

**Buckingham County  
Planning Commission  
March 28, 2022**

At a regular scheduled meeting of the Buckingham County Planning Commission held on Monday, March 28, 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; Ashley Shumaker; Joyce Gooden and Board of Supervisors' representative Danny Allen. Also present were Nicci Edmondston, Zoning Administrator, and E.M. Wright, Jr., County Attorney.

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

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

**Bickford:** Adoption agenda. Are there any changes to the agenda Nicci?

**Edmondston:** No, sir. Mr. Vice Chairman

**Bickford:** Seeing none do I have a motion to approve as presented?

**Allen:** So moved, Oh, yes.

**Bickford:** We do have change?

**Allen:** If you want to be a good, to me, it'd be a good night is to make a chairman and vice chairman while here. Do you want to add that?

**Edmondston:** If you'd like to make that change? Yes, sir. We can take action.

**Bickford:** Do you want to make that the last thing when we do Commissioner matters?

**Allen:** That be fine.

**Bickford:** Okay. All right. Anyone make a motion with the one change to the agenda?

**Allen:** Make a motion with the change.

**Dorrier:** Second.

**Bickford:** Have a motion and a second. Any discussion? All in favor, raise your right hand. Unanimous. That brings us to approval of minutes. We have minutes from our regular meeting February 28 of this year. Do I have a motion to approve as presented.

**Gooden:** First

**Allen:** Second.

**Bickford:** I have a motion and a second. Any discussion? All in favor, raise your right hand. They are approved. Do we have anyone signed up for public comment?

**Edmondston:** Yes, sir. Teresa McManus.

**Bickford:** Please come forward to the podium like you were doing. You've got three minutes' state your full name and address. We'll be talking. We have two public hearings. So....

**Teresa McManus:** Im not going to discuss those now. Hi, Teresa McManus 1059 Scots bottom road. I'm here to just say that we're not all happy with what's been going on with a lot of the Planning Commission's with things that have been passed that things that haven't been passed. But I want to remind you that we are formed this country was formed when we said our Pledge of Allegiance and everything else on small businesses. on agriculture, the country's going to hell in a handbasket, guys and young lady, pretty young lady, by the way. You want me to be bitch I can. I always do. Trying not to tonight. But I live on Scott's bottom road. I have logging trucks that go down my road at 1000 miles an hour. I swear to you, my road is 22 feet wide. That's going to become pertinent later on. All right. Something needs to be done about the speed on our road. If I had children, I'd be screaming. I live far enough off that it doesn't matter. Scotts Bottom road is dangerous. And it's the logging trucks and everybody else who speeds down that road. Something should be done. I've noticed you've had things out there. I know you've had people complain about it before. When I drive my horse trailer down to Scotts or down CA IRA and a logging truck comes around, I'm in the woods, I'm off the side of the road. Because they speed and they're down the center of the road. Remember what you're here for you're here for the community, not for yourself. You're here to keep small businesses in this community, rural businesses in this community. That's what we're here for. That's what the country was founded on. Thank you.

**Bickford:** Thank you, ma'am. Anyone else?

**Edmondston:** No, sir.

**Bickford:** We'll close the public comment and moves us through old business.

**Edmondston:** Yes, sir Case22SUP-300. The landowner and applicant is Aaron Beiler tax map 124 parcel 12. This case was introduced to you last month. It does contain approximately 121.6 acres and it's located at 257 spouse's Lane in the Maysville magisterial district. This is an A one

zoning district with a watershed overlay. The applicant wishes to obtain a special use permit for the purpose of operating a sawmill. The zoning ordinance does not permit a commercial sawmill is permitted by right use and agricultural a one zoning district However, within the a one zoning district a commercial sawmill may be permitted by the Buckingham county board supervisors by a special use permit. Following recommendation by the Planning Commission in accordance with this ordinance in the Code of Virginia Planning Commission may recommend and the Board may impose conditions to ensure protection of the district of the special use permit as approved. This case came to the attention of the zoning administrator myself by way of a complaint after investigation and meeting with landowner it was discovered that a commercial sawmills operating staff has been working with Mr. Beiler since August of 2021. For a completed application to submit for review, which is what you all have in front of you this evening. After there were 10 conditions imposed with the introduction of the case and after last month's discussion. That discussion brought about four new conditions which have been discussed with Mr. Beiler. And he did receive a copy last week so we've been in communication in regard to those. Some of them were the hours of operation 7am to approximately 4pm. Monday through Friday, this is taken directly from the minutes of the meeting last month. The next condition change is the driveway entrance from State Route 20 should be installed per the VDOT permit and driveway width to sawmill should be at least 30-foot-wide to accommodate proper ingress and egress of all traffic to include emergency vehicles sign shall be placed at State Route 20 to alert public of commercial sawmill entrance and all signage shall adhere to local state and federal guidelines. And an additional operation of the sawmill shall begin within two years of the time that the approval by the Board of Supervisors becomes final and non-appealable or the special use permit shall become null and void. Mr. Beiler is with us this evening. And I know that he would be happy to discuss those conditions and further answer any questions and comments.

**Bickford:** Okay. The commissioners before we have the public hearing have any questions for Mr. Beiler?

**Allen:** Yes, I do. I know on the paperwork it says engineer looked at your building. But do we have the last thing he says the engineer said it's good for commercial building.

**\*Inaudible\***

**Allen:** I don't know I have it, have I missed it?

**Edmondston:** I believe these are drawings. Correct me if I'm wrong, Mr. Beiler. You may come up.

**Bickford:** Mr. Beiler can you come to the podium?

**Edmondston:** The drawings that are included from Mr. Duncan, I believe that our building inspector will request or require a letter from the structural engineer just ensuring the safety standards of the sawmill. So the drawings are here but we don't have a letter from him but that

would be a conversation to have with the building inspector for that further requirement. Because you've got the drawings in the plan so if that structural engineer he would be the same individual to write your letter of certification.

**Beiler:** Good evening, everybody.

**Edmondston:** We also have Steve Snell with VDOT joining us virtually as well.

**Bickford:** Danny did that answer your question? At all?

**Allen:** I Missed it. No, I just thought he had a letter already.

**Beiler:** No all I have is what's in the packet. That's stamped by the engineer. So I mean, really what more do you need?

**Shumaker:** These drawings were generated before or after your building was constructed?

**Beiler:** After the building was constructed.

**Shumaker:** Right. So I think, Mr. Allen, if we're along the same paths, have you had someone formally inspect the building that you have built for safety inspection? So if these drawings were generated after you constructed the building that's already on the premises, has someone come back to verify and provide certification or a letter that it was built to these drawings?

**Beiler:** Oh, no, ma'am.

**Bickford:** You would, that letter would need to be from the building inspector correct?

**Edmondston:** A letter would need to be from the structural engineer that has inspected the building. And then if would the reason that this would be required is because the building itself was the original permit was issued for farm use building. Now, if this special use permit is approved, ultimately, then the classification of the building would have to be certified? Because it was first a farm use building where there was no commercial activity. Now special use permit than that constitutes a construction commercial use of the building? So yes, an engineer's letter of certification would be required for any building that changes classification.

**Beiler:** Just a letter from him? Would that be sufficient without the drawings?

**Edmondston:** The last time we had a situation of this we had the drawings and I believe that there was a letter from that same engineer that has that has your drawings here that would state that the building located at, on the property of, meets the standards necessary by the building code of Virginia for commercial use And the if there are any questions regarding that particular certification that will go through the building inspector, and all as well with the building and the

permit is where to be approved, then that would go directly to Tommy Ranson, the building inspector.

**Beiler:** So really all you need is basically a letter from this engineer saying that it's yes...

**Edmondston:** And that its constructed that it's structurally sound meets the design standards for the building code of Virginia for commercial building.

**Beiler:** Let me write that down.

**Edmondston:** And if I've left anything out, you're welcome to contact myself and Mr. Ranson.

**Beiler:** Name and address want to run that by me again?

**Edmondston:** Name, address, the building itself, the usage that it is structurally sound and meets the building code of Virginia for commercial construction for the purpose proposed.

**Bickford:** Any of the other Commissioners have any questions at this time before we do the public hearing?

**Allen:** Do we have the VDOT people on the phone?

**Edmondston:** We do. But we do have the one person signed up for public hearing

**Bickford:** What I was going to do was the public hearing and then open. Mr. Beiler, you can sit down now we're going to go ahead and do the public hearing and then probably call you back up. Give you a chance to answer any questions or whatever. Alright, I'll now open up the public hearing for this. You say we do have someone signed up again.

**Edmondston:** Theresa McManus yes sir.

**Theresa McManus:** So we litigate small business to death. Have you been to some of the small business that is grandfather cloused in here? Have you looked at their buildings? Have you seen how they're falling down but we don't go back in and say to them have you are you up to date do you have this letter something that's going to come in it's the 30 feet wide of his damn driveway that is on that paperwork too. And I'm going to address that because I thought he was going to get to first if he's got to have a 30 foot wide driveway because it's got to have emergency vehicles and the logging trucks come in, then dammit Scott bottom road better be 30 freakin feet wide because I have logging trucks and I have all kinds of ambulances going down my road and it's 22 feet and I measured it in three different spots. Gentlemen, Bell road, by the way is 22 feet 50 Is 22 feet 20 is 22 feet but you want him to widen the driveway to make it 30 feet and cost him all that money. Those are declaration not states somewhere in it that we have God given rights. One of them is the pursuit of happiness, one life, liberty and the pursuit of happiness. Is this man not trying to pursue happiness? Is he not trying to provide for his family like you do,

and you're litigating him to death and not letting him provide for his family? You should be ashamed of yourself, all of you. Thank you.

**Bickford:** Thank you, ma'am. That was the only person signed up?

**Edmondston:** Yes, sir.

**Bickford:** All right. I'll close the public hearing. We'll turn this back over to the commission. Do we have Mr. Snell on the phone?

**Edmondston:** Yes.

**Bickford:** Any commissioners have any questions for Mr. Snell? That's the VDOT representative.

**Gooden:** Yes, I do.

**Bickford:** Okay go ahead.

**Edmondston:** Mr. Snell, are you with us? You can hear us this evening? One of our commission members. Commission member Joyce Gooden does have some questions for you in regard to this case.

**Snell:** Okay.

**Gooden:** Greetings, Mr. Snell. We've had several Citizens speak about the roads. And my concern is the signage of the roads if the roads are... The roads have no restriction signs on them. And my question is, since the vehicle since roads are built for vehicles, and there's no restrictions on the highways, does that mean that any vehicle can be operated on that highway? Because the questions have been about the size of the trucks bringing in lumber, the size of the work trucks that are coming in on roads, And I just need to know if I don't see a restriction sign on the road. Does that mean that the road is open to any vehicle?

**Steve Snell:** Yes, so the roads of Virginia are open. That's the purpose of the roads. And we do not restrict the roads except for weight when you have a bridge limit. So any legal vehicle that the DMV allows is allowed to use the roads.

**Gooden:** I have more. Alright. Also, we've had citizens complain about curbs and roads, that the curves seem either steep or too sharp to accommodate, especially loaded wood trucks. And I just had a concern about that. So this speeds posted on roads and curves. So if it's if it seems to be steep to me, does it mean that a steep to VDOT? That's the question.

**Snell:** Well, yeah, I mean, the roads in Virginia as a whole are a lot of them, especially local roads are fairly old. You know, the state itself is fairly old. So a lot of those roads were built

before automobiles and large trucks. And to the Byrd Act, a lot of those roads became public roads. They do allow any type of traffic, but at times, they are narrow, and they are steep. That's just the nature of the history of Virginia. Our primary roads, which are like route 20, and 15. We try to make those for the large volume, straight, safe roads and local roads It's driver caution in terms of the speed and the maneuverability of what is on the road. Now the locality can ask for a truck restriction, but that would have to originate out the locality. VDOT does not put truck restrictions on the roads unless locality passes an action that they want truck restrictions on a certain road.

**Gooden:** And when you are referring to the locality, are you talking about the county or community?

**Snell:** Well, it can be whatever the governing community usually it's a county but it could be a town or it could be a city If you request to limit truck traffic, we would look into it to see what the geometry of the roads are, if it's justified, we would allow it. But it wouldn't be initiated until a resolution was passed asking to limit the truck on the roadway.

**Gooden:** Alright, another question. I have often wondered, what determines putting an I refer to it as a stripe down the middle of the road. I actually live on a road that has no stripes. Either down the middle or on the side. But I have been on roads that don't really look any different to me than my road. Yet, but it has the lines down the middle. So what determines? Is it the width of the road that determines what whether or not you put stripes down the middle?

**Snell:** Well, there are several factors. But typically, the determining factor is the width of the road. A lot of the roadways that were taken in with the Byrd Act are less than, you know, 20 feet wide. So we would not put a stripe down those roads. Another factor would be the amount of traffic that is on the roadway. But typically, if you see a road that has a stripe, and then it terminates somewhere on that roadway, it's because the either the shoulder which is the side of the road where the grasses or the pavement itself become narrower. So yeah, typically it is the width of the road that determines whether it has a striping on.

**Gooden:** So if a road has no stripe down the middle, it still can accommodate large trucks?

**Snell:** It can to the to the restriction of the driver themselves to be cautious. If it's a local road, and it's only 18 feet wide, we do not restrict the traffic is the responsibility of the individual to practice safe driving, the professional driver. And as you know, in Buckingham, you have a lot of logging operations. And sometimes they're on private roads that are narrower than public roads, and sometimes around local roads, which are narrower than the primary roads. And that's just the nature of the business.

**Gooden:** Okay, and the width of the primary road are what?

**Snell:** They very, ones that came in under the Byrd Act, which are the oldest roads are typically 18 feet wide, we would like a road to be 24 foot wide. But we can't always get that because we

don't have right away. And it could even get the narrowest you want ideally would be 18 feet that can get narrower than that for very low volume Road, where you just have a few houses on the road, especially if it's gravel. And you also will include the shoulder with that. So you don't have a shoulder in essence, the road run some ditch to ditch.

**Gooden:** Another question? What's the Byrd act?

**Snell:** A law passed in Virginia. I can't remember the day I want to say 1920s. But at the time, the roads were not they were all many of the roads were not in the public domain. So by law, Virginia Senate passed a law that said all roads their public use will automatically have a ride away and will become public roads and the public or maintain that road. And that was the initiation of the gas tax, which pays for maintenance and upkeep. And it didn't, to a certain extent, alleviate many local property owners from having to maintain the roads in front of their houses. The limitation is they wanted to take very little land. So there's very narrow right ways. And it's unless we actually buy land on those local roads. We can't expand them any farther than where they are as they existed back when the Byrd Act was passed.

**Gooden:** Thank you.

**Bickford:** Mr. Snell, this is Commissioner Bickford, I do have one question for you. If a community wanted to impose or ask for speed limit, say on a secondary road, what is the procedure for them to do that?

**Snell:** You can request that to a work order or to contact Scott directly Typically, though, we don't, when we look at speed limits, we will not lower the speed limit below what people are currently traveling. So if people are going 55, we will not lower the speed below that, because we don't want people to have unreasonable expectations. Unless there's a geometry problem where you'll see a lot of times we'll put up yellow signage for a slow curve or dangerous intersection. But the speed limit as a whole, you know, it's either going to be 35 45, or 55. Basically, based on the purpose of the road, whether it's a primary road that's meant for through traffic or a local road, and whether it's gravel or hard surface, but you can request to lower the speed limit. As I said, we will look into that. But it's, it's fairly uncommon for us to lower speed limit, the best action to make sure people are driving at the same speed is enforcement of the speed limit, where no one is going above the posted speed limit. If that's it's difficult to do, but it is much more effective than just putting up a sign.

**Bickford:** So in other words, some of the community people, if they chose too could perhaps contact a state police and start the with that.

**Snell:** Yeah, with the sheriff's office or whatever enforces the speed limit. If you do have a problem area, they'll look into it and see if there are problems on that road. And perhaps they'll be more vigilant in that particular area. If you have a particular problem, but in terms of changing the speed limit, as I said, it's still like 20, we would not change the speed limit on that just because the geometry of the road is designed for the speed limit it is.



**Bickford:** Okay, thank you, sir. Any other questions?

**Dorrier:** Yes. Mr. Snell, I have a question. Are you familiar with this case that we're reviewing tonight?

**Snell:** Um, yes, I mean, I've been introduced to it today. And my permits manager who works for me had issued a permit for this business with the understanding that they would not use the current entrance but use a create a new entrance, a little further south that has better sight distance so people can see these trucks bowling in and out.

**Dorrier:** Okay, what I'm asking is a few have signed off on it. Are you okay with the stipulations that's written and VDOTs. Okay with that?

**Snell:** Well, in terms of the use, the sawmill or there's also a discussion of putting a school in,

**Edmondston:** This is in regard to the sawmill. Mr. Snell.

**Snell:** So the sawmill, we, we would not dictate the use either way, we just dictate the safety. Someone had mentioned life, liberty and pursuit of happiness so that we kind of cover the life part that we want it to be safe. So we can't restrict a use. It's really up to the county. But once you say there's a use, we will restrict how the entrance is only mostly for the purpose of safety. I mean, in a large development, like a Walmart will also be for traffic control. But on a smaller one like this, it's almost 100% safety. So that's why they can't use their existing road and we need a newer road. And someone was upset about the width which is 30 feet. The purpose of that is since we call design vehicle for the use, which in this case would be a tractor trailer, we want them to be able to turn into this business if they were taking a right turn without having to cross over the centerline to make the turn so the entrance is dictated by the type of vehicle that so it can stay in its lane without crossing to oncoming traffic to make the turn into the business. So it's a safety issue.

**Dorrier:** You okay or is VDOT ok with everything that, like I said that we've discussed? That's what my question is.

**Snell:** Yeah. In terms of, we're okay with what is you know, in our lane as some people say, which is the entrance as long as they use the entrance on the permit, which is to move it a little farther south to wright's lane, we're fine with it, but to use existing entrance, then no, we are not. But as we have issued a permit, we are fine with the business.

**Dorrier:** Okay, I'll have one more question. Signage on the road, what would be the procedure to have signage put up on the road for passengers going down Route 20 or either way too slow either just let them know. slow them down to let them know that entrance is there is that VDOTs responsibility? Or would we have to go back to the county?

**Snell:** You could ask for it in this special use permit that you'll ask them to put up signage. And whatever size you want, it would have to follow MUTCD, which is the manual Uniform Traffic Control Devices. Typically, we would not put up the signage like that unless it was a dangerous intersection occur. That's why you see our yellow signs, but you could request it during this stage that you would like the owner, so the burden would be on the owner to pay for the sign and put up the sign and we'd have to send it to traffic, it could still get turned down. But at least the owner would have to make the effort to try to get the signage up. And so as a condition, you may say, you want truck entering signs on the approval of VDOT.

**Dorrier:** Okay, thank you very much.

**Bickford:** Any other questions for Mr. Snell from Commissioners?

**Allen:** Yeah, back to that. To your entrance. Just talked about 30 feet wide, but 30 feet wide. What I'm looking on here now is over to your ditch. And then your actual road is 24 feet wide. That's in your commercial entrance. Once you get past your commercial insurance? How wide does the road have to stay if it's a quarter mile or whatever? It is, you still got to be 24 feet or 15 18 feet? What? What is it after gets past the commercial entrance?

**Snell:** Yeah, yeah, that is actually determined by the engineer or the designer for the homeowner, we have we asked them to do what we call turning movements for the vehicle as we call it, the design vehicle for this use. So as in this case, it is the tractor trailer, but it could be just a regular UPS delivery truck, but they would show on a map based on the road and you're right, the road could be 20 feet wide, it could be 18, it could be 40 feet, the narrower it is usually the wider their entrance needs to be to make up for the difference. But they have to show they can make the movement without crossing over the middle stripe down the road. So it's site specific for each entrance. So there is no it's always this width it's whatever their vehicle using How can it make it into that entrance without crossing over to oncoming traffic.

**Allen:** So what is smallest is it can be? I'm just trying to see what the lowest and biggest.

**Snell:** I'm sorry, can you repeat that?

**Allen:** What is smallest width that you would say that road could be?

**Snell:** For a commercial entrance there is a minimum width and it's typically 30 feet wide unless it's a low volume which this might be a low volume but you'd have to have less than 20% trucks to be low volume but a low volume entrance you can go down to 24 feet and it will also vary if it's one way like a McDonald's or a bank might have a one-way entrance can go down to 10 feet so there is some variation on what the minimum is but typically it's 30 feet wide. So it's not that we're not asking for much more than what is typical.

**Allen:** And y'all talking about speed limits I know some people don't know but I hadn't heard it but all gravel roads now speed limited at 35 miles an hour that something that I don't know if everyone has heard yet or not it was new to me.

**Bickford:** Any other questions for Mr. Snell. Mr. Beiler do you want to come forward? I'd like to ask you just make sure you're comfortable. You understand all of these conditions? Because we did add four to it.

**Beiler:** I think there's a little bit of confusion. Maybe a lot of confusion Okay. Your condition number five says the driveway should be 30 feet wide. I think what's his name Mr. Snell with me. I think he was taking that to be the entrance. But from what I understand condition five that's talking about my actual driveway. Am I correct? Somebody drew it up.

**Edmondston:** I wrote that.

**Beiler:** Well, what were you referring to?

**Edmondston:** So they last conversation while we were here last month, was talking about the width of the driveway because there was so much discussion. I've put 30 feet in because lots of numbers were thrown out, as I indicated to you, tonight's a night for a discussion with planning commission, because you're going to be asked if you agree with any and all of these conditions, permit Mr. Snell, with VDOT your permit for the driveway installation must be 30 feet wide. That's what he's saying is safe for your low volume construction. So tonight, based upon the conversation, we've heard about 15 feet, 18 foot, 22 feet, 10 foot everything that's come through this is where the Planning Commission and you working together and the planning commission ultimately deciding what's going to protect the integrity of the district and the safety of everyone on route 20 And those coming to and from your sawmill. This is where you'll discuss that driveway width.

**Beiler:** Yeah, excuse me. So where are you talking about? The entrance at 20?

**Edmondston:** The entrance is 30 feet because that is what's on your permit from VDOT I put in the driveway to be 30 feet wide. You can see where it says here and driveway width to sawmill should be at least 30 feet wide.

**Beiler:** The whole way?

**Edmondston:** If you don't agree with that, which is exactly what I said this where you have your conversation and y'all discuss.

**Beiler:** Well, yeah, I would like to respectfully disagree with that.

**Edmondston:** And that's what I told you to do tonight. So Planning Commission's here to address those concerns.

**Beiler:** So here we have what Mr. Edwards gave me. And it's very basic. So what he did, we walked out and looked at the entrance. And he didn't spend a lot of time with it. He said, this site is good. So he said he's going to give me a rough sketch. It really doesn't say much. But it basically said I need to have it 60 foot wide. At the very, you know, where are curves out. Just make sure it's 60 foot wide trucks and pull out level. No culverts, you know, just common sense. And he's he said he's fine with it. So once its 50 foot from route 20. That's I guess that's where you guys come in. Is that correct? You don't have anything to say about the entrance, right?

**Bickford:** Right. That's VDOT. What she's referring to Nicci's referring to the access road going on into the saw mill.

**Beiler:** Right. And that's where the 30-foot question comes up. We heard a lot about roads tonight. So I mean, what are your thoughts on a 30-foot expressway going to the sawmill?

**Bickford:** Well, my main concern is like I said before, just as long as you can get, you know if you have get emergency vehicle in if you have trucks if you happen to have something happen. So, you know, normally tractor trailers, even if it's going straight is 10 feet, So if you got a 20 foot road width, you're probably safe. You have two lanes.

**Beiler:** Yeah, and we talked about that at the presentation last month about emergency vehicles. If I have an emergency on my property, I want the emergency vehicles to come in the quickest way that spouse's lane. Does that make sense?

**Bickford:** That does make sense. But that's something we would probably have to ask Mr. Snell, if he's on. I would assume he could answer that for us. If you're asking for emergency vehicles, not to come into commercial entrance but to come into the private one.

**Beiler:** I mean; wouldn't that make sense if you're on the phone with 911 I got an emergency. But listen, make sure you take that long way around to get to get to my place so you can safely come in.

**Bickford:** Alright, we will talk to Mr. Snell, about that.

**Gooden:** If if it's an emergency vehicle, you still want that emergency vehicle to go in safely. Right?. And so taking risks, the risk would still be the same as can that emergency vehicle make the turn safely and get there so making a turn in an unsafe manner causing an accident is not helpful to the person who is waiting on the emergency vehicle. So you know, the better entrance if the emergency vehicle uses that better entrance, we live in a rural community. So, I know that seconds matter. I'm a nurse by profession, so I know what an emergency is. But you still want them to be able to access if care and get out quickly and safely.

**Allen:** What most time happens, everybody's got the address at the end of the driveway the number. And that's what number they'll have the emergency people will go by. So they don't

know which way to turn off. Or if they been in Buckingham all their life, they know where to go, but the new ones now would have to go by the address so that addresses into the commercial driveway, that's where they turn if they know where they're going, they might turn the other way.

**Gooden:** But if it's were talking sight distance and we're talking to an emergency vehicle, any emergency vehicle and my vehicle turning in would be different because I would expect lights on an emergency vehicle that would notify anybody in the area that something is going on, which would mean that they would slow anyway. So I think as far as an emergency vehicle turning, I don't see you know, what the what the concern is? And sir you refer to an A 30-foot expressway, and we're not talking about an expressway, we're talking about a driveway.

**Beiler:** Yeah, okay. 30 foot wide.

**Gooden:** I mean, yeah, 30 foot, but referring to it, an expressway sounds like people are going to be speeding down, or it's abnormally large. And that's not what we're addressing. We're addressing a driveway that your business can receive trucks and trucks can safely come out of, and people still be safe on route 20.

**Beiler:** Okay, yeah, but that doesn't really have anything to do with route 20. We're talking about the entrance, which that's going to be 60 foot wide for trucks to pull out on 20. Then you come in from the entrance. That's where the 30 foot comes in. What does that have to do with safety on route 20?

**Allen:** The 30 foot to me is from this picture is from one ditch to the other ditch? Near 24 foot is the driveway when you first start, but once get the truck turned straight again, cutting back to the size. You know, you probably want two trucks to pass each other. So to me, I would go back to the 20 foot.

**Beiler:** Yeah, I mean, that's my thought. 30 foot. We just need to clarify that. I mean,

**Allen:** Yeah, I mean that 30 foot is what the engineer has for your commercial entrance. And that comes all way to the ditch.

**Beiler:** But where are you coming? Where's vdot come by with the 30 foot?

**Allen:** Right here?

**Beiler:** He was talking about that.

**\*Inaudible\***

**Edmondston:** Condition 5 he wants the drive way 20 foot wide. That's what Mr. Beiler is asking.

**Beiler:** 20 foot in my opinion is extreme.

**Edmondston:** Well, maybe you're not asking 20 foot Mr. Beiler. I apologize. The driveway with the as stated that maybe we're asking it to be 20 feet wide. What are you asking for that driveway? The actual size of the driveway past the entrance?

**Beiler:** 50 foot were VDOT stops From there into my sawmill? I mean, is 12 or 15 feet is isn't that satisfactory?

**Dorrier:** From ditch to ditch, the ditch to center? or pavement?

**Beiler:** Rock.

**Dorrier:** Which is it? Is it? Is it from the center of the road to the ditch? How wide would that be?

**Beiler:** I don't quite follow.

**Dorrier:** The driveway the center of the driveway to the ditch? Would that be 15 feet?

**Beiler:** I was talking overall, like 12 or 15 from ditch to ditch 12 or 15 feet of gravel or rock.

**Dorrier:** Okay, surface area.

**Beiler:** Okay. Yeah. Wouldn't that'd be satisfactory?

**Crews:** I mean, I think if a tractor trailer can get down the driveway, emergency vehicle can get back there. I mean, I think 30 is definitely really excessive. I mean, if he if the trucks get in and out safe, I think the rest of its own him. I mean, if it's too narrow, that's on him. It's not hurting anybody else.

**Beiler:** And it's not like I'm inviting the public in. Yes, it's going to be a commercial operation. But I hire trucks to take out money. I work with loggers bring me logs. It's not like just anybody's going to be bringing in logs and if the, if he has problems, it's up to him if he doesn't want to come back again. And another thing we could do that along the driveway, we could make a few pull offs, you know.

**Allen:** That's the biggest thing is if one trucks coming in full ones coming out empty. You don't want to run over in somebody's driveway, whatever. I don't know what else is there. But what I'm saying is you just want them to have room to get by each other. That's all.

**Beiler:** Yeah, for a couple of trucks a week.

**Allen:** You know what you got. I mean,

**Beiler:** I'm just I'm just saying what I have. Another question, are you going to require an engineer drawing for that driveway? You know, after Vdots, done the driveway into my sawmill?

**Bickford:** I don't believe we normally require that the main draw and the main focus is on it entrance.

**Beiler:** And that would be a vdot.

**Bickford:** That would be Vdot.

**Snell:** Just so the owner knows how to make sure all the trucks use the commercial entrance. So I would recommend that he puts no trucks at his private entrance, if he keeps it. If you do not follow the permit, we would pull the permit and you would not be able to operate your business. So it's important that you follow the Vdot permit? Because we can pull it at any time if you're not within the limitations of that permit.

**Edmondston:** Mr. Snell, this is Nicci, could you repeat that last statement? I have a couple of commission members who are indicating they did not hear you.

**Snell:** I'm sorry, speaking too softly. Our permit is that all the trucks will use the commercial entrance. If he keeps the private entrance, I would recommend that he puts up no truck traffic on that entrance or no trucks. And it's his responsibility to make sure all the trucks use the commercial entrance. If we find that he is in violation of that we would revoke his permit and he would no longer be allowed to operate his business. That isn't to perpetuity as long as you have that the entrance and run a business, that you will keep that entrance up to the standards of the permit, and that you will use it for the purpose. So it's not something to take lightly for the main purpose that if you don't follow the permit, as agreed to, we would close your business down, which we don't want to do. But safety is a very important issue.

**Beiler:** And we did kind of discuss that about posting signs.

**Bickford:** Yeah, at spouses. What he's saying you don't want the trucks to go up that. And if they do, it could violate your permit. Vdot permit. So make sure you got some kind of, you know, or at least let the guys that you're buying from know when to come in that hey, you got to use my new entrance. You said you had a couple more questions.

**Beiler:** I mean, are we done with the driveway thing? Or is it just hanging? I mean,

**Dorrier:** I'd like to ask. So yes. I'd like to ask Mr. Snell what he would recommend far as the driveway, the surface of the driveway, maybe you could, you could comment on that and give us an idea.

**Snell:** Now you're talking about the where the trucks will leave and enter

**Dorrier:** On the main driveway into his into the sawmill.

**Allen:** After they pass a commercial entrance.

**Snell:** Yeah, I mean, that's something that we don't really get involved with. It's really up to the homeowner. Lumber trucks can travel fairly rough roads. I mean, it would be nice if it was stone, but that there's an expense to do all that. So there's a trade off from the owner what how well he wants his road maintained, and how much he wants to spend. And I can't really give you the correct answer for that every business owner will look at it differently. So that's really between the owner and the county what they think the surface should be.

**Allen:** Not only the surfaces but width of the road driveway, we're talking about after it passes a commercial entrance is 10 to 12 feet ok?

**Snell:** Yeah. It again, it will depend on how often he thinks he's going to have traffic. And if you think so have trucks only just coming in once or twice a day or do you think they're going to have a couple several every hour, but whether they need to pass each other or not. And that's really what your limiting factor would be on your width. I I You know, I don't know, the lumber industry enough to tell you what a good width is for a lumber truck. I would trust the industry itself to help the owner to tell him what the width should be like. It's kind of outside my expertise for what size A road for lumber truck should be. I mean, on the expressway, we use 12 feet as a minimum lane width.

**Beiler:** Yeah, I'd like to comment on that. So if if our main roads have like 11 12 feet, why wouldn't that be satisfactory? For a driveway?

**Bickford:** I'm fine with as long as you put, I would say go for 14 or 15 feet width, and then, as Mr. Allen suggested, do put a couple pull off just in case you do have to have a trucks come on same time.

**Beiler:** Yeah that would be fine.

**Bickford:** If you have an emergency, If would assume that he would stop everybody from going in and or at least go on out if you could. until that emergency vehicle gets in anyway.

**Beiler:** So they have lights and sirens.

**Bickford:** Are you fine with 15 with pull off a couple pull offs?

**Beiler:** Yeah, I could work with that.



**Bickford:** Any other? That was your main question.

**Beiler:** Yeah. That was the main thing we need clarify, needed clarify. clarification on. And I think we got some answers on that. Now, number four, I had some questions as well. The hours of operation says would be 7am to 4pm. Monday through Friday. Is that a condition that has to be very closely followed?

**Bickford:** Well, if we put it in here, yes. What do you want?

**Beiler:** All I want is the flexibility of it, let's say I have an emergency order somebody barn burns down or something. And I'm cutting to meet a deadline, you know, pressed for time. And I don't need to stop at 4pm. They need the lumber in the morning. would I be in violation if I would work after four o'clock is my question?

**Bickford:** Is that something? Are you are you asking to change the time? Or the dates? Or both?

**Beiler:** Yes, in a sense. I mean, could Saturday be included? Sunday We're not we're not going to talk about working on Sunday. But yeah. Could Saturday be included?

**Bickford:** Yeah, absolutely. That's why I'm asking you. What do you need? We're not trying to restrict you so much. We got to put something in here.

**Beiler:** Yeah, I mean, I'd be fine with normal hours of operation would be, which would leave me a little bit of flexibility. This hours of operation would or should kind of ties me down.

**Gooden:** Mr. Chairman.

**Bickford:** Yes, ma'am.

**Gooden:** Weren't those? I just have a question for Nicci weren't those hours and times put in based on his comment?

**Edmondston:** His comments last month after the introduction was that he starts at seven o'clock. He works about six hours, but he takes a break in the morning. And then in the afternoon, I counted for those and extended to 4pm. Because six hours would have been about one o'clock. So to account for a couple of hours a break. I went a little bit further to 4pm. Y'all talked about Monday through Friday, you asked him specifically about Saturdays, and he said no Saturdays, but if that is changed, and operation needs to be something different.

**Gooden:** And that's what I thought was in the minutes. That's why I was asking because I am working with this iPad. I'm trying to find it. And there again, that's what we put it based on what you had said.

**Beiler:** My normal hours of operation, Yes. And I'm not asking for every week I want to work from crack of dawn until 10 o'clock at night, six days a week. That's not what I'm asking. I'm just asking if there's any flexibility on that seven to four Monday through Friday. In other words, if I'm working okay, it's five minutes after 4am am I in violation? Is my question.

**Edmondston:** If your permit is issued for a specific time on a specific date, yes, you would be in violation. We do not come constantly to monitor that. But eventually we would receive a call I'm guessing from a neighbor. That's typically how we find out or from someone a concerned citizen. But your condition this permit is specific that's why the conditions are imposed the way that they are. We've been very fortunate. The citizens of the county who've asked for special use permits have operated on a very high code of ethics. And we have not had an issue. This is your chance to have that conversation with the planning commission to ensure that the operating hours that you want are included in this permit. But the expectation is that the whatever is decided and discussed that those are your hours of operation. If you find that those hours of operation do not meet your quota, then you would be asked to file a new special use permit application to amend or adjust your current application.

**Beiler:** Yeah, well, if that's the case. Yeah, I guess I can't really agree to that condition. It's going to, it's going to bind me. It's going to tie me up too much. I mean,

**Allen:** What do you want to see?

**Bickford:** 7Am to 6PM?

**Beiler:** That would be safer. That's going to be my normal. Sure. My normal hours of operation? Yes. seven to four. I'm fine with that but just like I asked, it will just....

**Bickford:** What Nikki was trying to say was just asked for a little bit. This is your time to ask for more. It doesn't mean you have to work that long just means that you got the ability.

**Beiler:** The flexibility of yeah, exactly.

**Bickford:** So how about seven to six, Monday through Saturday?

**Beiler:** That would be a lot safer.

**Bickford:** Okay. You got that Nicci?

**Edmondston:** Yes, sir.

**Allen:** You going to work the whole day Saturday or just half a day?

**Beiler:** I probably won't work Saturday. But you know, what, if I want to, you know,

**Allen:** I just want to ask; we just want to have it in writing. You don't have to work it.

**Bickford:** And you said you had another? Two more I think you said.

**Beiler:** I think those were the main ones. Maybe we should go back to the driveway a little bit. As far as the sawmill is concerned? I think we're done with that. But excuse me, if I'm jumping ahead a little bit. But then there's the school thing that's proposed for tonight, if I understand correctly, that's proposed as the new driveway would be going to the school.

**Allen:** They are going to use the same driveway, yes.

**Beiler:** And Mr. Smucker is not here. Tonight, I had a death in the family. And Johnathan King is going to represent him. But I just wanted to bring up a few things. There's some concern that the new driveway, if and when that new driveway is going to go in. You understand what I'm saying? In other words, they'd like to get their school up and have it running by all this, whatever. What if the new drive was not there? One of the questions that was going to come up tonight,

**Bickford:** Yeah, that would be, what I would suggest is put that on hold right now. Because that's the next case. And you'll be taken Mr. Smuckers place. Let's finish you first. Okay. And then then we'll do that.

**Beiler:** Well, what I wanted to clarify, with that driveway, is, at this point, I'm not in a big rush to go put that new driveway, I want to focus on cutting my own timber, we understand the conditions, I would have two years, if I get issued a special use permit to put that into action. That makes sense. So like I said, I'm not going to be too much in a hurry, I've got my own timber to cut. And, you know, maybe I'll just kind of pick away at the driveway, maybe cut some trees and you know, put a little gravel down and kind of take my time on it, which puts the school in a bind, because they were proposing to use that new driveway by the end of August And what I'm saying is, it's not going to happen by the end of August. That's the only reason I'm bringing that up.

**Bickford:** Right. And I appreciate that. But we're getting the two applications mixed and crossed and you don't want to do that. We understand that, but I do appreciate you telling us but that will be addressed. Will we do that after the public comment.

**Beiler:** Yeah, I understand that. So yeah, excuse me if I speak out of turn, but I just felt while we're talking about that entrance, or that driveway, and it's going to be my driveway maybe should be talking about it. If you have any further questions on that, when while you're on their case, I mean, I could try to answer

**Bickford:** Any other questions for the applicant here? Mr. Beiler you may sit down sir or do you have something else?

**Beiler:** Okay. So basically, in a nutshell, you're not going to require any engineer drawings for the driveway. After it's....

**Bickford:** After Vdot.

**Beiler:** Okay and wouldn't be any restrictions other than the width.

**Bickford:** If this moves through us it will be a condition or at least a request that you have to have the letter before the Board of Supervisors meeting so they can verify that letter.

**Beiler:** Letter for the building?

**Bickford:** Yeah.

**Beiler:** Another question, I don't know if this is in your department or not, as far as constructing the driveway. I was told there would be some restrictions to that. In other words, I wouldn't be able to do it myself. I have a dozer. I mean, do you see any problems?

**Bickford:** Not as far as the driveway itself. We've already specified the width on that and you've agreed to now the entrance, you'll have to have to work with.

**Beiler:** Vdot for that.

**Bickford:** Correct.

**Edmondston:** When he's installing the driveway, if it's over a half an acre, it would require an erosion and sediment control permit. And that does require responsible land disturber. And there and their permit number for that it stays under one acre. It avoids DEQ review, or doesn't necessitate a DEQ plan,

**Bickford:** Don't know what being the width of that road and distance. What did you say a half acre? Not sure if you're going to even have that.

**Edmondston:** I don't know what it is. I'm just saying that if it does constitute that amount.

**Beiler:** Your saying under a half an acer is fine.

**Bickford:** of surface area.

**Edmondston:** It wouldn't require an ENS permit.

**Bickford:** Being that part of the main part the road is already existing should assume as grandfathered in. Correct. It's already there, spouse's lane.

**Edmondston:** For spouse's lane or for route 20.

**Bickford:** Oh, no, no.

**Edmondston:** He supposed to tie in past Sprouses Lane according to what's everyone's conversation was last month, all the way into his personal driveway.

**Bickford:** Yeah he's got to go around the lot.

**Beiler:** Im going around and tying back in to Spouses lane.

**Bickford:** What I'm saying is he ties in in with the existing road, it goes to the sawmill which is already all there hes just going improve it a little bit.

**Edmondston:** If it's under half an acre, that won't require

Bickford: Probably not going to have any problem. Just be aware of that.

**Beiler:** Anything else I should be aware of?

**Bickford:** Not anything that I know of. Think we've discussed all of it.

**Beiler** Do you have any more questions?

**Edmondston:** Mr. Beiler. The only other thing that I have is that you brought up the name of Smuckers not here tonight. And the John King is here. In the application packet it does state that if you're going to appoint a special power of attorney to discuss your case, it has to be notarized and filled out it was not notarized. So you are as the landowner still have the ability to present the case for the school house. You'll be here again. Yes, sir.

**Bickford:** You'll be back up here shortly.

**Beiler:** All right. Thank you ladies and gentlemen.

**Bickford:** It falls on us Commission What would you like to do? He's agreed to the conditions with some minor changes.

**Allen:** And guess we change. Number four from seven o'clock to six o'clock. And add Saturday.

**Bickford:** The driveway is now not 30 feet but 15. But requiring some pull offs. And think that was really the only two changes. .

**Allen:** Think that was all.

**Bickford:** And the requirement to have the letter from the engineer.

**Allen:** Do we need to put that in?

**Edmondston:** I put that for 15<sup>th</sup> condition. Yes, sir

**Allen:** All right. So I'll make , well, you want to close the public hearing.

**Bickford:** It's already closed.

**Allen:** I'm sorry. I'll make a motion that we move it on to the Board of Supervisors with approval. And to change number condition four from six to seven and add Saturday. Condition five, changing from 30 to 15 feet on the driveway with pull offs wherever needed. And number 15 You put on.

**Edmondston:** Your certification letter of certification.

**Allen:** Number 15.

**Edmondston:** The only other change that will make is that signage, no truck traffic at the private Sprouses Lane.

**Bickford:** Which we talked about.

**Allen:** So then he would need a no truck on that road and a main entrance into this road he would have to put up two signs.

**Shumaker:** Number six, Steve Snell said that the owner would be responsible for applying for signage for v dot but it would not necessarily be approved does that change our language and number six?

**Edmondston:** May want to think about if it's not approved by vdot we do have in an A one signage is permitted if it's of course out of the right of way that it's eight-foot-tall, eight-foot-wide yet an eight by eight, permitted by right signage in any one.

**Allen:** That's the biggest?

**Edmondston:** That's the biggest it's not illuminated.

**Shumaker:** And that would be on his property. Because I think our intention with number six was to give traffic on 20 notification of a commercial entry so on the land would be too late at that point.

**Allen:** Yeah I see the same thing; you would need a sign out there earlier.

**Shumaker:** If you're coming from 20 South approaching Dillwyn by the time you get to Darby town you would need a sign before there.

**Edmondston:** That may be a question for Mr. Snell, to ensure that design standards are met when it's implemented. I don't know what that signage,

**Bickford:** I would assume that they could provide him some information on acceptable signs.

**Shumaker:** Right. I guess my question is, if it's not approved, this condition would be dissolved. Would is that right?

**Edmondston:** Once we receive a report back from vdot that they didn't adopt the signage.

**Bickford:** Any clarification on that?

**Edmondston:** Mr. Snell, are you available?

**Snell:** Yes.

**Edmondston:** The question before you now, we have a condition the Planning Commission has a condition regarding signage. And you had stated that it would be on the owner to design a sign and submit that sign to beat out for acceptance. Will you be working with Mr. Beiler to ensure it meets the design standards for signage? It would be the hopes of the planning commission this evening. That this would be something that would be recognized and approved by vdot.

**Snell:** Yes, look like there's a there's a manual, he wouldn't actually design the sign it would be. It's in MUTCD, which is the federal government's standard for traffic signal signs. So he would have to pick one that matches the use in there. Then, at least in terms of being on the public road, though, the limitation would be traffic would look at it and they wouldn't want if there's already a lot of signs out there. They don't want to make it cluttered with too many signs. If there aren't many, they would be fine with it. But if there's already a lot of signs, they would go out there and look at it and see if it's practical to install it. He may be responsible for the cost.. That's what I'm talking about in terms of getting someone to go out there and put it up. But the sign will be dictated by me MUTCD standard.

**Edmondston:** Is that something that you could review, Mr. Beiler could review now so that he would know.

**Snell:** He could look it up and see who would install the signs?

**Edmondston:** He could come by the office. I'm happy to help him Miss McManus I hear your comments. I'm sorry, Mr. Snell.

**Snell:** Yeah, I mean, in terms of he could we I don't know the cost of put up a sign because I don't put them up. We do have a sign shop. That put signs up all the time. Maybe the chance that the sign shop would put it up and are busy, but typically, it would just be a permit. And he would pay to have it put up that's sort of like the same way subdivisions put up street signs.

**Allen:** So that would be on the state property instead of his property.

**Snell:** Yeah. If it's like a trucks entering sign, it would be on within the right away. But not for the private entrance where you have no no truck traffic that would be on his property. He could pick any sign he wants from for that. As long as it conveys a message because it would be out outside the right away.

**Bickford:** Any other? Still waiting for a second.

**Allen:** Yeah. All right. So motion been made anyone want to second.

**Crews:** Second.

**Supervisor Allen moved, Commissioner Crews seconded, and was unanimously carried by the Commission to move 22-SUP300 on to the Board of Supervisors with changes.**

**Bickford:** I have a second any further discussion? Think we got everything covered? All right, all in favor Raise your right hand all opposed at the same time. Passes we move forward to the Board of Supervisor, sir. All right. That brings us to school.

**Edmondston:** Yes, sir. This case 22 SUP 301. Landowners Aaron Beiler and the applicant is Amos Smucker. This is located at 257 Sprouses lane and Dillwyn and the applicant does wish to obtain a special use permit for the purpose of operating a private school a one room schoolhouse. Of course, this is the same property that we discussed in case 22 sup 300. Tax map 124 parcel 12. zoning ordinance does not permit a private school as a permitted by right use in an A one district. However, within this a one district a private school may be permitted by the Buckingham County Board of Supervisors by special use permit following recommendation by the Planning Commission. In accordance with this ordinance and the Code of Virginia. Mr. smacker, of course, has submitted his special use permit application for review. The conditions before you this evening are 11. There were other areas that were discussed last month with the introduction. But there was no movement to move that forward to conditions because there were other vdot questions to be addressed. Some of the things that were discussed were the students to be transported to and from the schoolhouse by a passenger van or car and no truck traffic to utilize commercial entrance from 8am to 830 or 3pm to 330 due to school traffic and that would it was the thinking that those times would coincide with drop off and pickup of the children to ensure their safety.



**Bickford:** Any commissioners have questions before I do the public hearing to the African to decide. Yeah, the

**Allen:** Biggest thing we will have to figure out is will the school be able to operate without the new driveway

**Bickford:** Well, that would be answered by the highway representative but what I wanted to do is go ahead and get to public hearing first and then we'll go right into that. All right. I'm going to ask to go ahead with public hearing open that

**Edmondston:** We do have two individuals signed up Teresa McManus will be first and Ivan Petersheim will be second

**Teresa McManus:** Have you ever been to Mr. Beliers farm and have you ever seen how big his driveway was? Do you know that his driveway used to be a business driveway for the speedway? They had trucks and trailers coming in with their mopeds and everything else that they did there. You remember that? I mean you do. He has vans come down to pick them up. They are the Amish. They don't drive too Farmville they have someone pick them up. They have vans and cars. I've helped them out. They're my friends. They want to put a school in. Do you blame them? Have you been to our school lately? Any of them? The girls are half naked. You know? I see it all the time. I'm appalled, this man again, trying to pursue happiness with his family. He wants to educate his kids in a good Godly manner. And we're going to legislate him to death. Let's put permits on him and permits on permits on him. Why in God's name does he have to use a business driveway? his driveway is fine. I come in and out it. The people who pick him up come in and out of it. Everyone comes in and UPS man we're going to now make him and FedEx go down the other way. Where does it end? Where does it end? Why can't we have people have businesses or schools and educate their children properly? Where does it end? Think about it.

**Edmondston:** Ivan Petersheim

**Ivan Petersheim:** Good evening Planning Commission I don't know what I'm going to talk tonight, but I put my name under the school hearing here I am I guess I'll comment about well, where time is of the essence for the new driveway. And to use the old driveway would be practical as Teresa said, the motor sports track. A lot of people in and out with that driveway all grandfathered in same thing, but one room schoolhouses, I grew up in a one room schoolhouse, which this would be 30 scholars average 25 30. And notice where vdot said they can't restrict the business. How Mr. Snell said it is for they can't restrict the business in it in a driveway. The correct me if I'm wrong on that. I know. Wherever school is, it might not be in the category of business, but have the discussion on that.

**Bickford:** That everyone Nicci? All right. I'll close the public hearing. And turn it back over to the commissioners. I think the first thing Danny said and now we'll talk to the highway representative.

**Allen:** Yeah. If you can answer the question about the school, will the school be able to start without the new road put in?

**Snell:** No, the school needs the second entrance, whether they put it in or the logging industry puts it in. Because there is not adequate sight distance at the current entrance. The purpose of the sight distance is if someone's driving down the highway at the speed limit with 55 I believe there would at the speed limit, they have time to react hit the brakes and stop before they get to the point where that road is. And right now they're short about 40 or 50 feet, which means they would travel through the bus about 50 feet. If the bus pulled out and they didn't they did not swerve which most people don't swerve it would be even worse if someone was driving above the speed limit. So we cannot allow the existing entrance to be used for any type of use that involves people other than people that live on the road.

**Bickford:** Mr. Snell they have their children going to be transported by van. Does that change anything they will not be coming in on buggies?

**Snell:** It doesn't just because the risk. It's the assumption people make when they go to businesses that they have the safe entrance that meets the standard that we try to meet throughout the county. Course existing businesses don't meet that because they're in a different era. But any new businesses have to meet the current safety standards that's expected from all users. So whether it's a van or it's even individuals dropping people off in their own cars, the fact that you have a public use per se it's people other than the people that actually live there that we need that safe stuff sight distance down the road. Another thing is as time goes, you always get new people using this intersection to be new to the school new to the area. And for them they don't know Oh, this is a dangerous intersection. So I have to go extremely quickly. Now we don't really want to create those situations if we can avoid them in this case, we do not want to create that all especially for a school

**Bickford:** Okay, one other quick question I think I know the answer but I'm asking anyway. They want to start school at the end of August if the access entrance has not been developed at that point. If they opted to put when the children came to in the morning, and in the evening, they actually paid flagman. Would that suffice for the highway department?

**Snell:** Say that again, please.

**Bickford:** I'm sorry, sir.

**Edmondston:** Repeat that part where you're asking about the permit for daily flagging, I guess two permits a day morning,

**Bickford:** If the commercial entrance wasn't finished. And they wanted to use the existing Spouses Lane entrance in if they opted to pay flagman in the morning, when one or two vans came in. And in the evening, when they left. Would that suffice for the highway department?

**Snell:** Um, you know, we haven't done that. Even though we do allow that for temporary entrances. That you can flag do a flag operation, or have police, I would have to bring that up the chain to see we would allow it would definitely be limited to the duration. As I said, it's usually that's a temporary entrance condition that using during construction that we allow that. So it's kind of going outside the norm. So I can't give you an answer right now, I would say most likely, we would not allow it. Because it's kind of a slippery slope with you allow one you allow everyone to use flagmen. But if you submitted, I can talk to a traffic engineer, it may be more likely that they would prefer a police officer there like you see on some churches, where they have the lights going. But I could discuss it. But I can't give any guarantees at this moment.

**Bickford:** How long would you need to find out the answer for that?

**Snell:** I think it would take about two to three weeks to for everyone to get together and talk that out. Make sure we've gone as high up as we need to go for that.

**Bickford:** Okay. Thank you, sir. Any other?

**Allen:** Yeah, I got, I got one more question you say this is for public use. If you look it up on this request, its the operation of a private school? With private school would that make a difference on the driveway?

**Snell:** No, all public uses means is that you're inviting people that do not live on your property to come to your property. It's, we call it the public you some people call it commercial use, but that confuses people. It's really what we call a commercial use. The public uses a layman's term, just to understand that you are inviting other people other than just the people that live on that street. You're inviting people that either belong to a larger community or to a church group or are paying to go there. So that that's when it becomes public access.

**Bickford:** Any other questions for Mr. Snell. Mr. Beiler, do you want to come forward? And we'll talk a little bit

**Beiler:** Yeah im back.

**Bickford:** You heard the answer that from Mr. Snell. I assume you would like him to proceed to find out if my question about flag man. I don't want him to go to the trouble if y'all if you weren't willing to do that. If commercial entrance wasn't completed in time

**Beiler:** Yeah, I'm just guessing the flagman thing wouldn't be an option. You know, on our end I guess I can't speak for everybody. But I do. I do have some questions. There was mentioned about school buses. There won't be any. Did you clarify that with him? There won't be any school buses. And the way it is now we're transporting our students to and from school now with vans. So what would be the difference just reversing that they're coming to school and leaving school versus they're leaving our homes now and going to school and coming back home with the vans not traffic, the amount of traffic's not going to change

**Bickford:** You're asking me a question that VDOT representative needs, you need to ask him.

**Beiler:** Is he on?

**Snell:** Yes. So the mode of transportation does not matter. You could say, I don't have a bus. And I don't have a van and everybody's driving their own car. It's still a commercial entrance that people are using, that they don't want to assume a risk that maybe you're willing to take. They want a safe entrance. And I mean, that's our duty to provide that for them. So whether it's a bus or private car or a van or even a horse and buggy, the answer would be the same.

**Beiler:** Another point I'd like to bring out, we have church services at our homes. And we look at the schools as part of our church. So every time we have church services on Sprouses lane, are we in violation?

**Edmondston:** Churches are permitted in a one. I think the purpose of or part to address Mr. Beiler's question is tonight the application for a private school house falls under special use permit it is not a by right activity when a special use permit application is received. That is where the Planning Commission and the Board of Supervisors is tasked to maintain the integrity of this district and the safety of all citizens and anyone who may visit that particular area that was applied for something outside of a buy right use. That is why the driveway entrance is heavily reviewed. This is not something that's by right the Church activity is by right and an A one, you have made your application for a private school, Mr. Beiler.

**Beiler:** So you wouldn't be able to look at that as part of our church.

**Edmondston:** Your application states that as a private school, it is for a certain period of time, it does not indicate that as part of your worship services.

**Beiler:** Basically, what it comes down to is, in order for any SUP gets issued, it's got to have a VDOT approved entrance.

**Edmondston:** The traffic impact determination is a part of every application whether it's special use permit or a zoning map amendment, which is a request to rezone a property.

**Beiler:** So is there any differences for a commercial entrance at a private school?

**Edmondston:** As you heard the definition tonight from vdot Mr. Snell the definition for commercial or public use is when there's anyone invited other than those that reside at the particular address. So whether you're utilizing it for a private school, you're operating a sawmill, or you have a storefront, you're inviting people to that particular or the area is open for someone or anyone who note who does not reside at that area. Mr. Snell, you may want to address the public and commercial once again this evening.

**Snell:** Yeah, so commercial entrance is required anytime you have what you would call a business so, it whether it's industrial or commercial or institutional, so this is an institutional business. So, it needs a commercial entrance. That's the actual vdot definition.

**Beiler:** There wouldn't be any difference. School or whatever it is, it's all it's all the same.

**Bickford:** Right, that's what he's saying.

**Beiler:** Would Mr. Snell have any other suggestions? If we want to try to move forward with that school on that property, other than, there's no other option except the flag man and the new, possible entrance?

**Bickford:** Well, they did mention that you could see if you could work with a county to have a police officer in the morning with lights on and a police officer in the evening when the children leave. That was another option. I don't know. I guess you'd have to talk to the sheriff's department in regards to that, and see what they're, I'm not privy to that. I don't know what to tell you. But you could question and see if what they would do and what kind of cost it would be.

**Snell:** Yeah, without an approved commercial entrance. You really could not use that property for any type of business. Typically, schools will get a temporary building, whether it's a church or A home or something that has a good entrance and just use that until they meet the requirements at the desired location. That doesn't help you a lot. But that's what a lot of small schools do. They'll have a temporary location for a year or two, and then move into their new building when it's built up to the current specifications.

**Beiler:** I'd like to mention one other thing. We had been working with Mr. Edwards on this. And they're always kind of been the question about, you know, if we're going to do that new entrance, and that's the question we had for Mr. Edwards. I did and Mr. Smucker did as well. And what we gathered from him was that we'd be fine to use Sprouses lane. So that's kind of why it's progressed to here. Because we didn't think we're going to have any concerns with using Sprouse lane. Yes, we had the new entrance, you know, possibly coming in. And you know, we'll use that as a last resort. So when Mr. Smucker went to Mr. Edwards for a signature on that, that Nicci needs for her, you know, her application. Mr. Edwards wasn't willing to, to do that.

**Bickford:** Well, all I can tell you is the decision has been made by the highway department that both in the packages we got that they recommend the schoolhouse not be built, unless the commercial not allowed to be open unless a commercial entrance is built. So I can't address what would you and Mr. Edwards talked about because I wasn't there

**Beiler:** Just kind of explaining that right.

**Bickford:** I understand that but this is this is what we are being told, and they have the control of it, or authority?

**Edmondston:** Well, we do have the traffic impact determination from the October 6 from v dot. And the addendum states a commercial operation of any kind, inviting the public to use this inference is not allowable. So I mean, we we've had an impact determination since October 6, about the sawmill and this states that anything else would not be allowed.

**Beiler:** What was the date on that?

**Edmondston:** October 6,

**Beiler:** And it was after that date that we had been working with Mr. Edwards on that.

**Edmondston:** Mr. Snell, would you like to address the comments by Mr. Beiler this evening.

**Snell:** Yes, I did talk to Mr. Edwards. Earlier today about this, the school and the sawmill. And he stated to me that he's always told the owners that they needed a commercial entrance. He's typically very straightforward, man. So the only thing I could imagine there was miscommunication. Because as far as I can tell from talking to him. There was never a doubt about meeting the commercial entrance.

**Bickford:** We can only make a decision on information we've given and how a department said you have to use a commercial entrance.

**Beiler:** Yeah, okay. All right. Well, I'm not in position to, you know, say what we want to do, as far as that. But there was another question number four. You're requiring a commercial solid waste container. That that would have to be on site at the at the proposed new school? Is that what it's referring to?

**Bickford:** That's usually the way it's done. Yes.

**Edmondston:** And this condition is standard for every special use permit.

**Bickford:** Its just for trash they will pick it up once a week.

**Beiler:** Has that changed? Or? I'm not aware of that our other schools use that. I mean,

**Edmondston:** they should be adhering to that condition. You can further have conversation with Lynn Hill. He's the director of solid waste here at the county.

**Beiler:** So that would be a requirement that...?

**Edmondston:** For all of this special use permit? Yes, sir.

**Beiler:** It wouldn't be ok to just use the local liquid dump, like out there at Dillwyn we would have to...

**Bickford:** You would have to have it. Well, you'd have to talk to Mr. Hill, he would be able to tell you, I guess it would be his decision is based on how much debris, trash that you would generate.

**Edmondston:** On the solid waste ordinance. It does state that any business that operates at the site of waste, and that would require you to have your own dumpster.

**Bickford:** You can talk to him. And he might be able to shed some light on that part.

**Beiler:** Would it be appropriate for me to turn around and ask my friends if they have any questions? Being I'm not really sure. Yeah.

**Bickford:** Being that Mr. Smucker is not here and understand having a loss in the family. You've got some information that you weren't expecting that you have to use a commercial entrance. We don't have to make a decision tonight. And we can table this until next month, give you a chance, hopefully Mr. Smucker be here up on time to talk and come up with questions and direction you might want to go. Does that make sense to you?

**Beiler:** Yeah. But I guess what it really boils down to if you can't, If VDOT can't allow us to use Sprouses lane. You know, we're probably done, you know, for that site?

**Bickford:** Well, I'll tell you, that's an even a better reason to table this. And if that is the decision you make just let Nicci know. And you'd just what you'd withdrawal the application. Mr. Smucker would withdrawal the application.

**Beiler:** I wouldn't have to make that decision right now.

**Bickford:** No, that why I've given you this. I want to give you an opportunity to have more leeway, to make decisions.

**Beiler:** Okay. Another question. If we as the school, we use an alternative site. I mean, just to refresh my memory, how long is the process to you know, go to go through an SUP?

**Edmondston:** Approximately four months. I will need an application to be on the April agenda by Friday, April 1. That's the deadline for April agenda. It'll be in four days.

**Beiler:** All right. Well, at this point, all I can say is we'll have to table. I can't say were going to have that new driveway in you know, I know. I'd say want to table.

**Bickford:** Very good sir. If you make a decision with withdrawing the application, just let Nicci know.

**Edmondston:** I think Mr. Snell is going to ask the question about the flaggers. Twice a day. He was going to ask, if a permit application is made, he was

**Bickford:** well, I would like just in case him to go proceed on that. But if you make a decision, as soon as you all make a decision if you decide not to do the school there and withdraw let Nicci know so Mr. Snell won't be doing the work that he did, you know, get to try to get the answer from other people. If you don't mind, appreciate it.

**Beiler:** Anything else?

**Bickford:** No. Nicci I see we have no new business.

**Edmondston:** Not this month. No, sir.

**Bickford:** Okay, brings us to your correspondence and reports.

**Edmondston:** Building Permits are included for your information. And I don't have anything further a zoning administrator this evening.

**Bickford:** That brings us to our commission matters. Before we do the voting on a new chairman or vice chair, do any others have anything that you want to speak on other than that? Any of the commissioners got anything. Nicci do you want me to let you handle that? So like the process we started from at beginning?

**Edmondston:** Sure. So this evening, I'll take over and handle nominations from the floor for the office of Chairman currently, Mr. Bickford is our Vice Chair, I will add to this. This meeting once again that we do so much appreciate the steadfast service from Mr. Pat Bowe, who passed away about a month ago. And we do miss his leadership and guidance. I know he served many years on the planning commission. So making this change is no small feat, but I know that he'd be happy for business to continue, so to speak. So at this time, do we want to do Chairman first or vice chairman first?

**Bickford:** Go ahead and do the chairman.

**Edmondston:** So at this time, we would take nominations from the floor for the position of chairman.

**Allen:** Id like to nominate John Bickford for chairman.

**Gooden:** Second.

**Edmondston:** Discussion? Show of hands for the vote John Bickford for Chairman. Unanimous. Well, Chairman Bickford I will turn this over to you.



**Supervisor Allen moved, Commissioner Gooden seconded, and was unanimously carried by the Commission to nominate John Bickford as Chairman for 2022**

**Bickford:** Thank you. Alright, so now, next order of business is Vice chair. Do we have a nomination committee for Vice Chair?

**Shumaker:** I'd like to nominate Mr. Steve Dorrier.

**Allen:** Second.

**Bickford:** Any other nominations All in favor Raise your right hand for Mr. Dorrier for Vice Chair. Thank you. All right. If we have no other business for commissioners, do I have a motion to adjourn?

**Commissioner Shumaker moved, Supervisor Allen seconded, and was unanimously carried by the Commission to nominate Steve Dorrier as Vice Chairman for 2022.**

**Allen:** So move.

**Gooden:** Second.

**Bickford:** Okay, we got all in favor raise your right hand. Passes unanimously.

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

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

ATTEST:

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Nicci Edmondston  
Zoning Administrator

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John Bickford  
Chairman