

**Buckingham County
Planning Commission
April 24, 2023**

At a meeting of the Buckingham County Planning Commission held on Monday April 24, 2023 at 6:00 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;; Joyce Gooden, Steve Dorrier, Pete Kapuscinski, Ashley Shumaker, Stephen Taylor and Board of Supervisor Danny Allen. Also present were Nicci Edmondston, Zoning Administrator, and E.M. Wright, Jr., County Attorney.

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

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

Bickford: Pete is out of state but he is on the phone would like to participate? I do need a motion for him to join us by telephone.

Dorrier: I'll make a motion that he participate.

Crews: Second.

Bickford: Okay. Have a motion a second. All in favor? Raise your right hand. All right, Pete, you are in the meeting and that gives us a full quorum. Nicci, is there any changes to the agenda?

Commissioner Dorrier moved, Commissioner Crews seconded and was unanimously carried by the Commission to allow Commissioner Kapuscinski to join virtually.

Edmondston: Chairman, Bickford there are no changes at this time.

Bickford: Okay, so proceeding on do I have a motion to approve as presented?

Shumaker: So moved.

Gooden: Second.

Bickford: All in favor, raise your right hand. And that agenda is approved. That brings us to the approval of minutes. We have the march 27 2023 regular meeting minutes. Do I have a motion to approve or someone found a mistake or anything?

Commissioner Shumaker moved, Commissioner Gooden seconded and was unanimously carried by the Commission to approve the agenda.

Allen: So moved.

Shumaker: Second.

Bickford: Motion and second to approve as presented. All in favor? Raise your right hand. Minutes pass. That brings us to public comment. Do we have people signed up?

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

Edmondston: Yes, we do. Mr. Chairman. The first person signed up this evening is Michael Morris. And he will be followed by Annabelle Bryant.

Bickford: Okay, thank you. Mr. Morris please come to the podium state your full name address. You have three minutes. Thank you

Michael Morris: Full name Michael Morris Address is Appomattox but i live in Buckingham County live near holiday lake 465 Morris Forest Lane. And good evening, everyone. My name is Mike Morris. I'm a lifelong resident of Buckingham County. I've worked at the Kyanite mine for 19 years. So Kyanite mining proactively pursues mining excellence, and environmental stewardship every single day that we operate. Consequently, our mine has earned several state and federal reclamation awards that are recognized across the state as models for environmental stewardship and efficiency. So I attended a work session, I guess it was the 19th. It's a little unclear to me exactly what proposals the board and committees are seriously considering. However, it seems logical that all considerations should not only look to Kyanite Mining's exemplary past performance, but also to future logic and efficiency in all mining operations. One thing that bothered me just a little last Wednesday was that it seems that there is an idea to ban extraction of yet undiscovered resources as they are uncovered in an existing man. For example, if an existing man on earth and unexpected resource in the future that can be used, for instance, in a computer chip or in a battery or in some unforeseen invention, that will promote environmental excellence in the world, it would be illogical to make rules now. That would impede those efforts. Consider if you will for a second a medical comparison just for an example. If your heart surgeon has your chest opened up for a procedure, much like our mind is already opened. And the surgeons goal is to repair a hole in your heart that he knows is there he knows that exist? Does it make sense that he would ignore a second hole that he discovers while he's performing that same surgery while you're open? Why would anyone deliberately deny the need or impede a common sense heart repair when the second unexpected issue is found? The same logic should apply to future mining activity as well, especially when the activities are to be performed by a proven responsible community partner like Kyanite Mining Corporation, because in fact, logical extraction of an undiscovered resource could ultimately prevent some other new mine from unnecessarily being opened. And summary and I believe this with my heart Kyanite

mining corporation is a good neighbor because we strive every day to be a good neighbor. Please consider our past our future and very carefully consider all decisions that could impede logical mining activities in the future. So thank you.

Edmondston: Annabelle Bryant, followed by Harris Lender.

Annabelle Bryant: My name is Annabelle Bryant. I'm 14 years old. And I'm speaking for Marci. I've been playing softball since I was four years old and it's always been a little bit political as a coach's kid always got to good positions, and extra help with the sport. So with Marci she does not care who your parents are, she does not care who you are. She's here to be a good coach and to help you become a good softball player as you want to be. And I think she should be able to continue her lessons. They've helped me. They've helped my sisters and they helped my cousins and plenty of girls in Buckingham County. I really enjoyed everything she does for me, and I'm sure all the other little girls do too.

Harris Lender: My name is Harris Lender. I live in district five. I am really concerned about the discomfort that I hear about inviting more experts with experience to inform you guys have how other communities have successfully created local and state law to stop metallic mining. I'm also concerned about those of you who have not spoken up. So please show us you understand and that you care because we need all hands on deck. You had over two hours of input from local industry whose messages say the course metallic mining is not so bad. Nothing a little baking soda cant handle. And we provide jobs for the community and financial donations to local groups in need. You had a mere 20 minute presentation about the state study, which concludes the state's regulatory framework cannot protect us from the significant impacts of gold mining. Also, there was some discussion of options that had been tossed around briefly by the county. Mrs. Shumaker sorry. You said that you are concerned about the bias that other attorneys and experts would have because they have chosen to take action, but not one on this commission expressed concern about industry's bias when they were presenting for over two hours. The experts who have successfully curbed metallic mining could instead be seen as a resource to help you on your task of doing what they have already accomplished. They are not anti mining. They are pro life, pro clean life healthy clean water, air, soil and healthy economies. They can help us understand what is possible. The supervisors are convinced they don't want metallic mining, but it seems that you need convincing of the extensive history of problems of metallic mining. Even the EPA calls it the most polluting industry. What I heard you say as you think the existing regulatory framework is good enough until it is improved upon. The state study says Virginia regulations are clearly inadequate, but nothing is being done. The state missed their opportunity to pass a simple, popular bill to ban the cyanide process this year. If they can't get that stopgap measure passed, why would we expect them to pass recommended sweeping reforms? It's up to us to use our local power to do what we can to protect ourselves. The state cavalry is not coming to save us, we are the cavalry. So please invite these experts in, they generously give freely of their time and they care deeply about the welfare of all life on the planet. Please invite them now. They are very busy people too. Thank you.

Edmondston: Hedi Berthoud followed by Mindy Zlotnik.

Hedi Berthoud: Good evening Hello my name is Heidi Divya bear too. And I live in district five. I have a friend who is a history teacher in Charlottesville who supports us and likes to follow what's going on with our work to stop metallic mining and Buckingham County and the State when he saw this book, which I forgot to bring, when he saw this book, which I'm going to talk about. It really hit him what fantastic work we have done. He asked if you'll appreciate what we've done. And I said, I don't think so. And he insisted that I let you know what a big deal. This is. Okay, so do you remember me showing you this book, it was the it was the NASM study, the National Academies of Sciences study was a big book, and it was the printed copy of the final report. And so when I gave you the report last week, I showed it to you. And so you have to use your imagination on that. So this is our important contribution to Buckingham and all of Virginia. I do hope that you read the four page highlights of this report, which I sent you today for, there's a link for it. For others listening online, you can go to the Friends of Buckingham goldmining webpage to find the link to that to that four page report. I feel like seeing it for yourself and making it more real how impactful metallic mining on any economy is would lead one to want to make a strong stand to stop the troubles from trespassing on health and on our health and welfare. The task before you to ban metallic mining is challenging and complicated and we understand you want to avoid a lawsuit from industry from for loss of future profits. Compared with the potential high impacts and losses from metallic mining potential. Strong measures with higher risks are at stake. Yes, it's important to review existing county zoning codes and see just how unprepared we are for metallic mining. The county does not have the capacity to develop adequate regulations and conditions required to permit metallic mining. We know from the state study how ill prepared the state is not only are the state regulations far from adequate but also there is minimal oversight and enforcement of requirements. State agencies are not able to levy fines for non compliance. Just want to make sure you got that this took my breath away when I first heard that we are learning more about how you could work with existing zoning code. The southern Environmental Law Center toolkit has some examples of how other counties have handled this problem with different trade offs and risks to way we all want an easy answer but I think we're gonna have to work for it. Thanks for finding the best solutions for all of us and thank you for letting me go over.

Mindy Zlotnik: On April 18 Heidi Berthoud presented a summary of the state study to you as requested. It was followed by a discussion among you of how keeping the status quo of the SUP would give you a lot to work with. And you should see what you already have on the books. This is exactly what the local mining companies suggested at the last planning commission work session. So it came as no surprise to hear you all go down this route. It was noted in the discussion last Wednesday that the company would need a federal and state license before beginning work. From this comment of supervisor Allen, I quote the code of Virginia and the two permits from the state and federal would be good things to see where they put us at. It sounded like he thought these permits would provide safety for us. But we know that the state from the state study that the state does not have regulations in place that would provide that kind of protection. updating these regulations is one of the two recommendations made by the study. The SUP is necessary and must be in place before getting those state and federal licenses. The SUP is the doorway that companies must go through before going to the state and federal

permitting process. If Buckingham County gave a company the green light with an SUP, the state would assume the county wants the industry and they in turn would give the state permit. It becomes a circular argument. Virginia code 15.22280 gives local municipalities like Buckingham County permission to regulate, prohibit and restrict mining in their area. We have heard affirmation of this fact from Joe Lurch from Vaco am right the county attorney and SCLC in their toolkit for local municipalities. Have you all been influenced by the self serving to our testimony you heard from local mining industries. During those presentations, no one on the planning commission. The mining companies or the state edge agencies ever mentioned the state study its findings or its recommendations. Last Wednesday after the presentation about the state study. Your discussion reverted back to the SUP the recommendation of the mining industry. No one wants metallic mining in Buckingham County, except maybe the local mining industries. Why not exclude them from the picture and make this zoning amendment cover new metallic mining interests and get on with it. Protect us now. The state is not going to do that anytime soon.

Karen Kreps: Thank you for your time. My name is Karen Kreps. My place is in district five. I'd like to know if you're outraged by the damage metallic mining has caused around the world. I'm concerned that you have not grasped the seriousness of just how damaging metallic mining is. Why am I concerned? Because of your talk of using the existing special use permits to protect us. A permit could allow it to happen. The supervisors asked you to create law to ban metallic mining. I know it's not that simple. But please, more of the same is not good enough. Relying on a special use permit is not the answer. The word special use permit says it all. It means that under special circumstances, a permit could be approved. We don't want to leave the door open for a permit to be issued under any circumstances none dont give them an inch. The state study says that the state protections are inadequate in many very concerning ways. If you let in one mine, the state study clearly says clearly that the state cannot protect us. It actually says that even with the best of regulations, the risks cannot be completely eliminated. No state or local requirements will be enough. Just say no, you commissioners are talking about working with existing zoning code, the special use permit to tweak it and make it stronger. That does not do the job of stopping this cold. The locality is the very first place industry goes to get permission a permit required for a metallic mine. We are the front door to mining. The county has the power the permission from Virginia state law to open the door or close it and keep it closed. You can ban mining, no mining. Once that door is open, the state gets a green light to move forward with the rest of the permitting process. There is no pending reform in the site with adequate protections of Virginia regulations. We have to stop it here now. The SUP gives current or future supervisors the option to open that door. You don't get to walk that back. Anytime you get an application for a metallic mine. The current supervisors and planning commission would need to be educated all over again about the extensive, complicated issues. Do you see the county having the capacity to take that on, you may not always have active resident watchdogs or fair minded supervisors to make wise decisions. Your constituents are counting on you to create a law that will stop the process effectively now, thank you very much.

David Waters: Good evening, my name is David Waters, and I live in district five. You are being asked to prohibit metallic mining and all zoning districts. You have permission by Virginia

law to prohibit extraction activities. Nonetheless, you're very concerned about being sued. And so you were looking at tweaking existing special use permit zoning code which might not expose the county as much as an outright ban, a permit is just that it could allow metallic mining, we can and we must be stronger. Earlier this year, the cyanide Bill House Bill 1722 was proposed to the General Assembly, but not passed. It was a simple text amendment to existing state law, which said no minor or other person shall use cyanide or a cyanide compound in any mineral mining or processing operation. Cyanide would be banned for this specific use and would not limit other industrial uses. That would stop large scale gold and silver mining for now as Cyanide is the most efficient method of separating these metals from there or you were sent examples of two Virginia municipalities that banned extraction. They are simple and very informative. Have you looked at the Pembroke mane ordinance banning silver mining a nine page ordinance? I think it would also be helpful to look at this. The following are excerpts from Virginia codes that support your task. Here they are in brief 15.2 Dash 2280 locality may by ordinance, regulate, restrict, permit or prohibit the excavation or mining of soil or other natural resources 15.2 Dash 1200 any county may adopt such measures to secure and promote the health, safety and general welfare of its inhabitants. Such power shall include the adoption of regulations for the prevention of the pollution of water, which is dangerous to health or lives of persons residing in the county 15.2 Dash 1102 a municipal corporation shall have and may exercise all powers which are necessary or desirable to secure and promote the general welfare of the inhabitants of the municipality and the safety health peace, good order and comfort of such. Again, the special use permit could permit new mining. You have been asked to ban new metallic mining, not allow for permitting under special uses. You have three basic options which could effectively accomplish this prohibition. Ban new metallic mining ban the process using cyanide or adopt the ready to go no toxic trespass prove it first ordinance. You know which one we want. As you've heard the prove it first ordinance was successful in Wisconsin for 20 years. Understanding these options is a part of your task. Thank you for your service, like Sure.

Kenda Hunanman: Good evening, I'm Kenda Hunanman. I'm Commissioner Dorrier district five. And I haven't heard anybody congratulate you yet. But I think you work very hard. And I think you deserve that raise you got tonight. So I'm glad to see you're appreciated. I was really impressed. And I heard from several of the officials here in the county how impressed they were with the PowerPoint that was presented at the work session. That was last week. I think that Heidi and Mindy did a tremendous job putting that together. They went to endless hours to get that information for you. I hope it was useful to you. I know there's been talk about a definition and needing a definition. I haven't heard any more discussion is that been discussed at this point about what metallic mining is and if you can answer me doesn't look like you can. I don't hear much from you. Honestly, I would like to speaking of which I spoke with or emailed Miss Edmondston about not being able to hear him right last week. And he had some useful things to say I was in the audience. So I did hear some of it, but not all of it. And so I asked if it would be in the transcript. And she said, No, it would just be listed as in audible, which I think is a real loss. And the public needs to be aware of what's going on. They're not showing up here all that often. But I noticed that the recording of the work session was not posted on the county website. I think that's really important that people were able to have access to that, I hope, you'll see that that happens soon. And I really hope that you're planning to get these other experts in to speak to

you we do want a fair and balanced input on this thing so that you can make a real full decision on what you suggest to the Board of Supervisors. I hope you'll ask them to think about this rights issue. I know you can't rule on it. But the board they've got an ordinance, it's finished. They could go ahead and approve that right now. While you're still working on getting whatever zoning information you need. Thank you.

Alan Binstock: Good evening, I'm Alan Binstock, thank you for taking the time to hear me. I'm a resident of district five. And I'm glad I have a moment to be here with you folks. I'm also a retired planner from NASA's Goddard Space Flight Center. And when I think about it, we had incredible pressures to get a aerospace program moving forward. But I think you guys have heavier pressures around you. Because this isn't about definition alone. It's about with the will to do something. And that has to come from looking, I believe at the bigger picture, which is what we are trying to do we want economic development, we need a tax base. We understand all that. But what is our quality of life going forward? Good Roads won't help if it comes from gold mining, because we'll have to move we can't live next door to it. We can't do have the quality of life we're looking for. So I believe our future is going to veer in a different direction. I hope it will. And I don't know that it's vineyards. I don't know the answer. But we see it in counties around us that do grow and do prosper from the abundant sunshine and natural resources that are here. Gold mining won't provide us that. So the challenge, I think for you guys is how to do it, and not stay up at night worrying about lawsuits, et cetera. I heard a word mentioned earlier by brethren from the doing the Kyanite mining and I think he's dead on he's right stewardship, we all have to be stewards of this county of ours. And I think the fine line can be drawn. And you folks are experts in your corner. I don't know about the specifics. But I do know big words like cyanide, and other types of things that are toxic to our water system, to our air and to our lives. And I do know that this, the mining near us will drain our wells as it's already started to. So I think it's about not just finding out how to do it, you can do it. You're all right, folks. I did a little bit of checking. You guys are smart guys. But to actually do it and make it happen. Certainly not put existing operations at risk. But draw a line when it comes to using the very materials that have never succeeded. never succeeded. We looked at all case studies and you've heard from people before us, there aren't any success stories when it comes to cyanide mining and non metallic mining. It can't be that hard to define. I would be if it's of any use. I'd be happy to help. But I think you've got this thank you for your time. Thank you sir.

Edmondston: Katherine Thimnakis followed by Stephen Fisk and Mr. Fisk will be the last speaker of the evening.

Katherine Thimnakis: Katherine Thimnakis Glenmore district. The practical proposal tonight is for forming immediately a town council, working for Buckingham economy, Buckingham prosperity, local planning works. Now that you have considered potential permits for the new Canton area, there are wonderful possibilities. Route 15 connects with Fluvanna, which is a wealthy Charlottesville suburb consider that local investment in a unique family restaurant would be most successful. First, the administration create creates policy, which prioritizes who gets the permits. Keep it all local. By planning strong policies, values are all about sustainability. Then invite millionaires local millionaires needing to invest in family enterprises. Policy stops outside

profiteers from exploiting, they are not even members of the Chamber of Commerce for \$40. Healthy delicious menus served by health oriented Buckingham businesses means certain success, how many truckers and hardworking laborers know from their doctors they need to eat healthy, but hard to do without such places. With large parking areas such restaurants would be a godsend, and retirees could have safe healthy and very sociable meeting places, build green with sustainable local products means respect. We go where we are respected. With the support of the town council. The administration has access for practical resources contributed by we locals, promoting investments, a type of resources economy library, young people need their space, Rada Midkiff opened downtown a great vegetarian coffee shop on this building, but Covid close to down it should reopen. But the problem was parking. They lost without street space out on the highway. Such a local cafe is ideal for young people, residents have to go to Charlottesville, very successful, our small town. The interiors are all wood with walls of books. And this way the young people operate these cafes where they can all express mindful artistic ideals. This is a big success round the corner please.

Stephen Fisk: Thank you and good evening. Good evening. I am a new resident of Buckingham County 288 Liberty Lane just moved in, not even five months here. We moved here because we wanted to clean air, clean land, clean water, the health of living in a beautiful, natural environment. And it is alarming to arrive here and to be in a confrontation with gold mining interests. When I came to the planning commission meeting where the mining interests represented their interests. I was astonished that there was nobody here representing the specifics of gold mining. And gold mining, as you know, has no record of being beneficial in any way to the community in which it is becomes established. So I stand before you absolutely and completely opposed to gold mining in this county. The world is moving towards the end of extractive extraction and exploitation of our land as a process of moving toward renewables. And that's what we need to do. And of course, I understand that there are minerals in this land that may be found that will be beneficial to renewable products. But on the other hand, when it comes up against the deleterious and harmful effects of gold mining, we've got to say, Absolutely, no. And the last thing I want to ask you about is the rights based ordinance. You know, I've heard it said that we don't need that it's already understood. But what happens when you put something in writing, whether it's in the Bible, or whether it's in the covenants of governance, that when you put something down, it becomes a covenant, it becomes a written protection, to save lives, to have clean air, clean land, clean water? That's what we're here for. We're here for a quality of life. That does not include gold mining. Thank you for your time.

Bickford: That's all the speakers?

Edmondston: Yes, sir.

Bickford: All right. We'll move forward to the old business. I see you have listed metallic mining I assume to reference the work session will have coming up.

Edmondston: Yes, sir. The upcoming work session may 15.

Bickford: Okay, when Mr. Wright was going to give his legal summary of what of all the options that were in front of the planning commission on the past to get to where they were been charged to get to as far as metallic mining. I would close out and we'll move on to new business the introduction of case. Marci Lowrance.

Edmondston: Yes, sir. Mr. Chairman and members of the Planning Commission, we do have an introduction tonight of case 23SUP ZTA 326. The landowner is David Christian of 287 boxwood drive Arvonnia, our applicant is Marci Lowrance 246, boxwood drive Arvonnia. The tax map and property information includes tax map 68 parcel 37 contains just over 25 acres and it's located at 59 Gold Hill Elementary School Road in New Kent and then it is part of the Marshall magisterial district. It is currently zoned light industrial M one and the request before you this evening, is that the applicant wishes to add a zoning text amendment for a private recreational facility to a list of special uses in a light industrial in one zoning district and apply for a special use permit for that purpose. As I mentioned, this property is located at 59 Gold Hill Elementary School Road in New Canton. The property is currently zoned light industrial in one and this is a use not provided for in this zoning district within the zoning ordinance. However, the applicant has made application to add this use through a zoning text amendment and also to apply for a special use permit for this purpose. This use may be permitted by the Buckingham County Board of Supervisors by the zoning text amendment and a 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 both the zoning text amendment and the special use permit are approved. The application and narrative and complete application are attached. As you have seen last week when this packet became available. There are 10 conditions currently suggested to this special use permit and zoning text amendment. Would it be the wishes of the planning commission to hold a public hearing? And if so, would that be possible to be held on the regular meeting night of May 22 at 6pm. That question is before you I do have the applicant Miss Lowrance here in the audience this evening along with the landowner for questions and concerns at the planning commission.

Bickford: Would the applicant come forward please?

Marci Lowrance: I am Marcy Lowrance, and I'm the owner of grit softball Academy. I've applied for the zoning text amendment to be added to this list of special uses for the m one district to operate a softball facility out of in house pharmacy partners. That's the formal Gold Hill Elementary School. It'll be located in the old cafeteria and it would be like a fully turfed facility with batting cages and plenty of room for softball workouts for all the girls of our community and all the surrounding counties as well. I was born and raised here in Buckingham, I went to Buckingham County high school I played softball there and then I went to play division one softball at Longwood University and Charleston Southern. After I graduated from Charleston Southern I coached at Charleston Southern for two years. And then I took a head coaching job at Oceanside Collegiate Academy, which is a high school in Charleston, South Carolina. My husband and my family moved back with me to Buckingham in October of 2021. And one of my passions is to give back to the community that gave me a lot. They taught me so

much about softball this community its where I found my love for it. And I just felt like, there was nothing here. As far as quality softball instruction to give to the girls of this community. There are things for baseball, but not as much for softball. And that was one thing I was passionate about to give back to that the community of those girls. What grit stands for is greatness, resilience, intelligence, and tenacity. And those are things I really tried to instill. In all the girls that come through my facility. I really feel that young girls today have a really hard time with social media and everything else, their identity is wrapped up in so many things that really it shouldn't be wrapped up in. And so my goal is to teach them that they can do hard things, that they're important that they're capable, and they're valued, and that none of their identity is wrapped up in any of the things that other people say or do. And I want them all to know that they can do anything they set their minds to my parents had to take me to Petersburg, Ashland, Richmond all the places to get this type of quality softball instruction. And I want the girls of this community to have access to that, and not have to pay the astronomical prices that my parents had to pay to get me that instruction in those big cities. I really try to make sure that my facility always has a positive atmosphere, that the girls always feel welcomed, and they feel loved. And they know that when they leave, I care about them, not just as softball players, but as people as well. And I just want to make sure that I can give that to them. So that's what I'm asking for today is for you guys to recommend to the board supervisors, and also for a public hearing, to be able to continue to give that positive atmosphere to our community and to the girls of our county.

Bickford: Any questions from commissioners? Pete are you there?

Kapuscinski: Can you hear me?

Bickford: Oh, Pete, do you have any questions for the applicant?

Kapuscinski: No, the only question I have is for Miss Edmondson. Can you hear what I'm asking here?

Edmondston: Yes, sir.

Kapuscinski: Okay, if there's a text amendment to an M one zone, does that affect every m one zone? In other words, does that mean that there could be a recreational facility in every m one zone?

Edmondston: Mr. Kapuscinski There's just one m one. This is specifically for light industrial. A private recreational facility was added as a zoning text amendment a number of years ago to the A one zoning district. But this request for zoning text amendment is solely for the M one light industrial district?

Kapuscinski: Okay. Mr. Chairman, I I did visit the site, I thought I was relatively impressed. And I can see what they want to do for the young women in our community. I would tell you, I would it just it's favorable to me to have something like this done in a text amendment with an SUP because I guess the concern I would have is if somebody tried to put this kind of an

operation in a light industrial area where it might present a risk to the young people involved, we would have the ability, because it is an SUP ensure their safety by the condition. So that would be the only contribution I would make at this point in time.

Bickford: Okay, thank you. If I understood you correctly, what you're concerned with it? This would make a by right, in any other in one m1 zoning. Is that what your question is or concern?

Kapuscinski: My question is if this from what I understand, this is a text amendment and then an SUP Am I correct? In other words, it's not a by, right?

Edmondston: That's correct. This is amending or changing the ordinance to increase a use to the list of special uses by way of adding a private recreational facility. So this private recreational facility and the special use permit for that this is in no way, shape, or form to be added to a list of permitted uses.

Kapuscinski: Okay. All right. That's fine. I mean, as long as we have the ability to, to view potential other requests for recreational facilities in this type of zone as an SUP, I'm okay with that.

Bickford: Okay. Thank you, Pete. Any other questions for?

Dorrier: Will, this involve a vdot impact report or anything like that? I didn't see one.

Lowrance: We did get one of those as well. It has been.

Edmondston: This site is actually the former Gold Hill Elementary School. So the there's quite a significant ingress and egress to this particular facility. But yes, sir, to answer your question, Mr. Dorrier, you're on page nine of your application, Mr. Edwards with Vdot that did sign off on and he stated that a traffic impact study it statement is not required. And that does the existing entrance meet VDOT requirements for the proposed use? His response on the form was yes,

Bickford: Marci what will be your normal hours of operation? And I know it varies probably.

Lowrance: It does a little bit, but usually I'm Wednesdays and Thursday nights from 430 to seven, and then sometimes every other Sundays in the afternoons after church.

Bickford: Any other questions from the commissioners?

Allen: No, I just think it's a good idea that we'll go ahead and approve this. And but I'm like, what he was saying a while ago. I hate to see it as stuck into our zoning. But just to use it for the SUP is fine.

Bickford: It's site specific for this one application, right.

Allen: Far as I'm concerned if no more questions. Yeah. I'll make a motion to move it on to public hearing.

Dorrier: Second.

Bickford: All right. I have a motion and second. Any further discussion? All in favor, raise your right hand. Pete, how do you vote, sir?

Kapuscinski: I vote yes.

Bickford: Okay. Very good. It's unanimous. Thank you. We will see you...

Edmondston: May 22.

Supervisor Allen moved, Commissioner Shumaker seconded and was unanimously carried by the Commission to move Case 23-SUP/ZTA326 on to public hearing.

Bickford: Thank you, that'll bring us to your report and building permit.

Edmondston: Yes, sir. Both of the building permits report is included. for informational purposes, just like it is every month, you may see if you've been watching the building reports. February and March, the volume decreased slightly, but we are seeing an increase and the issuance of those building permits. Again, I'm sure related to the weather and borrowing and all those type things. I do not have anything for you as zoning administrator. The only thing that I will do is remind everyone of the work session may 15. At 7pm. It should be a time for our county attorney to provide some legal counsel on the mining legal options.

Bickford: Very good. Commission matters and commissioners have anything you'd like to watch.

Gooden: Before we get too far, I think you opened the meeting with today is the 27th.

Bickford: Thank you. Alright, see you now would like to, on behalf of the Board express our appreciation for the pay increase that the Board of Supervisors voted for us tonight. Greatly appreciate that. Thank you all very much. And saying that if no other Commissioner matters, do I have a motion to adjourn?

Gooden: So moved.

Allen: Second.

Bickford: All in favor, raise your right hand. All right, good. Pete. How do you vote?

Kapuscinski: I vote Yeah.

Bickford: All right. We'll see you the next time. Thank you Pete. We are adjourned. Thank you.

Commissioner Gooden moved, Supervisor Allen 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