



Buckingham County Planning Commission Agenda
Tuesday, December 27, 2022 7:00PM
County Administration Building
Peter Francisco Meeting Room
www.buckinghamcountyva.org

You may view the meeting by logging on to <https://youtu.be/gSITCyNoiW4>

1. Call to Order by Chairman

Invocation
Pledge of Allegiance
Establishment of Quorums

2. Adoption of Agenda

3. Approval of Minutes

A. November 28, 2022 Regular Meeting

4. Public Comment

5. Old Business

A. Public Hearing Case 22-SUP322 Barbara Hollister
B. Public Hearing 22-SUP323 Buckingham County
Firefighter's Association
C. Case 22-ZMA321 Olympia Moore

7. New Business

A. 22-SUP319 Rosney Creek Solar LLC 2232
Review
Planning Commission 2023 Calendar
Planning Commission By Laws for Review

8. Reports

A. Building Permits Report
B. Zoning Administrator Report

9. Commission Matters and Concerns

10. Adjournment

**Buckingham County
Planning Commission
October 24, 2022**

At a regular scheduled meeting of the Buckingham County Planning Commission held on Monday, October 24, 2022 at 7:00 p.m. in the Peter Francisco meeting room, located within the Buckingham County Administration Complex, the following members were present: John Bickford; James D. Crews III; Stephen Taylor; Steve Dorrier; Joyce Gooden, Pete Kapuscinski. 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 Bickford called the meeting to order. Steve Dorrier gave the invocation, Stephen Taylor led the Pledge of Allegiance and it was said by all who were in attendance. Chairman Bickford certified there was a quorum- six of eight members were present. The meeting could continue.

Bickford: Adoption of agenda. Nicci, is there any changes to the agenda?

Edmondston: No.

Bickford: Do I have a motion to approve as presented?

Allen: So moved.

Dorrier: Second.

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

Bickford: All right. Any further discussion? All in favor, raise your right hand. brings us to our approval of our minutes for October 24 2022. Any changes to the minutes? Seeing none. Do I have a motion to approve as presented?

Gooden: So moved.

Crews: Second.

Bickford: Have motion and second to approve any discussion? All in favor, raise your right hand. Passes. That brings us to the public comment. Nicci do we have anyone signed up?

Commissioner Gooden moved, Commissioner Crews seconded, and was unanimously carried by the Commission to approve minutes as presented.

Edmondston: We do. Mr. Chairman, we have two Teresa McManus followed by Cindy Marchetti.

Bickford: Please come forward and state your full name address. You have three minutes of course.

Teresa McManus: Teresa McManus district two Scotts bottom road. I hope you all had a nice Thanksgiving. I had a wonderful Thanksgiving. I had the ex District Attorney, the Deputy District Attorney for the state of Virginia who came to visit wonderful weekend. You made a wonderful prayer that you were going to do something and hope that God guides you. I hope you believe that. I hope you mean it. I hope you understand that what you people do affects our lives. Everybody's watching I know I make a lot of noise up here sometimes but I'm going to tell you now you've ruined my life. You've ruined my farm. You have no backbone. You're yes men. I'm going to buy property next to everybody's house, and I'm going to have it rezoned. And I'm going to rezone it for industrial. And then I'm going to put a cesspool in there. Because that's what you're doing. You don't give a crap about any of us. I'm going to take that back. There are two of you that I think actually stand up for us. Mr. Allen, thank you very much. Mr. Kapuscinski thank you very much. I've been told by somebody on the board of supervisors that Mr. Kapuscinski makes it uncomfortable for you guys. And for him. Mr. Miles has told me that. Why is that? Because he cares because he's been out there looking because he does his job. Here all the snickers how many else have you do your job? How many of you are out there looking? How many actually know what the people of this county want? You're going to put in my backyard a 50 acre solar panel farm. Thanks.

Bickford: Who's next

Edmondston: Cindy Marchetti.

Cindy Marchetti: Good evening, Cindy Marchetti Marshall district. So Mr. Bickford, you represent me. And I just wanted to express concern over the zoning that Olympia Moore who inherited the property in the village industrial area is trying to zone B one. And I think it's unfair to do that without the people even being aware of what's going on. I just talked to a resident who lives on old Self Lane. And she said she had no idea that she has seen that that property has been up for sale multiple times before, but it was overpriced. And so it never sold. But she said, You know, it's already hard enough to get in her child who's handicapped out every morning to with the gas station there that it's already hard to maneuver in that area. So she was upset that she had no idea that this was even being talked about to zone it. So it's not fair. That if it's my understanding, if used rezone it to business, then there isn't been its business. And so then anybody can, can buy it and move forward with the business. So I think we just better put the brakes on and think about what's best for your, for your community, and the health and welfare and safety of everyone.

Bickford: Anyone else? Okay. Seeing that I'll close the public comment. We'll move to old business which is the public hearing for the Rosney Creek solar farm.

Edmondston: Yes, sir this evening public hearing for case 22 SUP319. Landowners Ivan P. Davis at 106 Whetstone Lane Dillwyn and the applicant is Rosney Creek solar LLC 120 Garrett Street Suite 700 Charlottesville, Virginia, property information tax map 151. Parcel 21 contains approximately 439 acres and it's located at 19691 East James Anderson highway in the Curdsville magisterial district and it's currently zoned agricultural a one. The request from the applicant is to obtain a special use permit to allow for the construction and operation of a five megawatt utility scale solar facility on approximately 439 acres in Buckingham County. I will point out that the applicant did send in an amended condition in a response to how and where the five megawatt solar generating facility will be located. And it does state that modifications to the General Plan permitted at the time of building permit based on state and federal approvals design requirements that comply with these conditions, solar equipment and accompanying storm water features shall be limited to no more than 55 acres of the 439.6-acre property as depicted in the general plan. As we went over in the introduction with this case in September, the zoning ordinance does not permit a public utility generating plant as a permitted use however, within the a one zoning district. substations, meters and other facilities including rail roads and water and sewage facilities may be permitted by the Buckingham County Board of Supervisors by a special use permit following recommendation by the Planning Commission in accordance with this ordinance and the Code of Virginia Planning Commission may recommend and the Board may impose conditions is to ensure protection of the district if this special use permit is approved Rosney Creek solar LLC does request a special use permit for the five acre five megawatt utility scale solar facility. The applicant is with us this evening, Mary Margaret Hertz to answer questions and concerns prior to the public hearing, and after,

Bickford: Miss Hertz would you come to the podium please?

Mary Margaret Hertz: Evening, everybody,

Bickford: I did have one question in your community meeting, you had told me I believe, if I recall, 40% of the acres would be in panels. So that would be roughly 20 acres? Correct?

Hertz: Correct. Yes.

Bickford: Okay. The additional five acres is not going to affect that one way or another Correct?

Hertz: I do not believe so.

Bickford: If It did it would be the same thing roughly just another acre.

Hertz: So we refer to it as a ground coverage ratio. So about 40% of any fenced area will be covered in panels to answer your question. Yes.

Bickford: All right. Thank you. That's all a question I had any commissioners have anything before we do the public hearing.

Kapuscinski: Actually I sent it I sent a memo out to I gave it to the zoning people and I suggested that we put some conditions together. And I think most of them have been answered, but for the record, I'd like to make sure. So as an example, we talked about a surety to cover any eventual environmental mishaps. And I understand that, that there is a surety that's been purchased. Is that right Miss Edmondson?

Edmondston: So the surety we talked a little bit Mr. Kapuscinski, about the surety that covers involved environmental issues from beginning of construction to decommission. So there are two different things that would be at play, there would be a surety bond placed for the erosion and sediment control bond at the beginning and during construction up till up until completion of the project. And then of course, the decommissioning plan, and the bond associated with that would have to be presented and approved by legal counsel for the county before even a building permit could be obtained. So there would be two.

Kapuscinski: So there is surety. My second, my second question had something to do with electrical and battery storage or panels are stored regardless of the reason. And I understand that under condition five, that is not in the SUP. So there will be no storage of batteries or any other electrical equipment. Is that true?

Hertz: Right. So we are only asking for a special use permit for solar energy facilities, no battery storage is included, that would require a separate permit if we wanted to come back and do that.

Kapuscinski: All right. And then another condition that I looked for was that anything that was damaged or spent with regard to your electrical components would be removed immediately and sent on to an appropriate place for disposal. My understanding is that there is a solid waste ordinance. And I will talk to Mr. Hill, a solid waste ordinance in Buckingham County that would not allow you to use any part of our property for dumping purposes, including the storage of spent or damaged electrical equipment or batteries. Is that understood by you as well?

Hertz: That is understood by me. I don't think we have anything specifically addressing that in our condition.

Edmondston: There's nothing specifically addressing this. Mr. Kapuscinski Please correct me if I don't have thoughts, you know, properly formulated in this response to Mary Margaret. Mr. Kapuscinski his concerns are about damaged parts that are going to be need to be replaced and where the disposal of this would take place. As he's pointed out, and we discussed in the last few days, the solid waste ordinance addresses commercial usage and the inability to do so within the receptacles the trash receptacles here within the county, which means that solid waste ordinance prevents a company such as apex or any commercial company to dispose of their solar panels in

our dumpsters. At this time. We do not have a an active landfill within the county for any form of disposal. Does that cover it?

Kapuscinski: Yeah. I just want to make sure that's understood. And on record, you know, between us and you. Okay. And you would agree to that, right?

Hertz: Yes, absolutely.

Kapuscinski: All right. And then obviously, the last one had to do with surety to cover full reparations and land. Now this is interesting, because I understand that the contract is essentially between you and Mr. Davis. And we understand that obviously, we'd like to see at the end of 30 years, I won't be here but I might be looking down maybe up who knows. But the point I'm getting at is that it should be it should be returned to its agrarian status. So I'm wondering whether or not there should be some kind of a presentation by you and Mr. Chip Davis to the county to give us assurance that your contract would be supportive of that particular condition. Is that something that would be I'll ask Miss Edmondson Is that something that we can ask for?

Edmondston: It probably would need to be fully reviewed by our legal counsel. Mr. Wright. But if in these conditions, you feel that that contract would strengthen the conditions and maintain the integrity of the district, long after the panels are removed and decommissioned, may be an appropriate thing.

Kapuscinski: While I'm asking the commissioners.

Bickford: Normally, the contracts are not in the purview of the planning commission. But I do understand where you're going with this. If you were to impose a condition that way, how would you frame it?

Kapuscinski: Let me start off by telling you what my concern is obviously, there, these small five megawatt plants that are that are being constructed, there's a few of them going around the county. If these if these contracts is if these contracts are kept out of the purview of the commission and in and the county, in general, then we really don't, again, there's a veil between the LLC and Apex, and Apex and Harris, there's a veil between there. So there's not a big balance sheet on the LLC. So given the fact that we don't know we have no assurances what's going to happen to this LLC, the county has no control, other than a lawsuit possibly on taking care of an eventual problem should the LLC go defunct? Right. So my concern is that somehow we ought to be given an assurance that there's some permanence in the contract between you and the owner of the land that satisfies the county in the event that the LLC does go away, or is sold, that that land will be returned to its of its agrarian state, its original use status. And that so the way I would frame it is some guarantee to the county that the contract is satisfactorily executed between the con the electric of the solar company, and the owner of the land, to the satisfaction of the county, that the land can be returned at some point in time to its agrarian, its original status.

Hertz: If I'm if I may, so we do have a condition in our proposed conditions that addresses decommissioning specifically and guarantees that we will post some kind of financial surety and provide a decommissioning plan prior to construction. So not only does this plan outline specific steps for how we assessed the amount of the bond that would be posted in the county's name, so that's not within the landowners control, that's something that the county has access to funds should the worst happen and the LLC go, fall under as you as you are saying, so the county will be provided not only with the funds to make those reparations to return the land to its original state or as near as possible, but you'd also have access to this plan that outlines and engineers assessment of the steps to achieve that. That begins, you know, it starts with materials recycling, and goes all the way through removal, depth of removal, how to regrade restore grade recede and that sort of

Kapuscinski: Environmental remediation included now, does it?

Hertz: Not confident but I do believe that is a component. I can follow up on that.

Kapuscinski: Well, it should be.

Hertz: Yeah, it absolutely should be I agree. And we will be consulting with the Department of Environmental Quality, you know, prior to construction, if we make it that far. And you know, Department of Transportation and or erosion and soil control as well.

Kapuscinski: Last I went through your I went through the conditions to the extent I couldn't and I noticed that there's an accident clause, which is fine. But I want to make sure that essentially, because the LLC does not have a bloated balance sheet, it means that whatever happens to the LLC that something can be brought back to the parent, whoever owns this LLC, who has financial responsibility and deep enough pockets to take care of the county. So is that is that in there as a condition? I only saw one line.

Hertz: It's not in there as a condition. It's common industry practice. I know I've gone through this before it. Nicci do you have?

Edmondston: Condition number six, the binding obligation that this SUP shall be binding on the applicant or any successors assignees current or future lessee, sub lessee or owner of the solar energy facility as condition number six, is that sufficient?

Kapuscinski: I don't you see, I don't know, I think that has to be asked of the lawyer. But my, my concern is, again, the assigns on this thing. And I again, I guess I'm not just worried about the LLC at Rosney. Creek, this becomes a model for other things that we're doing to these small solar businesses, because quite frankly, if we end up with a lot of them, and they end up, we already had one that was sold to an Israeli company. Right. I don't know. I don't know what the contract says. I don't know if there's any litigation could be done here in the United States, or would it require a lawyer going overseas? I mean, in my experience, that can't happen. So quite frankly, I'd like to make sure that the county is covered in the in the eventuality that, that this

LLC that gets sold or becomes defunct. And then we have we have financial coverage, or we're going to require litigation to get that. So that's, that's where my that's where my head's at, if you understand. So somehow in the assigns, and I'm not I'm not a lawyer, but I'm suggesting that it's some there's shouldn't be a condition that and make sure that that there's some parental responsibility, financial responsibility in the event that the LLC either changes hands or ends up going defunct.

Hertz: To my knowledge, the most that any solar industry company will do is post that financial assurity upfront. And that's what we're offering in the form of a bond. And we do, we have said, we do this for financing reasons. And because it doesn't make sense for us to tie up liability for all of our projects in one. If it's any consolation, we have financed over eight, you know, this is a 50 Meg, or five megawatt project. We financed over 8000 megawatts of projects in this manner. And it's something that we do. And so it's our defer to you, of course, and we're willing to work with you. But if it's a matter of posting more upfront, then that's absolutely something that we can discuss.

Kapuscinski: That's something that I think between you and the zoning commissioner and also our lawyer, but I think there needs to be some, some financial surety, this is a real small company that you're creating. And it just seems to me that the county's got to have some financial protection here. That's over and above the balance sheet that you're offering with this small LLC. That's all I could say.

Bickford: Okay thank you Pete. Any other comments?

Allen: Yeah, what Miss Edmondston, I want to ask you first, we pretty much put all the same conditions that we had like for apex.

Edmondston: Yes, these are the same working conditions that were placed on the special use permit that was approved for Apex Riverstone.

Allen: Well, that should take care of all these deals then.

Edmondston: To address these in conversations today, Mr. Captions, he does want me to seek more legal counsel on those binding obligations. So I will do this. And I can send a response out prior to the next meeting in the form of an email.

Allen: Yeah, and I'd like to keep getting an update on a how many acres we're going to put out. So we can get all the way up to the 4500 acres. But if you give me an update when we're getting ready to do it, but the other part of that is right now still on paperwork is saying 439 acres. And I know I got the letter too that says 55 Acres is what y'all are actually going to use. But unless you survey it, put it in a different block. To me at paperwork stays it for 439 acres, even though you say you want to do 55 Because you're in a 439-acre lot. That's my thought. I don't know what everybody is thinking about it. But it's some way or another that y'all can make it a 55-acre lot. surveyed acreage, then they would say all we're doing is 55 acres. We're not doing the whole

439. But that's my thought. Hey, one more question. I heard somebody else say that this was different. That the megawatts are not going out online and gets separated everywhere it can be for people in the county, some get discounts. So if we had a big storm if we had a big and it cut the power. Those solar panels, we're still it's daylight. Would they feed places down the road?

Hertz: No, and well, if I may, I did prepare some slides. I don't have to go through all of them but to address your question specifically, I can discuss community solar, which is the goal for this project a little bit more. Would you mind going to the second slide? One more. Yes. So this the way this project will work is it will feed power directly into local electrical lines. So, on paper, nothing changes unless you a Dominion energy customer elects to participate in the program and subscribe to it. So, while solar energy is being fed into the local electrical lines, which goes to local homes and businesses, it's not going to show up on anybody's bill unless they contact us to subscribe, which is something that we can talk more that's the nature the community solar program, if to address your question about power outages, if the power goes down, will you still have power locally? No. There are certain safety protocols that the solar farm has to follow. So if there's an electrical line down, the solar farm shuts down, so it's not electrifying the grid and putting linemen lives in jeopardy. battery storage does create an opportunity for that, again, not part of what we're asking for here. But that is the only way at this time with current technology to make that possible to have a local energy source. So with the community solar program, what happens is a project owner, like Rosney Creek, for example, would sell all of the solar power to dominion, and dominion will continue feeding electricity to all of its customers per usual. Some of the customers that are Dominion Energy customers, it is statewide, any Dominion energy customer in Virginia, can go to a subscriber organization and say I'd like to get community solar on my electric bill. So on paper, they get a credit for their portion of a project like Rosney Creek, we do have the ability there approximately 3800 Dominion Energy customers in the county, we do have the ability to work with the subscriber organization to give a preference to local Buckingham County Dominion Energy customers so that they can benefit from it. And we're talking savings of about 10% on their annual electricity costs. So a little confusing, it's all on paper. But that's how it works. Thank you for indulging me.

Bickford: Any other commissioners have any questions before I open up the public hearing at this time?

Kapuscinski: Just to go back with Mr. Allen and said I'm interested. I thought I thought that's what was happening when you were reducing this to 55 acres. We're not talking about 439 acres.

Hertz: Oh, yes. So that's what we're Yeah, that was the amendment, that amendment that Nicci mentioned for condition number seven, the general plan, it stipulates were on this 439-acre property we're allowed to develop, as well as on our maximum land disturbance area is 55 acres,

Kapuscinski: Your project is 55 acres dot 439. So he said she leaves the rest of that acreage open for other solar businesses that I think that's kind of where you're coming?

Allen: Well, when you when you finish your paperwork, you will be done with 439 acres, not 55. Because 55 is not isolated.

Kapuscinski: Let's see that. I have a misunderstanding. And that's I thought when this was done, you were going to have 55 acres that you used up of the 4500 acres that were allowing for solar projects in this county.

Hertz: That's that's our intent. And that's what we're trying to communicate with the amendment to that condition.

Kapuscinski: So the project is a 55 acre project, not a 439 acre project, right,

Hertz: The whole parcel is 439 acres, our project on that part, it's a large parcel, our project on that parcel is 55.

Kapuscinski: So who essentially owns the rights for the other acreage? Other than the 55 acres, are you going to continue to control the rest of that acreage?

Hertz: Um, as far as our lease says, Yes, we do have sole solar rights to that property.

Kapuscinski: I didn't understand that.

Allen: See like dominion was going to put that down on 20, 2200 acres, a little bit more 2200 acres, but they weren't going to use but eight or 900 acres for the solar power. So I mean, it doesn't matter. The 2200 Acres is what we put down on paper, even though they didn't use but 900 or whatever want to use, but on paperwork that 2200 is what to me what's written down. Like here 439 is what we are saying it's okay to use, even though they're saying we don't need but 55 acres. To me, you need to be isolated before you say, this is what we're using just this lot right here. That's my thought,

Kapuscinski: I totally misunderstood, I thought maybe this project was being revised to only use and account for 55 acres.

Hertz: That is what we're doing.

Kapuscinski: Then you don't have a need for 439 acres.

Hertz: We didn't make the project parcel size, that's just how it came in. So that's what we have the lease on. But I will say it is typical practice for us to build the project and then release the rest of the acreage of the parcel from the lease. So it's not something that we've written into the conditions no, but we have said that we are going to just build that 55. So I mean, we're not we're not, we don't have any intention to build more than that on this property.

Kapuscinski: Why can we put a condition together then to ensure that the rest of that acreage would be released.

Edmondston: With this general plan that has been submitted, just like the rest of the special use permit requests that come before you anything that is submitted all documents with the special use permit, any approval that may be granted, only what is allowed in the special use permit with that general site plan is what is permitted nothing else with this permit request. So this permit request would be only for the 55 acres, yes, this property tax information, the tax map is presented to you the way that it is this happens to be a 439-acre parcel. So it's presented to you in the introduction in the public hearing, because that is that is how that parcel exist with the applicant or any applicant on special use permits are going to do is they're going to submit documents that support the site plan, all documents in support of this application are for a 55-acre site plan. So if the special use permit is ultimately, if it's granted, then that document will come in when, let's say that this were to be granted, when they are able to obtain their building permit they're going to come in, it's going to be located here on another site plan that they're going to give us for the building and construction of these panels. So if it's on the bottom right hand corner of this particular parcel, as indicated on the site plan, and they come in, so on the top left, I can't permit that from a zoning standpoint, I'm going to go back to this file, as I do with all of them and say, I'm not able to present this, your permit was based upon a 55-acre site that you indicated on your site plan that was turned in with part of your documentation that was ultimately approved. So I will not approve that zoning, they will not get a building permit request because they're turning in an application that maybe matches a 30-acre site plan. This, property description is 439 acres, but the application for and the site plan that supports this application is a 55-acre site. Does that help?

Kapuscinski: Yeah, let me ask the question this way. We have 4500 acres willing to set aside for solar work. Okay. If we had nothing else, and all we had was this 55 acres, would it be 4500 available less than 55 or less the 439.

Edmondston: So the that 4500-acre decision that was made within a board meeting. I believe that that is still part of the solar policy that is under review. That is a working policy. Currently, I don't believe that there's been and someone correct me if I'm wrong, At this time, there has been no designation that it is going to be a differentiation between site plan and parcel size at this time, the way that I understand it from our County Administrator and he is not here with us this evening. I wish he were to correct me if I'm wrong is that it is the entire parcel size. So the entire acreage size, just like you were referencing the Dominion pine side project, their project was 2276 acres in total, that would be what would count against the 4500-acre requirement if that became policy wouldn't be the 805 to 800 acres that were actually in panel for the site plan. It as it stands currently, it is the total acreage size that is encompassed in the application, not just the sign

Kapuscinski: The only way that would change is if they released the rest of the acreage right?

Edmondston: that would probably need to go under legal review. And I'll tell you that this because this application is based on 55 acre site plan but with the entire 440 acres encompass to me that would be probably a modification to come back. And that would require a new SUP application. I mean, its that's also part of something that's within the private sector and a business contract that can be negotiated after us between the applicant and the landowner, we may not even be privy to know that that happened.

Bickford: Any expansion on calls for another SUP to be generated, in other words this is for 55 acres if for whatever reason, two years from now they came back and they want to do another 50 acres, it's another project and it has to come back.

Kapuscinski: See what they do is that they end up controlling 439 acres, even though they're using only 55. What I'm saying to you is they control, they control solar development in this county, they control 439 acres of solar development is County, even though they're only even though they're only contributing 55 acres. I think that's I think that's Danny's concerns. My concern to.

Bickford: I understand that sounds like to me the one solution would be then to make a policy for the number of acres in panels not total acers.

Kapuscinski: Or plus your buffer. I mean, if you want 55 acres, your project, which should be for 55 acres, not for 439. I think that's your point, right?

Bickford: Yeah, to me, he's trying to streamline it down. And she said she would do it. But it's just like Nicci said it's 55 acres, that's probably, if I were to try to do somewhere else on the 439 it will generate another SUP.

Kapuscinski: But it's the control of that 439.

Bickford: That's the way the policy is right now. We got to change the policy, we being the Board of Supervisors.

Kapuscinski: Either that or what we do is we ask her to only ask for 55 acres.

Bickford: That's what they've asked for.

Kapuscinski: They're asking for 439.

Bickford: That's because the property is designated on our tax map as 439. That's the way the protocol is set up.

Allen: Same thing for 2200 acres. So you can say the same thing when Dominion was doing a 2200 acres. 2200 Acres is what you go put down on paper, but they aint going to use but 800 acres. So same thing here. Therefore 439 is when

Bickford: They made the amendment for 55 acres, that's what is the project size is.

Allen: But you ain't got no way to cut it off. So it's no good to me, you need to survey the 55 acres that you're going to use, plot it and show it back at the next meeting, that'd be fine. For me, my thought that way, it's already taken care of 55 acers.

Hertz: It isn't uncommon for us to release that acreage. As I mentioned from the lease after construction, we do involve a surveyor to plot the exact bounds of our built project. So if that was something that needed to be part of the conditions to help with clarification, that's absolutely something that we can talk about with the county. But yes, 55 Acres is our maximum.

Allen: Yeah, I know it's in paperwork. But I mean, just on paper its still 439 that's the negative part.

Kapuscinski: What would you recommend Danny? Well, would you want to do?

Allen: To me, if they surveyed it and plotted it out as 55 acers and brought it back to us that will show this is it, it's all I can do.

Kapuscinski: So you'd like to table it, and then have them go survey it and bring it back to us.

Allen: They can do it and whenever they can do it. If they think he's going to do it.

Kapuscinski: How would you handle it for this meeting, though,

Allen: This meeting I don't know they get two more meetings with the board. They got time it don't take that long.

Hertz: If it helps we do survey as part of our final engineering plan. So this is a preliminary design, it shows you the location, our approximate metes and bounds of the project before we can apply for a building permit, we will submit a final site plan that has been specifically drawn out and delineated as you're suggesting.

Allen: Most of the time that's after you get your permit.

Hertz: After the special use permit, but prior to the building.

Allen: So then we'd have come back and change it.

Kapuscinski: Well, we if we had a condition that said that you had to get a survey correct?

Hertz: As part of pre construction?

Kapuscinski: So if we had a condition that said, subsequent to your survey, you release all the excess, you will release all the excess acreage. I mean, does that, does that help? I mean, would that work?

Allen: Or just say we only used and then we got to plot it. 55 acers so the 439 is removed.

Edmondston: So supervisor Allen, let me just try to make sure, I'm trying to take notes over here as well. You're stating that that survey needs to be a final survey with a separate tax map number. So there's the acreage is no longer a portion of the 439 acre original parcel, is that right?

Allen: Exactly right. Yeah.

Edmondston: Well then that would need to take place during this application process because if it takes place afterwards, that's a modification, change and amendment to a permit that could possibly be granted during the process.

Allen: So your saying you would do it or not? Not normally doing it until after you finish the survey?

Hertz: So we'll do pre and post construction surveys.

Allen: Yeah, if you can just do a quick survey. To me, that's all you need, then that would actually be on paper saying this is all we're going to use.

Bickford: Are you still asking for a separate tax map parcel?

Allen: If they want 55. If you leave it on the 439 then we count the 439. Either way. Whatever you want to do. But if you don't plot it, to me, it stays 439. I mean, I know you're saying you don't want to you but 55 But that's still a block in the 439 acers.

Bickford: Let's table that for right now. And any other questions after we'll do the public hearing. And then we'll come back. Let's give everybody time to think about it little bit. Any other questions?

Shumaker: Sorry. I'm going to circle back to Mr. Kapuscinski part about the surety and the bond I see in Section 10.7. And your documentation that prior to issuance of a building permit is when you will provide that bond to the county and that it's updated every five years by a licensed engineer. Is that a non bias engineer? Is that a state employed? Is that someone of the county's choosing?

Hertz: I don't know that we specify it's a Virginia licensed engineer who has experience pricing out decommissioning for solar farms, that sort of thing. So

Shumaker: And that bond I, based on the prior paragraph, I know the audience doesn't necessarily have that in front of them. But it talks about returning the land to its previous condition. And that engineer is able to assess the environmental aspects of that as well. Not just the value of the solar farm?

Hertz: Yes, It's talked extensively about soil remediation and that sort of thing after the equipment has been properly disposed of.

Bickford: Thank you. Any other questions? Miss Hertz thank you for your time, you can sit down.

Hertz: Thank you for your time.

Bickford: At this time, I'll open up to public hearing. Do we have any signed up?

Edmondston: We do. Yes sir. Mr. Chairman, Teresa McManus.

McManus: Teresa McManus district two Scotts bottom road right in the path of Rosney Creek. Did you hear yourselves? Did you just hear what went on? Thank you, Mr. Allen. Thank you, Mr. Kapuscinski. Thank you for what you did. How about writing a contract right the first time? Oh, that's, that's an anomaly here. We don't do that in this county. Because we want it to come back and get us in trouble every time. You can laugh, it is funny. It's true. You know, it's true. We do it all the time. We talked about education last time. We have a problem here. Let's talk about the environmental impact. I plan on being still around in 30 years. My farm is going to be impacted by this. What are you going to do for me? What do I get? What do I get when I come down with cancer? You probably haven't researched those reports. I have. What are you going to do for my animals? What are you going to do for my water? What are you going to do for me? How much money am I worth? I know I'm not worth much to you guys. I'm a pain in your ass. But what are you going to do for me? My kids think I'm worth something. My grandchildren think I'm worth something. Everyone in that area is going to have the same thing. What are you going to do for us? What research have you really done on solar paneling? You've done the government's research, you've listened to her paperwork. You almost choked when she said when the lights go out. The solar panels don't come on and they're not helping us. We're going to be just like Texas, you forgot that. When Texas froze its back end off a few years ago because their solar panels didn't work. You guys think solar paneling is the greatest thing since sliced bread. Have you not seen how polluting it is and what it does to the people in the environment how it kills them. Now you don't want to do that. I've said before it's perceived that this county doesn't care about its people. That money is flowing somewhere. Can't be proved. But it looks like our boards are spineless and can't stand up for themselves and are taking orders from somebody else in big business. And you're not listening to the people, and you don't care about the people, then whose pockets are being lined in this county? Because it's certainly not being mined.

Bickford: Have anyone else?

Edmondston: No, sir.

Bickford: Okay, well, I'll close the public hearing. And we'll turn this back over to the board. We've got a couple of things to talk about. Everybody's thought about Danny's issue with the difference in the acreage of the panels and the amount of acreage on the property? And how to rectify that.

Kapuscinski: I think it's 55 acre farm. We make it a 55 acre piece of paper. That's my view. I mean, I don't know why we would make it a block of 439. I think it's not gonna take that long to survey and I think we got to do the paperwork right.

Bickford: You're asking is as Danny that you want a survey and a new tax map parcel created.

Kapuscinski: Yes sir.

Dorrier: Mr. Chairman, I have a question. What will happen to what we've already approved then for the other solar panels? For the two that's been approved.

Bickford: They're grandfathered in and will be no change to them. They've already approved and gone through.

Kapuscinski: You know, I think we have to take a look at what's going on here as a model. Because if we don't start, I know we don't have we don't have that stringent a policy. But I got it. I know we're trying to develop one, which is good. But honestly, I think we need to take a look at these smaller programs and use them as models. If we intend to go forward with any kind of a solar program in the county, we need to start putting our foot down as to what we really want, and how we want these things contracted. This may not be completely what we need. But I think it's a good start.

Bickford: Nicci what would be involved in getting the survey to create a new tax map?

Edmondston: That would be solely the responsibility of the landowner. So it would be survey, survey approved, recorded, tax map created.

Bickford: Would that require any input from either the planning commission or board?

Edmondston: This property would be allowed, you know, 5 parcels or less as a minor subdivision.

Bickford: What affect would that have on the land owner? That you're taking one of his I mean, this is going in the center of the property to a certain degree

Edmondston: It is closer to route 60. On that bottom right hand side to this parcel...

Bickford: So they still gotta have access to the property to get to it. You're gonna have to create a 50 foot right of way.

Edmondston: Yes a 50 foot right away. The subdivision ordinance does require that that 50 foot right of way be to VDOT spec. So there would be additional expense whether it's landowner or applicant however. That's their business.

Bickford: What would you project would be the timeframe for this to occur?

Edmondston: In working with other surveyors at this time with simple divisions of one lot. It's usually eight to 12 weeks based upon workload.

Bickford: I guess my next question is we usually do things on a timely manner. If it's 12 weeks that's three months

Edmondston: Now it would be up to the applicant they may have a surveyor or something that moves quicker. This is only what I've seen with a few of the others.

Bickford: I guess what I'm asking is, you know, criteria set up protocol and you gotta follow and we're delaying it. Possibly three months. Might be a question I need to ask Mr. Wright.

Edmondston: Probably is a question for Mr. Wright. But you know, if it we've seen other cases I'm not sure that it's been through Three months where the Planning Commission has required more information before the commission feels that they're able to make a recommendation to the board. So you may state that more information is needed.

Bickford: There is a way to cut a little of that out, is make sure it's just done before a public hearing of the board of supervisors that will help some. Alright, I'm looking for some input from the commission.

Crews: There was no way to make it only take 55 acres of the usable 4500. as of now, at least without resurveying.

Edmondston: What this application is for is for this tax map, which happens to be 439 acres. What the site plan is indicative of within this application is that the solar facility a five megawatt solar facility will only encompass 55 acres of the 439 acre parcel. These drawings site plans and all have these are all documentation forms of documentation that support this application process, which means that Rosney Creek solar is not allowed to take up any more land space than the 55 acres and the exact spot that has been indicated on their site plan. Now, the fact that the 439-acre parcel exist, I cannot change that. So if you're trying to review that and analyze how it could impact a solar policy... The gist of this entire application is that the tax map happens to be 439 acres but Apex Rosney Creek solar project will only encompass and is only allowed to encompass 55 acres. This five megawatt, if this permit was approved, the way that it is written,

this five megawatt facility would be a 55 acre facility, the compound would be 55 acres, but it is part of 439 acres. And I go back to the solar policy that is in review. And as a working document for the board of supervisors right now indicates to the best of my knowledge that it is total acreage that is applied for that being total acreage of the parcels that are included in the application not the total acreage of the site of the solar facility.

Kapuscinski: What it means is that Mr. Davis has a 439 acre parcel that's that's been approved for solar panels, even though apex is only going to take 55 acres that that's what you're saying.

Edmondston: His parcel has not has only been approved to hold 55 acres of solar panels as indicated in a site plan, it does not mean that his special use permit is allowed to hold 439 acres worth of solar panels. His application in this permit this case 22 SUP319. The only approval for this 439 acre if it were to gain approval would be for the 55 acre site that is submitted here. If Mr. Davis and Rosny Creek solar wanted to come back and put another 55 acre solar generating facility on a 439 acre parcel that is a new application with a new site plan. And it would be depicted in the site plan where that solar generating facility would be but this application this case is specifically for the 55 acres Yes, it is part of 439 acres because it could have been a 1400 acre parcel is a 439 acre parcel that will only be allowed to place solar panels as indicated on the site plan of the 55 acre

Kapuscinski: The 439 acres itself, because of this sup can be allowed to have solar panels at that point in time. Once we approve this is for the 439 Right?

Bickford: No.

Edmondston: The approval is the parcel that is that it is applied for is the 439 acres but the only place that these panels are allowed to be for this case. Yes, sir. So is it that the feeling that you have this evening is that the 55 acre compound needs to be completely separate and you don't want it this approval to be granted on that entire tax map as part of it. I'm just trying to understand.

Kapuscinski: I don't know if that's significant. I guess I'm thinking I'm sitting here thinking well, if they've got if they've only got the ability to put in 55 acres, it still leaves if suppose you in the county agreed Did 4500 acres, it still leaves some 380 acres allowable for some other company to come in and in contract with Mr. Davis if they wanted to, is my point. Right?

Edmondston: If I were to receive an application for that, I would present it to you.

Bickford: It would be another application another SUP.

Kapuscinski: So I guess what I'm saying is I just don't, having understood it this way. I don't know that there's any significant I mean, why would the if we if we do have this thing separate another tax map we're going to have to pay for a road county is going to pay for a road right?

Edmondston: No we wouldn't we have design standards for that 50 foot right of way.

Bickford: The applicant would have to pay for the road. Mr. Wright did you have a comment?

Inaudible

Kapuscinski: What did you say about the border? How would you how would you if they?

Inaudible

Kapuscinski: Right. I understand that.

Shumaker: This has been at least two examples we have of the other 2200 acres. And this one, if it is a working policy, is it preview of the planning commission to ask the board of supervisors to or carefully clarify that language for us? Or request that we update it to include just the approved?

Bickford: Certainly could make a suggestion towards them. I would frame it as a suggestion.

Edmondston: Am I asking them to clarify, or...?

Shumaker: I haven't seen the policy to know if it needs clarification. Or if we would request to update it. I haven't seen the language. So whatever you see fit Chairman.

Kapuscinski: If you look at their site plan they have they have a border, they have identified a border around this 55 acres. Correct. All right. And that becomes a recorded border.

Edmondston: Not recorded. It is documentation in this application, which means all pieces and parts that are submitted with this application, if it's approved, become a part of this, which means when they come to... when the applicant comes to obtain their building permit, and they give me another site plan accompany that zoning building permit application. And their building site does not match what's in this SUP file. They don't get approved, because they're only approved for the site plan as indicated in their application, if it's approved, if it were to be. They don't have the ability to come in and make any changes if they if they say that it's going to be 40% in panels, but yet the calculations are that it's 60% of panels, that changes because these conversations and discussions are also part of the file

Bickford: Any other commissioners got any more questions, comments?

Dorrier: I don't really think were helping our self. I think it's pretty much cut and dried to what we want to have anyway. I mean, I think Pete's seeing it now that it's a policy that it's going to be 55 acres and it's all plotted out now we can go into a lot more and do a lot more and take up a lot more time but I think it's okay like it is

Allen: Yeah, okay, either way you want to do it, all I'm trying to say is that 439 acres will be subtracted from the 4500.

Bickford: I Understand what your concern.

Allen: Even though it says 55 unless it's plotted separate, in my opinion. And I don't care he can have the 439 or the 55 whatever you want to call it.

Kapuscinski: I think the difference is that Dominion or who owns pine side?

Allen: Dominion did pine side.

Kapuscinski: Yeah, the 2200 Acres is under their lease where this the 439 is not under the lease of APEX, am I correct? You only you only leasing 55 acres?

Edmondston: They leased the 439 Ms. Hertz indicated.

Kapuscinski: So they'll control the 439. So it's the same thing.

Bickford: We got to make a decision one way or the other here, either table, move forward or reject. If we don't have any more discussion, someone might want to make a motion.

Allen: Go ahead and forward it. But what I'm saying is whatever they want to do, they can change it to 55. And you're taking it off my 4500. Or leave it at 439

Bickford: Well, if you want to change the policy from total acres, to acres in panels. Will it not help resolve this?

Allen: I want it off the 4500 whatever yall want to do.

Bickford: And I don't know, I can't speak for the applicant here. But if he will, if the Board of Supervisors took it upon themselves and change the policy to count the number of acres in panels versus the total acreage of the project, they may be willing to submit something saying that all they want is a 55 acres. Really, it's less than that. If she said 40%. It's only like 20 acers that's actually in panels. So I don't know, that was just a suggestion on my part.

Kapuscinski: Didn't she say that they'd be willing to release the rest of the acreage?

Bickford: It's usually done later.

Kapuscinski: All right. So why don't we put that condition in there, that once this final survey is done, that you release the rest of the acreage? Would you be willing to do that?

Bickford: Are you now asking? We sort of walked away from the survey? because we got the site plan. And they've got to outside...

Kapuscinski: What I'm trying to do is kind of streamline this so that we ended up with only 55 acres that they control. That becomes the question Who owns the 50? Who owns the 439? Who owns the rights to the 439 acres? That's the question. Right. And if unless they release, even

Edmondston: Even if they maintain control, or have the solar rights to that 439-acre parcel, they still have to come back to apply for another facility, they're only allowed with that, with this application, this permit that they've applied for that for that 55 acres as the site plans indicated in this.

Kapuscinski: Well, what they're doing is they're taking 380 acres away from whatever the maximum is, the county wants. That's the point. If they only if they only ever put 55 acres down, that's 380 acres, they're taken away from other potential solar companies or some other application, because they own the rights to that 380 acres that they're not using. That's the issue.

Bickford: Understandable but...

Kapuscinski: If they release it, if they if we could put a condition here that said, okay, at the end of the survey, whatever this period of time is that, that your company would release that back to the county or whomever to Mr. Davis. In order for them to contract whomever they want to, it seems to me that that would resolve the issue. That gets you where you needed to be with your 4500 acres.

Allen: Yeah, they can do it either way.

Wright: We are starting to interfere in contracts between two private entities.

Kapuscinski: Yeah. Okay. All right. Yeah. Then I just take all that back.

Allen: I say we go and make a motion and go ahead and approve it and send it down to the board supervisors. And I'll talk to the supervisors some more about doing the 55 or the 439.

Dorrier: Second.

Bickford: All right, have a motion in a second to move forward to the Board of Supervisors, any further discussion. Seeing none all in favor, raise your right hand, that moves on to the Board of Supervisors. Okay, brings us to our next case, Chris Hucks.

Supervisor Allen made a motion, Commissioner Dorrier seconded and it was unanimously by the commission to move case 22-SUP319 on to Board of Supervisors.

Edmondston: Yes, sir. The next public hearing is for case 22 SUP 320 landowner Terry Husky at 799 Troublesome Creek Road. Buckingham Virginia Chris Hucks is the applicant 799 Troublesome Creek Road Buckingham tax map 123 parcel 48. It does contain approximately 13 acres and it is in the Maysville magisterial district. It's a one zoning and the applicant of course wishes to obtain a special use permit to operate a non retail Professional Services Office medical office at the home located at the 799 Troublesome Creek Road. Address and of course zoning ordinance does not permit this as a permitted use, however, with the application for special use permit and may be permitted by the Board of Supervisors by special use permit following recommendation by the Planning Commission in accordance with this ordinance and the Code of Virginia the Planning Commission may recommend and the Board may impose conditions to ensure protection of the district if this special use permit is approved. Below are conditions, 10 conditions that have been presented the full application that we heard last month, Mr. Hucks is available this evening to address any questions concerns resulting from the public hearing or from those of you serving on the planning commission this evening.

Bickford: Thank you Nicci. Anyone have any question for the applicant prior to public hearing?

Allen: Well, I had some I've talked to Nicci and him about but I know I looked on Code of Virginia and code of Virginia, it always said that a nurse practitioner would have to have a doctor there but then once I looked at all his permits, it had him in good shape where he didn't need a doctor and then he had the rights to write prescription. So as far as im concerned right now he's got everything's in pretty good shape for him to dive on in.

Bickford: Any other comments before we do the public hearing? I will then open up the public hearing. Do we have anyone signed up?

Edmondston: Yes, Mr. Chairman, we have three first will be John Sterrett, followed by Brent Davis.

Jack Sterrett: Hi my name is Jack Sterrett. I personally support Mr. Hucks 100% I'm a patient of his when he was with us. And when he went down to Centra. personally my family he has helped me it doesn't matter what the medical condition but he's helped me. I've referred to him as like Doctor Epperson. If you were with Dr. Epperson some of y'all remember he would come to the office at one o'clock in the morning. I really think this would be the same type of thing. That's just my thought... I got two minutes I never talked this quick in a long time. Im usually a shy person. No but serious business. I think it's a good thing for the county. Personally, I think that Chris has really showed a dedication to the county. I've been a patient of his like say, I don't think it's a joke nothing serious about it. be different if I wouldn't be here if I didn't think that for real. I personally would be one of his first once he opens up. I personally be one of his first people to sign up with him. Personally. Two hours I wasted 30 minutes.

Bickford: Thank you sir.

Brent Davis: Good afternoon. I'm Brent Davis. Wanting to speak on Chris's behalf. A couple months ago I had a little incident going where I had appendicitis. It kind of went south and ended up spending like six weeks in the hospital but at the very first it was supposed to be just you know, going for appendicitis next day home out ended up kind of feeling bad. So I called Chris and I thought I was a 23-year-old healthy person. I didn't believe in a primary care physician but I was quickly alerted that I need one. So I reached out to Chris and the next day he put me in his office went in there and they did a couple bloodwork test and he came back and he said hey, you know you got white blood cells that are really high right now. I said well put that in layman's terms for me and he said, Well, you got an infection going on. So we went and he set up some imaging for me, went to the hospital and got imaging done and I had a big infection going on. So that's the whole spill is six weeks that went down but in the heat of all the hospital visits that went about Chris, stayed in contact with me. There's not too many people, too many business people, they're going to get to act like family and Chris honestly had to like family. Even after I was all well, he's still checked on me. And even to this day, I mean, if I have any type of cold or whatnot, and I can go to his office, and he definitely helps me out. So I think he'd be a valuable asset to this community. Thank you.

Edmondston: Shelly kitchen

Shelly Kitchen: Good evening. My name is Shelly Kitchen, and I'm here to speak on behalf of Chris Hucks. Chris has worked hard for the county ever since he got out of high school. He's been on the rescue squad and did everything he could for the medical community. I work for Centra Health in home health office and here since COVID-19 hit since Dr. Mueller is no longer here. We don't have a physician in the county, we've had to decline a lot of patients because you can't treat them without a doctor signing orders. Chris has thank God has signed orders for us so that we could treat her elderly community. If he hadn't done that they wouldn't have got the care they needed at home. So he is a great asset to our community. And I hope that this will pass for him and he treated me when he was with Dr. Muller. Now I have to go to Farmville to get my care, just because that's the closest doctor. So I just want to speak on his behalf.

Edmondston: No one else.

Bickford: I will say that for the record. Tim Farrar of 833 Scotts Bottom road Dillwyn Virginia, Whitehall, District Two, sent an email. And he was in support of Chris Hucks. I just want to put that on there. Now I'll close the public hearing. And I'll present it back to the board for review questions, discussion?

Allen: I make a motion that we approve.

Kapuscinski: Second.

Bickford: All right. Have a motion in a second to approve, any further discussion? All in favor, raise your right hand. Approved on to the Board of Supervisors Mr. Hucks. Thank you, sir. Brings us to Olympia Moore.

Edmondston: Yes, sir. Mr. Chairman, this case 22 ZMA 321. This is Olympia more. I was contacted by Miss Moore this evening. She has a sickness in our family. She is not able to attend and she is asking if she could move this case to December.

Bickford: Okay. All right. Do I have a motion?

Allen: So moved.

Kapuscinski: Second.

Bickford: Motion and a second. Any discussion about moving this to December meeting? All in favor, raise your right hand. Okay. She's approved and comes back in December.

Edmondston: Okay, thank you, Mr. Chairman.

Supervisor Allen made a motion, Commissioner Kapuscinski seconded and it was unanimously by the commission to move case 22-SUP320 on to Board of Supervisors.

Bickford: All right. That brings us to new business. Before this case is introduced, I have to abstain I assist the Hollister's in their timber management. So I am going to relinquish control of the commission to Mr. Dorrier and he will take will take over on this application.

Edmondston: The introduction for case 22 SUP322. The landowner and applicants are Lawrence and Barbara Hollister at 4800 Moseley road Mosley, Virginia. The property information for this application this evening is tax map 161 parcel 20 and is approximately 472 acres. It's located at 2870 Rock Mill Road Dillwyn and the Curdsville magisterial district. It's currently zoned a one. The applicant this evening wishes to obtain a special use permit for the purpose of operating an Airbnb bed and breakfast. They are asking the Planning Commission to hold a public hearing for this request. The property is zoned a one the zoning ordinance does not permit an Airbnb Bed and Breakfast as a permitted by right use and an A one zoning district zoning ordinance does require that an Airbnb Bed and Breakfast and obtain a special use permit. The submitted application and narrative are attached. Would it be suitable to the planning commission to hold a public hearing possibly December 27 22 at 7pm? I'd also like to add that Mr. Miss Hollister are with us this evening to address any questions or concerns that you may have. I believe that Miss Hollister has a handout for you and has also sent pictures, photographs of the property. In case you haven't had a chance to visit

Dorrier: Okay, Miss Hollister, could you come up and speak to us please?

Barbara Hollister: Good evening, ladies and gentlemen, I'm Barbara Hollister. My husband, Larry Hollister. And thank you for hearing us this evening. We are excited about this project and hope you will be too.

Dorrier: Would you tell us what you have in your plan? Give us a short narrative please.

Hollister: I'll be glad to. We purchased this property approximately three years ago for my nephew that passed away Roger Dale Dunavant. His estate. And this property over the years has been in our family. For like hundreds of years, it was granted to the Dunavant family was a 2000 acres. And we're proud owners to have put a fourth of it almost. We've done cosmetic work on the house like we replaced where there was carpet throughout the house. It's a four bedroom house three bathrooms, three stories. It's a basement, first floor second floor. It's a mid century modern, built in 1980 by Roger Dale and his wife. There mostly the property is in timber. And Mr. Bickford knows all about that. It has been receded and replanted. But if you want a place of peace, comfort and serenity, we have a lot to offer. And we'd love to share it with those that are coming through or passing through were blessed with five children and 14 grandchildren and they plan to spend some time there but um we understand with air b&b, you can block out your times, which we certainly intend to do, but we would like to be able to share it and then what we would earn from the Airbnb, we would reinvest it back into the property. Any questions?

Dorrier: Commissioners have any questions that they'd like to ask

Hollister: and we invite you to come?

Allen: You just want to use the home. For your Airbnb. You're not gonna do any?

Edmondston: No campsites.

Hollister: No, no.

Allen: I'm just wondering, I'm just trying to make sure, you're fine.

Hollister: We have a nice creek that they can walk up and down. And that's where the name Seven Springs. There are seven springs that literally come in to make this nice big Creek.

Kapuscinski: You got a beautiful piece of property. I went took a look at it. And I was asking the same question. You don't tend to have any campsites Correct?

Hollister: No, sir.

Kapuscinski: All right. And how many people would you assume would be there occupying this b&b?

Hollister: Well, we have four bedrooms and four beds. And there was a sofa in the basement. But you would have to be a short person to sleep there.

Kapuscinski: I guess I qualify

Hollister: It wouldn't be for my husband six foot five.

Kapuscinski: All right, that's very good. Thank you.

Dorrier: Anyone else have any questions? Do I have a motion that we move this on to the public hearing?

Kapuscinski: So moved.

Allen: Second.

Dorrier: Moved we'll move on to the public hearing at this property all in favor of please raise your right hand. Approved.

Hollister: Thank you so much and we issue you invitation. Thank you.

Commissioner Kapuscinski made a motion, Supervisor Allen seconded and it was unanimously by the commission to move case 22-SUP322 on to public hearing.

Bickford: Thank you Steve for taking over on to introduction of the Buckingham County Firefighters Association.

Edmondston: Yes sir. This is an introduction of case 22 SUP 323. Landowners and applicants are the Buckingham County Firefighters Association. The property is located at tax map 125 parcel 11. It is 28 acres and it's located at a near the vicinity of 300 South constitution route Dillwyn And it is in the Maysville magisterial district. The zoning district is an agricultural district with a watershed overlay in the written narrative, which has actually just been amended to show the correction by Mr. Bates. The application did show that it was a b1 business, it is actually an A one with the watershed overlay. And that is correct in this narrative which I've given everyone a copy and we'll put that with the formal application. The applicant wishes to obtain a special use permit for the purpose of operating an events center for activities including but not limited to fundraising and training with up to 6000 attendees. The applicant is asking the Planning Commission to hold a public hearing for this request. Of course, the zoning ordinance does not permit an events that are as a permitted by right use in a one zoning district. However, within this district and events that are may be permitted by the Buckingham County Board of Supervisors for special use permit following recommendation by the Planning Commission in accordance with the code of Virginia, you do have the application and the narrative and we do have the applicants present to discuss their application with you this evening.

Bickford: Okay thank you Nicci. Mr. Bates would you come forward and just give us a quick overlay

Brian Bates: Good evening, hope you're all well this evening. So the I'm the president of Buckingham County Firefighters Association, and we recently purchased the 28 acre parcel that we are now seeking this special use permit for, as you may be aware, beginning in 2019, the Firefighters Association or it's the predecessor to it, ran a tractor pull as a fundraising event to benefit the four fire departments in the county. Based on the success of that second one was running in 2021, and a third one this past summer. And really getting good response to that. Over those three events, we've had an average attendance of approximately 3000 people. But we were in some state of limbo about the future of it because we were using land that the county was gracious enough to let us operate on which led us to purchase this property. So we get some permanence in the in the project and then see if we can build the attendance. We do think that the long term attendance could grow to no more than 6000 people. And that there are some upsides to the county in addition to the fire departments in event of between three and 6000 people. Presently, we plan to offer the tractor pull once a year, there have been conversations among the members of the association of perhaps doing twice a year in the application, we're asking or proposing that we would do no more than four events a year with two of them being a tractor pull. But having said that, there's no bandwidth in any of our memberships time right now to do more than the one that we have planned. But we do think that there'll be opportunities down the road for more fans. Happy to answer any questions that you all may have. As Nicci pointed out, I incorrectly indicated as b1 in the original application, and the amended page 11. Was submitted this evening. I do think that this proposed special use is in alignment with the other sorts of special uses that could be permitted in a one.

Bickford: Thank you Mr. Bates Any questions?

Kapuscinski: Yes, Mr. Chairman, there's the house, the white house next to the entrance to that property? Is that part of the property?

Bates: No sir we do not own any house, there's no improvements on the property.

Kapuscinski: That driveway that goes into your property off Route 20. Would you move that driveway down from that house?

Bates: The entrance that goes in to that property right now is a logging road that doesn't have a house next to it. I'm not sure where...

Kapuscinski: Might be looking at the wrong one.

Bates: Perhaps.

Kapuscinski: There was a gated road...anyway there, it might not be the same.

Bates: I'm looking at the tax map which is the next to the last page and in the application that we submitted. It does not show a structure to the north of the property and the entrance road is more to the north end of the property than the South and I don't see a house on that side of the road.

Kapuscinski: I have to go take another look at that. I might be looking at the wrong driveway. I thought I was looking at the right piece of property.

Bates: I'll be happy to meet you down there. If you want to take a look at it.

Kapuscinski: We can do that. That's fine. You intend to put traffic lanes in the handle 6000 people?

Bates: What we've run through Vdot based on the site distances they think that a commercial entrance will not require turn lanes on route 20. But we are planning on building four lane road in the property to absorb the traffic one of the challenges that we've had with the site off Wingo Road, was getting people off of the road and into the property, we think that we can get, I think about 165 or 170 cars in four lanes off of the road, to take the money in property, not have traffic backing up onto the road.

Kapuscinski: I mean, if you had one of these events that did have 6000 people, we were talking people going all the way into Dillwyn.

Bates: We believe in and we actually should have an engineer contracted with us by the end of the week. But both of the engineering firms that we talked to, that was something that we were concerned, we make sure we have that under control.

Kapuscinski: I'd like to hear a little more about that next time we talk. That'd be an interesting part of this.

Bickford: Brian yall always use the local police, To sort of set up and redirect traffic also right?

Bates: We've done almost any event that happens in the county the fire departments are involved with we have a significant interface with local law enforcement and state police. And so any of the traffic flow issues that are actually on the public highway. We coordinate with law enforcement on that, and law enforcement always handled that whether it's the tractor pull, or the Christmas lights that we've helped with traffic control for the Christian school or any of the other events. And then the fire department handles all the onsite parking and traffic issues. And we've had really good relationships with both the sheriff's office and the state police in that regard. And actually Vdot. Vdot has been very helpful with any event that I've worked on in the last 15 20 years. Vdot has been a pretty significant partner in those as well.

Kapuscinski: When you improve the light you couldn't put any buildings on it? You going to put any buildings on this property going to put a stadium or what have you?

Bates: No sir no buildings are anticipated. We're going to develop the tractor pull track itself, which is basically a clay track. You'll have guardrails. We have a Conex container that we store

things in the conex container will be relocated to that site right now it's behind the Dillwyn firehouse.

Bickford: Usually bring in on your previous events you always bring in mobile storage and food items. Going to do the same thing?

Bates: Yeah, the sanitation would be handled through portable toilets. It's a very cost effective way to deal with it. We've done food a couple of different ways we found actually the way that has the best return on the investment is to outsource the food, last year we did do a single vendor we freed up 30 firefighters who could then be used for traffic control and policing trash and not flipping burgers and we actually made more money by outsourcing it to a single vendor

Kapuscinski: Going to use this plot of land for training as well?

Bates: Yeah, we were talking about a variety of different kinds of training activities but no live fire the live fire training facilities on route 56.

Dorrier: Will you have water and sewage hooked up to it from the county?

Bates: The water and sewer goes by the property there's a fire hydrant is I'm not mistaken not too far from the property boundary we do in the application anticipate bringing a water line in for potable water but we do not anticipate sewer

Allen: The one I looked at online right here shows a driveway about middle way it looks like another driveway on the line on the other end.

Bates: North end of it? It might be covered by the property line that I have on this on this map here.

Allen: I mean look like me you already got two driveways in make a circle coming in one go out the other.

Bates: Yeah we're anticipating just doing new road development on the property.

Kapuscinski: Brian you've seen the property right?

Bates: Walked every square foot of it before we bought it.

Kapuscinski: according to what you seen you saw there were no houses? Your certain?

Inaudible

Kapuscinski: I must have gotten the wrong piece property

Bates: Its a gated entrance you get off the road *inaudible*

Kapuscinski: I have to take another look at it. Thank you.

Bickford: Any other questions for the applicant? Thank you Brian you can sit on down. What the pleasure the board?

Allen: Make a motion that we go ahead and have a public hearing.

Crews: Second.

Bickford: All right. Have a motion and a second to move on a public hearing. Any further discussion? All in favor Raise your right hand that moves to public hearing in December. Okay, that brings up to your report.

Supervisor Allen made a motion, Commissioner Crews seconded and it was unanimously by the commission to move case 22-SUP323 on to public hearing.

Edmondston: Yes, sir. So the building permit report has been included for informational purposes and I do have one update I was able to make contact with one of the developers within the land use education program and the schedule for 2023 will be out I have confirmed eight seats in the land use education program with the VCU and she will be calling me back in the next week and a half to confirm that, she took everyone's names and information today so that will take place the first couple of weeks of January through April I believe but that will be your certification as a planning commission member

Bickford: How long of an event is it?

Edmondston: I didn't write not I did not write down the dates because she had not posted those I believe it's through about the middle of January through the beginning of April that will be in you'll need to actually have an in person training session and then there are other scheduled homework documents and that'll be due before you go back and test okay. I will send all that information to you once I get the confirmation. Something to look forward to in 2023.

Bickford: That finalized everything? All right. Commission matters and concerns any commissioners have anything you want for us at this time or bring up? All right. Do I have a motion to adjourn?

Allen: So move.

Taylor: Second.

Bickford: We got a motion and second. I'm not going to ask for discussion. All in favor. Unanimous. We are adjourned.

Commissioner Dorrier moved, Commissioner Crews seconded, and was unanimously carried by the Commission to adjourn the meeting.

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

ATTEST:

Nicci Edmondston
Zoning Administrator

John Bickford
Chairman

Public Hearing Case 22-SUP322

Applicant Lawrence & Barbara Hollister
4800 Moseley Road
Moseley VA 231230

Zoning District: Agricultural District (A-1)

Background/Zoning Information: The property is located at 2870 Rock Mill Road Dillwyn VA 23936, Curdsville Magisterial District. The landowners and applicants are Lawrence and Barbara Hollister. This property is zoned Agriculture (A-1). The Zoning Ordinance does not permit an AirBnB Bed and Breakfast as Permitted by Right Use in an Agricultural A1 Zoning District. The Zoning Ordinance requires that an AirBnB Bed and Breakfast obtain a Special Use Permit. The submitted application and narrative are attached.

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to.
2. The facility shall meet all safety requirements of all applicable building codes.
3. Right of ways and roadway shoulders shall not be used for parking. Ample parking for occupants shall be supplied on premises.
4. The property shall be kept neat and orderly.

5. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.

6. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.

7. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.

8. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.

9. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable

10. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.

11. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

SPECIAL USE PERMIT APPLICATION CHECKLIST
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a special use 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 4, 5 & 6 attached). This list can be obtained from the Clerk of Courts Office: ☒ YES ☐ NO

Completed application for special use permit (page 3 attached). If not signed by the owner, a Power of Attorney must accompany the application: YES ☒ NO

Interest Disclosure Affidavit (page 7 attached). Must be signed by the owner: ☒ YES ☐ NO

Power of Attorney (page 10 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: YES ☒ NO

Written Narrative (page 11 guidance in preparing the Written Narrative): ☒ YES ☐ NO

Fees: ☒ YES ☐ NO

Deed: ☒ YES ☐ NO

→ Just 1

Plat (15 copies). The plat information may be incorporated into the Special Use Permit 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 ☐

Tax Map (15 copies). Identify property that special use is being considered for and identify by name all adjacent landowners.

APPLICATION FOR A SPECIAL USE PERMIT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: _____

Special Use Permit Request: Operating short term rentals.

Purpose of Special Use Permit: Short term rentals.

Zoning District: A1 Number of Acres: 472.5

Tax Map Section: 161 Parcel: 20 Lot: N/A Subdivision: N/A Magisterial Dist.: Curdsville

Street Address: 2870 Rock Hill Road, Dillwyn, VA 23936

Directions from the County Administration Building to the Proposed Site: _____

Name of Applicant: Lawrence P. & Barbara D. Hollister

Mailing Address: 4800 Moseley Road, Moseley, VA. 23120

Daytime Phone: 804-739-3760 Cell Phone: 804-357-7657 - Lawrence

Email: lhollister44@gmail.com 804-339-0298 - Barbara
Bud.hollister@gmail.com Fax: N/A

Name of Property Owner: Lawrence P. & Barbara D. Hollister

Mailing Address: 4800 Moseley Road, Moseley, VA. 23120

Daytime Phone: 804-739-3760 Cell Phone: 804-357-7657 - Lawrence

Email: lhollister@gmail.com 804-339-0298 - Barbara
Bud.hollister@gmail.com Fax: N/A

Signature of Owner: Barbara D. Hollister Date: 11-1-2022

Signature of Applicant: Barbara D. Hollister Date: 11-1-2022

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: Michael E. & Christy D. Palmore

Mailing Address: 3759 Rock Mill Road, Dillwyn, VA 23936

Physical Address: 3759 Rock Mill Road, Dillwyn, VA 23936

Tax Map Section: 161 Parcel: 2 Lot: N/A Subdivision: N/A

2. Name: John Bruce & Ellen Kay Dunivant

Mailing Address: P.O. Box 332, Dillwyn, VA 23936

Physical Address: 134 Mountain View Lane, Dillwyn, VA 23936

Tax Map Section: 161 Parcel: 3 Lot: N/A Subdivision: N/A

3. Name: Annie Mae Dunivant G Life Est G

Mailing Address: P.O. Box 716, Scottsville, VA 24590

Physical Address: 95 Mountain View Lane, Dillwyn, VA 23936

Tax Map Section: 161 Parcel: 4 Lot: N/A Subdivision: N/A

4. Name: Kyanite Mining Corporation

Mailing Address: 30 Willis Mountain Plant Lane, Dillwyn, VA 23936

Physical Address: _____

Tax Map Section: 161 Parcel: 10 Lot: A Subdivision: N/A

5. Name: Carroll & Nancy J. Chance Life Est.

Mailing Address: 518 Broken Bridge Road, Dillwyn, VA 23936

Physical Address: 518 Broken Bridge Road, Dillwyn, VA 23936

Tax Map Section: 161 Parcel: 13 Lot: A Subdivision: N/A

6. Name: Albert S. Jamerson, Jr.

Mailing Address: 3701 Rock Mill Road, Dillwyn, VA 23936

Physical Address: 3701 Rock Mill Road, Dillwyn, VA 23936

Tax Map Section: 161 Parcel: 3 Lot: 3A Subdivision: N/A

7. Name: Jim Brown % Anthony Mosley

Mailing Address: 3507 Rock Mill Road, Dillwyn, VA 23936

Physical Address: _____

Tax Map Section: 161 Parcel: 12 Lot: N/A Subdivision: N/A

8. Name: Blue Rock Resources LLC

Mailing Address: P.O. Box 256, Dillwyn, VA 23936

Physical Address: _____

Tax Map Section: 171 Parcel: 30 Lot: N/A Subdivision: N/A

9. Name: Linda W. Falls % Bruce & Linda Falls

Mailing Address: 44 Rocky Mountain Rd., Dillwyn, VA 23936

Physical Address: _____

Tax Map Section: 161 Parcel: 24 Lot: N/A Subdivision: N/A

10. Name: Lorie Bruce & Delma C. Taylor

Mailing Address: 1707 Indian Valley Post Office Road, Indian Valley, VA 24105

Physical Address: _____

Tax Map Section: 161 Parcel: 1-11 Lot: N/A Subdivision: N/A

11. Name: Levi & Dorothy Moseley

Mailing Address: 3507 Rock Mill Road, Dillwyn, VA 23936

Physical Address: 3507 Rock Mill Road, Dillwyn, VA 23936

Tax Map Section: 161 Parcel: 19 Lot: A Subdivision: N/A

12 Name: Murray Lee Oliver

Mailing Address: 3544 Rock Mill Road

Physical Address: 3544 Rock Mill Road

Tax Map Section: 161 Parcel: 17 Lot: D Subdivision: N/A

13 Name: Ethel O. & Orie O. Carter

Mailing Address: 324 Fiske Drive, Detroit, MI. 48214

Physical Address: _____

Tax Map Section: 161 Parcel: 19 Lot: N/A Subdivision: N/A

14 Name: Vivan Emelrin WM & c/o Vivan Hays

Mailing Address: 6189 Rolling Forest Cir., Mechanicsville VA
23111

Physical Address: _____

Tax Map Section: 161 Parcel: 1 Lot: 2A Subdivision: N/A

15 Name: John Preston Smith, Jr.

Mailing Address: 1015 Parkins Mill Drive, Greenville, S.C. 29607

Physical Address: _____

Tax Map Section: 150 Parcel: 62 Lot: N/A Subdivision: N/A

16 Name: Betty Dunivant Zumbro Tr.

Mailing Address: 1060 Pembleton Rd., Dillwyn, VA 23936

Physical Address: 1060 Pembleton Rd., Dillwyn, VA 23936

Tax Map Section: 150 Parcel: 65 Lot: N/A Subdivision: N/A

17 Name: Betty Dunivant Zumbro Tr.

Mailing Address: 1060 Pembleton Rd., Dillwyn, VA 23936

Physical Address: 1060 Pembleton Rd., Dillwyn, VA 23936

Tax Map Section: 150 Parcel: 64 Lot: N/A Subdivision: N/A

18 Name: Betty D. Zumbro, Tr.

Mailing Address: 1060 Pembleton Road, Dillwyn, VA 23936

Physical Address: 1060 Pembleton Road, Dillwyn, VA 23936

Tax Map Section: 150 Parcel: 67 Lot: N/A Subdivision: N/A

19 Name: Faye Rollings-Carter

Mailing Address: 11224 Coleman Lake Rd., Ford, VA 23850

Physical Address: _____

Tax Map Section: 161 Parcel: 8 Lot: _____ Subdivision: N/A

20 Name: Wilson A. & Vivian B. Jones

Mailing Address: 3364 Maple Bridge Rd, Dillwyn, VA 23936

Physical Address: _____

Tax Map Section: 161 Parcel: 2-3 Lot: N/A Subdivision: N/A

9. Name: _____

Mailing Address: _____

Physical Address: _____

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

10. Name: _____

Mailing Address: _____

Physical Address: _____

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

11. Name: _____

Mailing Address: _____

Physical Address: _____

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

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 1 day of November, year 2022

Lawrence P. & Barbara D. Hollister 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)

Barbara D. Hollister

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

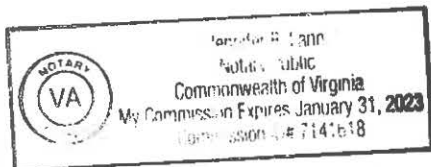
NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Buckingham

STATE OF Virginia

Subscribed and sworn to me on the 1 day of November
of the year 2022. My Commission expires on 1/23/23

Notary Public Signature: Jennifer B. Lane
Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

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

I _____ (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):

Agricultural & Timber

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

Agricultural & Timber

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: Barbara D. Hollister Date: 11-1-2022

Printed Name: Barbara D. Hollister Title: Owner

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: Lawrence P. & Barbara D. Hollister

Location: 2870 Rock Mill Road, Dillwyn, VA 23936

Proposed Use: Short term rental

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:

Signature of VDOT Resident Engineer: P. D. [Signature]

Printed Name: Charles D. Edwards

Date: 10/27/22

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:

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



BUCKINGHAM COUNTY

2870 Rock Mill Rd



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: Barbara D. Hollister

Date: 11-1-2022

TENTATIVE SCHEDULE FOR A SPECIAL USE PERMIT

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.

Date: 11/01/22 Cash Register: 001 BUCKINGHAM COUNTY 16:28:20

Cshr: TINA COSTELLO Account#: 000009159 Cust.Transactions:

Type: PAY Dept/Bill#: RE2022 00055440001 P/I Date: 11/01/2022 11/01/2022

Name: HOLLISTER LAWRENCE P & BARBARA D Bill Date: 4/28/2022 Half: 1

Nam2: HOLLISTER TR Due/PstDt: 6/06/2022

Addr: 4800 MOSELEY RD PAdr: 2870 ROCK MILL RD

MOSELEY VA

Zip: 23120 - 0000

Map#: 161 20

Desc: RT 633-774 - 2 MI SE OF

MMMIIDDBLLLLLS

ENONVILLE 472.578 AC

Acre: 472.578 Dist/Cls 01 / 01 Status

MrtgCo:

SSN: 000 - 00 - 0000 000 - 00 - 0000

Notes w/Rcd

Land:	\$889,900	Improve:	\$238,700	Use:	\$0
Original Bill:	\$2,934.36	Credits:	\$2,934.36	Discount:	\$0.00
Penalty Paid:	\$0.10	Int Paid:	\$0.00	Last Date:	6/16/2022
Amount Owed:	\$0.00	Other:	\$0.00	Setoff Claim#:	000000000
Total Owed:	\$0.00	Penalty:	\$0.00	Interest:	\$0.00

Principal Due: _____

Pen Rate % Int Fact

Penalty Due: _____

Interest Due: _____

Total Amount Due: _____

Aging:

Promise to Pay Date: _____

F1=Amt Tender F2=Next Ticket F3=Exit

F10=Func Menu F20=Attach

Buckingham County Request for Special Use Permit

Written Narrative

October 29, 2022

2870 Rock Mill Road is owned by Lawrence P. and Barbara D. Hollister, Trust. The property has been in the family, off and on, over the past couple hundred years. The property is part of 2000 acres granted by the King of England to John Pemberton Dunevant. Mr. Dunevant was the great, great, great grandfather of Barbara Dunevant Hollister. The Hollister's purchased the property from the estate of Roger Dale Dunevant, nephew of Barbara Hollister.

There are 472.5 acres of land, in the Curdsville District, off Rock Mill Road, #633. The property is zoned agricultural/timber management. A midcentury modern 2 story house which sits back approximately ¼ miles of Rock Mill Road. The home has 4 large bedrooms, 3 full bathrooms, kitchen, family room upstairs and basement, deck off primary bedroom on the second floor, and a deck 360 degrees around the house. The surrounding area of the house exhibits pleasing landscaping. The view offers rolling hills, open fields and an appreciation of the beautiful standing timber. Nature is at its best, with occasional visitor from the forest, such as bear, deer, coyote, bob cat, possum, fox, skunk, racoon, etc. The forest offers its own symphony at night. The nightingales, owls, katydids, etc. come out at night to make there presents known. It is indeed a place of peace, calm, serenity, and comfort. One can relax and enjoy a "rustic elegance" at its best.

The land is primarily used for timber. Within the past 2 years timber was cut and seedlings replanted. There are trails throughout the property. A large open field surrounds a Quonset Hut, used for storage. Grass is grown in the field and is periodically cut.

The community is agricultural/timber as well. The surrounding neighbors are in the woods, back off the road, or a home surrounded by picturesque, well landscaped yard and forest. Rock Mill Road is a two-lane paved road, offering convenient travel to Farmville, (26 minutes), Dillwyn, (12 minutes), Charlottesville, (55 minutes), Richmond, (1hr. and 20 minutes), Appomattox (30 minutes) and Lynchburg (1hr). Historical parks, museums, theatres movies, bowling, golf ranges, wineries, churches (various religious denominations), lakes, camping sites are available and easily accessible.

The economic development of this property is foreseen by the owners to be used as a short-term rental. The owners have had more than 50 years of experience in long term rentals. The proceeds would be used to put back into the property, off-set paying taxes, insurance, upkeep, utilities, etc.

Environmentally this is farm land/woods in a well-maintained state. The timber has been in a management program with the prior owner and continues with the Hollisters. A creek runs through the property, supported by 7 springs. No ponds are on the property.

The Dillwyn Fire and Rescue Departments are located in Dillwyn, VA, approximately 9 minutes from the property. Farmville Fire and Rescue Departments are located in Farmville, VA, approximately 23 minutes from the property. Appomattox Fire and Rescue Department, located in Appomattox, VA is approximately 28 minutes to the property. The Virginia State Department is 9 minutes from the property (5.5 mi) and The Buckingham County Sheriff's Department is 10 minutes (6.2 mi).

The house has wooded stained siding with a surrounded by a deck on all four sides of the house. Hardwood floors are on the 1st and 2nd floors. There are 4 bedrooms, (offers a full bed, 2 queen beds, 1 king bed, 3 sofas), 3 full bathrooms, updated kitchen, 1 family room areas, and another deck off the master bedroom. A washer, dryer, dishwasher, a security system monitored by the police department, security cameras surrounded the house, and well lighted area.

The Buckingham County Public Library is located 16266 N. James Madison Highway, Dillwyn, Virginia. The library is 6.2 miles from this property.

Parks and Open Spaces are plentiful. The property offers 472.5 acres of space. Appomattox-Buckingham State Forest (12 Miles), Holiday Lake (15 miles), Buckingham County Recreation (6.6 miles), Horsepen Lake (4.8 miles, permit required), Buckingham Community park (6.2 miles), and Lee Wayside (6.6 miles).

Portable water and schools are non-applicable.

The septic tank was inspected when the property was purchased in 2019. There no issues with the septic tank since purchase of the property.

Telecommunications is offered by Firefly.

Transportation is by your own personal choice, such as car, truck, motorcycle, etc.

Solid Waste will be collected in a large can and will be disposed of by one of the following companies in the county: BFI, or Bryant's. This would occur upon opening the Short Term Rental.

We are applying for a Special Use Permit primarily for a Short Term Lease to be used as an AirBnB, Vrbo, etc. (Similar type short term businesses)

WRH

#17-146

#17-398

BOOK 438 PAGE 503

Document Prepared By:
Return to:

F. Aole Allen, Jr.
Attorney at Law
P.O. Box 502
Dillwyn, Virginia 23936
Add to TM# 161-17A

VSB #22911

BOOK 439 PAGE 696

Tax Map:

Assessed Value: \$56,200.00
Consideration: \$36,319.24

Return To: W. Richard Hairfield
Hairfield & Morton, PLC
2800 Buford Road, Suite 201
Richmond, Virginia 23235

THIS DEED is made this 7th day of December, 2016, by and between **ROGER D. DUNEVANT and JOANNA T. DUNEVANT**, husband and wife, hereinafter called Grantors/Parties of the First Part; **BARBARA D. HOLLISTER, LAWRENCE P. HOLLISTER, and KATHERINE LOUISE HOLLISTER MOORE**, as joint tenants with the right of survivorship as at common law and not as tenants in common, hereinafter called Grantees/Parties of the Second Part, whose address is: 4800 Moseley Road, Moseley, Virginia 23120, and **WILLIAM P. DUNEVANT AND ROSE M. DUNEVANT**, husband and wife, Parties of the Third Part/Grantors.

- WITNESSETH -

THAT for and in consideration of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, receipt of which is hereby acknowledged and received, the Grantors/Parties of the First Part do hereby Bargain, Sell, Grant, and Convey with General Warranty and English Covenants of Title, unto the Grantee/Parties of the Second Part, as joint tenants with the right of survivorship as at common law and not as tenants in common the following described real estate, to-wit:

ALL that certain lot, tract or parcel of land, with improvements thereon and appurtenances thereunto belonging, lying and being in Curdsville Magisterial District, Buckingham County, Virginia, on VSR # 633, now known as Rock Mill Road, containing thirteen and sixty-five one/hundredths (13.65) acres, more or less, and being more particularly described as to metes and bounds on a plat of survey by Michael Ray Goin, L.S., dated September 23, 2016, and recorded in the Office of the Clerk of the Circuit Court of Buckingham County in Plat Cabinet A at Slide 257A.

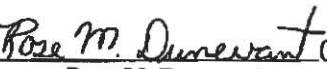
SAID lands being a portion of the same lands conveyed unto Roger D. and Joanna T. Dunevant by deed of Dunevant, found recorded in the Office of the Clerk of the Circuit Court of Buckingham County in Deed Book 323, at Page 409, at Page 702. Said 13.65 acre parcel is to be added to and combined with other lands owned by the Grantees herein as described in Deed Book 193, at Page 385, known as Tax Map 161-17A and is not to be considered a separate parcel of land.

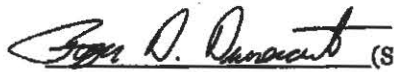
This conveyance is made expressly subject to: any and all conditions, restrictions, reservations, easements, and/or rights of way which are a matter of public record; and, any and all easements and/or rights of way which are apparent from an inspection of the lands hereinabove described or the plat hereinabove referenced.

The Parties of the Third Part join herein in order to release all of their rights under that certain right of first refusal dated August 19, 2013, and found recorded in the Office of the Clerk of the Circuit Court of Buckingham County in Deed 409, at Page 705. By their signature hereon the parties of the Third Party do specifically give up their rights with regard to the subject property concerning the First Right of Refusal.

Witness the following signatures and seal.

 (SEAL)
William P. Dunevant

 (SEAL)
Rose M. Dunevant

 (SEAL)
Roger D. Dunevant

 (SEAL)
Joanna T. Dunevant

STATE OF VIRGINIA

COUNTY/CITY OF Duchingham, to-wit:

The aforescribed deed, bearing date of December 7, 2016, was subscribed,
sworn and acknowledged before me this 16th day of December,
2016, by William P. Dunevant

My commission expires: March 31, 2020.

Barbara B. Palmer
Notary Public



BOOK 438 PAGE 506

STATE OF VIRGINIA

BOOK 439 PAGE 699

COUNTY/CITY OF Duckingham, to-wit:

The aforescribed deed, bearing date of December 7, 2016, was subscribed,
sworn and acknowledged before me this 16th day of December,
2016, by Rose M. Dunevant

My commission expires: March 31, 2020.

Barbara R. Palmer
Notary Public



STATE OF VIRGINIA

COUNTY/CITY OF Duckingham, to-wit:

The aforescribed deed, bearing date of December 7, 2016, was subscribed,
sworn and acknowledged before me this 16th day of December,
2016, by Roger D. Dunevant

My commission expires: 3/31/2020



Barbara B. Palmer
Notary Public

STATE OF VIRGINIA

BOOK 439 PAGE 701

COUNTY/CITY OF Buckingham, to-wit:

The aforescribed deed, bearing date of December 7, 2016, was subscribed,
sworn and acknowledged before me this 16th day of December
2016, by Joanna T. Dunevant

My commission expires: 3/31/2020



Barbara S. Palmore
Notary Public

035 Rec Fee
St. R. Tax
Co. R. Tax
Transfer
Clerk
Lib.(145)
T.T.F.
Grantor Tax
036 Proc. Fee
Total \$

1.00
46.50
46.83
1.00
14.50
1.50
5.00
54.50
20.00
234.83

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY

The foregoing instrument with acknowledgement
was admitted to record on 1-23 20 17,
at 1:10 P M. in D.B. 438 Page(s) 503-508
Teste: MALCOLM BOOKER, JR., CLERK
BY: Devin Jones, DEPUTY CLERK

COMMONWEALTH OF VIRGINIA
COUNTY/CITY OF Buckingham, to wit:

The foregoing instrument was re-acknowledged this 10th day of March, 2017, by William P. Dunevant, Rose M. Dunevant, Roger D. Dunevant and Joanna T. Dunevant, Grantors.

My commission expires the 31st day of March, 2020
My notary registration no: 7402674

Baird R. Palmer
Notary Public

This Deed is being re-recorded to correct the Grantee's name, Katherine Louise Hollister Moore.

035 Rec Fee
St. R. Tax
Co. R. Tax
Transfer
Clerk
Lib.(145)
T.T.F.
Grantor Tax
036 Proc. Fee
Total \$

1.00
14.50
1.50
5.00
23.00

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY

The foregoing instrument with acknowledgement

was admitted to record on 3/13 20 17
at 11:10 A M. in D.B. 439 Page(s) 694-702

Teste: MALCOLM BOOKER, JR., CLERK

BY: James Bryant, DEPUTY CLERK

18-1295

Document Prepared By:
Return to:

F. Acie Allen, Jr.
Rick Hairfield
Hairfield & Morton, PLC
2800 Buford Road, Ste. 201
Richmond, VA 23235
161-7; 161-13; 161-15; 161-16; 161-17; 161-17B
161-17C; 161-20; 161-21; & 161-23

Tax Map #s:

Assessed:

Consideration:

\$1,104,400.00

\$1,600,000.00

THIS DEED is made this 14th day of June 2018, by and between **JOANNA T. DUNEVANT**, herein called Grantor and **LAWRENCE P. HOLLISTER** and **BARBARA D. HOLLISTER**, as Trustees for the Lawrence P. Hollister and Barbara D. Hollister Family Trust, herein called Grantees whose address is 4800 Moseley Rd.

Moseley, VA 23120

-WITNESSETH-

THAT for and in consideration of Ten Dollars (\$10.00) cash in hand paid, and other good and valuable consideration, receipt of which is hereby acknowledged, the Grantors do hereby Grant and Convey with General Warranty and English Covenants of Title, unto the Grantees the following described real estate, to-wit:

SEE ATTACHED SCHEDULE A

THIS conveyance is made expressly subject to: any and all conditions, restrictions, reservations, easements, and/or rights of way which are a matter of public record; and, any and all easements and/or rights of way which are apparent from an inspection of the lands hereinabove described or the plat hereinabove referenced.

Witness the following signature and seal.

Joanna T. Dunevant (SEAL)
Joanna T. Dunevant

STATE OF Virginia
CITY/COUNTY OF Buckingham, to-wit:

The foregoing instrument was acknowledged before me this 20th day of August, 2018, by Joanna T. Dunevant.

My commission expires: 3/31/2020

Barbara B. Palmore
Notary Public



SCHEDULE A

ALL those certain tracts, pieces or parcels of land lying and being in Curdsville District, Buckingham County, Virginia, containing 418.508 acres, more or less, 43.731 acres, more or less, and 10.339 acres, more or less, for a total aggregate of 472.578 acres, more or less, all as shown on plat of survey prepared by Dickerson Surveying LLC, dated July 23, 2018, revised August 10, 2018, and entitled "10 Parcels 472.578 Acres", a copy of which plat is attached hereto and recorded herewith and to which plat reference is hereby made for a more particular description of said real estate.

See Plat Cab A Slide 270 A & B

035 Rec Fee	<u>3100</u>	VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY
St. R. Tax	<u>40000</u>	
Co. R. Tax	<u>133233</u>	
Transfer	<u>100</u>	
Clerk	<u>4150</u>	
Lib.(145)	<u>450</u>	
T.T.F.	<u>1500</u>	
Grantor Tax	<u>160000</u>	
036 Proc. Fee	<u>2000</u>	
Total \$	<u>701833</u>	

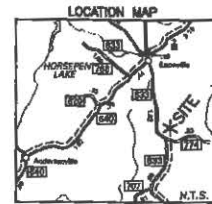
The foregoing instrument with acknowledgement was admitted to record on 8-30 20 18 at 3:20 PM. in D.B. 454 Page(s) 497-499

Teste: DIANE B. BLACKBURN, CLERK

BY: Diane James, DEPUTY CLERK

DICKERSON SURVEYING LLC

500 Court Street P.O. Box 112
Appomattox, Virginia 24522
434-352-8560
Michael Ray Goin
Land Surveyor



- NOTES: 1. ALL ENCLOSURES, ENCROACHMENTS, AND/OR IMPROVEMENTS MAY NOT BE SHOWN.
2. THIS PLAN HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE REPORT.
3. THIS PLAN IS BASED ON A CURRENT FIELD SURVEY AND SURVEYS COMPLETED BY DICKERSON SURVEYING LLC, MICHAEL RAY GOIN, L.S., DATED OCTOBER 31, 2011 IN P.C.A.-2008, MARCH 12, 2015 IN P.C.A.-2467 AND SEPTEMBER 23, 2016 IN P.C.A.-252A, MARKED ON THE GROUND WITH THE PHYSICAL MONUMENTS INDICATED.
4. T.M. NOS. 161-2, 13, 15, 16, 17, 17B, 17C, 20, 21 & 23
5. MOSELEY OUTLET AS SHOWN ON UNRECORDED PLAN BY CARROLL GILLESPIE, L.S., NOT SHOWN
6. IT IS NOT THE INTENT OF THIS SURVEY TO COMBINE PARCELS



Course	Bearing	Distance
L1	S 27°16'18" W	206.78'
L2	N 80°23'15" W	134.15'
L3	N 84°40'55" W	461.04'
L4	N 85°27'23" W	189.37'
L5	N 86°38'19" W	71.46'
L6	N 85°18'27" W	30.00'
L7	S 72°17'57" W	117.72'
L8	N 60°56'43" W	670.08'
L9	N 11°42'06" W	329.50'
L10	N 03°20'41" W	116.80'
L11	N 11°43'37" W	260.01'
L12	N 00°43'11" W	278.80'
L13	S 88°37'00" E	715.50'
L14	N 01°00'59" E	406.34'
L15	S 88°35'20" W	363.35'
L16	N 88°56'32" W	417.13'
L17	N 01°00'16" E	207.88'
L18	S 89°06'37" E	415.81'
L19	N 54°38'34" E	68.84'
L20	N 03°21'57" E	125.42'
L21	N 74°26'30" W	390.00'
L22	N 84°28'44" W	156.85'
L23	S 11°10'41" E	568.42'
L24	S 11°10'41" E	43.80'
L25	N 75°42'40" W	1098.53'
L26	N 08°13'25" E	138.53'
L27	N 01°51'30" E	179.85'
L28	N 12°54'18" W	33.47'
L29	S 84°40'55" E	263.71'
L30	S 85°03'15" E	134.15'
L31	N 37°18'15" E	268.78'
L32	S 11°24'01" E	270.44'
L33	S 00°00'40" E	1211.22'
L34	S 83°33'06" W	388.85'
L35	S 80°23'20" W	198.02'
L36	N 07°08'53" W	615.45'
L37	N 08°11'04" E	83.34'
L38	N 08°11'04" E	308.32'
L39	S 00°58'53" E	667.00'
L40	N 78°17'47" E	117.37'
L41	N 01°02'43" W	48.23'

Curve	Radius	Length	Delta	Chord	Chord Bear
C1	845.00'	82.03'	8°10'30"	81.25'	N 05°05'47" E
C2	876.79'	168.68'	16°54'20"	166.63'	S 66°23'53" E
C3	623.35'	382.30'	38°31'54"	377.18'	S 88°07'00" E
C4	1280.22'	23.57'	3°19'18"	23.56'	N 73°57'25" E
C5	2301.00'	302.18'	7°38'23"	306.82'	N 78°07'13" E
C6	3258.87'	277.29'	4°52'20"	277.21'	N 82°22'58" E
C7	2440.23'	430.40'	4°52'21"	418.87'	N 84°45'28" E
C8	8748.58'	37.38'	0°02'20"	37.35'	S 84°52'05" E
C9	274.41'	180.28'	37°38'30"	177.05'	N 76°07'30" E
C10	477.88'	7.20'	0°31'46"	7.20'	N 56°52'28" E
C11	437.89'	33.20'	3°02'03"	33.20'	S 55°47'12" W
C12	334.41'	154.00'	37°38'30"	151.34'	S 78°07'10" W
C13	5768.58'	37.00'	0°02'20"	37.00'	N 84°52'05" W
C14	5748.58'	77.72'	0°46'38"	77.72'	N 85°04'08" W
C15	3480.23'	487.38'	9°52'21"	486.85'	S 88°46'28" W
C16	3298.08'	280.70'	4°52'20"	280.61'	S 82°22'56" W
C17	8341.00'	312.40'	7°38'53"	312.26'	S 76°07'13" W
C18	1228.22'	71.82'	3°18'16"	71.34'	S 73°57'25" W
C19	833.35'	358.85'	37°31'54"	354.78'	N 88°07'08" W
C20	836.79'	158.27'	16°54'20"	159.03'	N 66°23'53" W
C21	645.00'	83.06'	8°38'08"	83.03'	N 03°54'00" W
C22	1581.80'	228.06'	8°22'00"	227.86'	N 03°27'48" E
C23	2280.70'	37.67'	0°17'58"	37.62'	N 00°52'08" W

A TO B ALONG CREEK	
Bearing	Distance
S 44°28'47" W	53.47'
S 28°47'50" W	54.17'
S 08°57'20" E	107.28'
S 00°20'33" E	86.34'
S 13°50'04" W	86.81'
S 01°39'28" W	121.89'
S 08°51'17" W	83.43'
S 18°17'01" E	87.50'
S 20°04'51" E	80.40'
S 48°38'21" E	63.51'
S 06°33'53" E	67.82'
S 38°16'00" E	63.88'
S 24°16'30" W	78.38'
S 01°21'51" W	111.88'



SHEET 1 OF 2
10 PARCELS

SCALE: 1 IN. = 300 FT.

472.578 ACRES

SURVEYED FOR: LAWRENCE P. & BARBARA D. HOLLISTER

SOURCE OF TITLE: JOANNA T. DUNDEY
MILL NO. 170000070 &
DEED REFERENCES IN
INTERVALL PARCELS ABOVE

COURTSHILL DISTRICT, BUCKINGHAM COUNTY
VIRGINIA

JULY 23, 2018
REVISED AUGUST 19, 2018



APPROVED:
[Signature] 8/30/18
ZONING AGENT-BUCKINGHAM COUNTY

8-30-18
The foregoing is a true and correct copy of the original survey as shown to me by the surveyor.
I, *[Signature]*, being a duly sworn and qualified land surveyor in the State of Virginia, do hereby certify that the foregoing is a true and correct copy of the original survey as shown to me by the surveyor.
Witness my hand and seal this 30th day of August, 2018.

FD P2801160

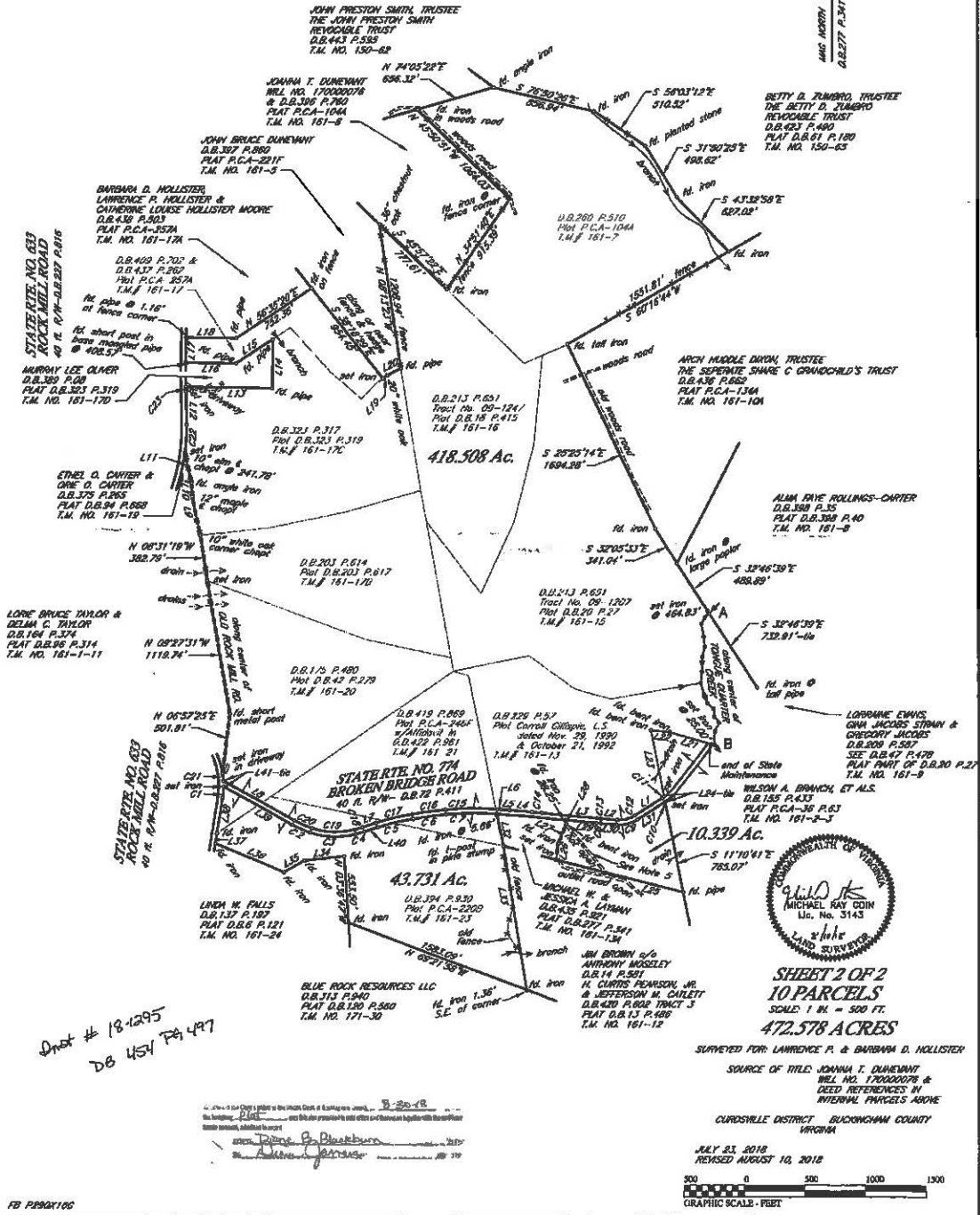
CAB A SLIDE 270A

18-0000000000

DICKERSON SURVEYING LLC

500 Court Street P.O. Box 112
Appomattox, Virginia 24522
434-352-8560
Michael Ray Goin
Land Surveyor

NOTE: SEE SHEET 1 FOR NOTES



FB P290X105

CAB A SLIDE 270B

Buckingham County Planning Commission

December 27, 2022

Administration Building

7:00 PM

Public Hearing Case 22-SUP323

Owner/Applicant: Landowner Buckingham County Firefighter's Association
P O Box 74
Dillwyn VA 23936

Applicant Buckingham County Firefighter's Association
P O Box 74
Dillwyn VA 23936

Property Information: Tax Map 125 Parcel 11 28 acres, located at or near the vicinity of 300 S Constitution Route Dillwyn VA 23936, Maysville Magisterial District.

Zoning District: Agricultural District (A-1) Watershed District (WS-1)

Request: The Applicant wishes to Obtain a Special Use Permit for the Purpose of Operating an Event Center for activities including, but not limited to Fundraising and Training Venue with up to 4,500 attendees.

Background/Zoning Information: The property is located at or near the vicinity of 300 S Constitution Route Dillwyn VA 23936, Maysville Magisterial District. The landowner and applicant is the Buckingham County Firefighter's Association. This property is zoned Agriculture (A-1) with a Watershed District (WS-1) Overlay. The Zoning Ordinance does not permit an Event Center as a Permitted by Right Use in an A1 Agricultural Zoning District. However, within the A1 Agricultural Zoning District an Event Center may be permitted by the Buckingham County Board of Supervisors by a Special Use Permit following recommendation by the Planning Commission in accordance with this Ordinance and the Code of Virginia. The submitted application and narrative are attached.

Below are conditions that you may consider attaching to the request if approved:

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to.
2. The facility shall meet all safety requirements of all applicable building codes.
3. Right of ways and roadway shoulders shall not be used for parking. Ample parking for occupants shall be supplied on premises.

5. The Sheriff's Office shall be notified three weeks prior to any event inviting or expecting 301 attendees or more persons.

6. The property shall be kept neat and orderly.

7. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.

8. No person shall stage, promote, or conduct any musical or entertainment festival in the County unless there shall have been first obtained from the board a special use permit approving a request for event center for musical or entertainment festival to include, but not limited to, music, car shows, live concerts. Further application must be made for such special entertainment permits in writing on forms provided for the purpose and filed in duplicate with the clerk of the board at least 21 days before the date of such festival/event hosting between 301 and 4500 people. Such applications shall have attached thereto and made a part thereof plans, statements, approvals and other document required by this section. A copy of such applications shall be sent by certified mail by the clerk to each member of the board the day such applications are filed. The board shall act on such applications within ten days from the filing of the same. If granted, the permit shall be issued in writing on a form for the purpose and mailed by the clerk to the applicant at the address indicated. If denied, the refusal shall be in writing and the reasons for such denial stated therein, and mailed by the clerk to the applicant at the address indicated. Such permit shall not be issued unless the following conditions are met and the following plans, statements, and approvals submitted to the board with application:

A. The application for special entertainment permit shall have attached to it a copy of the ticket or badge of admission to the festival, containing the date and time of the festival, together with a statement by the applicant of the total number of tickets to be offered for sale, and the best reasonable estimate by the applicant of the number of persons expected to be in attendance.

B. A statement of the name and address of the promoters of the festival, the financial backing of the festival, and the names of all persons or groups who will perform at the festival.

C. A plan for adequate sanitation facilities and garbage, trash, and sewage disposal for persons at the festival. This plan shall meet the requirements of all state and local statutes, ordinances, and regulations and shall be approved by the Virginia Department of Health.

D. A plan for providing food and water for the persons at the festival. This plan shall meet the requirements of all state and local statutes, ordinances, and regulations and shall be approved by the Virginia Department of Health.

E. A plan for adequate parking facilities and traffic control in and around the festival area.

F. A plan for adequate medical facilities for persons at the festival, approved by the County Director of Emergency Services.

G. A plan for adequate fire protection for persons at the festival, approved by the County Director of Emergency Services.

- H. A statement specifying whether any outdoor lights or lighting is to be utilized, and if so, a plan showing the location of such lights and shielding devices or other equipment to prevent unreasonable glow beyond the property on which the festival is located.
- I. A statement that no music shall be played, either by mechanical device or live performance, in such a manner that the sound emanating from the performance shall be unreasonably audible beyond the property on which the festival is located.
- J. Music shall not be rendered nor entertainment provided between the hours of 9pm and 11am each day.
- K. No person under the age of 18 shall be admitted to any festival unless accompanied by a parent or guardian, who shall remain with the minor at all times.
- L. Applicant to provide certified letters of event for 301-4500 attendees 21 days prior to event.
- M. Applicant is allowed to host up to four events, per calendar year, for attendance between 301 and 4500 people.

9. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.

10. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.

11. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.

12. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable

13. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.

14. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

Please see the attached addendum regarding number of attendees, and a conceptual design for development.

SPECIAL USE PERMIT APPLICATION CHECKLIST
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a special use 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 4, 5 & 6 attached). This list can be obtained from the Clerk of Courts Office: **YES** **NO**

Completed application for special use permit (page 3 attached). If not signed by the owner, a Power of Attorney must accompany the application: **YES** **NO**

Interest Disclosure Affidavit (page 7 attached). Must be signed by the owner: **YES** **NO**

Power of Attorney (page 10 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: **YES** **NO**

Written Narrative (page 11 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 Special Use Permit 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**

Tax Map (15 copies). Identify property that special use is being considered for and identify by name all adjacent landowners.

Special Use 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 SPECIAL USE PERMIT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: November 2, 2022

Special Use Permit Request: Fundraising and Training Event Center

Purpose of Special Use Permit: The special use permit is for the operation of a firefighter fundraising and training venue by the Buckingham County Firefighter's Association

Zoning District: B-1; WS-1 Number of Acres: 28

Tax Map Section: 125 Parcel: 11 Lot : Subdivision: _____ Magisterial Dist.: Maysville

Street Address: in the vicinity of 300 S. Constitution Route, Dillwyn, Va. 23936

Directions from the County Administration Building to the Proposed Site:

Route 60 East to Sprouse's Corner, Left on to U.S. 15 North, Left on to Route 20 9S. Constitution Route), subject property is approximately 1/3 mile from intersection on the left.

Name of Applicant: Buckingham County Firefighters Association

Mailing Address: P.O. Box 74, Dillwyn, Va. 23936

Daytime Phone: _____ Cell Phone: 434-547-9670

Email: bdb0668@gmail.com Fax: _____

Name of Property Owner Buckingham County Firefighters Association

Mailing Address: P.O. Box 74, Dillwyn, Va. 23936

Daytime Phone: _____ Cell Phone: 434-547-9670

Email: bdb0668@gmail.com Fax: _____

Signature of Owner: B. D. Bates, President Date: 11/02/2022

Signature of Applicant: Same Date: _____

Please indicate to whom correspondence should be sent:

XX Owner of Property _____ Contractor Purchaser / Lessee _____ Authorized Agent _____ Engineer _____ Applicant _____

Buckingham County Special Use Permit Application

Page 3

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: Landy Lake LLC

Mailing Address: _____

Physical Address: 9056 Craney Island RD Mechanicsville VA 23116

Tax Map Section: _____ Parcel: 124-38 Lot: _____ Subdivision: _____

2. Name: Douglass C. and Robin M. Branch

Mailing Address: P.O. Box 2006, Appomattox VA, 24522

Physical Address: _____

Tax Map Section: _____ Parcel: 138-8 Lot: _____ Subdivision: _____

3. Name: Brenda Ann Spencer

Mailing Address: _____

Physical Address: 4724 Pompton Ln, Chester VA, 23831

Tax Map Section: _____ Parcel: 125-13 Lot: _____ Subdivision: _____

4. Name: Bobbie D and Judi S. Allen

Mailing Address: 4731 Bell RD, Dillwyn VA 23136

Physical Address: _____

Tax Map Section: _____ Parcel: 125-13B Lot: _____ Subdivision: _____

5 8. Name: Kirk Tahama and Johnice Degeneste Brown

Mailing Address: P.O. Box 221 Dillwyn VA 23936

Physical Address: _____

Tax Map Section: _____ Parcel: 125-12 Lot: _____ Subdivision: _____

6 8. Name: Elizabeth M. Adler

Mailing Address: _____

Physical Address: 13082 Spica DR, Lone Tree CO, 80124

Tax Map Section: _____ Parcel: 125-4-6 Lot: _____ Subdivision: _____

7 8. Name: Jackson D. Bryant

Mailing Address: _____

Physical Address: 368 S. Constitution RTE Dillwyn VA 23936

Tax Map Section: _____ Parcel: 125-4-15 Lot: _____ Subdivision: _____

8 8. Name: June S. Holly and Carroll L. Shipp III

Mailing Address: _____

Physical Address: 2960 Potters RD, Charlottesville VA 22911

Tax Map Section: _____ Parcel: 125-4-14 Lot: _____ Subdivision: _____

9 10. Name: Buckingham Homes INC

Mailing Address: _____

Physical Address: 20 Wingo RD, Dillwyn VA 23936

Tax Map Section: _____ Parcel: 125-4-13 Lot: _____ Subdivision: _____

10 11. Name: Raymond D Hyde

Mailing Address: _____

Physical Address: 36691 Sawmill Ln, Purcellville VA 20132

Tax Map Section: _____ Parcel: 125-4-12 Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 4th day of November, year 2022

I Brian D. Bates 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)

Brian D. Bates

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

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Buckingham

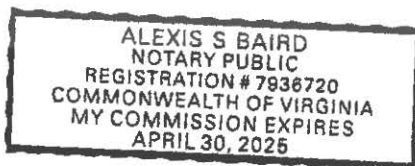
STATE OF Virginia

Subscribed and sworn to me on the 4 day of November

of the year 2022. My Commission expires on Apr 30 2025.

Notary Public Signature: Alexis S. Baird

Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this 4th day of November, of the year 2022

I **Brian D. Bates – Buckingham County Firefighter's Association** (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:

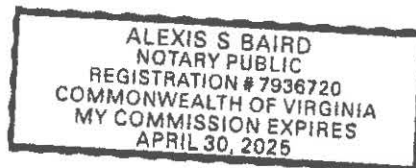
Signature of Owner: (to be signed in front of notary public)

Brian D. Bates

NOTARY PUBLIC
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 4 day of November
of the year 2022. My commission expires Apr. 30 2025.

Notary Public Signature: Alexis S. Baird
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):

The property has been surface inspected and shows no indications of historic resources or cemeteries (marked or unmarked). The property is presently in mixed growth hardwoods that appear to be in the range of 25-75 years old.

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

The property has been undeveloped in the historical record. It had previously been owned by the P.H. Glatfelter Company before being sold to L.P. and Mattie Gilliam in 2015. Its historic use has been for forestry.

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: Brian D. Bates, President Date: 11/02/2022

Printed Name: Brian D. Bates Title: President

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: Buckingham County Firefighters Association

Location: In the vicinity of 300 S. Constitution Rte. on the West side

Proposed Use: Fundraising events such as the BCFA Tractor Pull

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:

The proposed site entrance location offers adequate sight distance to allow for the construction of a commercial entrance to support the proposed use. Owner will need to submit site plans and apply for a VDOT land use permit prior to roadside disturbance.

Signature of VDOT Resident Engineer: C. D. Edwards

Printed Name: Charles D. Edwards

Date: 10/31/22

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 go and perform all acts and make all representation necessary, without limitation of power, 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:

WRITTEN NARRATIVE

The Buckingham County Firefighter's Association (BCFA) is seeking a special use permit for fundraising and training related activities at the subject property. The BCFA was established for the purpose of facilitating fundraising and training opportunities for its four member fire departments. The primary fundraising activity envisioned at this time is the BCFA Annual Tractor Pull. This event was first held in July 2019 and then again in 2021 and 2022. Each of those was held on property belonging to Buckingham County located approximately ½ mile to the south and west of the subject property. Training activities may include equipment drills and competitions to supplement those that are held at the Buckingham County Fire Training Facility. No live-fire training is proposed or planned for the subject property.

The BCFA Tractor Pull meshes well with the Buckingham County Comprehensive Plan's stated goal of economic development, in particular through increased tourism opportunities created by the guests who attend the vent. The average attendance at the three tractor pull events as been approximately 3,000 people. While in the County for the event, these people spend money with local businesses, especially in the convenience store, gas station and grocery sectors. As the popularity of the event grows, the BCFA anticipates a maximum attendance of 6,000 people resulting in a significant economic impact for the community while at the same time having a limited financial impact on resources.

Land Use

The proposed SUP for fundraising and training activities will present a different land use for the subject property than has historically been the case. It has previously been in forest production, so while converting it to the proposed use will certainly change its historical use, it will be in alignment with the B-1, WS-1 zoning designation for the property. Those zoning designations anticipate special use permits for assembly halls, community centers, and drive-in theaters in addition to the permitted uses of parks and playgrounds, emergency service facilities, professional offices and the like. The BCFA believes that the proposed land use is totally consistent with these other uses for properties within the B-1, WS-1 zoning districts.

Community Design

The term community design does not appear in the Buckingham County Comprehensive Plan, so the BCFA is not sure how to address this component.

Cultural Resources

The BCFA does not believe that its proposed activities will have any impact on cultural resources, as none were identified on the subject property, nor is the BCFA aware of any on adjacent properties.

Economic Development

As previously states, the BCFA Tractor Pull meshes well with the Buckingham County Comprehensive Plan's stated goal of economic development, in particular through increased tourism opportunities created by the guests who attend the vent. The average attendance at the three tractor pull events as been approximately 3,000 people. While in the County for the

event, these people spend money with local businesses, especially in the convenience store, gas station and grocery sectors. As the popularity of the event grows, the BCFA anticipates a maximum attendance of 6,000 people resulting in a significant economic impact for the community while at the same time having a limited financial impact on resources.

Environment

The proposed activities in the application will adhere to all environmental regulations. The BCFA is securing the services of an engineer to prepare an erosion and sediment control plan for the property and it will be implemented in compliance with local and state regulations. It is anticipated that the majority of the property will be prepared using a forestry mulcher followed by seeding with grass. The track area and internal driveway will encompass approximately 2 acres in total and will involve earth-moving/grading activities. That being the case, no detrimental impacts on the environment are anticipated.

Fire and Rescue, Law Enforcement

The BCFA and its member volunteers have a fantastic working relationship with our partners in law enforcement and EMS. The past three BCFA Tractor Pull events have been a true community effort. This has meant that law enforcement as well as at least one rescue squad have been actively engaged in the planning and execution of these events alongside the members of all 4 volunteer fire departments. While these events do present a workload for law enforcement and EMS personnel that is outside of typical day-to-day activities, the work is in alignment with similar temporally-focused, crowd-generating activities such as football games, homecoming parades and the like.

The most significant workload is on the volunteer members of the fire service. This is to be expected. The success of the proposed activities creates a revenue stream to assist in funding the day-to-day operations of the volunteer fire departments. As such, this takes pressure off of local taxpayers, as profits from these fundraising activities support the volunteer fire departments in a manner that will help them to stretch the taxpayer funds thus reducing the inevitable increases sought as expenses continue to rise.

Housing

The BCFA does not anticipate that the proposed activities will have any impact on housing resources in the County.

Libraries

The BCFA does not anticipate that the proposed activities will have any impact on library resources in the County.

Parks and Open Spaces

The BCFA does not anticipate that the proposed activities will have any impact on parks and open spaces in the County.

Potable Water

The BCFA does anticipate a connection to the Buckingham County Water System as the site is developed. This will be so that we will have potable water on-site for events and also to have a hydrant accessible for any training activities that may require that to simulate pumping activities at a fire-scene. These instances, while anticipated, will be rare.

Sewage

The BCFA does not anticipate that the proposed activities will have any impact on sewage resources in the County. For the events that are proposed, the BCFA will use the services of a portable toilet company. These are sanitary, low-maintenance, low-cost solutions for sewage for the anticipated activities at the site.

Schools

The BCFA does not anticipate that the proposed activities will have any impact on school resources in the County.

Telecommunications

The BCFA does not anticipate that the proposed activities will have any impact on telecommunications resources in the County.

Transportation

The BCFA will work with VDOT to prepare an entrance to the property that is consistent with the proposed uses. The impacts on transportation created by the proposed activities will be temporally-focused to a 6-8 hour time-frame once or twice a year for the fundraising activities. Training activities will have no appreciable impact on transportation resources.

Solid Waste

The BCFA uses the services of a solid waste contractor to handle all trash generated by the event. This has worked well in the past. If the County could continue to provide one or several dumpsters for events as well, this would certainly be helpful, though not essential to the operations of the fundraising activities.

BCFA Tractor Pull Details

Attendance

The BCFA proposes a maximum attendance of 6000 people to include all guests, event participants and personnel working the vent (i.e. Fire, EMS and Law Enforcement). While the average attendance in the past has been 3,000, the BCFA does see the great potential to exceed that number, particularly after securing a site of its own allowing the BCFA to more aggressively market the tractor pull to the public and participants alike.

Schedule of Events

The BCFA has been holding one tractor pull per year. The tractor pull is held in mid-summer on a Saturday afternoon/evening. It is an event that lasts approximately 6-8 hours, concluding sometime around mid-night.

It is anticipated that the bandwidth among the membership is limited to no more than two tractor pulls per year, although there are no plans presently to do more than one. While informal discussions of other kinds of fundraising activities are on-going, it is premature to propose any specific types at this time. That being said, in addition to the opportunity to hold up to two tractor pulls per year, prudent planning would dictate that the BCFA ask to hold two additional, as yet undefined, fundraising activities at the subject property each year. This brings the total anticipated fundraising activities to not more than four, or about once a quarter. All this being said, the BCFA presently has plans to hold just one tractor pull per year.

Police and Security

The BCFA has worked with the Buckingham County Sheriff's Department and the Virginia State Police for traffic and security surrounding the annual tractor pull event. This has typically involved State Troopers and Sheriff's Deputies working traffic control on the public roadways, with fire personnel handling the on-location traffic and parking. Security has been achieved with Sheriff's Deputies working the crowd and doing effective community policing.

Food and Beverages

The BCFA worked with fire personnel to do food and beverages for the first two events. The third event saw a change of approach to a single vendor to provide all food and beverage services. This achieved several goals. First, it removed the financial exposure for food and beverage purchases from the BCFA. In the event a weather event caused a cancellation of the event, the vendor bore the financial risk, rather than the BCFA. The food vendor then paid a percentage of its sales to the BCFA, actually producing more return to the BCFA than had been the case when the food and beverages were handled by fire personnel. The second benefit to outsourcing the food and beverages is that it allowed the BCFA to utilize the 30+ fire personnel who had been engaged in food-service for other purposes such as parking, crowd control and monitoring the trash.

Water & Sanitation

Previously the event has been held at a location that did not have potable water. The new location is anticipated to have that. For the events that are proposed, the BCFA will use the services of a portable toilet company. These are sanitary, low-maintenance, low-cost solutions for sewage for the anticipated activities at the site.

Emergencies

The BCFA works closely with Law Enforcement, EMS and its member Fire Chiefs to establish a plan to deal with emergencies. This is worked out ahead of time and personnel are briefed on the procedures to follow in the event of an emergency. While it is difficult to anticipate every possible situation, potential emergencies are typically centered around heat-exhaustion (mid-summer event), a track-related mis-hap, or a severe weather event (micro-burst thunder storms). None of these situations have been an issue in the past, though preparations have been made to handle them. Up to this point, this emergency planning has been informal, owing to the familiarity of all fire, ems and law enforcement entities with one another. It is proposed

that, moving forward, these plans become more formalized and in writing.

Crowd Control

Crowd control has been effectively handled by the fire personnel working in concert with law enforcement. Crowd seating areas are clearly delineated and special access areas are set aside for those with mobility issues. Ingress and egress from the previous venue has worked well and will inform the approach that is used at the new property. This will be made clear in the general site plan.

Entrances and Exits and Traffic Control

It is anticipated that, working with VDOT, the subject property will have a single entrance that is sufficiently wide to facilitate ingress and egress. Traffic flow on the subject property will be designed such that a one-way, circular flow of traffic will be facilitated. Additionally, multiple traffic lanes will be established on the subject property in order to minimize any potential traffic back-flow out on to S. Constitution Route. This was not possible on the former site of the previous tractor pulls, so the BCFA sees that has a tremendous improvement in terms of handling traffic on-site rather than overflowing on to the roadway.

On-site traffic flow and parking will be handled by fire personnel while any traffic control at the entrance or on the roadway will be coordinated with law enforcement.

Signage and Advertisement

Appropriate signage and advertisement on-site will need to be worked out with the County to determine what is appropriate.

Parking

The subject property is 28 acres, making it about 8 acres larger than the property where the event has previously been held. The property lays particularly well and is conducive to more effective traffic flow and parking than was previously possible. It is anticipated that approximately 5 acres will be needed for the event and associated vending, seating, sanitation activities. Approximately 3 acres will be reserved for erosion and sediment control, leaving approximately 20 acres for parking. The formal layout of this will be worked out and confirmed with the BCFA's engineers, including the proposed acreages for each.

Fee Collection

Entrance fees will be collected on-site well within the property entrance. This will be facilitated by creating multiple lanes that incoming traffic will be funneled into in order to facilitate getting traffic off of the roadway. At the head of each lane will be BCFA personnel to take entrance fees quickly and then directing traffic onwards to the parking areas.

Control of Animals

Only service animals are permitted at BCFA events.

Trash Disposal

The BCFA uses the services of a solid waste contractor to handle all trash generated by the event. This has worked well in the past. If the County could continue to provide one or several dumpsters for events as well, this would certainly be helpful, though not essential to the operations of the fundraising activities.

Site Clean-Up

In the past, fire personnel are back on site early on the morning following the event to conduct clean-up. Because of the great service that the BCFA has received from its trash vendor, much of this work is done as the event unfolds. In each of the past three events, the site has been effectively cleaned by fire personnel before noon of the day following the event.

Fighting

Fighting is not tolerated and law enforcement are engaged to resolve any conflicts that might arise. This has not been an issue in the past.

Alcohol, Abuse of Alcohol and or Illegal Substances

The BCFA does not serve alcohol at its events. We do not prohibit people from bringing their own to the event, but we do not tolerate any abuse or belligerent behavior. Illegal substances are not tolerated and law enforcement will be engaged to deal with these if they are present. This has not been a problem in the past.

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: B. D. Bate, President

Date: 11/02/2022

TENTATIVE SCHEDULE FOR A SPECIAL USE PERMIT

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. |

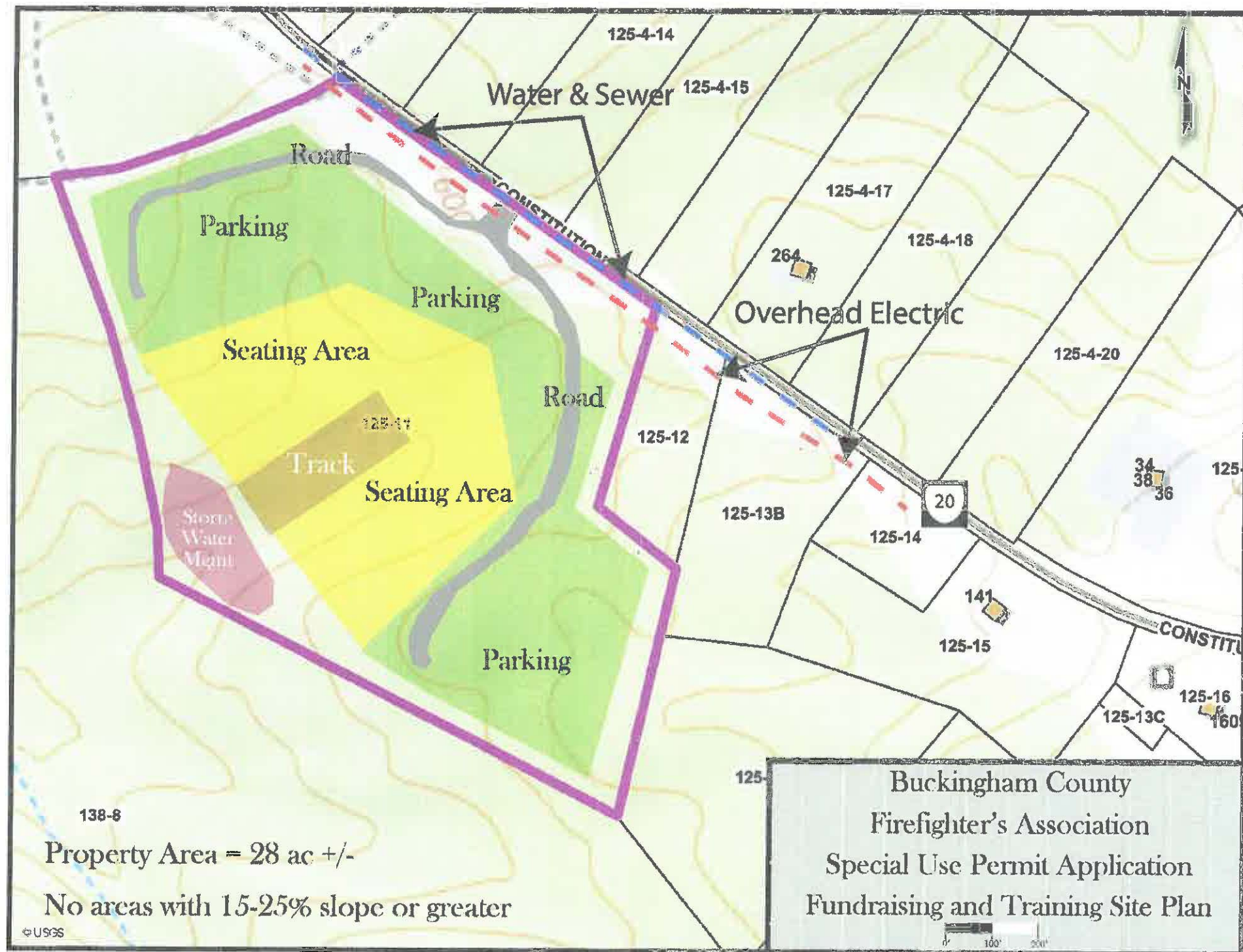
The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

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.

[illegible]

RECEIVED
JAN 21 1964
U.S. DEPT. OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

[illegible]



Nicci Edmondston

From: Brian Bates <bdb0668@gmail.com>
Sent: Tuesday, December 13, 2022 8:57 AM
To: Nicci Edmondston
Cc: Ivan P. Davis, Jr.; Tom Steger
Subject: BCFA Special Use Permit
Attachments: BCFA-Tractor Pull ConceptualPlan-2022-1213.pdf

Hi Nicci,

I am writing to provide a bit more information for the Planning Commission. Attached to this email is a conceptual plan for the layout of the site. It includes the entrance, interior road, parking and track layout as well as storm water retention location.

Based on this plan, the BCFA will be asking for a maximum attendance of 4500, inclusive of spectators, participants and our personnel. This is a decrease from the 6,000 we indicated in our application. We feel that this number is aspirational, as it is far more than we have had at our previous events, but we feel very comfortable that the site will be able to accommodate that many people for an event.

I am currently in the United Kingdom, but I have copied Chip Davis and Tommy Joe Steger on this email in case you have questions.

Thanks,
Brian

--

Brian D. Bates, Ph.D., RPA
390 Mount Rush Highway
Dillwyn, Va. 23936

Mobile: 434-547-9670

Buckingham County Planning Commission

December 27, 2022

Administration Building

7:00 PM

Introduction Case 22-ZMA321

Owner/Applicant: Landowner Olympia Moore
5563 Friendship Brown Dr
Summit NC 27214

Applicant Olympia Moore
5563 Friendship Brown Dr
Summit NC

Property Information: Tax Map 42 Parcel 208, containing approximately 13.77 acres, located at or near 29661 N James Madison Hwy New Canton VA 23123, Marshall Magisterial District.

Zoning District: Agricultural District (A-1)

Request: Zoning Map Amendment-The Applicant is Requesting Rezoning from Agricultural A1 to Business B1 for Future Commercial Use. The Applicant is asking the Planning Commission to schedule a Public Hearing for this request.

Background/Zoning Information: This property is located at N James Madison Highway New Canton, VA 23123, Marshall Magisterial District. This property is currently zoned Agricultural A1, the landowner and applicant is Olympia Moore. This proposal is located within the Arvonias-New Canton Village Center which surrounds U.S. Route 15 near its entrance into the County from Fluvanna County. It is comprised of several neighborhood businesses such as convenience stores, restaurants, and banks. Slate mining, aggregate manufacturing, and trucking are industrial uses within or adjacent to this "Village Center." Housing of all types and sizes comprise this "Village Center" and an adjacent area. The area is not currently served by public water and public sewer. However, the village area does contain various infrastructure assets including railroad access and a water intake located on the James River (could be piped to serve the U.S. Route 15 corridor of the village – growth). Several churches of various denominations dot its landscape and form a unifying core for the community. As in all of the villages, the major land-use consideration is to insure that infill development and redevelopment occurs and that future land-uses are compatible with the varied land-uses in the area. Because of this, each request for rezoning, special use permits, or subdivision within or in the immediate area that would have an effect upon the Village should be given careful consideration. The applicant continues to work with VDOT to schedule the Traffic Impact Determination Analysis, page 10 of the application.

What are the wishes of the Planning Commission?

Set a Public Hearing?

January 23, 2023 7pm?

September 29, 2022

I, Olympia Moore am the owner of the property located at VSH 15 (parcel 42-208) Arvon, Virginia.

I was willed this property from my parents Calvin and Delores Green who purchased the property back in 2003.

At this present time, I have no plans for this property. I am willing to be open and listen to the needs of the community.

Currently, I am requesting to have the property zoned for commercial use as it would benefit the county for future use.

Thank you,
Olympia Moore

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

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: - Google Images - GIS

- 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: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: Sept. 27, 2022

Zoning Map Amendment: _____

Purpose of Zoning Map Amendment: _____

Zoning District: _____ Number of Acres: 13.77

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____ Magisterial Dist.: 42-708

Street Address: VSH 15 Arvonnia, Virginia
Directions from the County Administration Building to the Proposed Site: _____

Name of Applicant: Olympia Moore

Mailing Address: 5563 Friendship Glen Dr. Browns Summit, NC

Daytime Phone: _____ Cell Phone: 336.580.3233

Email: Olympia-Moore@yahoo.com Fax: _____

Name of Property Owner: Olympia Moore

Mailing Address: 5563 Friendship Glen Dr. Browns Summit

Daytime Phone: _____ Cell Phone: 336.580.3233

Email: _____ Fax: _____

Signature of Owner: Olympia Moore Date: Sept. 27, 2022

Signature of Applicant: Olympia Moore Date: Sept. 27, 2022

Please indicate to whom correspondence should be sent:

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

APPLICATION FOR A ZONING TEXT AMENDMENT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: Sept. 27, 2022

Zoning Text Amendment: _____

Purpose of Zoning Text Amendment: _____

Permitted Use List: Yes: _____ No: _____ Special Use Permit List: Yes: _____ No: _____

Zoning District: _____ Number of Acres: 13.77

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____ Magisterial Dist.: 42-208

Street Address: VSH 15 Arvonias, Va.

Directions from the County Administration Building to the Proposed Site: _____

Name of Applicant: Olympia Moore

Mailing Address: 5563 Friendship Glen Dr. Browns Summit, NC

Daytime Phone: _____ Cell Phone: 336-580-3233

Email: Olympia-Moore@yahoo.com Fax: _____

Name of Property Owner: Olympia Moore

Mailing Address: 5563 Friendship Glen Dr. Browns Summit, NC

Daytime Phone: _____ Cell Phone: 336-580-3233

Email: _____ Fax: _____

Signature of Owner: Olympia Moore Date: Sept. 27, 2022

Signature of Applicant: Olympia Moore Date: Sept. 27, 2022

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: Berk - Mar Land LLC

Mailing Address: 267 Hidden Springs Rd, New Canton, Va.

Physical Address: _____

Tax Map Section: 42 Parcel: 42-204 Lot: 204 Subdivision: _____

2. Name: Maury L Jones

Mailing Address: 510 Hurricane Creek Rd Gurley, AL 35748

Physical Address: _____

Tax Map Section: 42 Parcel: 42-209 Lot: 209 Subdivision: _____

3. Name: Wyllie H Cobb Jr. Roxanna S Cobb

Mailing Address: 2943 Upshaw Rd. Aylett, Va. 23009

Physical Address: _____

Tax Map Section: 42 Parcel: 42-194 Lot: 194 Subdivision: _____

4. Name: Melvin and Shelby Jones

Mailing Address: PO Box 52 New Canton, Va. 23123

Physical Address: _____

Tax Map Section: 42 Parcel: 42-205 Lot: 205 Subdivision: _____

6. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ **Parcel:** _____ **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:** _____

11. Name: _____

Mailing Address: _____

Physical Address: _____

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

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 29th day of September, year 2022,
I Olympia Green Moore 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)

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

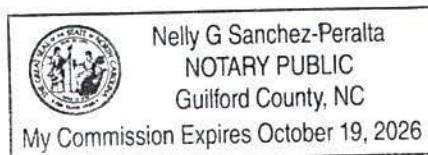
NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Rockingham

STATE OF North Carolina

Subscribed and sworn to me on the 29th day of September,
of the year 2022. My Commission expires on October 19, 2026.

Notary Public Signature: Nelly G Sanchez-Peralta
Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, VIRGINIA

On this 29th day of September, of the year 2022,

I Olympia Green Moore (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)

Olympia Green Moore

NOTARY PUBLIC

COUNTY OF Rockingham STATE OF North Carolina

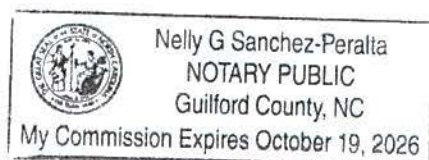
Subscribed and sworn to me on this 29th day of September,

of the year 2022. My commission expires October 19th, 2026

Notary Public Signature:

Nelly G Sanchez-Peralta

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):

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: Olympia Moore Date: Sept. 27, 2022

Printed Name: Olympia Moore Title: Owner/Applicant

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: Olympia Moore

Location: VSH 15 Arvonnia, Virginia

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:

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:

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

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

Applicant/Owner: Olympia Moore

Date: 9/27/22

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.

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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.

NOTES:

The boundary survey shown is based on a current field survey.

This Plat has been prepared without benefit of a title report and does not therefore necessarily indicate all encumbrances on the property.

Robert L. Lum
Approved for Recordation Date 9-11-03

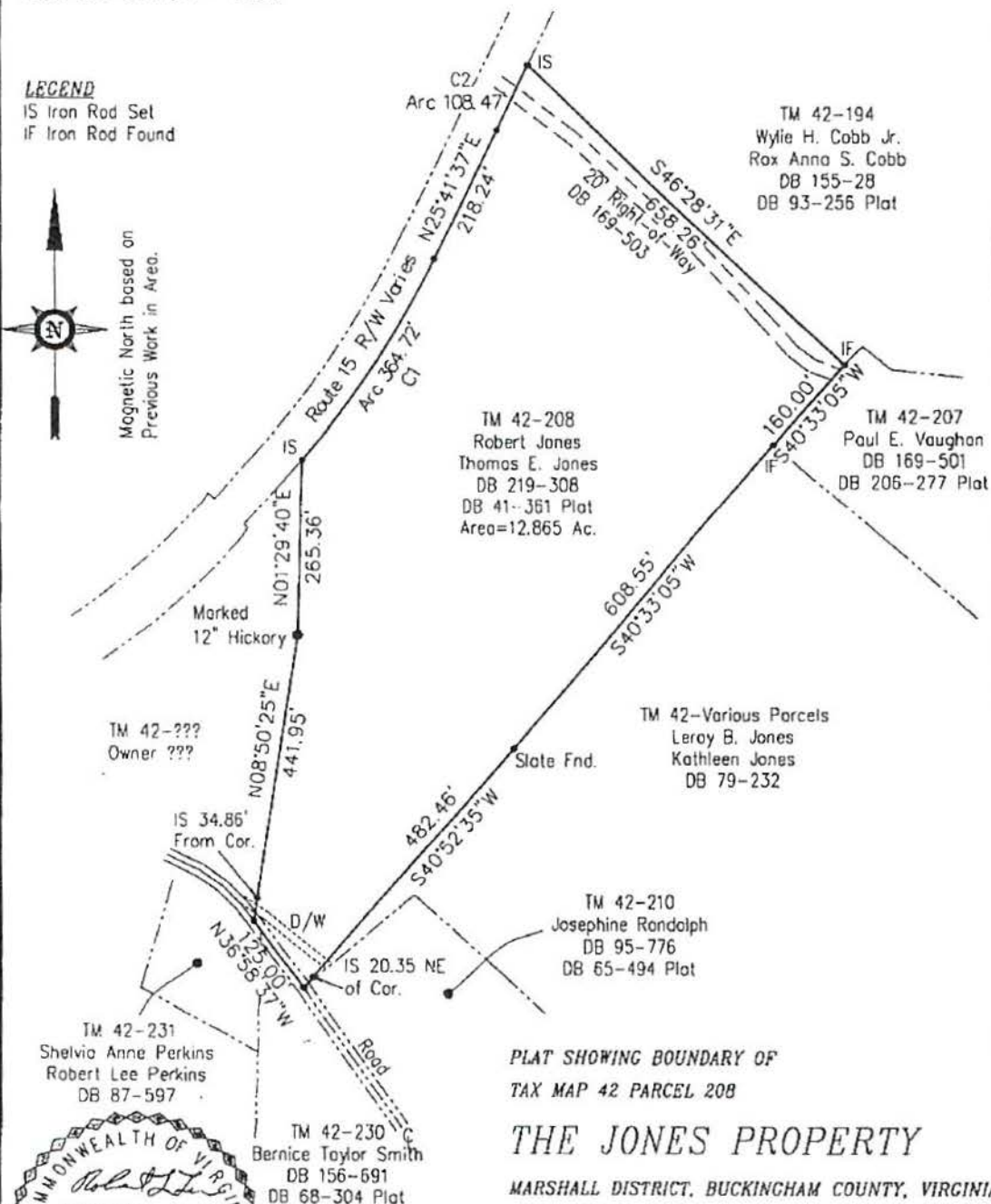
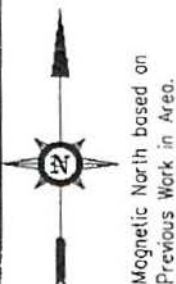
CURVE	RADIUS	TANGENT	LENGTH	DELTA	CHORD	CH. BEARING
C1	1462.39'	183.31'	354.72'	14°17'22"	363.77'	N32°50'18"E
C2	11489.16'	54.23'	108.47'	0°32'27"	108.46'	N25°25'24"E

200 0 200 400 600

GRAPHIC SCALE - FEET

LEGEND

IS Iron Rod Set
IF Iron Rod Found



PLAT SHOWING BOUNDARY OF
TAX MAP 42 PARCEL 208

THE JONES PROPERTY

MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

SCALE: 1" = 200' DATE: AUGUST 22, 2003

4200208.dwg

LUM'S LAND SURVEYS, INC.

P.O. BOX 154, PALMYRA, VA. 22963-0154

NOTES:

The boundary survey shown is based on a current field survey.

This Plat has been prepared without benefit of a title report and does not therefore necessarily indicate all encumbrances on the property.

Robert L. Lum 9-1-03
Approved for Recordation Date

CURVE	RADIUS	TANGENT	LENGTH	DELTA	CHORD	CH. BEARING
C1	1462.39'	183.31'	364.72'	14°17'22"	363.77'	N32°50'18"E
C2	11489.16'	54.23'	108.47'	0°32'27"	108.46'	N25°25'24"E

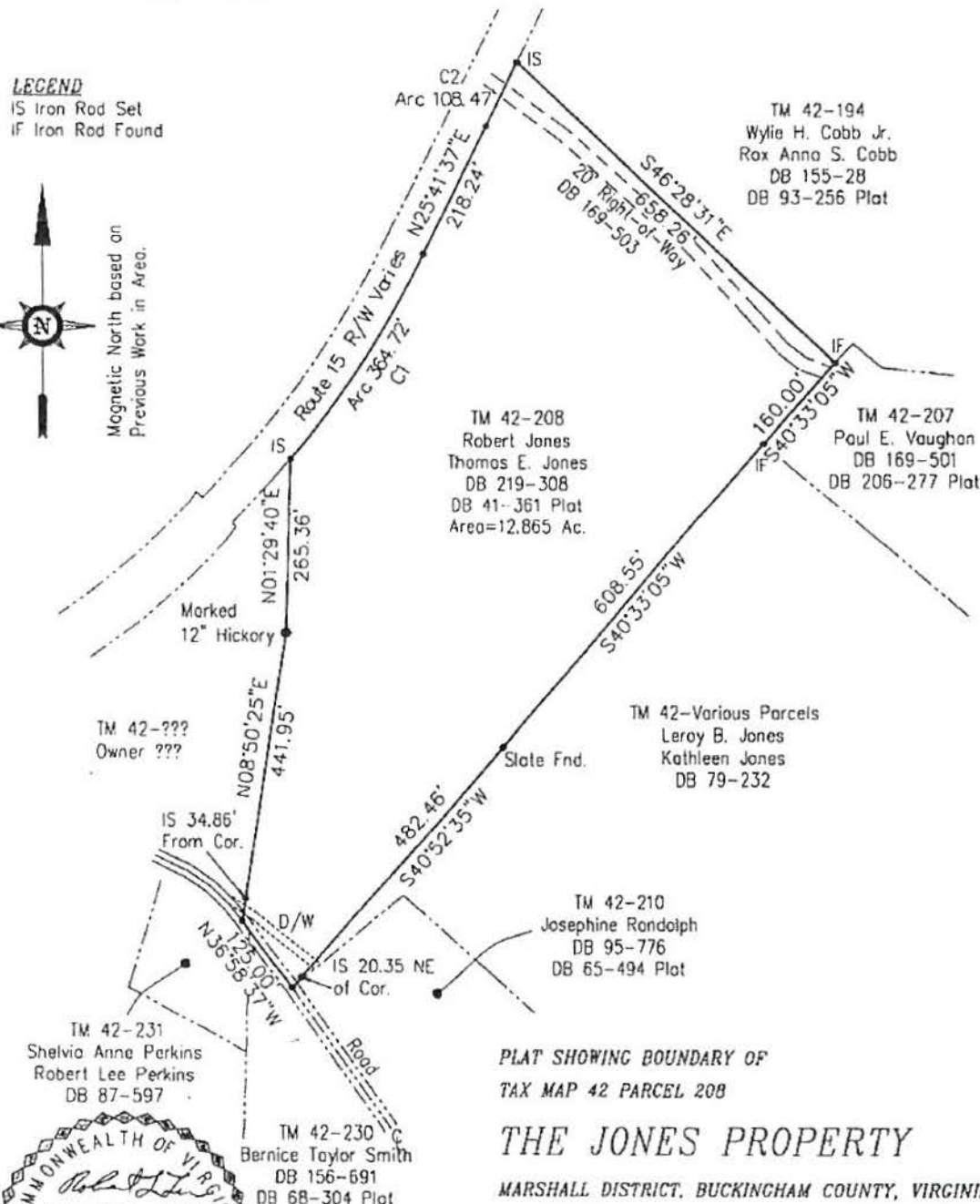
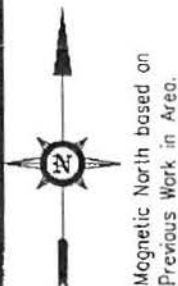
200 0 200 400 600



GRAPHIC SCALE - FEET

LEGEND

IS Iron Rod Set
IF Iron Rod Found



PLAT SHOWING BOUNDARY OF
TAX MAP 42 PARCEL 208

THE JONES PROPERTY

MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

SCALE: 1" = 200' DATE: AUGUST 22, 2003

4200208.dwg

LUM'S LAND SURVEYS, INC.

P.O. BOX 154, PALMYRA, VA. 22963-0154



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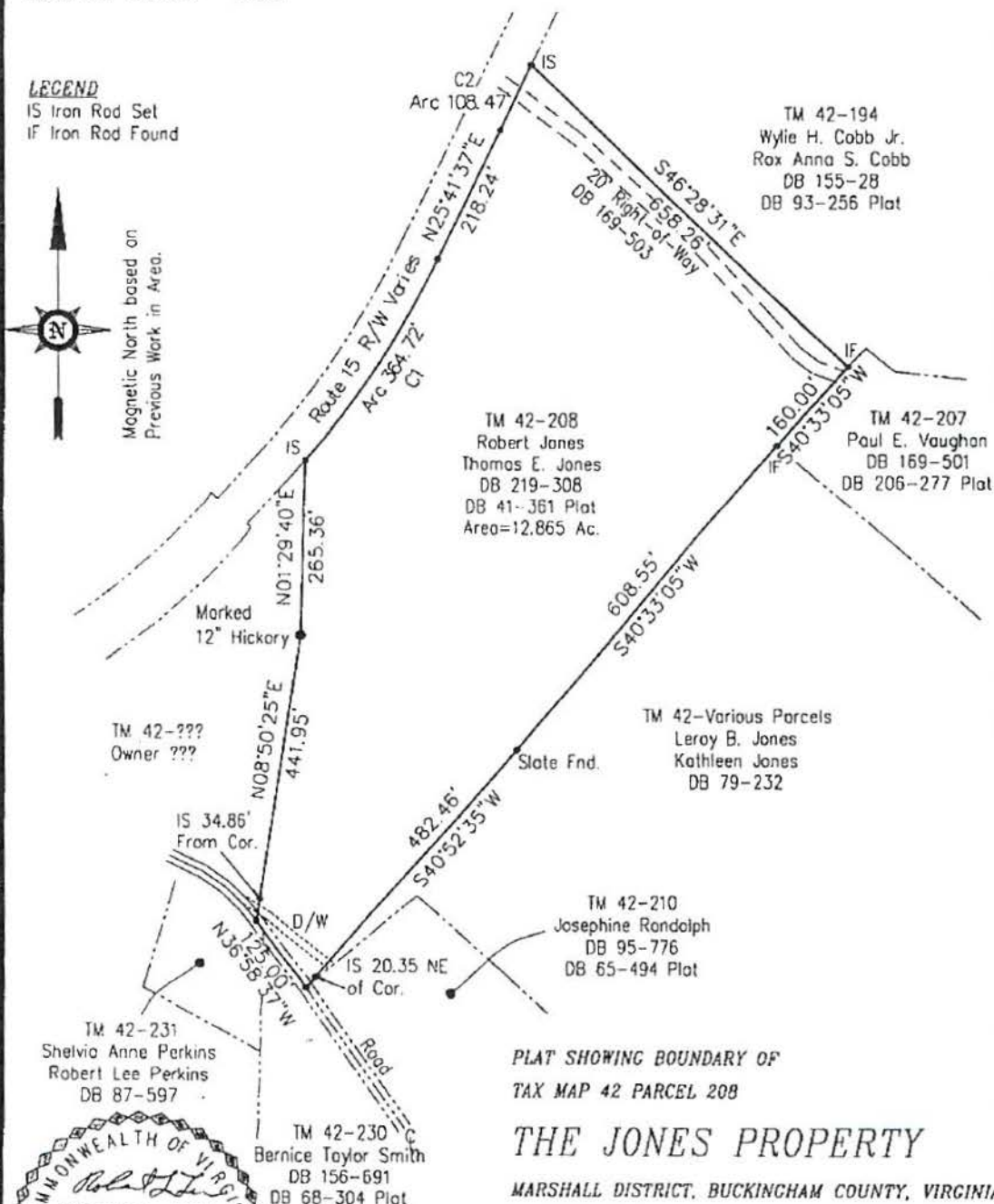
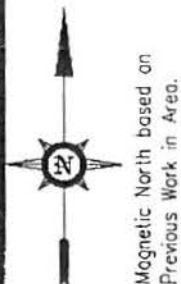
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GRAPHIC SCALE - FEET

LEGEND

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IF Iron Rod Found



PLAT SHOWING BOUNDARY OF
TAX MAP 42 PARCEL 208

THE JONES PROPERTY

MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

SCALE: 1" = 200' DATE: AUGUST 22, 2003

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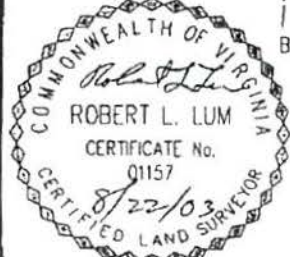
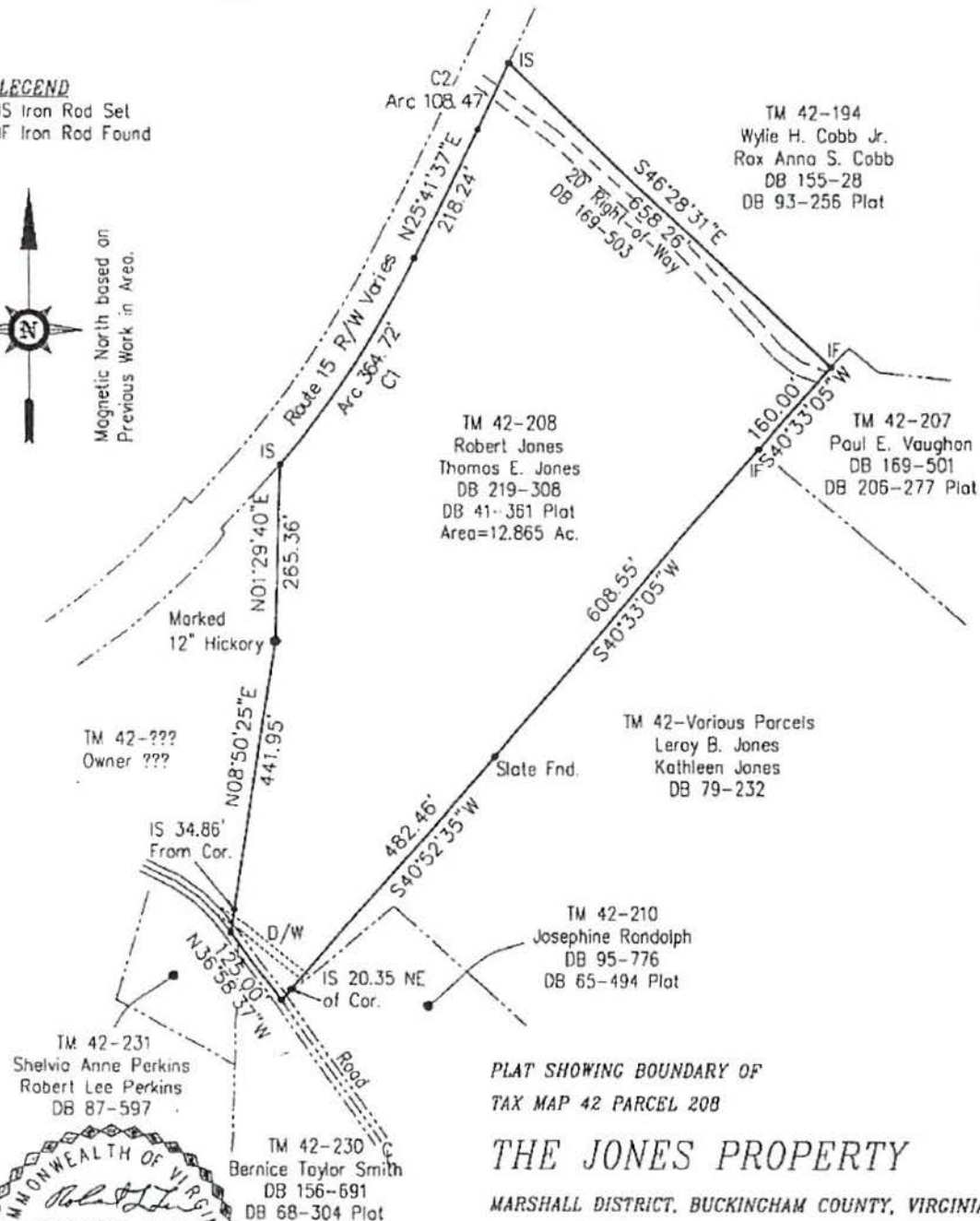
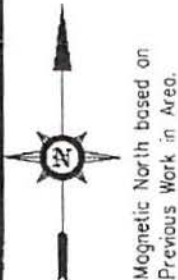
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MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

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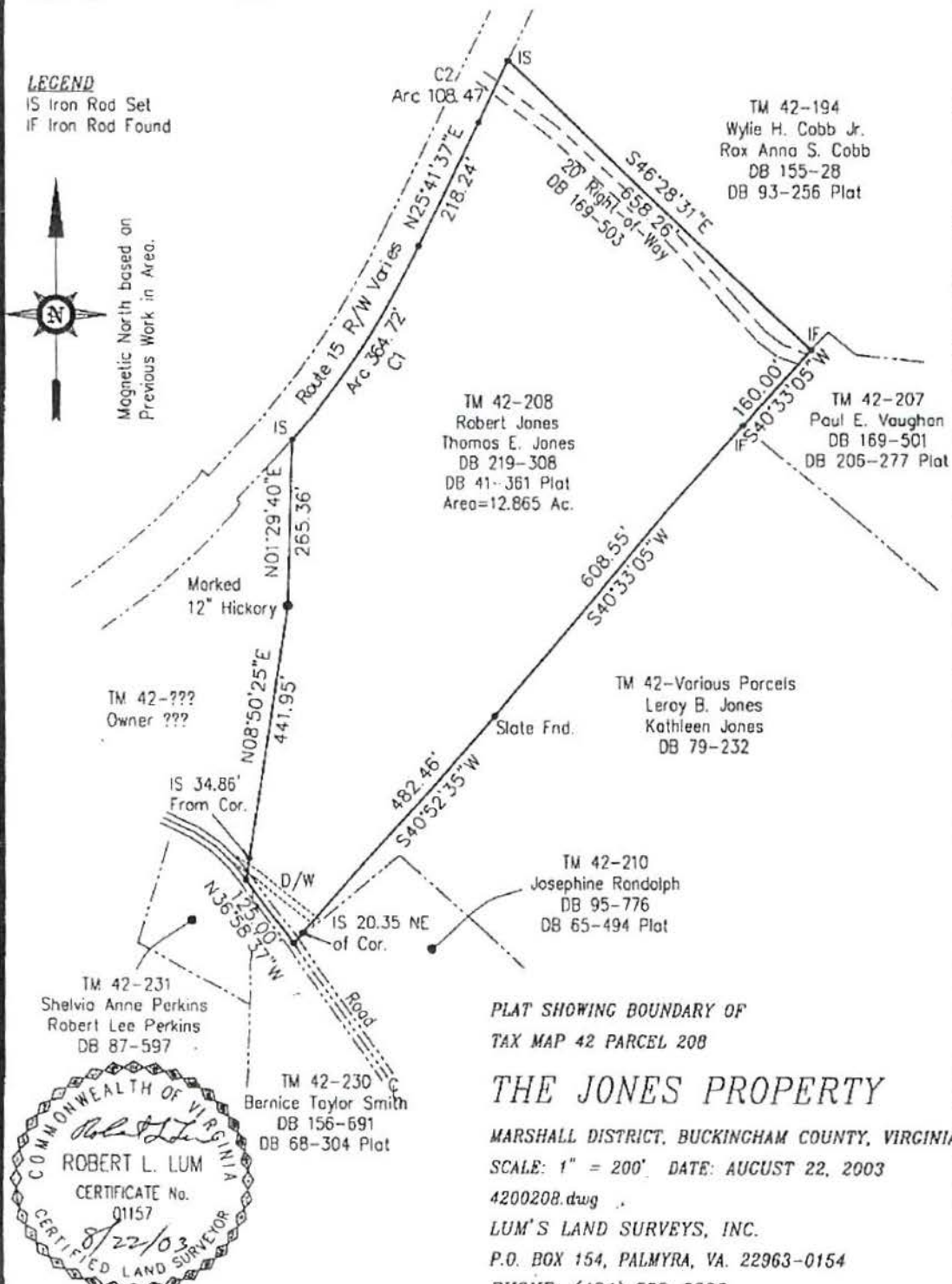
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MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

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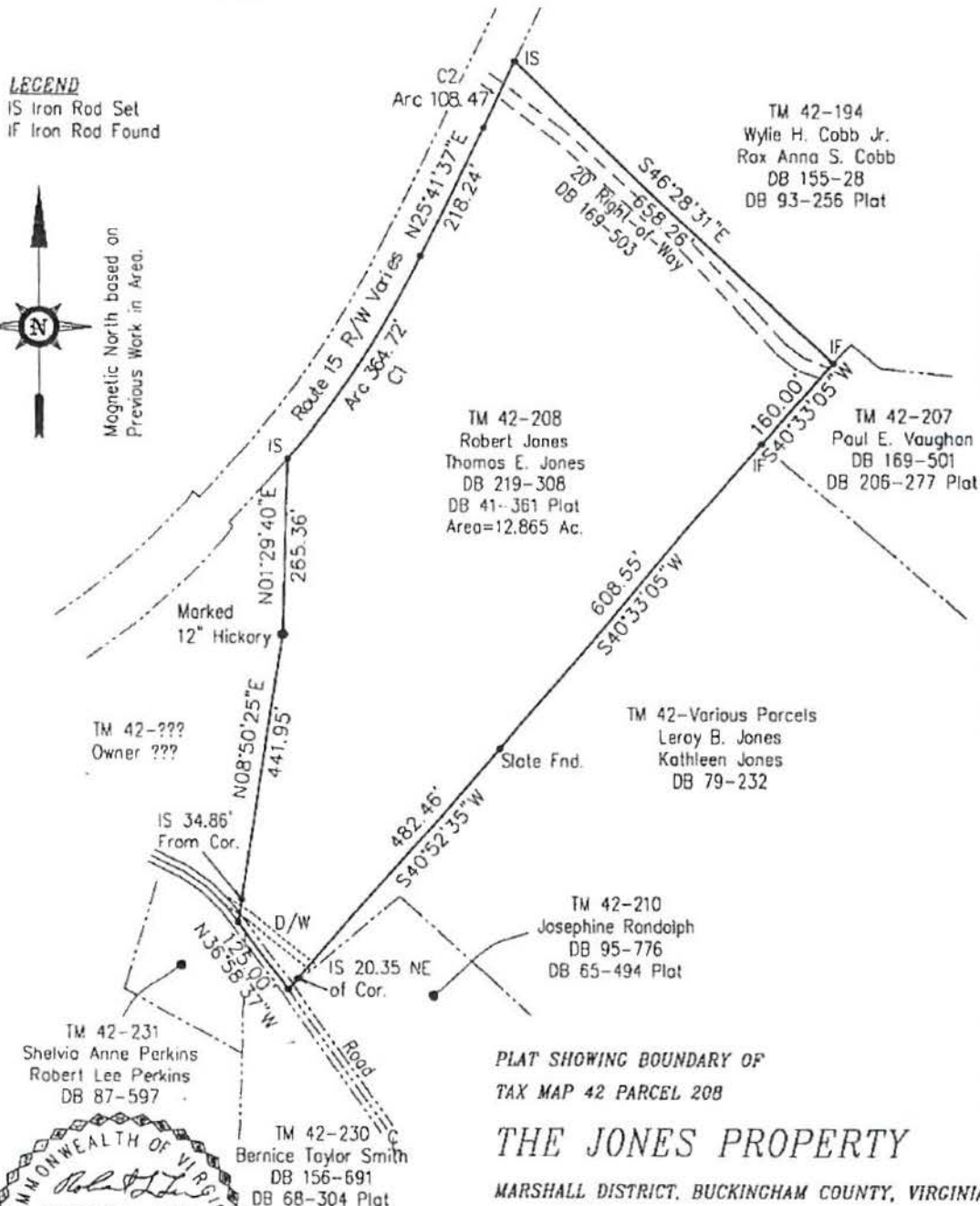
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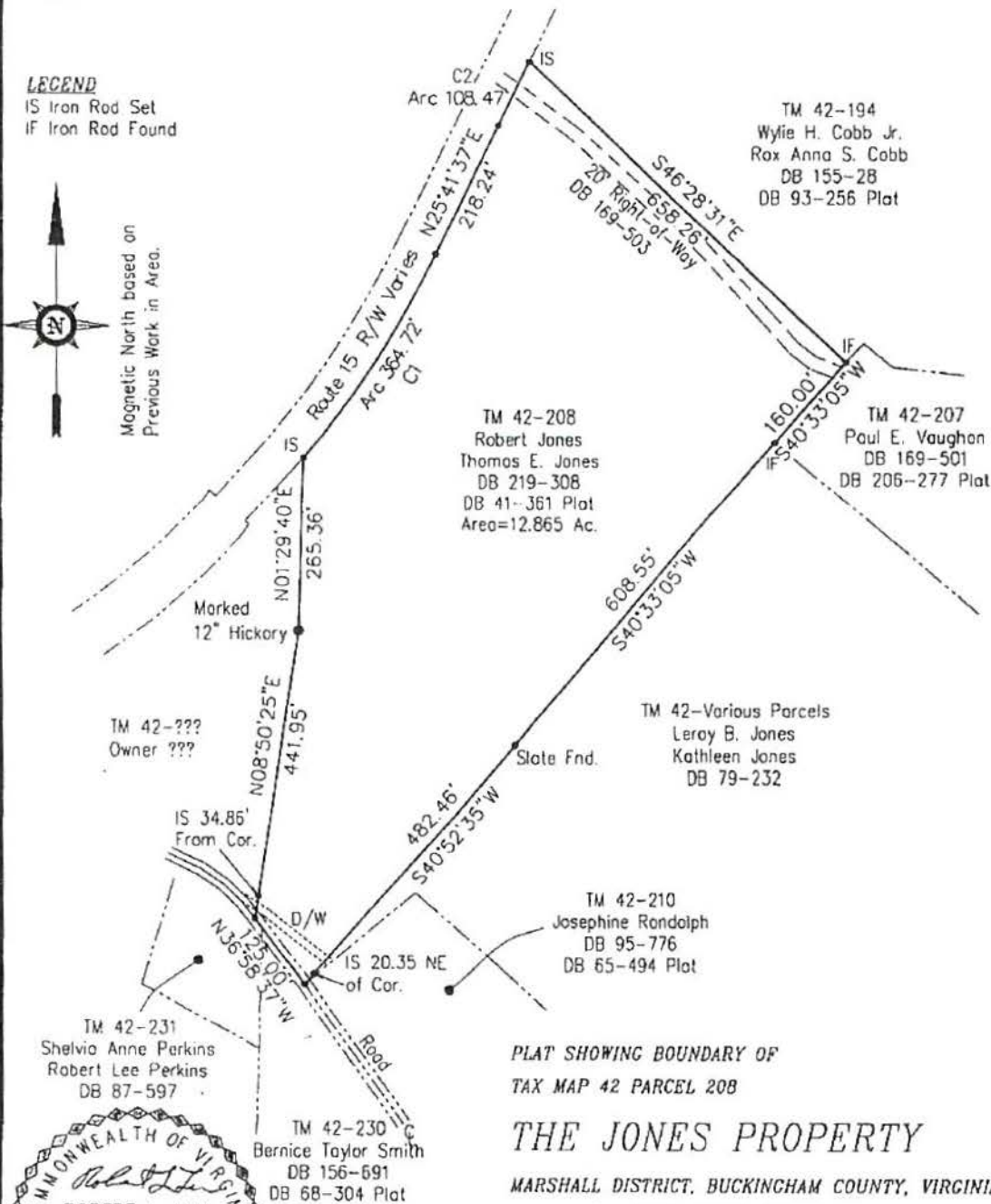
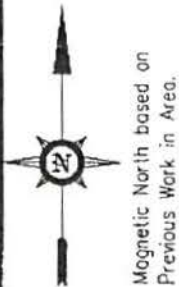
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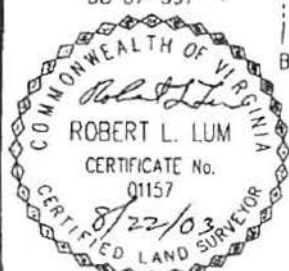
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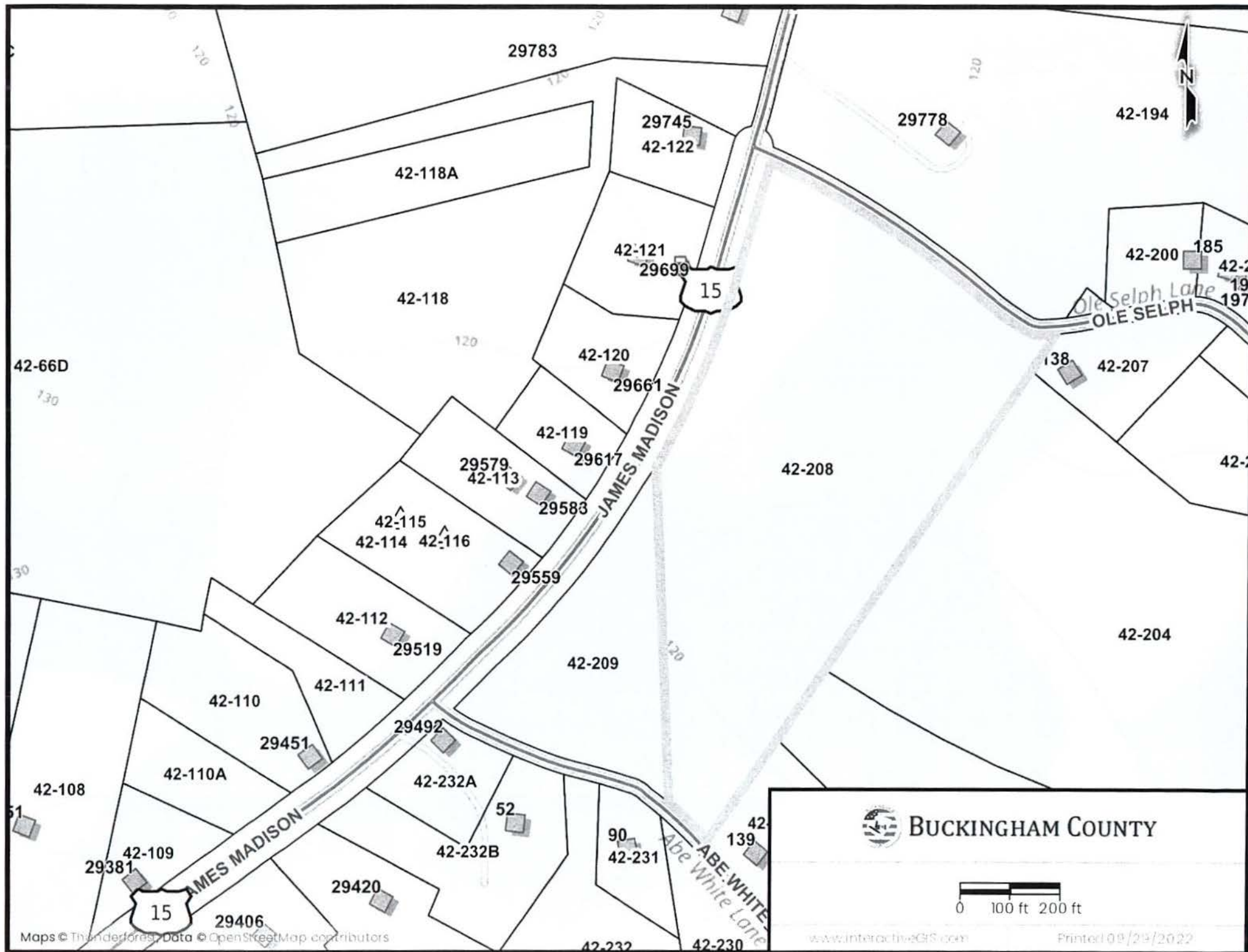
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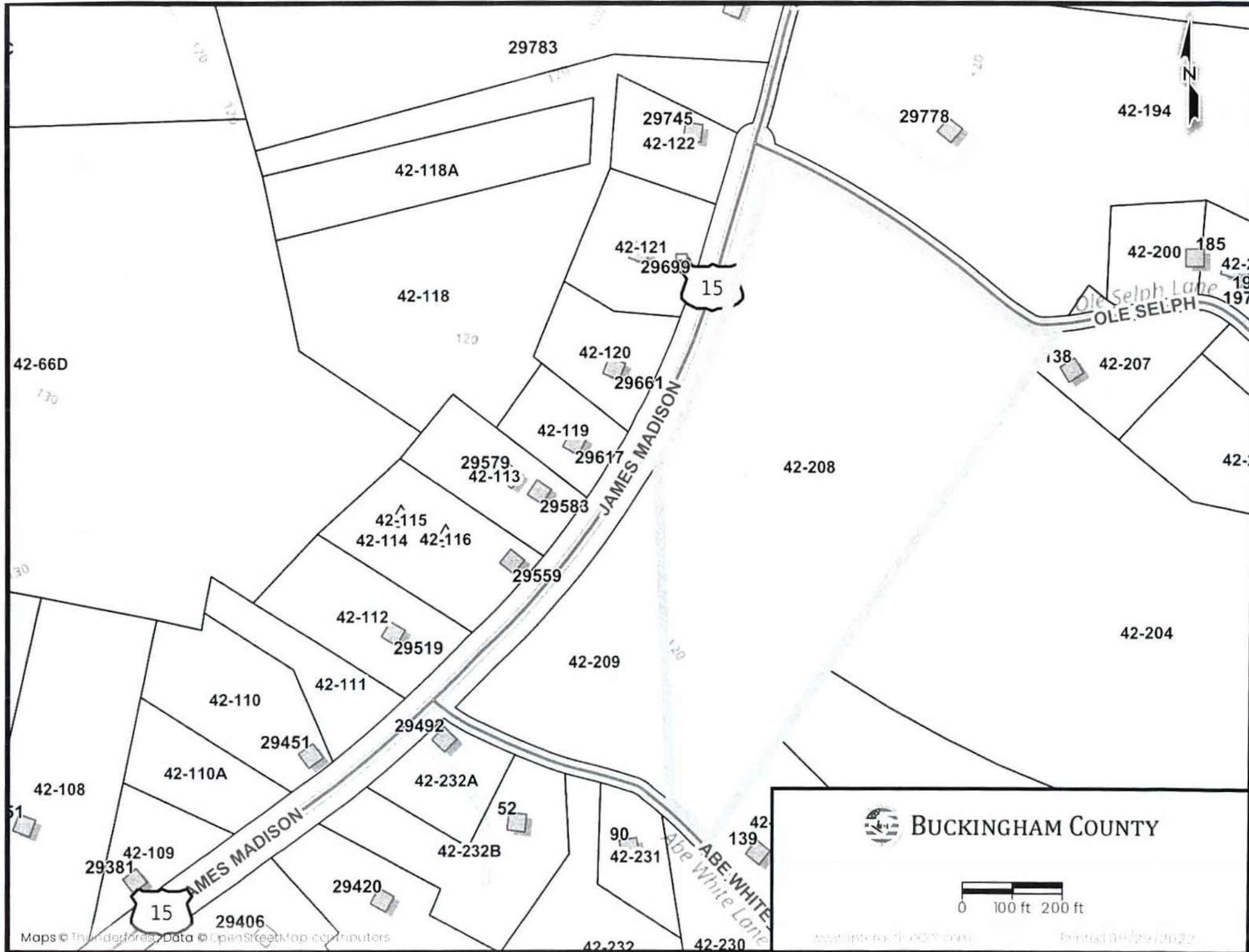
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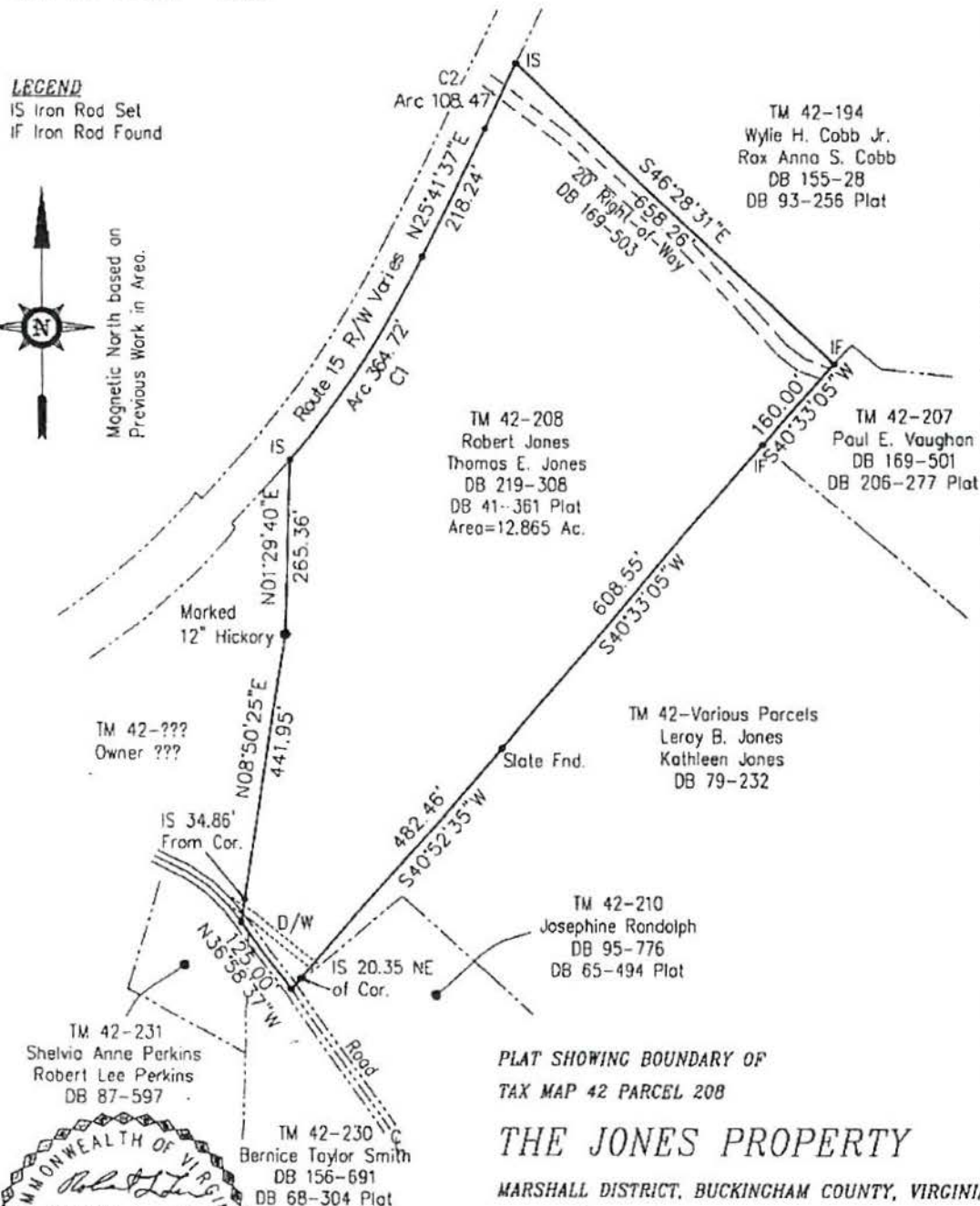
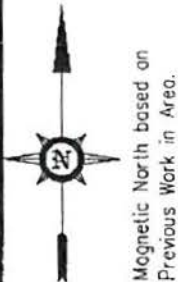
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MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

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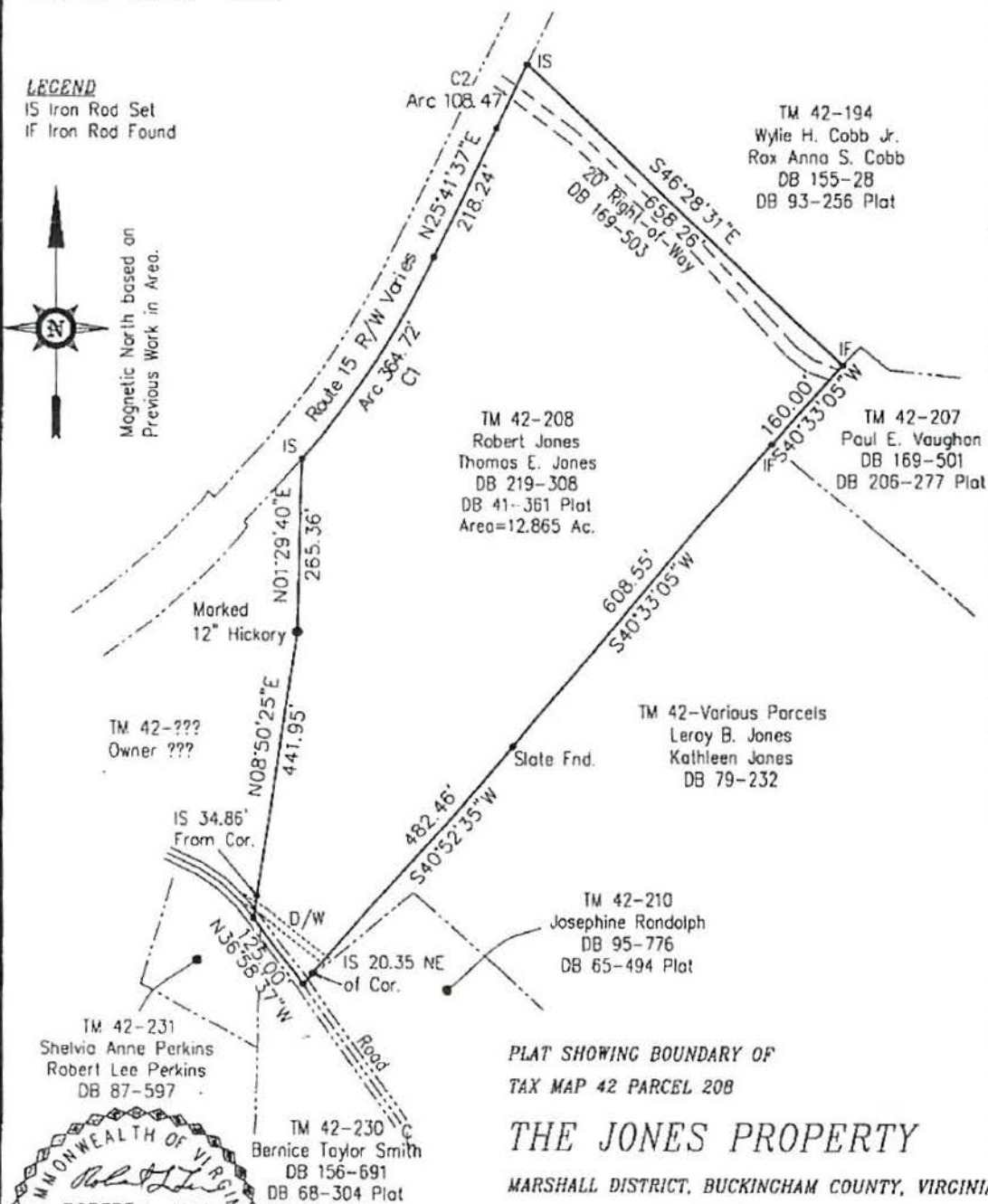
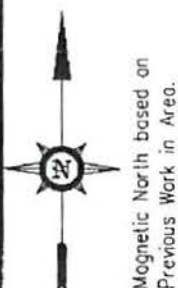
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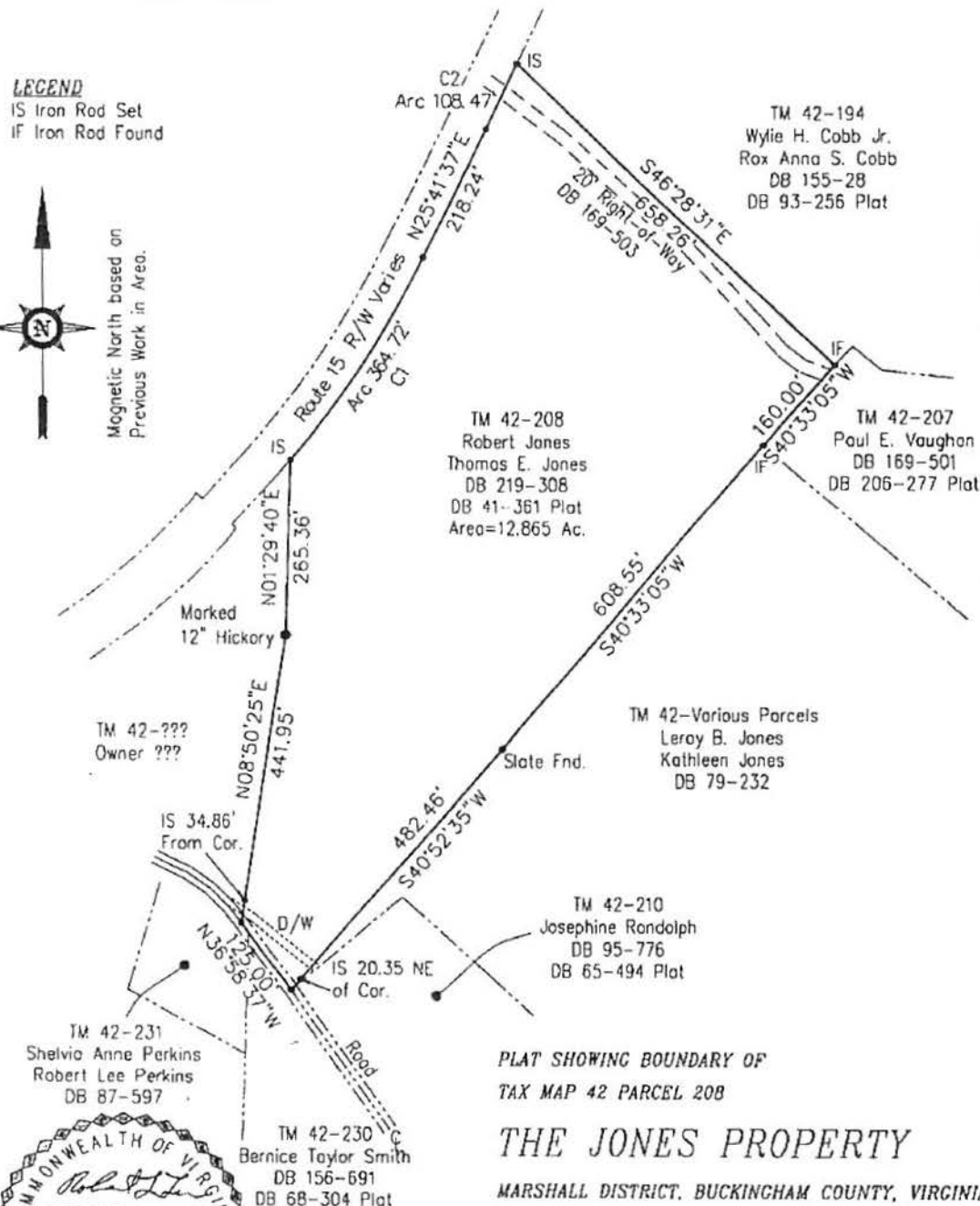
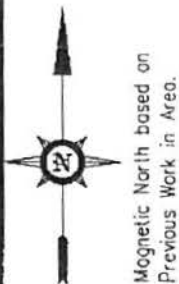
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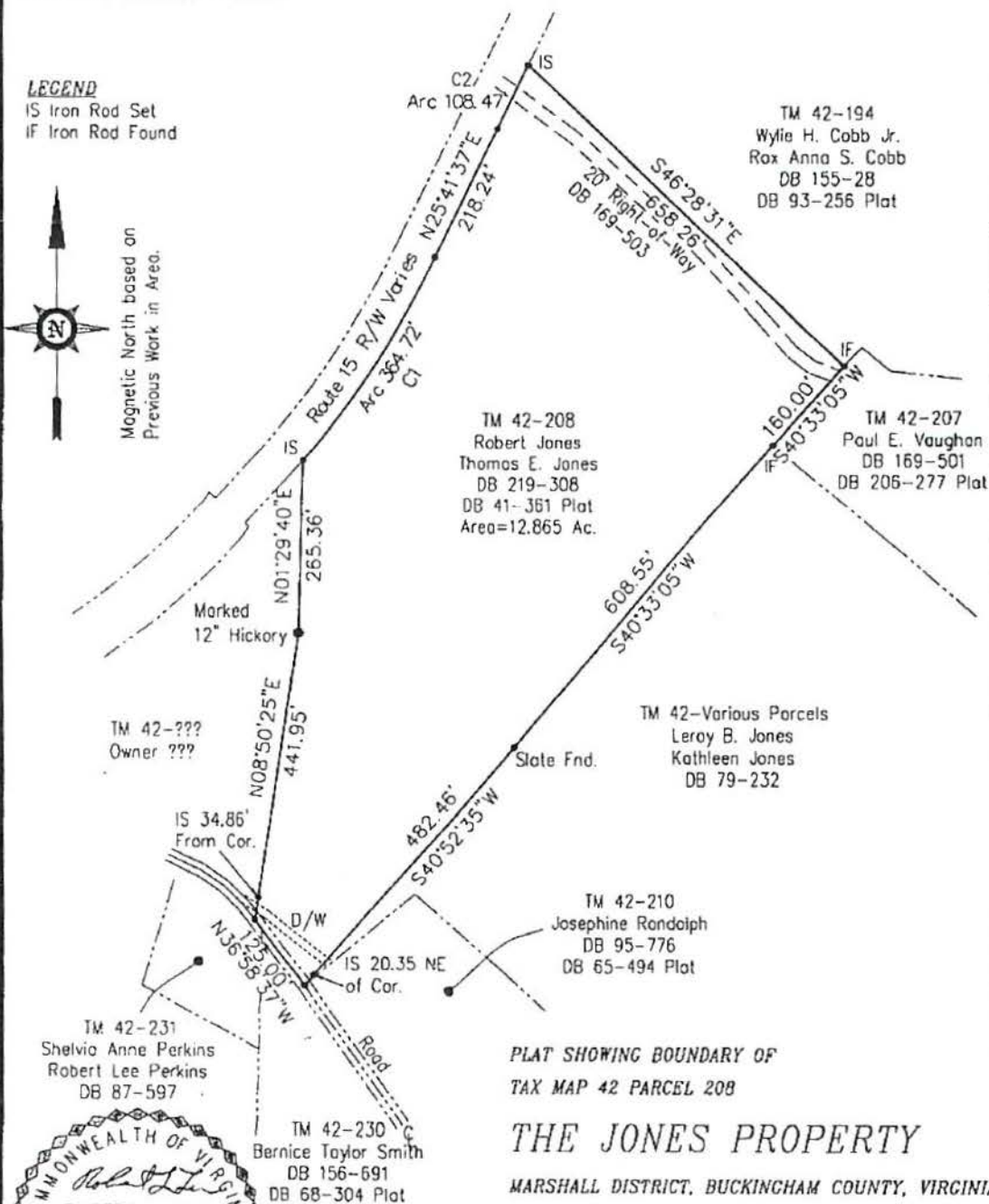
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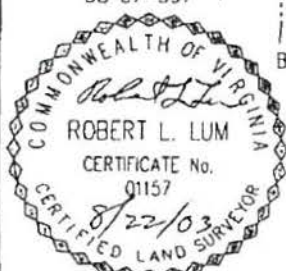
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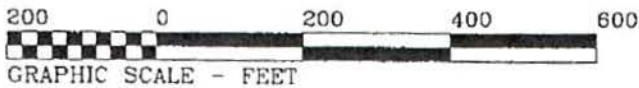
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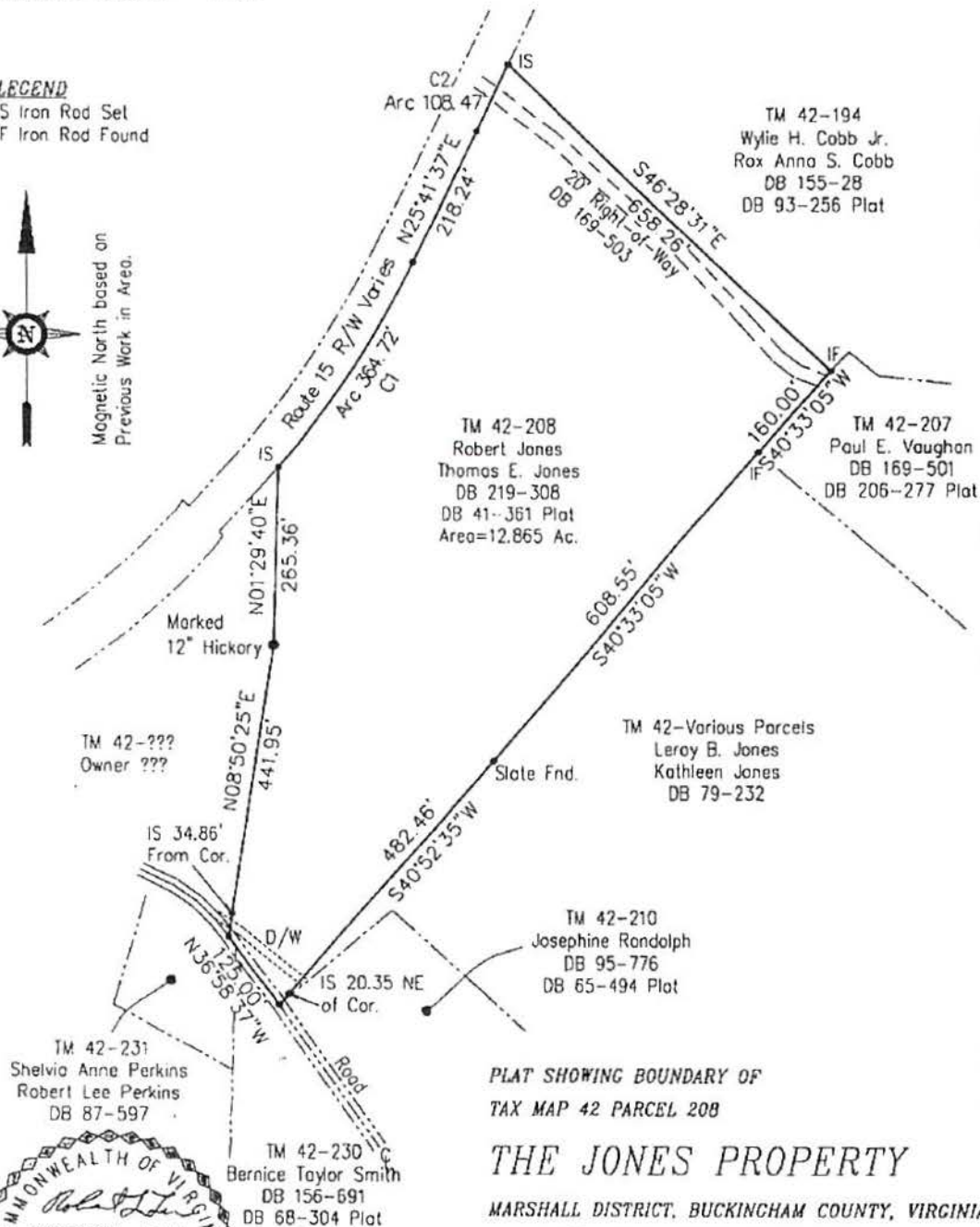
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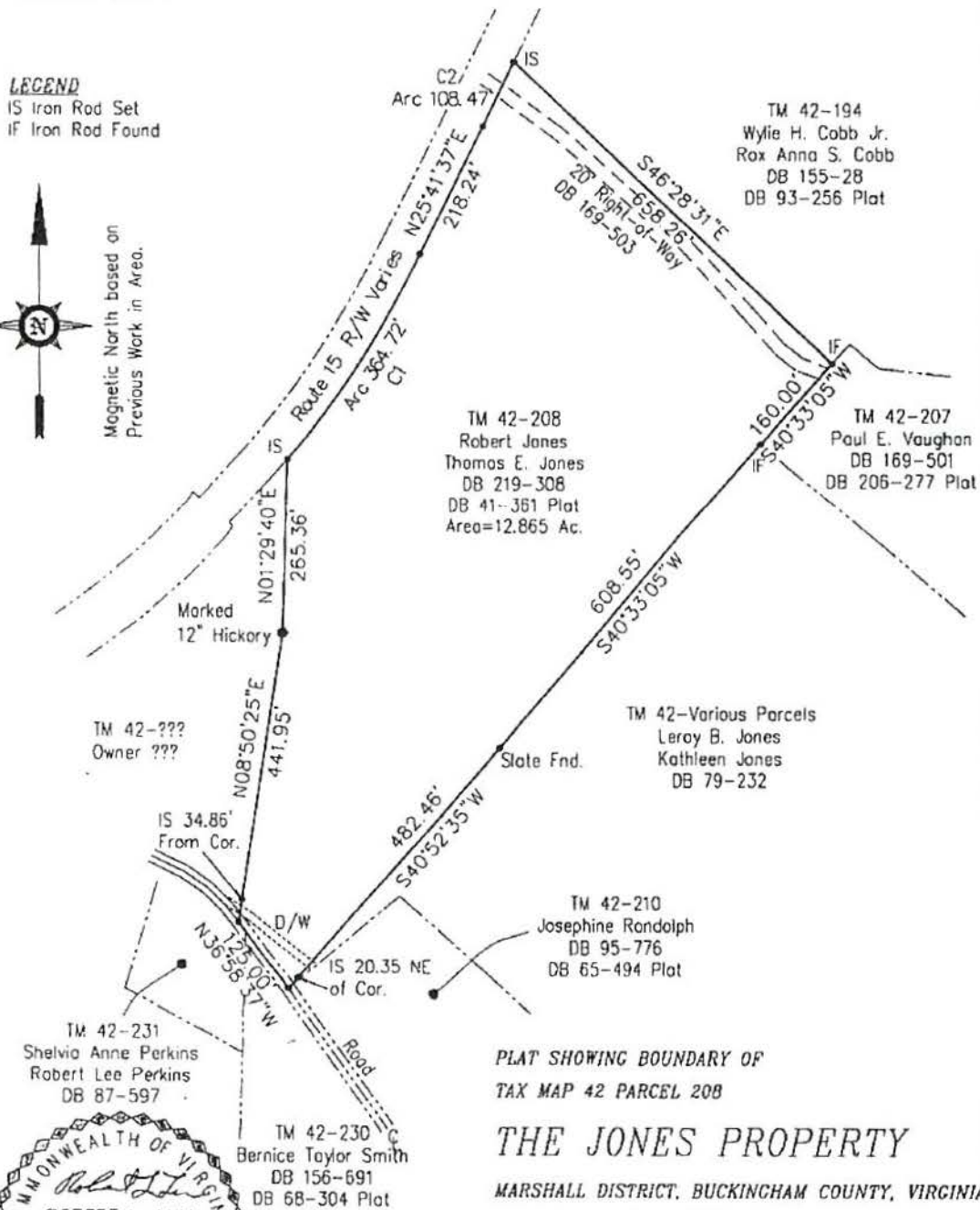
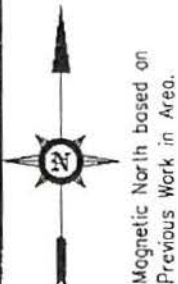
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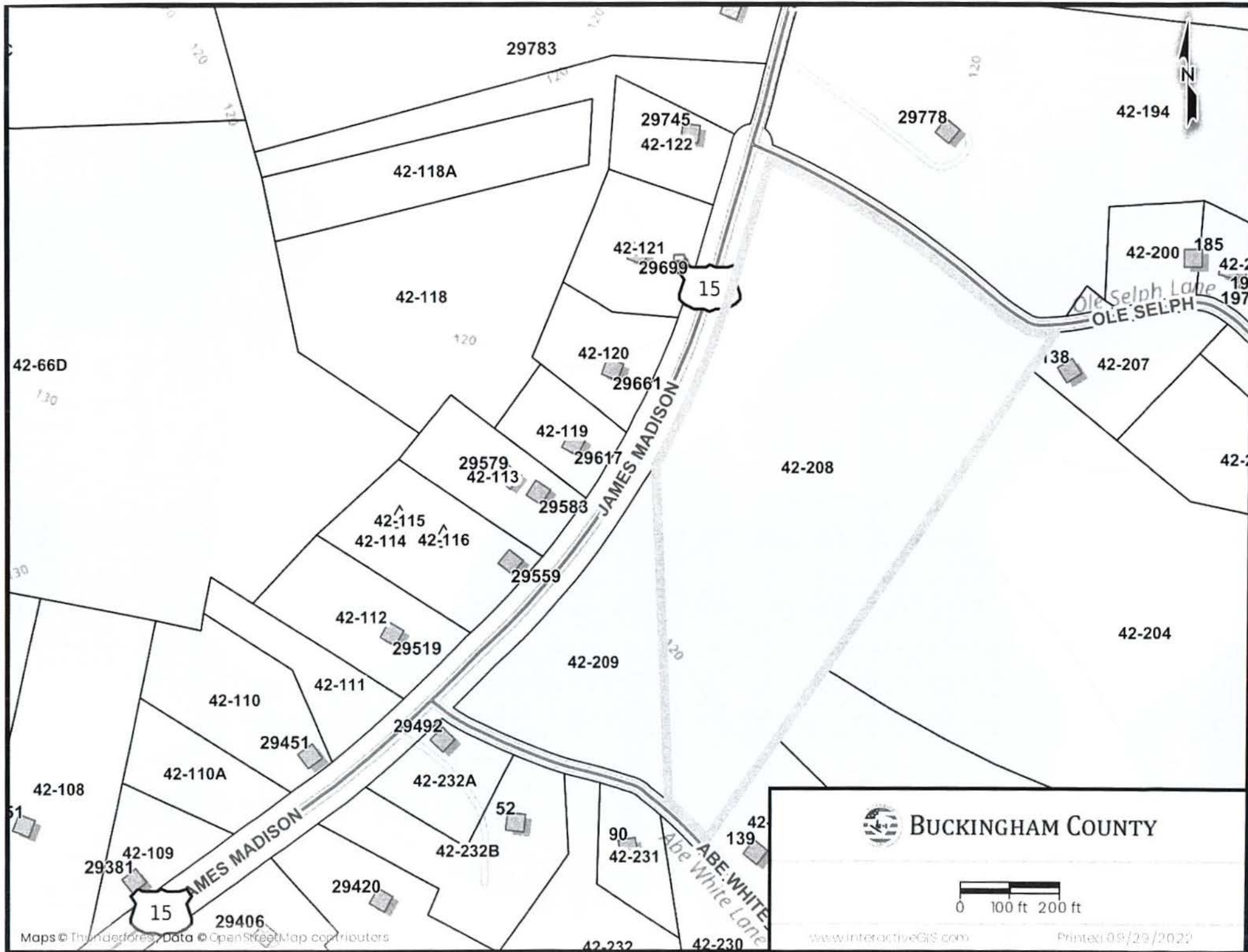
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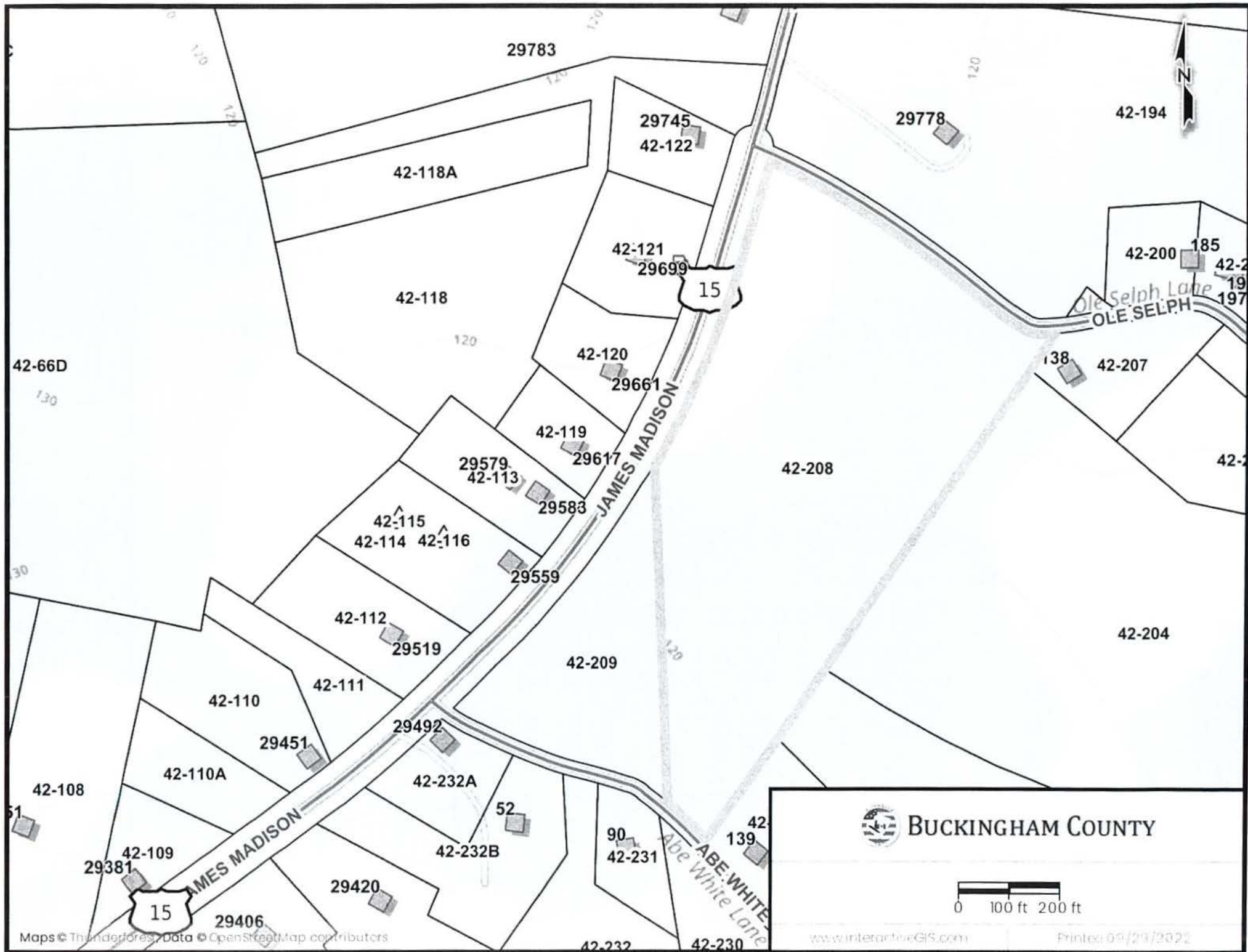
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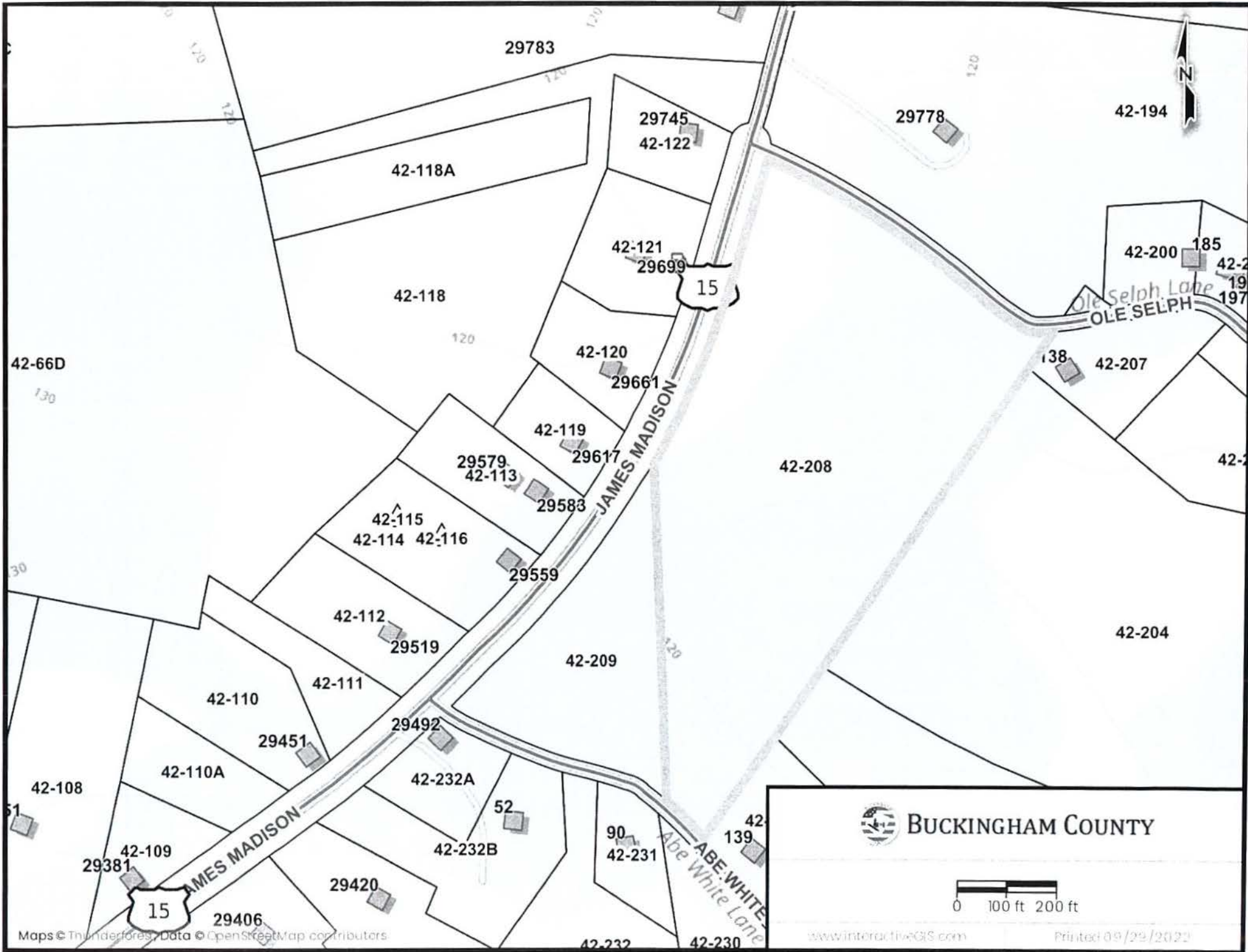
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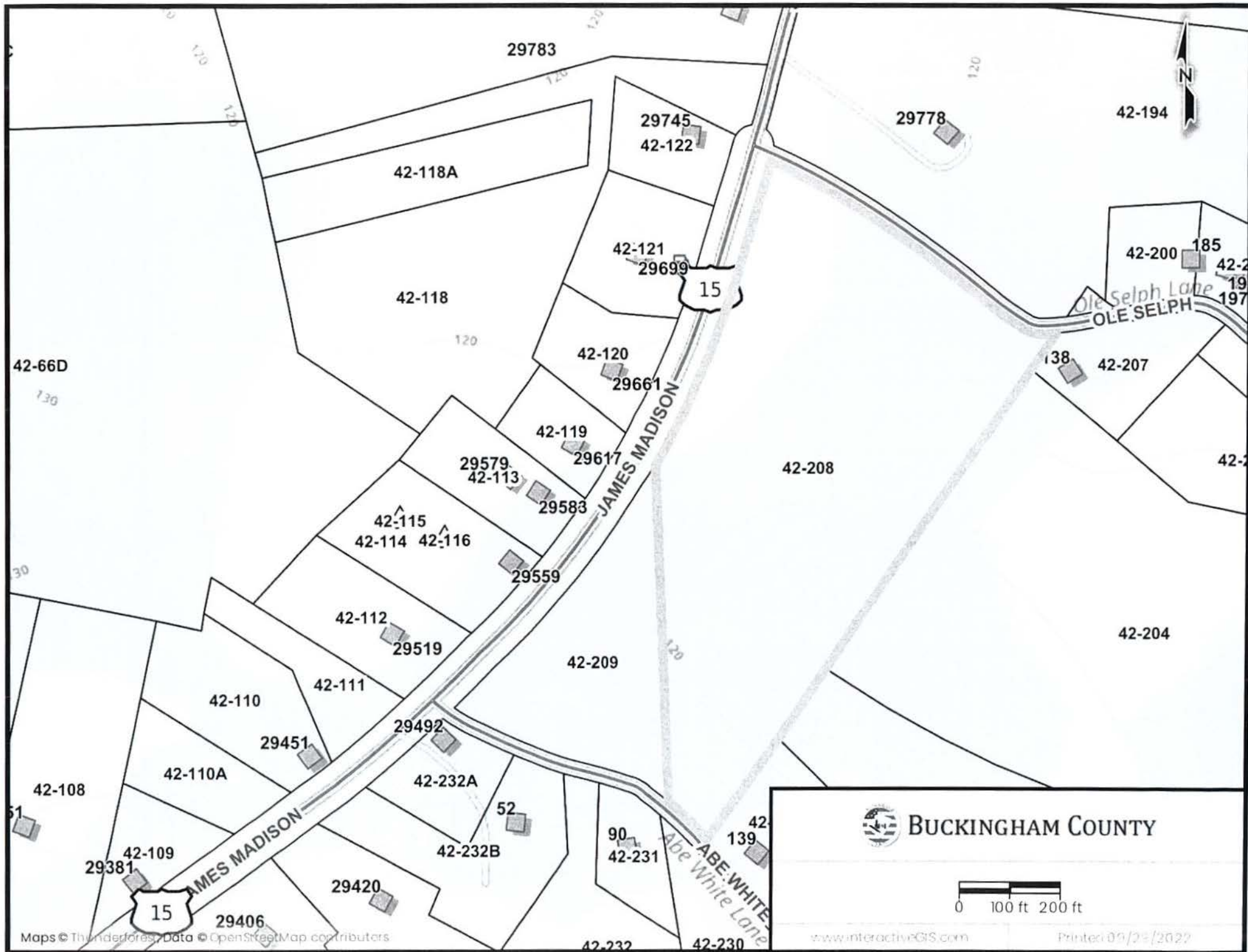
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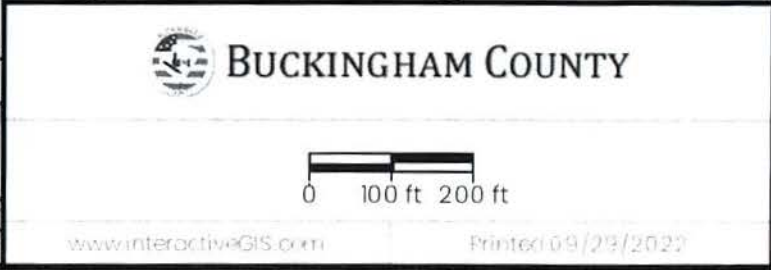


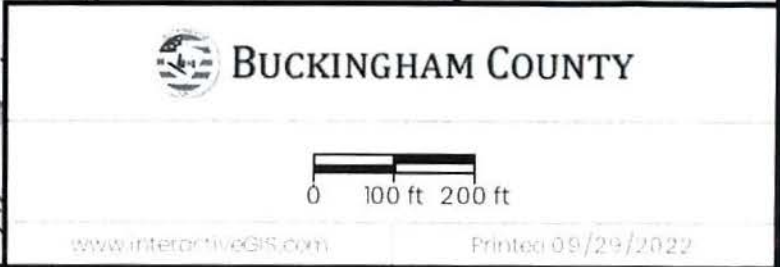


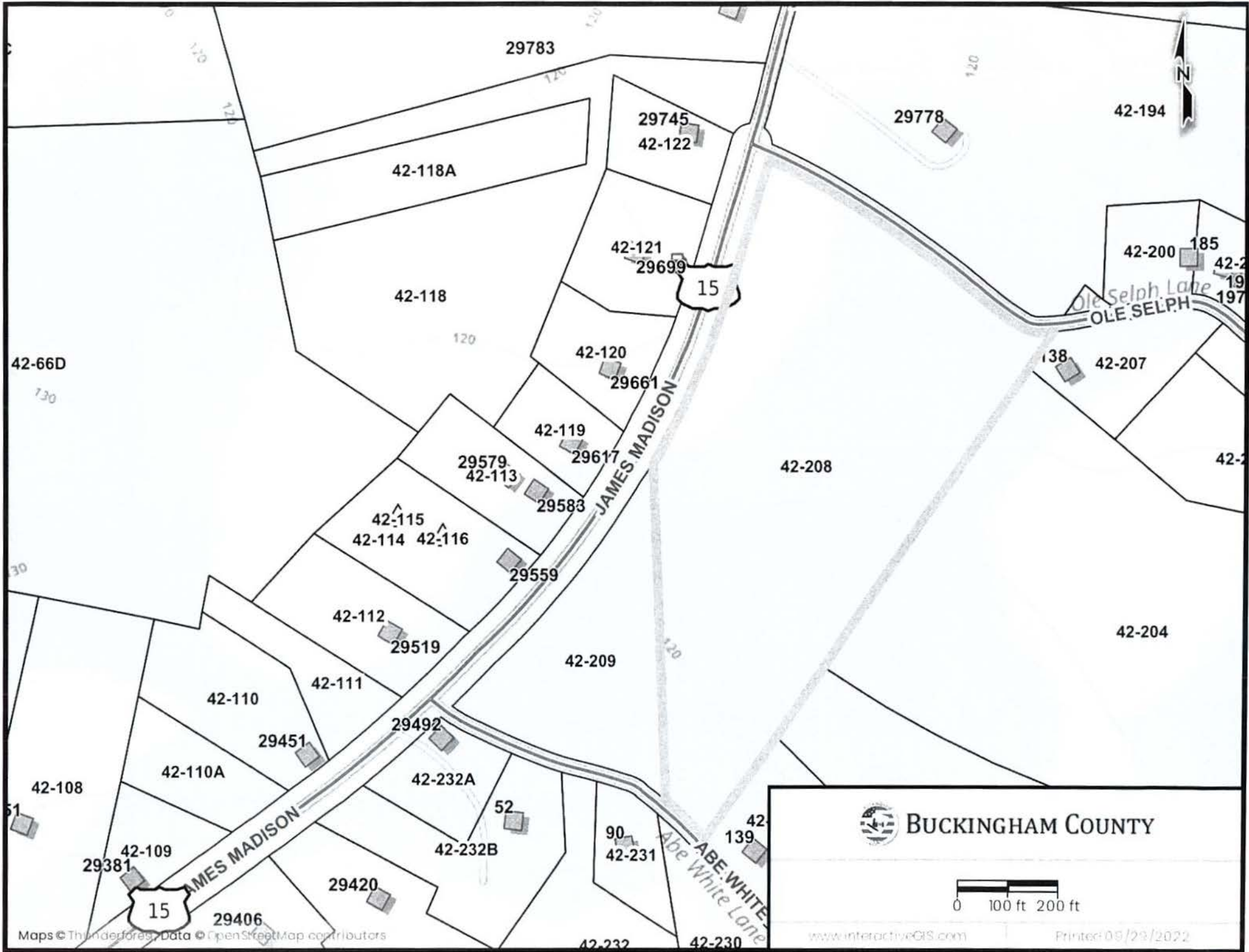


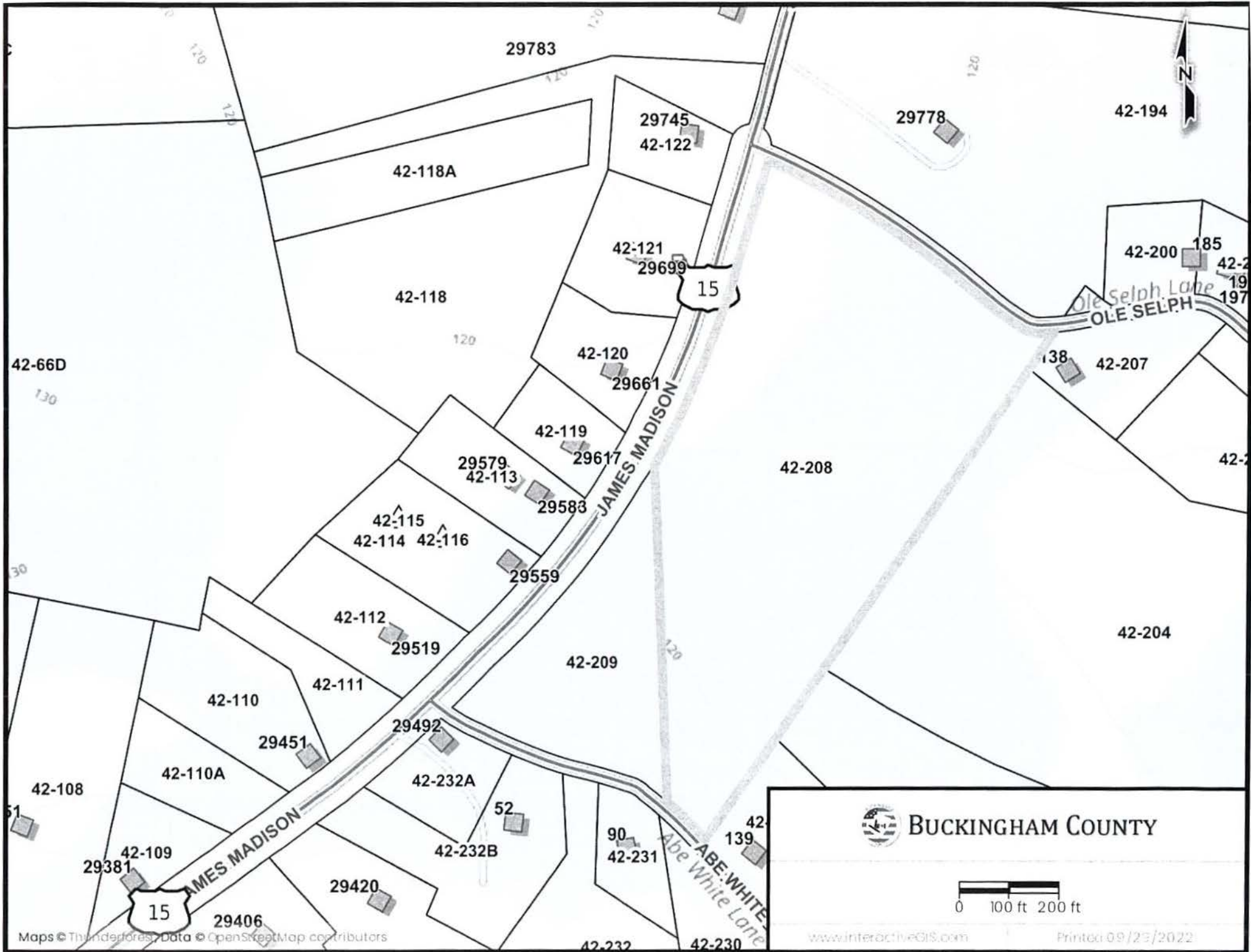


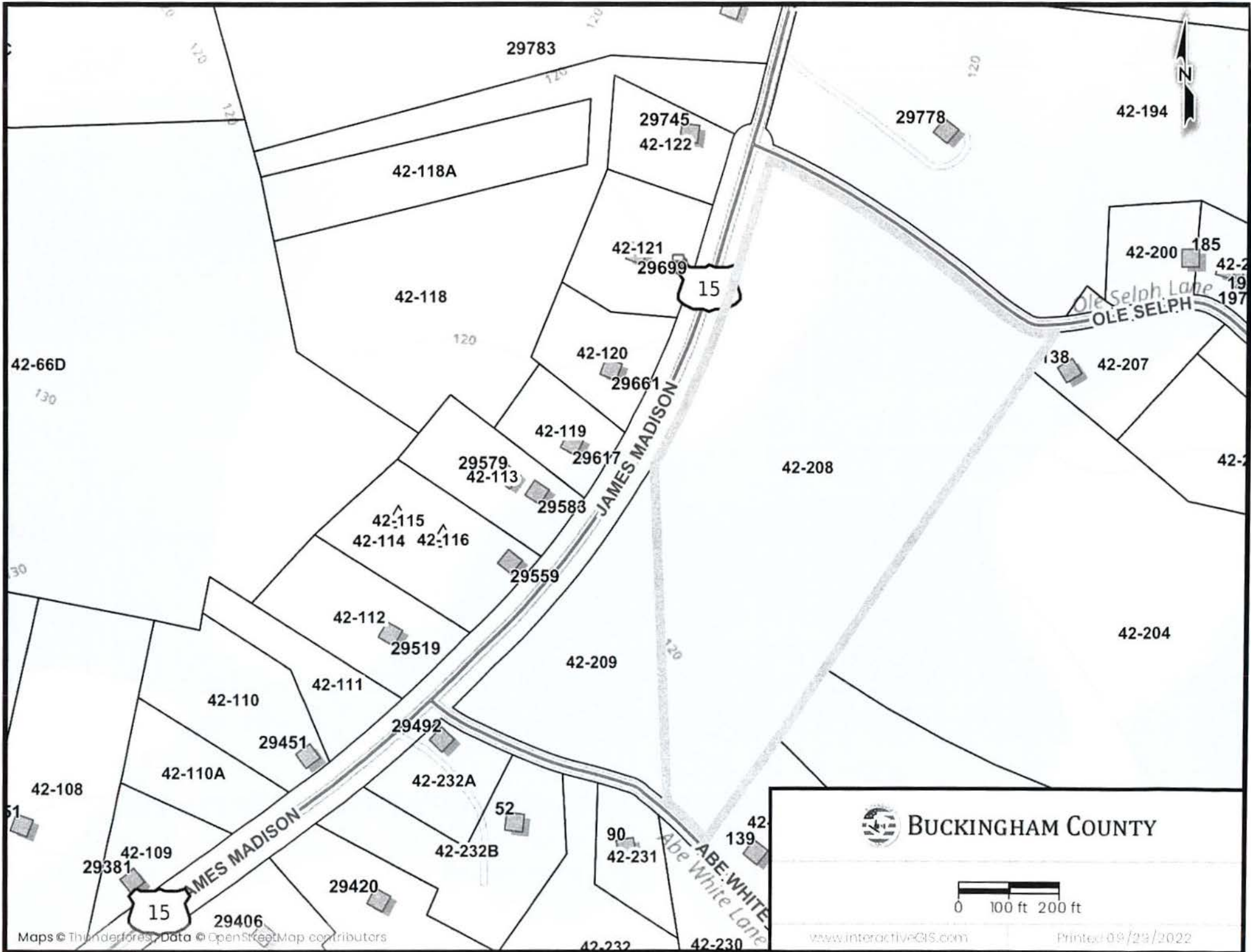












BUCKINGHAM COUNTY





Apex Plaza
120 Garrett Street, Suite 700
Charlottesville, VA 22902
T 434.220.7595 / F 434.220.3712
apexcleanenergy.com

To: Buckingham County Administration
ATTN: Nicci Edmonston
13380 West James Anderson Hwy
Buckingham, VA 23921

From: Mary-Margaret Hertz
Apex Clean Energy
120 Garrett St. Suite 700
Charlottesville, VA 22902

**Re: Case 22-SUP319, Rosney Creek Solar
Substantial Conformity Review**

Ms. Edmonston,

On behalf of the Applicant in the above-referenced matter, Apex requests that the Planning Commission of Buckingham County review the Rosney Creek Solar Project for substantial conformity with the Comprehensive Plan. We are pleased to have received the unanimous approval of the SUP by the Planning Commission on November 28, 2022. That approval did not include consideration of the solar facility for conformity with the Comprehensive Plan in accordance with Va. Code § 15.2-2232 (a so-called "2232 review").

Based on recent legal diligence feedback on other Virginia projects, the Applicant believes that a 2232 review will be required to finance and build the project. State law requires that no public utility facility or public service corporation facility shall be constructed or authorized, "unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the commission as being substantially in accord with the adopted comprehensive plan or part thereof." Va. Code § 15.2-2232(A). Solar facilities are specifically called out in the statute: "All other solar facilities shall be reviewed for substantial accord with the comprehensive plan." Va. Code § 15.2-2232(H).

The Planning Commission may hold a public hearing, but is not required to do so unless the Board of Supervisors directs that a public hearing be held. Va. Code § 15.2-2232(A). If a public hearing is held, public notice must be given as required by Va. Code § 15.2-2204.

We are grateful for the work of staff and the Planning Commission thus far. We believe that conducting the 2232 review will be a straightforward task and would ask that staff consider it for the consent agenda. The 2232 review will materially improve the viability of the project given legal expectations that have arisen in the Virginia marketplace and in light of the clear language in the statute, as described above.

Thank you for your time and consideration. Please feel free to contact me directly anytime if I may be of assistance.

Regards,

Mary-Margaret Hertz
Development Manager, Distributed Energy Resources
Apex Clean Energy
434.282.3230 | mary-margaret.hertz@apexcleanenergy.com

Buckingham County Planning Commission
2023 Monthly Meeting Schedule

Monday, January 23 @ 7:00 p.m.

Monday, February 27 @ 7:00 p.m.

Monday, March 27 @ 7:00 p.m.

Monday, April 24 @ 7:00 p.m.

Monday, May 22 @ 7:00 p.m.

Monday, June 26 @ 7:00 p.m.

Monday July 24 @ 7:00 p.m.

Monday, August 28 @ 7:00 p.m.

Monday, September 25 @ 7:00 p.m.

Monday, October 23 @ 7:00 p.m.

Monday, November 27 @ 7:00 p.m.

Tuesday, December 26 @ 7:00 p.m.

Buckingham County Planning Commission
2023 Monthly Work Session
Tentative, only held if needed

Tuesday, January 17 @ 7:00 p.m.

Monday, February 20 @ 7:00 p.m.

Monday, March 20 @ 7:00 p.m.

Monday, April 17 @ 7:00 p.m.

Monday, May 15 @ 7:00 p.m.

Monday, June 19 @ 7:00 p.m.

Monday July 17 @ 7:00 p.m.

Monday, August 21 @ 7:00 p.m.

Monday, September 18 @ 7:00 p.m.

Monday, October 16 @ 7:00 p.m.

Monday, November 20 @ 7:00 p.m.

Monday, December 18 @ 7:00 p.m.

BY-LAWS
BUCKINGHAM COUNTY PLANNING COMMISSION

Article 1 – Objectives

- 1-1. The Buckingham County Planning Commission (Commission) was established in conformance with a resolution adopted by the Buckingham County Board of Supervisors on February 5, 1962. The present Commission has adopted the following Articles in order to facilitate its powers and duties in accordance with the provisions of Title 15.2, Chapter 22, Article 2, of the 1950 Code of Virginia, as amended.
- 1-2. The official title of this Commission shall be the “Buckingham County Planning Commission.”

Article 2 – Members

- 2-1. The Commission shall consist of seven members, all of whom shall be residents of the County. One member shall be a member of the Board of Supervisors and the remaining members shall be County citizens appointed by the Board of Supervisors. The members shall be referred to as Commissioners.
- 2-2. Members are appointed for terms of four (4) years by the Board of Supervisors. Any vacancy in membership shall be filled by appointment by the Board of Supervisors and shall be for an unexpired term only. Any appointed member may be removed by the Board of Supervisors for malfeasance in office. Notwithstanding the foregoing provision the Board of Supervisors may remove a commission member who is absent from any three consecutive meetings of the commission, or is absent from any four meetings of the commission within any 12-month period. The Board of Supervisors may provide for the payment of expenses incurred by the performance of their official duties.
- 2-3. The term of a Commissioner member shall expire immediately prior to the beginning of the regular meeting at which meeting his successor’s term of office shall begin.

Article 3 – Officers and Their Selection

- 3-1. The officers of the Planning Commission shall consist of a Chairman, a Vice Chairman, and a Secretary. The members of the Planning Commission shall elect the Chairman and the Vice Chairman. The Chairman shall be elected first.
- 3-2. The election of the Chairman and Vice Chairman shall occur at the first regular meeting of each year.
- 3-3. Members shall nominate candidates for the position. A candidate receiving a majority vote of the entire membership of the Planning Commission shall be declared elected.

The elected candidate shall take office immediately and serve for one (1) year or until their successor shall take office.

- 3-4. Vacancies in office shall be filled immediately by the election procedures listed above.

Article 4 – Duties of Officers

- 4-1. The Chairman shall be a citizen member of the Commission and shall:
- 4-1-1. Preside at all meetings.
 - 4-1-2. Appoint committees, special and/or standing.
 - 4-1-3. Rule on all procedural questions (subject to a reversal by a two-thirds (2/3) majority vote by the members present.
 - 4-1-4. Be informed immediately of any official communication and report same at the next regular meeting.
 - 4-1-5. Carry out other duties as assigned by the Commission.
- 4-2. The Vice Chairman shall be a citizen member of the Commission and shall:
- 4-2-1. Act in the absence or inability of the Chairman to act.
 - 4-2-2. Have the power to function in the same capacity as the Chairman in cases of the Chairman's inability to act.
- 4-3. The Secretary shall:
- 4-3-1. Be the County's Planner/Zoning Administrator or his/her designee.
 - 4-3-2. Keep a written record of all business transacted by the Commission.
 - 4-3-3. Notify all members of all meetings.
 - 4-3-4. Keep a file of all official records and reports of the Commission.
 - 4-3-5. Certify all maps, records, and reports of the Commission.
 - 4-3-6. Give notice of all hearings and public meetings.
 - 4-3-7. Attend to the correspondence of the Commission.
 - 4-3-8. Prepare and be responsible for the publishing of advertisements relating to public hearings.

Article 5 – Standing and Special Committees

- 5-1. Any committee necessary in the function of the Commission shall be appointed by the Chairman, who will specify their purpose and tenure, subject to majority approval by the Commission.

Article 6 – Meetings

- 6-1. Regular meetings of the Commission shall be held on the fourth Monday of every month beginning with January at 7:00 p.m. Special meetings shall be called, as needed. When a meeting date falls on a legal holiday, the meeting shall be held on the day following unless otherwise designated by the Commission.
- 6-2. Special meetings of the Commission shall be called by the Chairman or by two members upon written request to the Secretary. The Secretary shall mail to all members, at least

five days in advance of a special meeting, a written notice fixing the time and place of the meeting and the purpose thereof.

- 6-3. All regular and special meetings, hearings, records, and accounts shall be open to the Public, as provided by law.
- 6-4. A majority of the membership of the Commission shall constitute a quorum. No action of the Commission shall be valid unless authorized by a majority vote of those present and voting. Voting may be by roll call, in which case a record shall be kept as a part of the minutes.
- 6-5. Any request for consideration by the Commission shall be presented to the Secretary of the Commission and/or the County Administrator at least ten (10) days prior to the scheduled meeting or the Commission shall not be obligated to consider the matter at its next scheduled meeting.
- 6-6. For record keeping purposes, the Secretary of the Commission or other appointed staff will provide a sheet for all public commenters to write their name and address after they have finished their comments.
- 6-7. The Commission reserves the right to require that public comment and public hearing participants, with the exclusion of presenters, applicants and staff, sign up on a sign-up sheet prior to a meeting. The person chairing the meeting will have a last call for any additional names to be added directly before the scheduled public comment time or scheduled hearing. Then the Chair or appointed member shall call the individuals with preference given to the Buckingham County citizens and landowners to speak first.
- 6-8. During public comments and public hearings there shall be no discussion between the public and the Commission unless granted by the Chairman.
- 6-9. The following statement will be on all public comment and public hearing sign-up sheets and may be read by the Planning commission as a reminder to citizens to uphold the truth: *The Planning Commission would like to remind all speakers that they have a First Amendment right to speak. However, speakers do not have indemnification if the statement(s) are made with actual or constructive knowledge that they are false, or with reckless disregard for whether they are false. We ask all speakers to keep to what they know to be the truth and by signing up for comment you are acknowledging your understanding and agreement with the above.*
- 6-10. In the event of inclement weather, the regularly scheduled Planning Commission meeting will be held on the following Monday.

6-11 Meetings held through electronic communications:

This policy is adopted pursuant and consistent with §2.2-3708.2 of the 1950 Code of Virginia, as amended. A. The following provisions shall apply to the Planning Commission for Buckingham County (Planning Commission):

1. Subject to the requirements of Section 6, the Planning Commission may conduct any meeting wherein the public business is discussed or transacted through electronic communication means if, on or before the day of the meeting, a member of the Planning Commission holding the meeting notifies the Chair of the Planning Commission that: a. Such member is unable to attend the meeting due to (i) a temporary or permanent disability or other medical condition that prevents the member's physical attendance or (ii) a family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance; or b. Such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter. Participation by a member pursuant to this subdivision b is limited each calendar year to two meetings or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater.

2. If participation by a member through electronic communication means is approved pursuant to subdivision 1, the Planning Commission holding the meeting shall record in its minutes the remote location from which the member participated; however, the remote location need not be open to the public. If participation is approved pursuant to subdivision 1 a, the Planning Commission shall also include in its minutes the fact that the member participated through electronic communication means due to (i) a temporary or permanent disability or other medical condition that prevented the member's physical attendance or (ii) a family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance. If participation is approved pursuant to subdivision 1 b, the Planning Commission shall also include in its minutes the specific nature of the personal matter cited by the member. If a member's participation from a remote location pursuant to subdivision 1 b is disapproved because such participation would violate the policy adopted pursuant to Section B, such disapproval shall be recorded in the minutes with specificity.

3. Any Planning Commission, or any joint meetings thereof, may meet by electronic communication means without a quorum of the Planning Commission physically assembled at one location when the Governor has declared a state of emergency in accordance with § 44-146.21, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to provide for the continuity of operations of the Planning Commission or the discharge of its lawful purposes, duties and responsibilities. The Planning Commission convening a meeting in accordance with this subdivision shall: a. Give public notice using the best available method given the nature of the emergency, which notice shall be given contemporaneously with the notice provided to members of the Planning Commission conducting the meeting; b. Make arrangements for public access to such meeting through electronic communication means, including videoconferencing if already used by the Planning Commission; c. Provide the public with the opportunity to comment at those meetings of the Planning Commission when public comment is customarily received; and d. Otherwise comply

with the provisions of this policy. The nature of emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held shall be stated in the minutes.

The provisions of this subdivision 3 shall be applicable only for the duration of the emergency declared pursuant to §44-146-17 or 44-146.21. B. Participation by a member of the Planning Commission in a meeting through electronic communication means pursuant to subdivisions A 1 and 2 shall be authorized only if the following conditions are met: 1. The member gives proper notice of the member's inability to attend the meeting and the reasons the member is unable to attend; 2. The Chair shall make a preliminary determination if the non-attending member is able to participate through electronic means and shall announce that determination at the beginning of the meeting, setting forth when the request was received and why the member so requested; 3. If any member present disagrees with the determination of the Chair, the disagreeing member may request a vote of the Planning Commission members present on the Chair's decision. Each member shall be allowed, if the member so desires, to speak one time, for no more than 2 minutes, on the determination. The Chair may vote and a majority of members present and voting shall prevail.

4. The minutes shall reflect those items required by this policy. 5. A quorum of the Planning Commission is physically assembled at one primary or central meeting location; and

6. The Planning Commission makes arrangements for the voice of the remote participant to be heard by all persons at the primary or central meeting location. Nothing in this policy shall be construed to prohibit the use of interactive audio or video means to expand public participation. This policy shall be applied strictly and uniformly, without exception, to the entire membership and without regard to the identity of the member requesting remote participation of the matters that will be considered or voted on at the meeting.

ARTICLE 7 – ORDER OF BUSINESS

7-1. The order of business for a regular meeting shall be:

7-1-1. Call to order by the Chairman.

7-1-2. Invocation.

7-1-3. Pledge of Allegiance.

7-1-4. Determination of a quorum.

7-1-5. Adoption of agenda.

7-1-6. Consideration of minutes.

7-1-7. Public Participation.

7-1-8. Old Business.

7-1-9. New Business.

7-1-10. Report of officers, committees, and staff.

7-1-11. Closed Session, as needed

7-1-12. Adjournment.

7-2. Closed sessions may be held as needed and as allowed by law.

7-3. Parliamentary procedure in Commission meetings shall be guided by Robert's Rules of Order Amended for Small Groups.

7-4. The Planning Commission shall keep a set of minutes of all meetings, and these minutes shall become a public record.

7-5. The Secretary and Chairman shall sign all minutes.

ARTICLE 8 – HEARINGS

8-1. In addition to those required by law, the Commission, at its discretion, may hold public hearings when it decides that a hearing will be in the public interest.

8-2. Notice of a special hearing shall be published once a week for two successive weeks in a newspaper of general circulation in the area not less than five (5) days before the time of the public hearing.

8-3. The order for public hearings shall be:

8-3-1. The Chairman will request the Planner/Zoning Administrator to call the specific case being heard.

8-3-2. After hearing the specific case item, the Chairman will ask staff to present its report. Staff reports are available on the Friday prior to the public hearing.

8-3-3. The Chairman asks the applicant to present their case. Applicants may be limited on time at the discretion of the Chairman.

8-3-4. Following the staff's report and applicant's presentation, the Chairman will open the public hearing and call for public speakers. When called upon to speak, speakers must be recognized by the Planning Commission Chairman and must state name, address, and district. Spontaneous questions, comments and applause from the audience will not be acknowledged.

Public speakers are allowed to speak for three (3) minutes. However, the Chairman reserves the right to set new speaking times at the start of each meeting. Commissioners should refrain from asking questions until the party addressing the Commission completes his or her entire presentation. For purposes of this guideline, the term "party" refers to staff, applicants and individual public speakers addressing the Commission. Once all speakers are heard, the public hearing will be closed. Applicant may have the opportunity to address the Commission on issues that arose during the public comment. At the discretion of the Chairman, additional questions from the public may be submitted to the Chairman and the applicant shall submit his/her responses to the questions through the Chairman.

8-3-5. At some point during the Commission discussion, a Commissioner may offer a motion that will be considered by the Commission.

8-3-6. A letter (Letter of Recommendation) which accurately portrays the Commission's action in sufficient detail, including the motion and vote, is sent to the Board of Supervisors.

8-4. A record shall be kept for those speaking before the Commission at the hearing.

Article 9 – Correspondence

9-1. It shall be the duty of the Secretary to draft and sign all correspondence necessary for the execution of the duties and functions of the Planning Commission.

9-2. It shall be the duty of the Secretary to communicate as appropriate when necessary to make communications that cannot be carried out as rapidly through direct correspondence.

9-3. All official papers and plans involving the authority of the Commission shall bear the signature of the Chairman or Vice Chairman together with the certification signed by the Secretary.

Article 10 – Amendments

10-1. These rules may be changed by a recorded two-thirds (2/3) vote of the entire membership after thirty (30) days' prior notice.

Adopted	February 1962	Revised	October 2018
Revised	March 1998		
Revised	January 2009		
Revised	January 2014		
Revised	January 2016		
Revised	January 2017		
Revised	January 2022		

34 Building Permits were issued in the amount of \$13,830.57 for the month of November 2022

Permit No.	District	Name	Purpose	Cost of Construction	Cost of Permit
19244	Maysville	Delta Temp	Mechanical	\$15,000.00	\$51.00
19255	Town of Dillwyn	Adan Valdez	Commerical Remodel		\$51.00
19256	Curdsville	Sun Tribe Solar	Commerical Construction	\$4,301,123.00	\$11,578.45
19257	James River	Southern Air	Generator	\$13,204.00	\$51.00
19258	James River	Robert Quinn	Shed	\$7,500.00	\$50.39
19259	Francisco	Linda Hackett	Generator	\$9,800.00	\$51.00
19260	Curdsville	Mike Hubbard	Generator	\$8,500.00	\$51.00
19261	Maysville	Parker Oil	Mechanical	\$400.00	\$51.00
19262	Curdsville	Parker Oil	Generator	\$1,900.00	\$51.00
19264	Maysville	EE Talbott	Demolition	\$3,500.00	\$25.50
19265	Slate River	John Yoder	Farm Building Exempt		\$10.00
19266	Curdsville	John Yoder	Electrical		\$51.00
19267	Curdsville	Hill Brothers Construction	New Dwelling Stickbuilt		\$363.65
19269	Curdsville	Farmer Bank	Generator	\$15,000.00	\$102.00
19270	Maysville	Matthew Wofford	Mechanical	\$0.00	\$51.00
19271	Marshall	Eli Stoltzfus	Farm Building Exempt	\$50,000.00	\$10.00
19272	Curdsville	Ellington Energy	Mechanical	\$1,605.00	\$51.00
19273	Maysville	Ellington Energy	Generator	\$14,920.00	\$102.00
19274	Marshall	Jordan Craft	Electrical	\$1,000.00	\$51.00
19275	James River	Steve Self	Generator	\$11,400.00	\$51.00
19276	Marshall	Michael Woodson	Generator	\$2,000.00	\$51.00
19277	Town of Dillwyn	Mills Heating and Air	Mechanical	\$11,100.00	\$51.00
19278	Marshall	JT Enterprises	Residential Addittion	\$12,000.00	\$25.50
19279	Slate River	Foster Fuel	Mechanical	\$1,056.22	\$51.00
19280	Curdsville	Justin Wharam	Detached Carport	\$5,500.00	\$82.70
19281	Maysville	Boyer And Sons Electrical	Electrical	\$4,000.00	\$51.00
19283	James River	Tiger Fuel	Generator	\$1,100.00	\$51.00
19285	Francisco	Alfred Meador	Electrical	\$200.00	\$51.00
19286	James River	Ellington Energy	Generator	\$14,380.00	\$102.00
19287	James River	Ellington Energy	Generator	\$816.00	\$51.00
19049		Bridgeport Construction	Square Footage		\$9.38
18575		John Meeks	Re-Inspection Fee		\$100.00
18918		Blake Tanner	Re-Inspection Fee		\$100.00
18928		Bridgeport Construction	Re-Inspection Fee		\$200.00
34					
Cost of permit is calculated based on square footage of structure				\$4,507,004.22	\$13,830.57