.

Bickford: Second.

Bowe: First and seconded. Any discussion? All in favor? Alice.

Gormus: Yes.

Bowe: Unanimous.

Commissioner Allen moved, Commissioner Bickford seconded and was unanimously carried by the Planning Commission to schedule a public hearing for January 11, 2021 at 6:00 p.m. with the Board of Supervisors to hear public comments on adding registered commercial prospecting to A-1, M-1, and M-2 zoning districts and add a definition into zoning for registered commercial prospecting. And it would read as the exploration of material including but not limited to mineral, stone, gas or rock for commercial purposes by drilling, excavation or other land disturbance activities for commercial purposes by the entity that has provided the following information to zoning administrator. The name, contact information, location of prospecting, method of prospecting and length of time for the activity, etc.

Bowe: Is there any other Planning Commission business? Do I have a motion to recess?

Allen: So moved.

Bickford: Second.

Bowe: It's been first and seconded. Any discussion? Vote. All in favor? Unanimous. Planning Commission is to reconvene Monday, December 28 2020 at the regular meeting of the Planning Commission at 7:00.

Edmondston: Chairman Bowe, if you would, please go ahead and adjourn tonight's meeting, not recess to reconvene, because next week is a regularly scheduled meeting.

Bowe: Okay. Planning Commission is recessed for tonight, and we'll reconvene on Monday, December 28 2020 at the regular meeting of the Planning Commission, 7:00.

There being no further business for the Planning Commission, the meeting was adjourned.

Bryant: The Planning Commission is recommending to the Board of Supervisors that we adopt this commercial prospecting to be by right? Correct?

Allen: Correct. A-1, M-1, and M-2.

Chambers: I so move, Mr. Chairman.

Bryant: Any more discussion?

Miles: I've got one final question, Mr. Chairman, if I may, with regards to having this information and this is directed to maybe Mr. Wright, and one of the current landowners, if the information that for the register has to be public knowledge, how would that affect any proprietary information? And I asked that prefacing, we can always change the language is what Mr. Wright was saying, before we get too far along. But I do, I would like to hear about that. Because that's, I think it's a pertinent business question...

Wright: Question is, you're always going to come to that question. You come back to the basic, either you don't allow it, which is where we are right now. You allow by saying you can do it, but you got to tell us you are doing it or you can do it with a special use permit? So the same question, you know, is gonna reside either if they do it at all, they have to tell you something. We can have a discussion on what they have to tell you. Now I will do some further checking to see, you know, proprietary goal, proprietary information is not just physically where you're located. Proprietary information is a lot narrower than physically where you're located on the ground. So what's happening on the ground, protected by proprietary information. And I've tried in talking with the staff, we've tried to make that so you didn't get into the results, or why you chose it. But just the track number, it will probably come down to tax ID number, we will tweak this as we go this was a conceptual thing to see how we got there. That's why I'm asking for other things. Now, I'll go a little further on the proprietary. But I can't give you a definitive answer. But I proprietary information is a little bit narrow than this, where you might physically be on the ground, asking for the name and you know, we've come back those things can be tweaked if you just want the name of the company and the address and not where they're working. That

was one of the concerns we heard from the very beginning. I know what to do so we can tell our constituents that there are people on the ground doing this.

Miles: Okay, that answered my questions, Mr. Wright. Thank you.

Chambers: Mr. Chairman. I make a motion that we accept what the Planning Commission said.

Bryant: Motion made that we accept the Planning Commission's recommendation.

Bryan: Mr. Chairman, we are putting the cart in front of the horse. Wouldn't we just want to schedule the public hearing before we accept the recommendation from the Planning Commission first?

Wright: The public hearing should come as, Mr. Chairman, I just want you to schedule a joint public hearing with the Planning Commission on January 11, at whatever time everyone agrees on.

Chambers: I amend my motion.

Bryant: All right. We have a motion that we have a public hearing on January 11th.

Chambers: Yes, sir.

Miles: So moved Mr. Chairman.

Chambers: You second.

Bryant: Any discussion? Call for the vote. Unanimous. Motion carried. We will have a joint public hearing on January 11.

Supervisor Chambers moved, Supervisor Miles seconded and was unanimously carried by the Board to schedule a public hearing on January 11, 2021 at 6:00 p.m. to add registered commercial prospecting as a use by right to an A-1, M-1 and M-2 district and add a definition into zoning for registered commercial prospecting. And it would read as the exploration of material including but not limited to mineral, stone, gas or rock for commercial purposes by drilling, excavation or other land disturbance activities for commercial purposes by the entity that has provided the following information to zoning administrator. The name, contact information, location of prospecting, method of prospecting and length of time for the activity, etc.

Re: Adjourn

There being no further business for the Board of Supervisors, Chairman Bryant declared the meeting adjourned.

ATTEST:

Rebecca S. Carter
County Administrator

Harry W. Bryant, Jr.
Chairman

**Buckingham County
Planning Commission
December 28, 2020**

At a regular meeting of the Buckingham County Planning Commission held on Monday, December 28, 2020, at 7:00 p.m. in the Peter Francisco meeting room, located within the Buckingham County Administration Complex, the following members were present: James D. Crews; Patrick Bowe; Alice T. Gormus; Steve Dorrier; Ashley Shumaker and Board of Supervisors' representative Danny Allen. Also present were Nicci Edmondston, Zoning Administrator, and E.M. Wright, Jr., County Attorney.

Re: Call to Order, Quorum Present, Invocation, and Pledge of Allegiance

Chairman Bowe called the meeting to order. Ashley Shumaker gave the invocation, Steve Dorrier led the Pledge of Allegiance and it was said by all who were in attendance. Chairman Bowe certified there was a quorum- six of eight members were present. The meeting could continue.

Re: Adoption of Agenda

Bowe: Adoption of Agenda.

Edmondston: Mr. Chairman, if I could before you adopt this agenda, we do need to make one slight change. At the end of this agenda instead of adjournment tonight, we will recess to reconvene the Planning Commission to January 11 2021 at 6pm. And that will be for the public hearing that you made the motion to set last week at our work session on December 21.

Allen: I move to approve agenda with changes.

Shumaker: Second.

Bowe: First and seconded Let's vote. All in favor. Dabney how do you vote? Dabney, how do you vote on approving the agenda? How do you vote?

Edmondston: Dabney they've made the motion to adopt the agenda. Can we get your vote? I mean, we have to have somebody joining. we've counted him for quorum. Mr. Crews, are you on the line?

Crews: Yes, I'm on the line but I can't hear very well.

Edmondston: Okay, the last order of business was that there was a motion made to adopt the agenda and a second. Could we get your vote for that motion?

Crews: I can't rightfully vote because I can't hear what's going on well enough to know.

Edmondston: Mr. Wright If we could utilize your legal counsel for a moment. Miss Gormus. If you're still on one could you unmute your phone and join us for a vote.

Bowe: We'll take a 10-minute recess.

Bowe: Planning Commission is back in session. We were looking for a vote from you, Dabney on the adoption of the agenda.

Crews: I can hear you but you need to slow down and talk distinctly.

Bowe: Okay. We're looking for your vote on the adoption of the agenda.

Crews: Yes.

Gormus: Yes.

Supervisor Allen moved, Commissioner Shumaker seconded and was unanimously carried by the Commission to approve the agenda with changes.

Bowe: Good. unanimous. Approval of minutes November 16th.

Allen: So moved.

Dorrier: Second.

Bowe: And we vote. All in favor. Dabney, how do you vote?

Crews: Yes.

Bowe: Alice. How do you vote?

Gormus: Yes.

Supervisor Allen moved, Commissioner Dorrier seconded and was unanimously carried by the Commission to approve the minutes as presented.

Bowe: Very good. Unanimous approval of minutes for November 23,

Allen: So moved.

Dorrier: Second.

Bowe: And we vote. Dabney how do you vote.

Crews: I sustain I wasn't there.

Bowe: Okay, Alice, how do you vote? Alice?

Gormus: Yes.

Supervisor Allen moved, Commissioner Dorrier seconded and was carried 5-0-1 by the Commission to approve the minutes as presented with Crews abstaining.

Bowe: Thank you. Five of six. Its approved. Public comment.

Edmondston: Yes sir. Mr. Chairman tonight we have two in the form of email and two in the form of voicemail? I'll go ahead and start with the email comments. Our first one comes to us from Mindy Slotnick at 132 the way Buckingham 23921, Glenmore district she states on 12-21, the Planning Commission put forward a definition of commercial prospecting that is far too broad. My concern began when I learned of core drilling for gold. And the definition of registered commercial prospecting now includes excavating as in the exploration of material included but not limited to mineral stone, gas or rock by commercial purposes by drilling excavation or other land disturbance activities for commercial purposes by the entity end quote, we understand that there are various types of mining what we're asking for, and is actions specific to gold mining, allowing core drilling for gold and other polymetallic mining and in particular excavation opens the door to the possibility of open pit gold mining, the use of cyanide and requisite leaching and ecological devastation that can't be mitigated. And we do not want that to happen in our neighborhood, would you? What is the boundary between excavation and mining? Consider amending your recommendation to the board tonight. You made this decision without hearing from the public and without outside views of consequence, your recommendation to the board paves the road for gold mining to occur. By separating the issue of core drilling of gold from the actual possibility of mining for gold, you're not in a position to look at the consequences of your recommendation, or are you? Do you actually want gold mining to happen in Buckingham County? sure sounds like you do. According to the Constitution of Virginia, and article 11, section one, it is the Commonwealth's policy to protect its atmosphere lands and waters from pollution impairment or destruction for the benefit, enjoyment and general welfare of the common people of the Commonwealth. It is the charge of the Board of Supervisors to uphold the Constitution of Virginia by protecting and maintaining our health and safety. I ask that you make a recommendation that would support the board to do their job. We have the right to clean air, water and soil according to this article. It is clear from their testimony that the timber corporations that are allowing the core drilling of gold feel that they have the right to do what they like on their property that this may be true. what is also true is that they do not have the right to compromise our health with their actions. These companies have been given the right to grow trees as an agricultural product. But gold does not grow on

trees and this kind of mining has no place in a one land. I asked the county to follow its comprehensive plan and keep Buckingham County rural our rights to clean air, water and soil must take precedence over corporate rights. Thank you for your attention and consideration of this point of view. Next comment comes from Heidi Berthoud I live in the James River district. I am deeply disappointed at your proposal to move forward with allowing commercial prospecting by drilling, excavation or other land disturbance activities by simple registration. No other oversight was talked about; this is less oversight than required for permits for water wells or drain fields which landowners must comply with. Danny Allen added the words excavation or other land disturbance activities to drilling which expands the activity and the interpretation of that activity and extensively under the guise of it all being not impactful to our community. Could excavation be interpreted to mean essentially mining. You have yet to address the toxicity of modern day large scale mining of gold and polymer metallic minerals nor cyanide bleaching. It appears that none of you have done your homework which we the citizens have asked you to do. You have ignored our input and the seriousness of this activity in our home. I see the way you welcome the industry and academic experts while ignoring the staining and being quite rude to us your constituents. These experts are by no means neutral. There are very clearly pro mining, your advisors are not presenting a balanced or fair picture of what is easily available to anyone who's interested. Kendall Fountain appears to be presenting a thinly veiled threat to the county that Weyerhaeuser will have its way you have been elected by the people. And it is your constitutional duty and right to protect us our water, air and land. You have the power to protect us if you choose to see it that way. It takes courage to face down corporate power. It appears that you would rather cozy up to industry with their false promises of local jobs and Revenue. We are by no means anti-business. So do not use that argument to discredit us. We are very discerning. We are not interested in the county being plundered by more false promises. We already have a Superfund site. We hear about the very hush cancer ally around the Kyanite mine and how even three filters on a nearby well doesn't make the water fit to drink. The particulate matter and noise disturbances of the slate mine. Times are changing. We want a better world. Let's follow the comprehensive plan. When we envision a better world together, we will get there sooner. Thank you.

Kenda Hunnanman: Hi, this comment is for the meeting tonight the 28th to the Planning Commission. I'm Kendra Hunnanman from district five. I asked who has faced the hearing that's being planned on January 11. Regarding commercial prospecting is not about the prospect of goldmine in Buckingham County. The experts invited to speak on the panel at the joint work session last Monday might help answer this question. There were two speakers from Aston Bay holdings, a Canadian company advertising on their website that they're exploring for gold and base metal deposits in Virginia, USA. Their CEO Thomas Ulrich emphasized the expense his company was incurring for the 23 non permitted holes and that we should be appreciating the benefit his operation would bring to our county. Aston Bay advisory council member Don Taylor repeated that the county's permit was over the line and over the top and that renewables need more and more minerals. I asked, hoping to extract Weyerhaeuser Kendall Fountain was confident that the law was on their side that such a permit was enacted in Oregon, but he stated dismissively, we know what Oregon is like. Our county attorney EM Wright stated the permit needed to be broad enough to avoid the same conundrum, referring to definitions and warnings

that they've come up with so far regarding commercial prospecting etc. The Farmville Herald reports the final version, the definition in the zoning text for registered commercial prospecting, taken from Danny Allen's motions has been in quote, the exploration of material included but not limited to mineral stone, gas or rock by commercial purposes by drilling, excavation, or other land disturbance activities for commercial purposes, by the entity that is provided the following information name, contact info, location and method of prospecting, length and time and activity. To me, this sounds so broad as to be an open door to anyone who wants to initiate large scale destruction to our county's land and our citizen's welfare. We must have regulations that protect Buckingham residents, not outside industry, you can do better for your constituents. Thank you.

Stephanie Rinaldi: Hey, everyone, it's me again, Stephanie Rinaldi over on Warminster Church Road in district five, calling to comment on tonight's Planning Commission meeting. You know, I've been talking to my neighbors, and we cannot figure out how you manage to turn a conversation about core drilling into regulations that include excavation, we went from talking about core sampling as a prospective activity to a definition of prospecting in general, that now includes so many more activities than just core sampling. It's been a wild few months, but how we ended up here as a mystery. And I'm not sure where you guys came from to get here, but we got to sort that out. And now to anyone from Kyanite, Boxley, or Luck Stone, who's listening we want you to know that my neighbors and I are not trying to stop you from running your businesses. We've been telling the Planning Commission and the Board of Supervisors that gold and polymetallic mining is different than what you do. We've been telling them that those kinds of mines use different and dangerous processes. We've been pleading with them to acknowledge that and for months, they've ignored us, even the VA etc. Told them aggregate mining is different than gold mining, and yet they refuse to talk about even the possibility of any future gold or polymetallic mines in the county. Instead, they've chosen to implement regulations that will both allow exploration for gold and other metals, and to make it harder for aggregate companies to do their work. Let's be clear, the Planning Commission and the board of supervisors have the authority to be specific in the regulations they set. But instead they continue to speak in the broadest terms possible. So back to the Planning Commission. And I hope you're still listening because I have some news I think you'll want to hear. mining is not the only business around. I know it sounds crazy. But it turns out there are literally hundreds of other businesses out there. 1000s maybe I myself hope to have my own business soon. But you know, what would stop that from happening? What would stop basically any other businesses from coming to Buckingham a gold or polymetallic mine opening here. You've told us that there's very little chance that this type of mine will open here. You've brought in industry experts to tell us that. So why not just create regulations prohibiting gold and polymetallic mines and accounting? If you do that we can all sleep at night, you because you won't have upset any of the mining businesses in the county and us the actual people in the county? Because we all know that we're protected from the very real dangers of a goldmine. Thank you for your time.

Edmondston: That's it, Mr. Chairman.

Bowe: Thank you. New business.

Edmondston: Yes, sir. Tonight, we have the introduction of case 20s ZMA 281. For Des. Raj. Our applicant is our landowner rather as JD Corporation of Virginia incorporated at 2204 South Constitution Route Dillwyn 23936 and the applicant is Des Raj. The property information in question is tax map 95, parcel 32 contains approximately one acre and it's located at 3407 South Constitution route Dillwyn at the intersection of State Route 649, which is Slate River Mill Road and State Route 20. This property is probably more commonly known as the route 20 Market currently, it is currently zoned a-one and Mr. Raj is asking the Planning Commission to recommend a public hearing date in January to hear the request for rezoning from agricultural a-one to business B-one for the purpose of business expansion. This property currently operates as route 20 market which is a grandfather used Mr. Raj wants to expand his business and construct a 4000 square foot facility that will house a convenience store and a food specialty grill and shop when an existing grandfathered use will be expanding or enlarging per the Buckingham County zoning ordinance the usage must be brought into compliance. Mr. Raj would not be able to apply for a special use permit in a-one because his new facility will be larger than the specifications on page 11 of the zoning ordinance which states convenience general store has a maximum of 2000 square feet and no more than four petroleum pumps. This location is approximately nine miles south of the centenary Scottsville growth corridor that is outlined in the Buckingham County comprehensive plan. Mr. Raj does understand that further VDOT review may be needed, along with a site plan for construction and all subject to final approval of his request.

Bowe: Is he here?

Edmondston: He is not with us this evening.

Bowe: Any of the commissioners have any thoughts on this?

Allen: I would like to know how big a building hes talking about building so we could get an idea how much space is get left?

Bowe: Well, it also says that he could have no more than four patrolling pumps. How many as you plan on putting in now?

Edmondston: No, that's only if he applied for an SUP. He couldn't have more than four.

Bowe: Right? So how many is he going to plan on putting in.

Edmondston: I don't have the number of petroleum pumps, but I'm sure it will be increased from the two that he currently has. I know he has a kerosene or diesel on the side. Let's take a look at his narrative to see if he addresses the pump situation.

Bowe: And the description says it's approximately an acre is that an acre plus or an acre minus or what?

Edmondston: I don't have a plat but on our GIS it's described as one acre.

Bowe: Okay.

Edmondston: I do believe that his pumps will increase to at least four. I think he would like to have pay at the pumps or pumps that are available to pay on site and not have to come into the store.

Bowe: If I'm not mistaken, I don't have a narrative. Do yall have that?

Edmondston: He only addresses his narrative and the questions. It's very, very broad. If you look at page... under his written narrative, he lets you know that the land use is for business to rebuild the building for the convenience store. It'll have a gas station convenience store deli, he will have sewage for the business and there will be, you know, trash dumpster for the business. That's what his narrative is. I think he felt like it was pretty self-explanatory that he'd be building a new convenience store, operating continuously as route 20 market.

Bowe: Well, I personally think we need to address things like parking. If you're going to have this great big store, you got to have parking spaces. Do we have room?

Edmondston: Would you like to go ahead and set a date for the public hearing and have a discussion with him at that time?

Bowe: Yes, he intends to come.

Edmondston: He will be here.

Bowe: Okay. Anybody want to make a motion about forwarding it?

Allen: I guess so. Go ahead and make a motion to have a public hearing.

Shumaker: Second.

Bowe: We have a first and a second? We'll vote on it. All in favor.

Edmondston: And that will be January the 25th.

Bowe: January 25. Dabney, did you hear that?

Crews: Yes.

Bowe: What do you vote?

Crews: Yes.

Bowe: Okay. Alice, how do you vote?

Gormus: Yes.

Bowe: Okay. Thank you. unanimous it moves forward to January. What did you say the 25th?

Edmondston: Yes, sir. 25th 2021 at 7pm.

Supervisor Allen moved, Commissioner Shumaker seconded, and was unanimously carried by the Commission to move ZMA-281 on to public hearing.

Bowe: That concludes that particular case. The next one was the Planning Commission calendar.

Edmondston: Yes, sir. So what I've put before you today would be the Planning Commission work session dates, which are tentative if necessary, it's the third Monday of the month, unless it's a holiday. Your dates are listed for January through December of next year. And then our Planning Commission regular meeting dates, which are the fourth Monday of the month, unless it's a holiday and those are listed as well, Mr. Chairman.

Bowe: Okay.

Edmondston: If you'd like to adopt that calendar for 2021.

Bowe: Do we have a motion for that?

Allen: I'll make a motion to adopt.

Dorrier: I second.

Bowe: First and second let's vote, all in favor. Dabney?

Crews: Yes.

Bowe: Alice.

Gormus: Yes.

Supervisor Allen moved, Commissioner Dorrier seconded, and was unanimously carried by the Commission to approve the 2021 calendar.

Bowe: Thank you unanimous. Reports.

Edmondston: At this time, Mr. Chairman, I do not have any zoning administrator new information or reports for you.

Bowe: Okay. commission matters and concerns. Any commissioners have anything. Okay, we'll be looking for a motion to recess.

Allen: Move.

Shumaker: Second.

Bowe: First and seconded. All in favor. Dabney.

Crews: Yes.

Bowe: Alice.

Gormus: Yes.

Bowe: Thank you. Planning Commission is recessed until January 11 at six o'clock, where we will reconvene with the Board.

Supervisor Allen moved, Commissioner Shumaker seconded, and was unanimously carried by the Commission to adjourn the meeting.

There being no further business, Chairman Bowe declared the meeting adjourned.

ATTEST:

Nicci Edmondston
Zoning Administrator

Patrick Bowe
Chairman

Buckingham County Planning Commission

January 25, 2021

Administration Building

7:00 PM

Public Hearing Case 20-ZMA281

Owner/Applicant: Landowner JD Corporation of Virginia INC
2204 S Constitution Route
Dillwyn VA 23936

Applicant Des Raj
2204 S Constitution Route
Dillwyn VA 23936

Property Information: Tax Map 95, Parcel 32, containing approximately one acre located 3407 S Constitution Route Dillwyn VA 23939, at the intersection of State Route 649 Slate River Mill Road and State Route 20, property known as "Route 20 Market" Maysville Magisterial District.

Zoning District: Agricultural District (A-1)

Request: Zoning Map Amendment-Mr. Raj is asking the Planning Commission to recommend a Public Hearing Date to hear the Request for Rezoning from Agricultural A1 to Business B1 for the Purpose of Business Expansion

Background/Zoning Information: This property is located at 3407 S Constitution Route Dillwyn VA 23936 at the intersection of State Route 649 and State Route 20. This property currently operates as Route 20 Market, as a grandfathered use. Mr. Raj wants to expand his business and construct a 4000 square foot facility that will house a convenience store and food specialty grill/shop. When an existing grandfathered use will be expanding or enlarging, per the Buckingham County Zoning Ordinance, the usage must be brought in to compliance. Mr. Raj would not be able to apply for a special use permit in A1 because his new facility will be larger than the specifications on page 11, Zoning Ordinance, which states, "Convenience/General Store – Maximum 2000s.f. and no more than 4 petroleum pumps." This location is approximately nine miles south of the Centenary-Scottsville Growth Corridor, as outlined in the Buckingham County Comprehensive Plan. Mr. Raj has included his VDOT determination and understands that further VDOT review may be needed, along with a site plan for construction, all subject to any final decision.

REZONING APPLICATION CHECKLIST
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a rezoning application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 5, 6 & 7 attached). This list can be obtained from the Clerk of Courts Office: YES NO

Completed application for rezoning (pages 3 & 4 attached). If not signed by the owner, a Power of Attorney must accompany the application: YES NO

Interest Disclosure Affidavit (page 8 attached). Must be signed by the owner: YES NO

Power of Attorney (page 11 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: YES NO - N/A

Written Narrative (page 12 guidance in preparing the Written Narrative): YES NO

Fees: YES NO

Deed: YES NO

Plat (15 copies). The plat information may be incorporated into the Rezoning General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: YES NO
- B. Area of land proposed for consideration, in square feet or acres: YES NO
- C. Scale and north point: YES NO
- D. Names of boundary roads or streets and widths of existing right-of-ways: YES NO

Rezoning General Site Plan (15 copies) The General Site Plan must contain the following:

- 1. Vicinity Map – Please show scale: YES NO N/A
- 2. Owner and Project Name: YES NO N/A
- 3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: YES NO N/A
- 4. Property lines of existing and proposed zoning district lines: YES NO N/A
- 5. Area of land proposed for consideration, in square feet or acres: YES NO N/A
- 6. Scale and north point: YES NO N/A
- 7. Names of boundary roads or streets and widths of existing right-of-ways: YES NO N/A

8. Easements and encumbrances, if present on the property: YES NO N/A
9. Topography indicated by contour lines: YES NO N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of "no areas having slopes of 15% to 25% or greater"): YES NO N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of "not in floodplain"):
YES NO N/A
12. Delineation of existing mature tree lines or written indication of "no mature tree lines":
YES NO N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: YES NO N/A
14. General locations of major access points to existing streets: YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: YES NO N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: YES NO N/A
17. Location of existing and proposed utilities, above or underground: YES NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: YES NO N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: YES NO N/A
20. Location and design of screening and landscaping: YES NO N/A
21. Building architecture: YES NO N/A
22. Site lighting proposed: YES NO N/A
23. Area of land disturbance in square feet and acres: YES NO N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more):
YES NO N/A
25. Historical sites or gravesites on general site plan: YES NO N/A
26. Show impact of development of historical or gravesite areas: YES NO N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: YES NO N/A

APPLICATION FOR A ZONING MAP AMENDMENT

CASE NUMBER: 20-ZMA281

(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: 12/3/2020

Zoning Map Amendment: Rezone A1 - B1

Purpose of Zoning Map Amendment:

Rezone to be in compliance for expansion/
enlargement of facility and ability to increase
permitted uses

Zoning District: A1 Community Number of Acres: 1

Tax Map Section: 95 Parcel: 32 Lot: _____ Subdivision: _____ Magisterial Dist.: _____

Street Address: 3407 S Constitution Rte Dillwyn VA 23936

Directions from the County Administration Building to the Proposed Site: Rt 60 to Sprunger

turn left on 15, turn right on Rt 20 approximately three miles
on left

Name of Applicant: Des Raj

Mailing Address: 2204 S Constitution Rte Dillwyn VA 23936

Daytime Phone: _____ Cell Phone: _____

Email: _____ Fax: _____

Name of Property Owner: JD Corporation of Virginia Inc

Mailing Address: 2204 S Constitution Rte Dillwyn VA 23936

(Rt 20 market)

Daytime Phone: 804.332.9176 Cell Phone: 434.983.2500 (Store)

Email: draj1965@aol.com Fax: _____

Signature of Owner: [Signature] Date: 12/3/2020

Signature of Applicant: [Signature] Date: 12/3/2020

Please indicate to whom correspondence should be sent:

☐ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer

☒ Applicant

WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner: Deputy

Date: 12-3-20

TENTATIVE SCHEDULE FOR A REZONING AMENDMENT

The application, site plan, written narrative, and all information requested in this application must be filled out in its entirety and supplied to the Buckingham Zoning / Planning Office and the fee must be paid before this case will be allowed to move forward.

Case will be introduced at a regularly scheduled Planning Commission meeting held on the fourth Monday of every month. Planning Commission may set a Public Hearing at this time to be held during a regularly scheduled meeting. Public Hearings offer an opportunity for citizens to speak concerning the case.

Following the Planning Commission Public Hearing, the Planning Commission may make a recommendation to approve / deny / or table the case for more information. Once the Planning Commission makes a recommendation to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. The Board of Supervisors meetings are held on the second Monday of every month. The Board of Supervisors may set a Public Hearing at this time to be held during a regularly scheduled meeting. The Board of Supervisors will make the final decision to approve or deny the application after the public hearing.

Example Timeline:

- | | |
|-------------|--|
| January 25 | Case is introduced to Planning Commission. Planning Commission sets Public Hearing for next regularly scheduled meeting on February 22. |
| February 22 | Planning Commission Public Hearing. Planning Commission recommends to approve / deny / or table for more information. Once the Planning Commission reaches a decision to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. |
| March 8 | Case is introduced to Board of Supervisors. |
| April 12 | Board of Supervisors may approve / deny / table for more information. |

The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

You or your agent are encouraged to attend these meetings to answer any questions that may arise concerning your application / proposal. The County strongly encourages the applicant to visit the area around his proposed site and understand what the adjoining landowner concerns are.

WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use *for business to rebuild the building for the convenience store.*
2. Community Design *N/A*
3. Cultural Resources *N/A*
4. Economic Development *gas station / convenience store / deli*
5. Environment *N/A*
6. Fire and Rescue, Law Enforcement *N/A*
7. Housing *N/A*
8. Libraries *N/A*
9. Parks and Open Spaces *N/A*
10. Potable Water *N/A*
11. Sewage *will have sewage for the business.*
12. Schools *N/A*
13. Telecommunications *N/A*
14. Transportation *N/A*
15. Solid Waste *will have trash services for the business*

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be

responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner: Dee Ray

Date: 12-2-20

TENTATIVE SCHEDULE FOR A REZONING AMENDMENT

The application, site plan, written narrative, and all information requested in this application must be filled out in its entirety and supplied to the Buckingham Zoning / Planning Office and the fee must be paid before this case will be allowed to move forward.

Case will be introduced at a regularly scheduled Planning Commission meeting held on the fourth Monday of every month. Planning Commission may set a Public Hearing at this time to be held during a regularly scheduled meeting. Public Hearings offer an opportunity for citizens to speak concerning the case.

Following the Planning Commission Public Hearing, the Planning Commission may make a recommendation to approve / deny / or table the case for more information. Once the Planning Commission makes a recommendation to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. The Board of Supervisors meetings are held on the second Monday of every month. The Board of Supervisors may set a Public Hearing at this time to be held during a regularly scheduled meeting. The Board of Supervisors will make the final decision to approve or deny the application after the public hearing.

Example Timeline:

January 25	Case is introduced to Planning Commission. Planning Commission sets Public Hearing for next regularly scheduled meeting on February 22.
February 22	Planning Commission Public Hearing. Planning Commission recommends to approve / deny / or table for more information. Once the Planning Commission reaches a decision to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting.
March 8	Case is introduced to Board of Supervisors.
April 12	Board of Supervisors may approve / deny / table for more information.

The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

You or your agent are encouraged to attend these meetings to answer any questions that may arise concerning your application / proposal. The County strongly encourages the applicant to visit the area around his proposed site and understand what the adjoining landowner concerns are.

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No ☒
If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No ☒
If yes, please explain any impact:

Owner/Applicant Signature: Des Rajan Date: 12-2-20

Printed Name: DES RAJ Title: owner

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: Route 20 market

Applicant: DES RAJ

Location: 3407 South Constitution Rte Dillwyn VA 23936

Proposed Use: _____

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

_____ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?
Yes _____ No _____ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Name: DES RAJ

Mailing Address: 2204 South Constitution Rte Dillwyn VA 23936

Physical Address: 3407 South Constitution Rte Dillwyn VA 23936

Tax Map Section: ✓ Parcel: Lot: Subdivision:

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 2 Dec day of 2020, year

I DES RAJ hereby make oath that

(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

(owner / contract purchaser / authorized agent - please circle one)

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF

STATE OF

Subscribed and sworn to me on the day of ,

of the year . My Commission expires on .

Notary Public Signature:

Stamp:

INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this 2 day of December, of the year 2020

I DES RAJ (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of stock
in or as a director or officer of any corporation owning such land, directly or indirectly by
such members of his/her immediate household, except as follows:

Signature of Owner: (to be signed in front of notary public)

NOTARY PUBLIC
COUNTY OF _____ STATE OF _____

Subscribed and sworn to me on this _____ day of _____

of the year _____. My commission expires _____.

Notary Public Signature: _____

Stamp:

**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK
FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

County Records Check (describe the history of this property):

Signature of VDOT Resident Engineer:

Printed Name: _____ Date: _____

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this _____ day of _____, in the year of _____,

I _____ the owner of _____
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint _____
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day _____ of the month _____ in the year of _____ and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

NOTARY PUBLIC
County of _____ State of _____

Subscribed and sworn before me on the _____ day of _____

in the year _____. My commission expires _____.

Signature of Notary Public: _____
Stamp: _____

Signature of Owner:

Deshaun

Date:

12-2-20

Signature of Applicant:

Deshaun

Date:

12-2-20

Please indicate to whom correspondence should be sent:

☒ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer ☐ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: DES RAS

Mailing Address: 2904 South Constitution Rte Dillwyn VA 23936

Physical Address: 3407 South Constitution Rte Dillwyn VA 23936

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

2. Name: Edward Hanes

Mailing Address: 4452 S Constitution Rte

Physical Address: Dillwyn VA 23936

Tax Map Section: 95 Parcel: 34 Lot: _____ Subdivision: _____

3. Name: Emmanuel Figueroa

Mailing Address: 3331 S Constitution Rte

Physical Address: Dillwyn VA 23936

Tax Map Section: 110 Parcel: 23 Lot: _____ Subdivision: _____

4. Name: Robert Murphy

Mailing Address: 500 Woodyard Rd Dillwyn VA 23936

Physical Address: 110-23A

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

6. Name: Benjamin Bryant

Mailing Address: 3456 S Constitution Rte

Physical Address: Drum UT 23936

Tax Map Section: 95 Parcel: 55 Lot: _____ Subdivision: _____

7. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

8. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

9. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

10. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 3 day of December, year 2020

I, Des Raj hereby make oath that
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

[Signature]

(owner / contract purchaser / authorized agent – please circle one)

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Buckingham

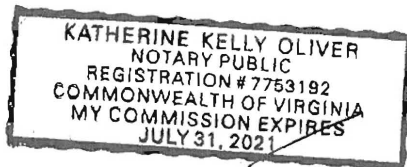
STATE OF Virginia

Subscribed and sworn to me on the 3 day of December

of the year 2020. My Commission expires on 7/31/2021

Notary Public Signature: [Signature]

Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, VIRGINIA

On this 3 day of December, of the year 2020

I Des Raj (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

Signature of Owner: (to be signed in front of notary public)

Des Raj

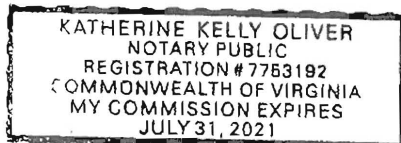
NOTARY PUBLIC Buckingham STATE OF Virginia
COUNTY OF

Subscribed and sworn to me on this 3 day of December

of the year 2020. My commission expires 7/31/2021

Notary Public Signature: Katherine Kelly Oliver

Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: 20-ZMA281

Visual Inspection Findings (describe what is on the property now):

Store, gas pumps,

County Records Check (describe the history of this property):

convenience store for approximately 50 years

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No X

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No X

If yes, please explain any impact:

Owner/Applicant Signature: Des Raj Date: 12/3/2000

Printed Name: Des Raj Title: Applicant

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: _____

Location: RT. 20/644 014-BUCKINGHAM

Proposed Use: Convenience Store

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

☒ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?

Yes _____ No ☒ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

See - Attachment - A

Screen shot of Existing Conditions

Screen shot of Proposed Improvements

Signature of VDOT Resident Engineer: [Signature]

Printed Name: Charles D. Edwards Date: 12-9-20

Attachment A

Rt. 20 Market Construction

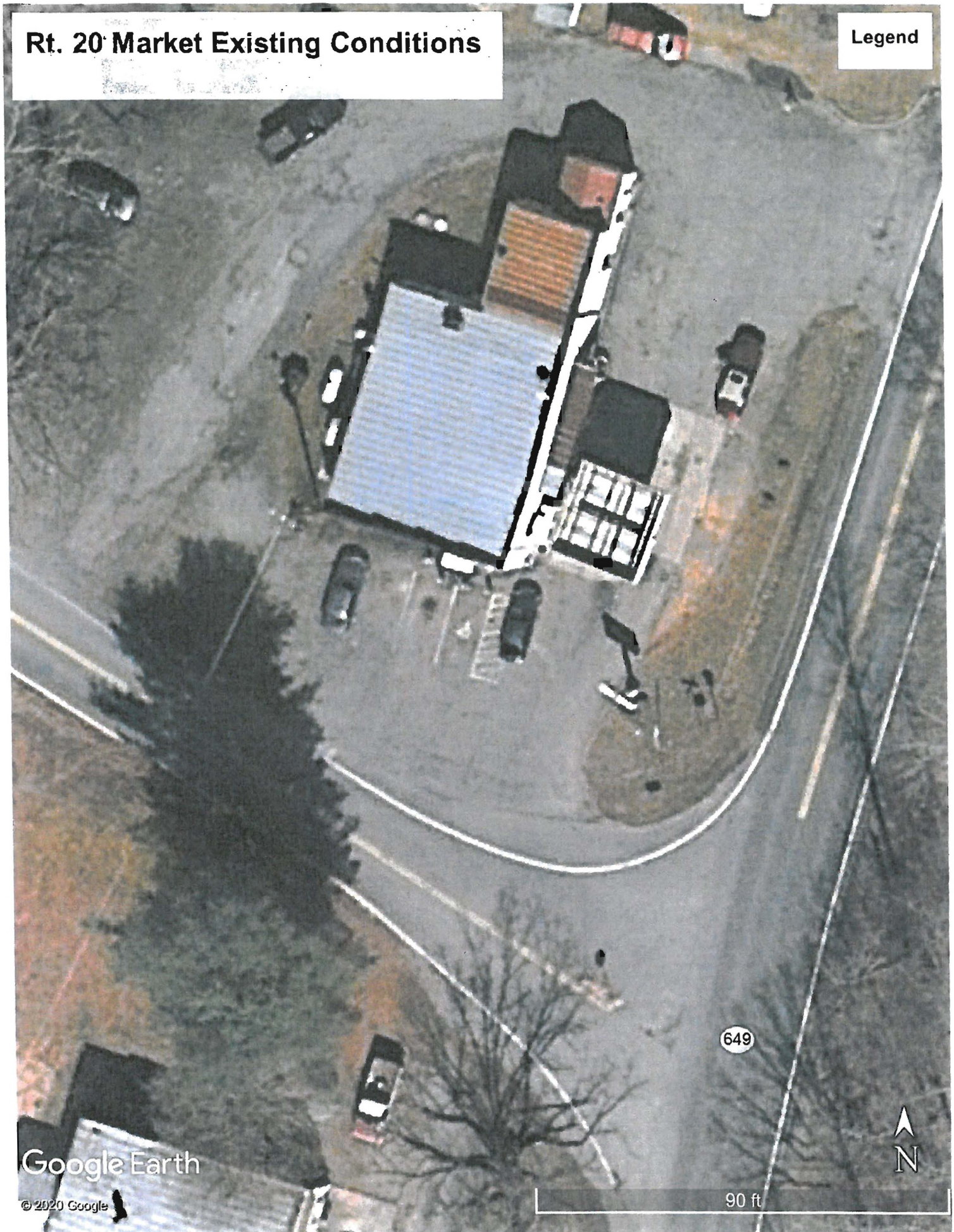
Currently, there are two commercial entrances serving the property, one fronting Rt. 20(S. Constitution Route) and the other fronting Rt. 649 (Slate River Mill Rd.).

The Rt. 20 entrance will be satisfactory as it stands due to the fact that it can't be relocated farther north because of property line limitations nor can it move south closer to the 20/649 intersection because of VDOT Corner Clearance restrictions.

As it stands, the 649 entrance is approximately 140' in length and allows vehicles to exit the property and perpendicularly cross the 20/649 intersection to gain access to the 649 stop bar. The VDOT would request as part of construction permitting and prior to construction completion, that upgrades be performed to the eastern portion of this entrance that would satisfy this safety concern. This can be remedied by extending the in place curbing and island/shoulder area towards the west for a length to be determined by VDOT Land Use engineers. This new delineation should also enhance vehicular movements within the site itself after construction.

Rt. 20 Market Existing Conditions

Legend



Google Earth

© 2020 Google

649

N

90 ft

Rt. 20 Market Proposed Curbing Ext.

Legend



Google Earth

© 2020 Google

90 ft

18 Building Permits were issued in the amount of \$2358.00 for the month of Decemeber 2020

[illegible]

*based on square footage of structure***

