Buckingham County Planning Commission Agenda
Monday, October 26, 2020 7:00PM
County Administration Building
Peter Francisco Meeting Room
www.buckinghamcountyva.org

The meeting is open to the general public but due to social distancing limiting the number of people the room can accommodate to approximately 20 people, you may view the meeting by logging on to https://youtu.be/r37LTCcle_4

1. Call to Order by Planning Commission Chairman
   Invocation
   Pledge of Allegiance
   Establishment of Quorums

2. Adoption of Agenda

3. Approval of Minutes – September 21, 2020 Joint Work Session
   September 28, 2020 Regular Meeting

4. Public Comment

5. Old Business
   1. Staff Report to be provided-Core Sampling-Commercial/Prospecting-Commercial

6. New Business
   1. Introduction of Case 20-ZMA280 Amos Beiler

7. Reports
   A. Building Permits Report
   B. Zoning Administrator Report

8. Commission Matters and Concerns

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

1. Written comments may be mailed to the Planning Commission at PO Box 252 Buckingham, VA 23921. Please limit word count to 500 words.

2. Emailed comments may be sent to publiccomments@buckinghamcounty.virginia.gov. Please limit word count to 500 words.

3. Telephone voicemail comments may be left to be played to the board by calling 434-969-5039

4. To appear virtually to the Planning Commission for comments please email publiccomments@buckinghamcounty.virginia.gov. You will receive notice with the link and/or telephone number necessary to connect virtually during the meeting.

5. In person Public Comments will be permitted by signing up (signup sheet) to speak prior to the beginning of the meeting.

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

*In person attendance will be permitted at this meeting per the Governor’s Safer at Home Phase Two Guidelines for All Business Sectors.*
At a Joint Worksession with the Buckingham County Board of Supervisors and Planning Commission held on Monday, September 21, 2020 at 7:00 p.m. in the Peter Francisco Auditorium of the Buckingham County Administration Complex, the following members were present: Harry W. Bryant, Jr., Chairman; Don Matthews, Vice-Chairman; Donald E. Bryan; Danny R. Allen; and Joe Chambers. Thomas Jordan Miles, III and Dennis Davis were absent. Also present were Rebecca S. Carter, County Administrator; Karl Carter, Asst. County Administrator; Cheryl T. “Nicci Edmondston, Zoning Administrator; Jamie Shumaker, IT Manager; and E.M. Wright, Jr., County Attorney. From the Planning Commission: Patrick Bowe, Chairman; John Bickford, Vice-Chairman; Alice Gormus; Ashley Shumaker; and Steve Dorrier. James Dabney Crews and Chet Maxey was absent.

Re: Reconvene the September 14, 2020 meeting of the Board of Supervisors and establish a quorum

Chairman Bryant reconvened the meeting from September 14, 2020. Chairman Bryant certified there was a quorum. Five of seven members present.

Re: Planning Commission Call to Order and Establishment of Quorum

Commission Chairman Bowe called the Planning Commission to order and certified there was a quorum. Six of eight members present.

Re: Invocation and Pledge of Allegiance

Commissioner Gormus gave the invocation and the Pledge of Allegiance was led by Commissioner Vice Chairman Bickford and was said by all who were in attendance.

Re: Comprehensive Plan Revision

Edmondston: We will continue to talk about what we talked about in July. There were only three areas that we were going to take a little further look into.
One being the business growth statement along major corridors and then a solar statement to the Comprehensive Plan and then the final discussion of mining activity. It came to us in a form of a complaint in June which I will discuss a bit further into the presentation.

ENCOURAGE SMALL BUSINESS GROWTH ALONG MAJOR CORRIDORS

"The County should seek special districts for the main corridors of the county to be more small business friendly." 

This statement has been added:
- Chapter IV, Policy #2 Corridor Development
- Chapter IV, Policy #3 Growth Area/Village Center/Corridor Area
One area, one key area, that we had lots of conversation over in July, it involved around encouraging business growth along major corridors just for ease and efficiency for small business owners and committed activity. The statement we have thus far is that “The County should seek special districts for the main corridors of the county to be more small business friendly.” This statement has been added to Chapter IV, Policy Number 2, Corridor Development and Chapter IV, Policy 3, Growth Area/Village Center/Corridor Area.

Does anyone have any amendments, additions, something to add or change this statement? In our zoning district as well we would actually be much more specific. We would name the districts along these corridors being Rt. 15, Rt. 60, Rt. 20 and any other that may be identified later. The Comprehensive Plan is very fluid and are able to make adjustments at any time. So, once zoning district is updated to reflect our growth and our plan within our growth and direction within the Comprehensive Plan and then we can actually name specific districts. But right now in a very simple form, this would allow us by way of the Comprehensive Plan, to dig a bit deeper into our zoning ordinance.

Carter: I think to be more business friendly, when someone wants to turn a home into a real estate office (inaudible) to have some mixed uses there like farm uses to allow some of the businesses to be in a business zone. (inaudible)

Edmondston: You could change this if small business is not what you are looking for, but it could be that we seek special districts for the main corridors of the county to encourage business growth or small business growth.

Bowe: I question if the word small needs to be in there.

Edmondston: It should just state business? Would you like to see for the county to encourage business growth?

Bowe: As far as I’m concerned that’s better.

Edmondston: Ok. So we will change this one statement to read, “The County should seek special districts for the main corridors of the county to encourage business growth.” Any further discussion you’d like to add to that?

The next area that we wanted to update is our Solar Statement. I’m very thankful to our County Attorney, Mr. Wright, because he worked very hard on this statement in regards to Solar so I would like to read this to you if you don’t mind, if you have any questions or concerns, I’m sure E.M. is available to address those. If you’d like to make any amendments, additions or deletions.

In Chapter IV, He has laid out where this should be placed within the plan.
Solar Statement

In Chapter IV
POLICY AREA #9
Integration of Solar Energy Facilities into Buckingham County

As demand for renewable energy increases, there will likely be greater interest in locating solar energy farms in Buckingham County. These facilities require large, open areas to operate. The goal should be to help ensure their compatibility with surrounding rural landscapes and uses and not diminish the tax revenue of the County.

The State of Virginia is actively engaged in the promotion, siting, and taxing of these facilities. Some opportunity by current legislation to afford local government related to the siting and taxing, directly and indirectly, of solar energy facilities. The objective is to use each of these opportunities to ensure compatibility with the surrounding rural landscape and enhance the revenue base for the County.

In Chapter V

Since the location of Solar Energy Facilities is most likely to occur in the Rural/Agricultural/Forestry Areas (but they may also develop in other zoning districts, such as industrial), there should be strong emphasis to ensure their compatibility with surrounding rural landscapes and uses and to ensure that the Natural Resources of the County are protected and that the cultural resources are not negatively impacted.

Provision should be made for individual use of solar energy to power homes and other individual facilities where the primary purpose of these small facilities is not the sale of energy.

In the development of non-individual solar facilities, the following should serve as a guideline, regardless of the zoning district the development occurs:

Proximity to Major Thoroughfares: While solar energy farms do not generate significant traffic once complete, large trucks and equipment will need to access the site during construction. Access points to adjacent roadways should be limited, and developers should coordinate with VDOT to help ensure that these trucks do not damage road surfaces or create unsafe traffic conditions.

Proximity to power distribution lines: Solar farms usually require an ability to move the generated power into a distribution grid. Consideration should be given to the proximity of the availability of such distribution lines in order to avoid having to create new corridors right of ways to move energy from the generating facility to the distribution network.

Solar Statement, continued

Screening and Buffering: To protect viewsheds from adjacent roadways and properties, solar energy farms should have significant perimeter buffers. To the extent possible, existing mature vegetation should be maintained and supplemented with native evergreen trees and shrubs planted in a naturalistic pattern.

Protection of Natural Resources: All natural resources should be protected during construction and after the project is completed. An environmental impact evaluation should be prepared (by a third party) to identify additional measures that should be implemented to protect critical environmental resources.

Protection of Cultural Resources: Appropriate buffers should be provided adjacent to any on-site cultural resources. Solar energy farms should be sited to minimize impacts on the views to and from historic sites.

Prohibition of Toxic Materials: Solar panels should not contain toxic materials, such as cadmium and GenX.

Project Size: To help these projects blend into the rural landscape, each solar energy farm should be limited in size so as not to create “super sites”.

In Chapter VI (add new paragraph)

Land Use Section

G. Strategy 7—review the zoning ordinance, and amend where appropriate, with regard to solar energy facilities and the objectives set forth elsewhere in this Plan.

In the Objective—Protect existing and planned uses from the encroachment of incompatible land uses.

D. Strategy 4—develop a broad vision for what areas solar farms are appropriate and what criteria is appropriate and then review existing ordinances to accomplish that vision.

In the Economics section amend:

Strategy 4—Establish standards and criteria for developer participation in capital projects, such as solar facilities, and encourage their participation to offset impact to the County.
Are there any thoughts or discussions you may have with regards to Solar and the statement? If this is agreeable, this is the statement that would be entered into the Comprehensive Plan.

Bowe: Strategy 4 the very last one you talked about there, is that almost saying that you are looking for proffers from developers?

Edmondston: I would say that you are encouraging participation to offset the impact to the county.

Bowe: What is that other than a proffer?

Wright: It is a proffer. General Assembly at their previous session allows certain proffers to be made in regard to certain... (inaudible)

Bowe: So it’s not against the law?

Wright: You’ve got to massage it in the right direction. Economically it can offset the impact of the solar farm (inaudible)

Bowe: Such as?

Wright: (inaudible) like adding to 911 centers (inaudible)

Gormus: Hearing that, if I may, to proximity to thoroughfares, take the screen back please, are we making that a condition? Would these be conditions when they come for business?

Edmondston: This would be a guideline. It is specific, I mean it does state as a county...

Gormus: But if you make that a guideline, then we also have to make it a condition so that they go hand in hand.

Edmondston: In reviewing the other solar farm conditions that have been here, of course, I use a requested VDOT plan for safety and traffic impact during construction, so what has happened in the past with the other two cases, I wouldn’t say this statement is any different than the requested conditions but does not have to be a condition.

Carter: Can you read that again, I can’t see it.

Edmondston: Yes, maam. “Proximity to major Thoroughfares: While solar energy farms do not generate significant traffic once complete, large trucks and equipment will need to access the site during construction. Access points to adjacent roadways should be limited and developers should coordinate with VDOT to help ensure that heavy truck traffic during construction does not damage road surfaces or create unsafe traffic conditions.”
Bowe: We would probably end up having to give them a route they have to follow during construction and not just the shortest way out. You know what I’m saying?

Edmondston: We would ask them to consult and coordinate with VDOT to ensure traffic safety plan.

Bowe: But it’s talking about damage to the roads?

Edmondston: This is pretty specific to what the county’s expectations would be in regard to this. I would say it would be hard to vary as Alice had mentioned from any condition that doesn’t state at least this if not more.

Bowe: Any other question about this?

Edmondston: I have one question, the very last one, the proximity to the power distribution lines, I bring this up because I know, Pat, you and I have had discussions about solar farms casually about questions and how we can see the applications increase in the county and kind of morph into regard to this, but there is also talk about the distribution lines and generating facilities being backed up with a battery for the facility so that also change the proximity to the power lines if there didn’t have to be a major distribution line, if there was a utility station set up that captured storage. Would that change this?

Bowe: I think economics is going to take care of that. The fact there is 3 phase power, I don’t think we need to worry about that. It will cost them I’ve heard it will cost them between ½ million and $1 million dollars a mile to run 3 phase electricity. So simple economics is going to take care of that all by itself.

Bickford: Battery backup from my understanding of it, that is limited, I’d be the first one to tell you that, but that’s for times when they are not transmitting, or a rainy days for 3 or 4 days. They can store in the battery so they can also during those times when the sunlight is down, they can still generate power or release power.

Edmondston: No other purpose for battery storage?

Bickford: In other words they can’t hold but so much, that’s not controlled by us. That’s the power company itself.

Edmondston: I just didn’t want that to be limiting because solar energy is growing. I didn’t want anything in our comprehensive plan to limit the development if the county saw fit.

Bowe: Any other questions on this?

Edmondston: The only other question I have, but it would be the zoning ordinance that would further dictate the size. I know that we indicated supersites in here. Is there any thought process
on what the supersite is? Is that 1000 acres, 500 acres, 2,000 acres? Is this something that we would specify in the Zoning Ordinance?

Carter: (inaudible) You need definitions.

Edmondston: I would because I’ve had inquiries up to 2,000 acres here in Buckingham so I’m curious as to the size of a supersite.

Bowe: 2000 acres is definitely a supersite.

Matthews: What are other localities doing? I mean, have they set limits on that?

Edmondston: Yes, actually last week spoke to the Zoning Administrator in Mecklenburg County and theirs is a bit more specific. Powhatan’s is more specific. They divide it into the megawatt and also the acreage. I’ve been glancing at other counties. Knowing that some of the inquiries from phone calls here in the Buckingham have been in the 1000 to 2000 acres, one a little bit bigger than that. It says that we don’t want to create supersites, if anyone looks at our Comprehensive Plan, we may not receive those phone calls anymore.

Carter: It would be your guide if they did call.

Edmondston: That’s exactly right.

Matthews: Then they are going to want a definition of a supersite.

Bowe: That’s right. Then what are you going to include, the whole tract of land or just the land that’s encompassing the panels. There’s a great big difference.

Edmondston: The first solar farm is over 200 acres and the panel acreage is 82 acres. It is much smaller than the requests that are coming in but if we are going to have conversation with companies and preapplication meetings especially during this time after this new legislation, this comprehensive plan is going to guide us. Mr. Wright, do you have any input in regard to a supersite and the size?

Wright: No I don’t.

Matthews: Could it be topographical dimensions or layout of a piece of property going to determine some of that too?

Edmondston: It will depending upon the layout. Just like the very small one passed through here on 100 acres, they were only going to encompass 13 acres. That had to do with that nature, but that was a different request. That had to do with small solar company.
Bowe: It also has to do with the slope of the land, anything over about 10% is unusable. There’s a lot of criteria there. But these companies are coming up with programs now that allow them to take any piece of property and put this thing to it and it will show up the areas that are allowed to have panels. It’s incredible. I might be able to show you one.

Carter: (inaudible) In earlier discussions with Nicci, we don’t want to have something that says our doors are open we want you to come. We can do some proffering to leave it open to say we are not against them but sometimes if they think they have a harder time getting through (inaudible) ...we met with one group that’s bringing... (inaudible). Economic development, you are taking away over 1000 acres of timberland in taxes. (inaudible)

Bowe: This is a piece of land these people looked at one day and I got that back the next. When I say they looked at it they looked at it a tax map.

Bickford: My question to both boards is are we going to try to narrow the base by actual acreage in panels or actual size of the property at the time? We had 200 acres parcels but you’ve got 80 acres in panels. So is supersize referring to the whole property or the acreage in panels?

Wright: (inaudible)

Bickford: The power grid will sort of limit that right?

Wright: My motion was there was great discussion with the Planning Commission and Board of Supervisors to keep the rural character of the county. If you lay out 2000 acres of solar panels (inaudible) you will have a conflict with rural county. I heard rural county. Hasten to say, it’s not offensive to me if you want to change it. Clearly it’s all in the direction you want to follow. If you want to change it entirely, it doesn’t offend me at all. (inaudible)

Carter: That’s a good question. Donnie asked do you lose tax revenue but we don’t put it all in, if its 200 acres but it’s not all panels, how much do we lose? Maybe we can look at it as...we definitely need some but not a supersite. (inaudible) We do need to know that, is it only the acreage the solar panels are on or...?

Bryan: How does that work, Becky? If they request 200 acres and only use 80 of it, how much do we lose in revenue?

Edmondston: What has happened with the other two cases is that the full parcel was 212 acres and in their narrative they said that the total land disturbance and panels would be 82 acres. That’s how the bond was issued. The special use permit is tying up all 212 acres. So the process would be up to the Commissioner of the Revenue’s office how it’s assessed at that point. I would imagine, and I have no idea, that she would use what’s tied up in the special use permit which would be the 212 acres.

Bryan: That’s real important for us to know because that’s a show stopper to me.
Edmondston: That also brings up the new legislation from July on revenue. In speaking with Stephanie a while back, the commissioner of the revenue, it was a greater chance to capture revenue through that revenue sharing versus machinery and tools tax on each panel. She did learn those calculations. Just a hypothetical.

Carter: I know that through building permits, that’s where we get some money, (inaudible) as long as the application for the building permit is gotten in the applicants name that’s not a company we can charge a fee. The law kind of changed. Say Mr. Bowe has a solar farm, before they get the building permit, Dominion takes over it, they get the permit, we can’t charge a fee. (in audible)

Bowe: How are the panels themselves taxed right now? Does anybody know?

Bryan: It was my understanding they weren’t taxed.

Bowe: I know in the leases, most of them state that leasee will pay all the taxes so it’s bound to be taxed by something.

Wright: Typically what happens, it’s not the panel that’s taxed. It’s the real estate for the commissioner to assess the value of the property. So it will be assessed as rural property for farming or tree raising. The income is calculated as a business generating piece of land. the underlaying assessment can go up. From what I understand from what Nicci told me from her conversation with Stephanie, we just continue to assess it like we historically have.

Edmondston: She made the comment too that if it comes to her attention she would contact the assessors and they will adjust the values of the land. I’ve let her know moving forward anything that was approved for a special use permit that the property would be used for business use, that I would let her know.

Carter: If it comes to her attention? (inaudible)

Edmondston: Any other changes or anything you’d like to do different with the solar statement? Are you satisfied the way it is.

Bowe: It’s not like its cast in stone is it?

Edmondston: No, sir.

Bowe: Ok. Let’s just accept it then.

Bickford: Nicci, I did have one question. It’s just the land use section? Didn’t we change that?

Edmondston: To Management Strategy?
Bickford: Yes.

Edmondston: Yes, sir.

Bickford: So it wouldn’t be more confusing.

Edmondston: Yes, it’s been changed to Land Use was changed to Land Management Strategy. Thank you for pointing that out.

Carter: (inaudible)

Edmondston: The final information that I have for you tonight is about some mining activity that is taking place up on Warminster Church Road, what I’ve taken to you today is the Buckingham Gold Property Overview which is Aston Bay Holding. I found out in June of this year that there was gold mining activity and it’s an actual rig that is similar to what you’d see for well drilling. It’s based out of Georgia. The particular individuals attended that July meeting, David Brown and Joshua Seay were here for the July Planning Commission meeting, I believe they missed the work session, to discuss this mining activity. It was to originally encompass 4,953 acres. As I mentioned they’ve been drilling since June of 2016. If you visit their website it updated August 5th, 10th and 22nd, I believe showing the amount of gold that they have found in the vein that they found in this particular area. At the July Planning Commission meeting, the two individuals stated they were wrapping up drilling. That they were done. I was contacted last week that is not the case. They think there’s been a misunderstanding with the county. They want to come back and resume activity. I did let them know at this point that they are not in compliance with our ordinance because we do not have any permitted use for this particular...
activity and that it was prohibited.

Mining Activity

BUCKINGHAM GOLD PROPERTY
OVERVIEW
4,953 acres surrounding the recent discovery of gold in quartz veins and disseminated gold mineralization associated with sericite-quartz-pyrite alteration, where recent drilling by Aston Bay has intersected significant gold mineralization, including 35.61 g/t Au over 2.03m and 24.73 g/t Au over 3.57m including 62.51 g/t Au over 1.39m core length.

Drilling activity since 2016
Complaint to County June 2016

The next slide actually lets you know what their Phase I 2020 drilling and Phase II 2020 drilling. I put this here so that you could see the extent of the activity that they are in the midst of and what they plan for the remainder of the year because they are finding gold.

Carter: It’s not like this is the owner. This is a company doing this.

Edmondston: This is not a permitted use like panning for gold. Mr. Brown is representing the one particular parcel and he works with Aston Bay as well. He indicated that he came either a year ago or 7 or 8 years ago, we weren’t able to determine that particular evening, and he said that they would be looking, kicking rocks and panning for gold. That’s not the activity. It’s a commercial rig. It’s also on Weyerhaeuser Property. Lyn Hill and I were able to gain access to that property by way of permission from Weyerhaeuser and they actually took us on a tour. There are approximately 29 holes drilled anywhere from 80 to 300 feet. They are drilling on a slant. It’s...my goodness, how big is this, 3 inches? When they pull that sample out of the particular rig it’s about this long and they break it into sections and then ship them to their laboratory. But they are definitely finding gold there. The reason I bring this to you tonight, is because in our Buckingham County Zoning Ordinance, in the three districts, we have mining that is mentioned.
MINING ACTIVITY, continued

ASTON BAY HOLDINGS INTERCEPTS 33.50 G/T AU OVER 1.29 M IN INITIAL PHASE 2 RESULTS AT ITS BUCKINGHAM GOLD PROJECT.
Virginia, USA—August 10, 2020

Phase 1 2020 Drilling

The Phase 1 2020 drill program encountered veining and alteration similar to that in the 2019 drilling of the zone, yielding core length intercepts of 5.81 g/t Au over 6.29 m including 29.9 g/t Au over 0.97 m, 19.25 g/t Au over 1.4 m and 14.54 g/t Au over 1.06 m in quartz vein material (refer to July 30, 2020 Aston Bay News release).

Phase 2 2020 Drilling

In this recently completed Phase 2 drilling, four of the drill holes (BUCK 018 through BUCK 021, see Figure 1) targeted the along-strike projection of the Buckingham Vein; all four holes intersected visible gold-bearing quartz vein material indicating an along-strike extension of 150 m from the 2019 drilling for a total known strike length of over 200 m for the vein. Results from two of the drill holes are presented here (33.50 g/t Au over 1.29 m in BUCK 018 and 1.40 g/t Au over 2.75 m including 2.90 g/t Au over 1.25 m in BUCK 019); results from the two remaining drill holes with visible gold-bearing quartz vein intercepts (BUCK 020 and 021) are pending. Three drill holes (BUCK 017, 022 and 023, results also pending) targeted gold-in-soil anomalies to the west and southwest of the vein and intersected broad zones of sericite-quartz-pyrite mineralization similar in character to gold-bearing mineralization intersected in previous drilling.

BUCKINGHAM COUNTY ZONING ORDINANCE

A1 Agriculture District with Special Use Permit—Mining and Quarrying with Federal and/or State License

M1 Industrial District—Light with Special Use Permit—Mining

M2 Industrial District—Heavy Permitted Use—Quarrying & Mining

Most counties surrounding Buckingham have similar zoning district designations for such activity.

Greene County, VA offers the following:

A1 Agriculture District and C1 Conservation District

Permitted Use—Extraction of Natural Resources for Household Use only

Special Use Permit—Extraction of Natural Resources for Commercial Use

M2 Industrial General District

Special Use Permit—Natural Resource Extraction and Processing

Prohibited or Permitted?

In A-1 district by way of special use permit, we have it defined as mining and quarrying with federal and state license. In M-1, Industrial Light District, we have it defined as special use permit just defined as mining. In M-2, Industrial District Heavy it's a permitted use and we call
it quarrying and mining. Most counties surrounding Buckingham have similar zoning district
designations for such activity. The only county that I could find anything different was Greene
County Virginia and they offer the following: They have A-1 Agriculture and C-1 Conservation
District. They have a permitted use which is extraction for natural resources for household use
only. They have a special use permit for extraction of natural resources for commercial use.
Then in their M-2 Industrial General District they have a special use permit required for natural
resource extraction and processing.

As I had mentioned I have had contact with them and let them know that all activity has to cease
because it was not permitted. So, I’m bringing this to you because I’ve been contacted by the
company to come back and resume activity. So my question and direction I’m seeking is
prohibited or permitted?

Bowe: Can I comment?

Edmondston: Yes, sir.

Bowe: We are sitting here trying to open up the county to business, and we’ve got somebody
wanting to go in the middle of 4200 acres of Weyerhaeuser cutover property? Why would we
consider not thanking them for looking for gold? I hope they find all they want and come in here
and apply for a mining operation.

Carter: We would be happy do that if we rezone.

Edmondston: We would be and right now in the role that I have, any time I receive a complaint
it is in my position to look through the ordinance to determine if this activity is permitted or
prohibited. If it’s not listed specifically by way of right or a special use permit, it is considered
prohibited. Now, I’m trying to enforce the ordinance that we have here in the County and I bring
this to each of you tonight for guidance to move forward because we know that, I know that this
particular company wants to resume this type of activity. I understand what you are saying about
the commercial growth but at the same time, if someone has too many junk vehicles on their
property that’s prohibited so I have to do the same thing. So I’m bringing this to you tonight to
let you know what I’ve done and what would you like for me to do moving forward?

Bowe: What are you requiring us to do? That’s fine. What is required?

Carter: A public hearing.

Edmondston: This would be a revision to the ordinance and there would have to be a public
hearing for both the planning commission and the board of supervisors.

Allen: You would have to change the zoning is that what you are saying?

Edmondston: Yes, sir.
Carter: I guess you would have to allow it to be a permitted use or special use permit.

Edmondston: That's exactly right. Yes, maam.

Matthews: Weyerhaeuser own the mineral rights on this property (inaudible, mic was off)

Edmondston: Weyerhaeuser is retaining their ownership of the property. I did request from Weyerhaeuser just a blank copy of their agreement when they start this type of activity. They did not send that but they did send me a statement...

Carter: Are they requiring federal and state licenses?

Edmondston: No, Division of Mineral Energy does not require at the state level any licensure until they petition them for actual mining process.

Carter: We do have a special use permit (inaudible)

Edmondston: Yeah, and this is happening in an A-1. The issue is do we allow the exploration of it because our zoning ordinance does not state the particular activity that they are underway right with right now.

Carter: (inaudible)

Bryan: Then here's the whole thing. If we allow them to do it then we allow everybody to do it and they could be drilling across us, starting on my property and go to Pat's property and Pat doesn't even know it. I could hit Pat's well and never tell Pat until Pat doesn't have any more water.

Allen: Then you come up here to get a permit to drill a well, you are going to pay $300 to get a permit to drill a well. These people are doing it for free.

Bowe: There's no difference in planting a road sign. What kind of permit do you have to get from VDOT to put up a road signs? How about telephone poles? How about electric poles? It's drilling.

Allen: You are talking 3 feet to 300 feet. Two different things.

Bowe: I don't know if it is or not. Its how pregnant are you, I guess. If you are drilling you are drilling.

Allen: That's two different things.

Bowe: I don't agree.
Bickford: Do we know if they have the ability to drill from one side...what I got from when Mr. Brown came, they are drilling entirely on their own property. Is there any regulations or anything that says they can go onto someone else's property?

Edmondston: I didn’t see anything specific. It’s being drilled at a slant but the two particular parcels are about 4000 and some of Weyerhaeuser so to say...depending on where they are located on that property and where they are drilling, yes, I would say it could cross the property line.

Allen: They could go 300 feet at an angle and go 20 feet on my property.

Matthews: (not verbatim, hard to hear) How do they determine where to drill? Do they know something we don’t?

Edmondston: I asked them for any specific information with regard to this project, if you go to their website you will see where they calculated where the vein is, how many points at which they’d like to drill and they do have charts, maps and graphs listed. We in Buckingham are one of two large projects in the US with this particular company.

Matthews: Where’s the other?

Edmondston: I can’t remember where the other one was, the Midwest maybe, Minnesota. I do know there is also, it’s funny I found this under Greene County because they had another project that’s handled by a completely different company and I believe it’s called Camp Resources, and that is actually happening in Greene County and Madison. This particular ordinance was not updated to reflect that. It had been done many years prior.

Matthews: (mic off, so not verbatim) Where is this property located?

Edmondston: This is in the James River District of Chairman Bryant.

Bickford: On 56 towards Wingina.

Edmondston: You would turn off on 56, take a right on Warminster Church Road and it’s not even a mile down the road to the right. The other issue we wondered as well, they are pulling water out of a creek. While it appears...whether they have multiple drilling rigs inside this particular parcel, I can’t tell you. I know the first one we came upon and they indicated there was no one else there. But if they are pulling continuously from a creek, let’s say they come back in and there is 60 drilling rigs over this 4000 acres and they are all pulling from the same creek, that does require a permit and I did have a conversation with Kelly Snoddy about damage and things they can assess there, but we don’t know the scope of their project.

Matthews: (inaudible)
**Edmondston:** The monetary gain and Weyerhaeuser, their contract, all of those particular items are in their contract and they did not submit a copy of that.

**Matthews:** (inaudible)

**Bowe:** I would think they would be the first people to make sure. I mean, even if it’s on a slant, they know how many horizontal feet they are talking.

**Matthews:** (inaudible)

**Bowe:** I’m sure they are.

**Bryan:** If they are drilling without a permit, what makes you think they won’t drill on your land?

**Bowe:** If it was my land, I would be glad if they did and I hope they find gold. But before they could mine it which is getting it out of there, you would be notified and they would try to buy it I’m sure. Once they go to building mines, then it becomes a horizontal map you can look at. Where is this mine shaft going? I know that much about it.

**Edmondston:** Planning Commission Member, Mrs. Gormus wanted me to read to you, she went ahead and pull up Aston Bay’s website just to give you a bit of an overview. It says “Drill core samples from the initial three drill holes of Phase 2 (BUCK-017, -018 and -019) were shipped for analysis in mid-July. The remaining four drill holes (BUCK-020, -021, -022 and -023) have now been processed and are in transit to the lab. Analysis will be by standard fire assay techniques which will include metallic screen assaying of selected intervals with visible alteration and mineralization (including visible gold). Results are anticipated in the coming weeks.

"We are encouraged by these additional gold-bearing quartz vein intercepts in our step out drilling on the Buckingham Vein," stated Thomas Ullrich, CEO of Aston Bay. "The 2020 program has extended the strike length of the vein by 150 m to the southeast as well as additional 50 m in depth and remains open in those directions. We look forward to following up on the results with additional work to expand both the Buckingham Vein and adjacent zones of disseminated gold mineralization."

**Bowe:** 150 miles?

**Carter:**

**Bowe:** I don’t know why we think about somebody else’s land. I mean, this is many, many people involved in that one.
Bickford: Nicci, how many drill holes were on the 80 acres? I don’t remember.

Edmondston: 29 I believe.

Bickford: On 80 some acres. We aren’t talking about a tremendous amount of disturbance there. It’s just a core sample. He indicated they weren’t all over the property. They were going to be just certain places to find out where the vein is at. I would say this, I don’t know enough about it to try to regulate it. From what he...the night that he came, there was no issue with any kind of run off, there was no issue with any...no environmental impact at all apparently. Just small increments being bored. They only have a few scattered over 80 acres.

Bowe: Each one of those was closed.

Bickford: Then they were closed as soon as they were finished. I don’t know if we should try to stipulate or regulate something and probably need to get more information on it. If that’s the direction the Planning Commission and Board of Supervisors wants to go. If we do this at the local level, we are actually doing more than what the state requires? Is that the way I understood it?

Edmondston: That would be correct.

Allen: It’s going to be a difference between the mining and the quarrying than the actual drilling. That’s what we ought to be checking into.

Bickford: I’m in total agreement with that. I’m just not sure about the core drilling because it so minimal impact with 4 holes or 5 holes on 80 some acres, 3 inches and they are closing them as soon as the sample is gotten. I just don’t know. I don’t have enough information to make a decision tonight. It sounds like it’s not much of an impact to the environment.

Allen: I mean, for them to do any more drilling, we are going to have to do something.

Bickford: I agree.

Allen: To me it sounds like we just need to worry about the testing not the quarry and mining part. Unless they find something.

Bickford: I’m assuming that’s what they are trying to do to start is to see if there’s even go to the next step.

Bowe: Gold is $100 an ounce almost today instead of 1900 it was right at 2000.

Carter: As far as the mining goes, we don’t have anything that will allow (inaudible)
Edmondston: They’d have to get a special use permit.

Carter: A full-fledged mine.

Edmondston: A full-fledged mine. Right.

Carter: It would have to be rezoned.

Edmondston: We allow in an A-1 mining and quarrying with special use permit. They will not have to rezone it.

Carter: (inaudible)

Edmondston: Yes, in an A-1 with special use permit, mining and quarrying with federal and/or state license. At that point they would have had to have been issued their state license and then then petition the county with a special use permit to move forward.

Carter: (not verbatim, couldn’t hear) That would cover it if they don’t do anything else.

Edmondston: It’s exploratory.

Bryan: Can we add a statement in there?

Carter: I think what she wants to know is what should she do? If you all want to allow this we need a description and (inaudible)

Edmondston: Last week. I haven’t been back to the site but last week they did indicate they want to come back into the county to resume again.

Bowe: I know you all heard my opinion. My opinion stands. I just feel like we should welcome them back and say I hope you find it. If you want to create a registration form or something, sure, let’s do that. But you know, they are not doing anything but hunting.

Matthews: (inaudible)

Bowe: No, because if they find something they will be down here wanting to open a gold mine. I don’t know if yall have ever seen a gold mine, have you? I’ve been to Canada numerous times and seen gold mines like a DuPont plant. They are not little bitty things is what I’m saying. They are gigantic operations.

Carter: We don’t know these things. How different is that from personal property? (inaudible)

Bryan: I just say if we allow them to do it we allow everyone in this county to do it, regardless.
**Shumaker:** Mrs. Edmondston, when you did your research here with Greene County, their use of the word extractions, were there any restrictions or definition of the word extraction? Everyone is assuming drill, but there has been improvement in extraction other than boring and drilling.

**Edmondston:** There are. When I contacted the Zoning Administrator in Greene County he did not offer any other methods of extraction. He was not sure when the change or revision was made to the ordinance. It apparently had been done many years prior. He did not have any example of any existing mine that was there. They only had extraction so no definition, I’m guessing any method rather sophisticated or crude that would be able to take place. Exactly right.

**Shumaker:** That would be my concern, someone with a federal application for surface blasting next door on an A-1 property in the middle of the day.

**Edmondston:** Good point.

**Allen:** So would you put something on the permitted side? Say it’s permitted to do that but ask the question of information on what you find.

**Carter:** (inaudible) need some good definitions.

**Allen:** We’ve got to do something.

**Matthews:** Maybe get some verbiage from Department of Mining and Natural Resources (inaudible)

**Edmondston:** They only issue a license if the person petitions with a true quarry in mind. Remember when companies come forward they only check state requirements that does not override local ordinances. Just because they checked with federal and state, I’m guessing their assumption was there was nothing to do here but we only have mining in those three districts. We don’t have anything for exploratory actions.

**Carter:** (not verbatim, could not hear well) I think before the federal and state issues a license, they will check with local ordinances.

**Edmondston:** Generally that’s what happens with other cases but not mining.

**Matthews:** (inaudible)
Edmondston: At this point, I’ve let them know that activities are prohibited and that they had to cease such activities. So I’m trying to find direction from both the Planning Commission and Board of Supervisors at this time. So if we need to revise the ordinance...

Carter: She wanted to let you know in case you get calls.

Edmondston: So I’m sure many of you in different areas, specifically from the James River District but a couple have been from outside of that district. So if you receive phone calls as planning commission and board, of complaints for this specific activity, I just want you to be aware where we are with this.

Dorrier: Do you think we meet with them again to get more information?

Edmondston: That would be fine. I’d be more than happy to set up a meeting.

Bowe: What else is there to find out?

Edmondston: They didn’t present their project scope. They need to talk about the activity. It’s not permitted in the Zoning Ordinance and we must respond to an activity that there is no use for. That’s where we are tonight.

Bowe: I think we need a plan to move forward one way or another. I don’t think it’s fair to just tell them no, you can’t do it. They’ve already got time, money and energy invested in this project. We need to tell them something other than come back and explain to us again. What is there to explain? He’s told us what he’s doing.

Carter: What if the next person who is doing something they are not supposed to be doing (inaudible)

Bowe: Why does it bother everybody so much?

Edmondston: Because it’s not permitted. So, activity is not permitted and we have no definition or use for this then we have to uphold the ordinance. Otherwise, you’d be able to do anything you wanted anywhere.

Bowe: I understand that, but if it’s not prohibited, how are you getting that it is prohibited? Because it’s not allowed?

Edmondston: Because it’s not permitted then it’s prohibited.

Bowe: It’s one of those things nobody would have ever thought of in a hundred years when you are trying to write down what’s allowed in a definition.
Edmondston: This is probably our first experience with this. Out of the Midwest we haven’t had an active mine prior but we are kind of aware that we kind of are in the situation now so we’ve got to make the best determination as to how this fits or if it doesn’t fit.

Bowe: Then the next thing, let’s be honest, fracking is very popular these days. That could start anytime.

Carter: As our ordinance reads you could…nothing is required until you start mining (inaudible)

Bryan: Ashley, what was your comment about extraction?

Shumaker: What methods would be allowed for extraction? Is it going to be just drilling at this point, or what method of extraction would be allowed.

Bryan: We use the term extraction of natural resources household use only with a special use permit, then they apply for a special use permit just for drilling.

Shumaker: If they apply for that directly otherwise they could dynamite their back yard.

Bowe: We are confusing extraction with testing, core samples. That’s all these people were doing, getting core samples.

Edmondston: I think one determination comes from extraction and the uses thereof. We’ve got household use which could be extraction as we go to our creek. It could be some kind of boring tool that goes 2 feet on our property because oh my goodness, maybe we have gold, or the commercial usage. If I say I live in an A-1 and that gold vein used to run through my property on an A-1 and I’m going to get Logan Drilling out of Georgia, it is no longer a household use. I have entered into a commercial contract to heavily explore that particular parcel. So it’s probably not necessarily…yes it can…we should probably make determinations in regards to the methods of extraction but is it for household use or commercial use. It’s clearly commercial use with assay use on the property that’s listed on the project overview. I believe Mr. Matthews had a question.

Matthews: Up here behind Gold Mine Church they pan for gold every year. Is that extraction? What is that?

Edmondston: You know I’ve never had a complaint for extraction or people panning for gold in a creek but I could tomorrow.

Carter: You can pan in a creek.

Gormus: That’s different.
Edmondston: The activity is not defined in the Zoning Ordinance.

Matthews: (not verbatim) You brought up the problem about taking rigs up there. Are they doing that now?

Edmondston: They are not doing it now because they are not doing it. But according to the calculations that Lyn and I had calculated, they weren’t taking over the 10,000 gallons. But if they had 30 rigs set up on 3,000 acres and they are all pulling from the same creek, cumulatively, they could be.

Bowe: That’s not the way it works Nicci. They don’t have 30 rigs. They’ve got 1 rig that digs 30 holes.

Edmondston: Pat, I know they can’t have 30 rigs, they are small but they could bring in over 30 and on 4000 acres, unless I had an airplane or a drone, I would not have a clue. I’m here tonight just to determine is it prohibited or is it permitted. I have let this particular company know that they cannot move forward. I do not have a definition for it. When they come in and this comes to our attention, we don’t have any idea what their overview is. So if they were a development prospect, we typically want to know who their company is so we can work through that expansion with them but I don’t know. I can’t say that they are only going to have one rig, or if they are going to have 30 or 60 rigs. To be honest with you.

Carter: If they had a proper SUP (inaudible)

Matthews: (not verbatim) if they get the special use permit, its only $300 what’s wrong with that if it’s permitted. I don’t have a problem with that. Do you all have a problem with it?

Chambers: Let’s see what Mr. Wright has to say about it.

Wright: (not verbatim) You have to decide if you don’t allow it or you do allow it and if you do allow it is it with conditions. Decide where you want to go with it (inaudible)

Allen: So you want to put it in as a special use?

Matthews: The planning commission needs to decide...

Allen: It’s a joint meeting.

Matthews: I know.

Carter: In cases like this generally you would ask the planning commission to look into it and have a hearing. (inaudible) We are looking for a better way to do it.

Matthews: Is it the consensus of the planning commission to not do anything?
Bowe: No as far as I’m concerned, if we passed an ordinance or whatever it required, if they come in here and tell us, we are such and such a company, we are here on the 300 acres, 4000 acres, 10,000 acres. We are going to be drilling test holes, getting core samples. We will fill in the holes when we leave. I think that’s all we should require. You want to charge them $100 to sign a piece of paper on what they are doing? That would be my thoughts on it. They are not doing one bit of harm to anything. In fact, we are sitting here telling ourselves we want business but yet we are trying to cut it out. It would be like going out here building septic tanks without getting soil samples. They are not going to do it.

Carter: (inaudible)

Bryan: I’m not saying don’t do it. I’m saying let us know what you are doing so we know that you are not infringing on somebody else’s property.

Bowe: If you are 200 feet below your property line, are you still on your property? Think about it now before you answer because the same thing goes up. Do you own 200 feet in the air above your house?

Bryan: No, the FAA does.

Bowe: The Courts can’t decide on that one because when you get into solar, you’ve got shadows and shadows cast a long ways so you know the biggest thing they’ve decided so far is everybody is on his own now. So, whether or not you own the land...

Bryan: It’s mineral rights anyway.

Bowe: But who owns the land 200 feet below your property line? I don’t know the answer.

Chambers: You own it because you dig a well 400 feet.

Bowe: I guess who’s got the biggest gun to protect it.

Shumaker: I agree that these people before protect the environment. My worries would be if we amended the ordinance assuming all these people are nice guys that come into the county, the next people come in here and they don’t care about the environment. They don’t care about filling the holes with concrete.

Bowe: Yes, they are. They’ve got to don’t they? I think that’s the law. They’ve got to fill those holes.

Bryan: It’s not illegal until you get caught.
Carter: (not verbatim) She has people calling telling us that we are allowing something that is not permitted. When we get those calls, we have to address why we are not doing anything. I think she wants you all to know why she’s told them to cease.

Bryan: So we just need to amend our ordinance to allow them to get a special use permit.

Edmondston: So, right now, is it the consensus that it is prohibited and continue to cease activity while we work towards revising the ordinance.

Bowe: Is it fair to do them that way? Because they’ve been up here doing it. If they’ve got these 30 cranes you talk about coming in, drilling rigs all ordered and they are supposed to arrive in a week. That’s going to be mighty expensive on somebody’s payroll.

Bryan: So what you are saying, Pat, it’s better to do it and ask for forgiveness than to seek permission?

Bowe: Well, a lot of times that’s the case.

Bryan: Well, it’s not the case here. She’s already told them don’t do it. So if you continue to do it, that’s on you. She told you to stop. So it’s prohibited.

Allen: You could just go ahead and put it on the permitted side and you won’t have to do nothing.

Bryan: You mean with a special use permit, Danny?

Allen: No. I just said the permitted side. Permitted means that you are in A-1, you can do drilling/testing. But if you want to do boring and mining you have to go into special use permit.

Bowe: Yeah, that definitely ought to be the case.

Allen: Special use permits are there for the quarrying and mining with federal and state license. Right now she’s saying she doesn’t have nothing that tells her it’s okay to tell them to go ahead and drill. Nobody cares about them drilling other than across the property line. We can say it’s a permitted use. Go ahead and drill it. But we have to have these meetings, public hearings.

Carter: They used to have to register.

Allen: We can make them register and ask for certain information.

Edmondston: So that would bring up something else. We have other companies that want to register here to do certain types of work but we don’t require them to register so that brings up something else for another night.
Allen: I’m just asking where you want to go? Do you think drilling will be ok to just do it or do you think it ought to not be done without a special use permit? That’s the options.

Bryan: With a special use permit, you can control the conditions that they do. That’s my only thing. If I say yeah, sure, in an A-1 you can drill all you want and Danny goes across and hits my well, or damages my whatever and doesn’t say anything, I’m out. Ok. But if you put a special use permit in that says you are not to go on someone else’s property then that protects if something gets damaged. That’s my only thing rather than giving somebody a blank check. I’m all for them drilling, I am. I’m like you Pat, if they find it, great. If they do it right, good. We’ve got to protect other people because who’s to say...you are right, Pat. This company might be on the up and up and let’s say...sorry Johnny, but let’s say Johnny’s company comes in here and he says it’s not illegal until you get caught. We control the conditions.

Allen: Do you want to give them a grandfathered special use permit so they can go ahead and do it now while we work on what we need to do.

Bowe: I think that would be the fairest thing to do.

Allen: That’s my little thing.

Bowe: I’ve been on the position where work is started and equipment is on the job and somebody pulls a little fancy card out of a hat and all you can do it pay the interest on the money you borrowed and the equipment sits there until this stuff goes away. I can’t help but feel sorry for the people.

Bryan: When you are told to stop, and then you bring equipment in.

Bowe: That’s not what happened.

Bryan: That’s what’s going to happen now. So then oh yeah, look how I got over on Buckingham County.

Allen: The equipment is already here, they just stopped and come back.

Edmondston: That’s what they want to do but of course I sent the email to the CEO letting them know that it was not permitted. That happened over a month ago and when they showed up in July, they said they were no longer going to drill. That is not now the case. They want to go back again. I’ve let them know that it’s still not permitted in Buckingham County and that there was a joint work session and it could possibly be a determination of how to move forward but that the activity was not permitted in our County. Is that the same decision that the Board and Planning Commission feel? I just need some guidance.

Carter: So maybe in the zoning, you could have it as a permit that they would provide the site they are doing and require that you could not do it past that property line. Like a permit but that
way we have information and they are working but don’t have to go through Board and Planning Commission. They would have to give you a site plan.

Allen: Just for testing?

Carter: Yes, just for testing. They give you a site plan that way you know who is doing what there and you would have a permit saying (inaudible)

Edmondston: Then there would be a permit and permit fee...

Carter: (not verbatim) Wait a minute, I don’t think we can charge a fee. That would be ideal to do that but I don’t think we can do that. It wouldn’t be a building permit fee. The health department can charge a fee but we can’t.

Allen: Richmond gets most of it.

Carter: (inaudible)

Bickford: I’ll make a motion that the Planning Commission allow core samples for commercial use with special use permit.

Bowe: And I would like to expedite it a little quicker.

Bickford: So if we can have a joint meeting with the Planning Commission and Board of Supervisors.

Allen: So it will be 2 months instead of 4 months.

Bowe: Do we have a second?

Allen: I’ll second.

Bowe: We have a first and a second to allow these people to move forward with an expedited hearing. All in favor say I, raise your hands. (All raised their hands)

Edmondston: Before we vote, the ordinance would have to be revised as well adding this particular mining activity however you determine the definition...

Carter: That’s text amendment.

Edmondston: I’m sorry I wrote it down but I didn’t hear text amendment part. I apologize.

Gormus: Johnny added that.
Edmondston: We are adding a zoning text amendment to a list of special use permit.

Carter: Adding a special use to A-1.

Bickford: Add special use permit that way you can have some control over it. (inaudible)

Shumaker: So would an individual need a special use permit?

Bickford: I don't see a need in an individual because you wouldn't have the ability to do that anyway with the equipment.

Edmondston: So we are going to add a Zoning Text Amendment to the list of SUP's in an A-1 Zoning District to allow core samples for commercial use only. I think that's how you worded it.

Bickford: To be as restrictive as possible but also allow them to do what they want.

Bowe: Do we need to vote again? It was unanimous.

*Commissioner Bickford moved, Commissioner Allen seconded and was unanimously carried by the Planning Commission to add a zoning text amendment to the list of special use permits in an A-1 Zoning District to allow core samples for commercial use only and to have a joint public hearing with the Board of Supervisors to make such change to the Zoning Ordinance.*

Carter: Now you need to make a recommendation to the Board of Supervisors.

Edmondston: The Planning Commission wants to add a zoning text amendment to a list of special use permit items in A-1 Zoning District to allow core samples for commercial use only by way of SUP.

Allen: So moved.

Matthews: Second.

Bryant: Y'all heard the motion. We have a second. Call for the vote then. Raise your hand. (all raised their hand)

*Supervisor Allen moved, Vice Chairman Matthews seconded and was unanimously carried by the Board to add a zoning text amendment to the list of special use permits in an A-1 Zoning District to allow core samples for commercial use only.*

Bryant: Do you want a committee to work on that ordinance or are y'all going to do it yourselves?

Edmondston: Becky, do you have a suggestion?
Bryan: Do we have enough time before October?

Edmondston: We have October 20th for a work session with the Planning Commission. Is that what you are asking?

Carter: The October 13th Board meeting. We already have a public hearing on the noise control and sale of the Gold Hill School.

Lann: October 13th we have seven public hearings scheduled.

Edmondston: So are you talking about the Board of Supervisors and Planning Commission or just the Board of Supervisors? I’m sorry.

Carter: She just said we have seven public hearings scheduled.

Bryan: Is that going to give these guys time for that? Because if we hold a public hearing on October 13th and we do the public hearing and let’s say hypothetically it’s approved, then it’s moving forward. They’ll need a special use permit but if not it’s going to have to go in November.

Carter: You’ll be adding special use permit.

Edmondston: We will have time to advertise if we can get it in this week. So we will move forward with holding the public hearing October 13th at the regular scheduled Board of Supervisors meeting.

Bryan: So moved.

Chambers: Second.

Bryant: Motion made and seconded to hold a public hearing on October 13th. Any discussion? Call for the vote. Unanimous carried.

Supervisor Bryan moved, Supervisor Chambers seconded and was unanimously carried by the Board to schedule a joint public hearing with the Planning Commission to consider an amendment for a Zoning Ordinance revision to add a Zoning Text Amendment to the list of Special Use Permits in an A-1 district to allow core sampling for commercial use.

Gormus: Can we act together to get that SUP done quick too?

Edmondston: Yes maam. I will contact them tomorrow. I’ve kept you long enough. That’s actually the end of matters from the Planning Commission or Zoning Administrator.
Bowe: Does anyone have any other Planning Commission matters?

Bickford: I have something quick. Several months ago I brought up an issue that I was dealing with but it is a county issue. We have a grey area basically. What it is was my daughter was getting married. She got married 3 weeks ago. We don’t have a special event...anyway the company that we were dealing with were going to put the tents up. They because of liability insurance, they found out the county required a building permit. Alright, so, they were told they did have to have a building permit. No problem issuing that. Couldn’t understand it because it’s just a tent going up for 3 or 4 days tops. Anyhow the cost of that was quite large. Because of COVID my daughter’s wedding was reduced to about 75-100 people. Anyhow we still paid $300 some dollars because the building permit is based on a stick built permanent home. So other counties have a designation of maybe $50, $75, $100. Anyhow I think that needs to be addressed, not only because of my situation, but I have another friend their daughter is getting married not next Saturday but the Saturday following and they’ve got a larger tent that’s going to be put up I forgot what the exact cost was but it’s well over $500 and this is just to have a tent put up, a building permit. So I’d like the ask the Board of Supervisors to think about establishing a designation for these because as a the COVID rose, hopefully we will have festivals coming in and it looks bad if someone puts up a tent for a benefit and the building permit is $500.

Carter: I’m glad you brought that up because I have it on my desk for the next meeting. We did a little research after the second one came in but the BOCA code does require you to have one after a certain size which is fine but because Tommy didn’t have a fee established he was charging the square foot of a home because he didn’t have a guide. This doesn’t require a public hearing because it’s a fee schedule that you do set like a $50 inspection fee because all the one’s that are a certain size.

Burgess: 900, 901 and above.

Carter: Anything over 900 sq. ft.

Chambers: I think we should reimburse him.

Bryan: 900?

Carter: Anything over 900 sq. ft. has to have a building permit.

Bickford: I don’t have a problem with that. I know we didn’t ... there was no guidance there. It’s a grey area.

Carter: We were as shocked as you were. We have never had a permit for a tent.

Bickford: Becky, you said you’ve checked...I’ve checked with Appomattox and a few others and they said $50, 75, maybe $100.
Edmondston: We’ve checked Nelson, Fluvanna and Albermarle. They required a few extra things for the fire marshal, but it was a set temporary tent permit fee. $50-$100. One may have been $100 with the fire marshal inspecting it. It was not based on square footage. It wasn’t the same amount as it would cost to build a permanent structure.

Bickford: I would think anywhere from $50-$100.

Chambers: How much did you pay?

Bickford: I paid a little over $300.

Chambers: I think we should give him $250 back then.

Carter: I’ll bring it to the Board.

Bickford: I guess it’s going to be like Becky said, you are going to have to establish a whatever you want to call it.

Carter: Like we have a building permit fee, we would have to establish a fee. An event fee you are getting into zoning then.

Edmondston: Why don’t we just call it a tent permit, temporary tent permit? Anything that was a temporary structure, was referred to as a tent permit. It did indicate that to code a certain number of people could be covered by the tent. But it was a covered tent permit fee.

Bryant: The state has a regulation on that to how many people can gather.

Edmondston: Yes, that’s where I think the county building code portion comes in but I think the county has the ability to set the fee.

Carter: The County sets the fee. We do not have a fee for it so Tommy charged the fee of square footage.

Chambers: That’s an expensive tent.

Bickford: Very expensive.

Bowe: Be careful how you word the thing Nicci. You don’t want to infringe on James River Park up there and people think they have to pay to pitch a tent up there.

Edmondston: They already charge to pitch a tent up there. Trust me.

Bowe: You don’t want them to think they have to pay an additional fee from us.
Bickford: That’s all I have Mr. Chairman.

Bowe: Does anybody else have anything?

Chambers: I have one question. Would yall consider changing your time to 6:00? The Board of Supervisors meet at 6:00.

Allen: You talking about regular meetings at 6:00 like the Board of Supervisors instead of 7:00.

Bickford: You mean for joint meetings?

Allen: I guess joint meetings or you can do it for regular meetings.

Bryan: We can have joint meetings at 6:00.

Bowe: We can do that but we have a few members up here that have a tough time making it at 7:00.

Bryan: So joint meetings at 6:00?

Bowe: Do we need to vote on that?

Carter: As long as when you recess you recess to reconvene at 6:00. I think our By-Laws are about the regular meeting.

Bowe: So we don’t need to vote on it Nicci? Is that what they are saying?

Edmondston: The recommendation has been when we have a joint work session we change the time to make it more suitable for the Board of Supervisors if you see fit but in order to change the time for the Planning Commission it would require a change to the By-Laws.

Bowe: I guess I’m looking for a motion to adjourn.

Gormus: So moved.

Bickford: Second.

Bowe: All in favor, raise your hand. Unanimous. We are adjourned.

*Commissioner Gormus moved, Commissioner Bickford seconded and was unanimously carried by the Planning Commission to adjourn the September 21, 2020 work session.*
Re: Board of Supervisors Executive Closed Session

Supervisor Bryan moved, Supervisor Chambers seconded and was unanimously carried by the Board to enter into executive closed session under Section 2.2-3711 A. 3: Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publically held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body.

Re: Return to Regular Session and Certification

Supervisor Bryan moved, Supervisor Allen seconded and was unanimously carried by the Board to return to open session and certification that to the best of each Board member’s knowledge only business matters related to the code of which the executive meeting was convened was discussed or considered in the closed executive session.

Re: Action as a result of the Executive Closed Session

No action.

Re: Adjournment

There being no further business to discuss, Chairman Bryant declared the meeting adjourned.

ATTEST:

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

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

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

Re: Adoption of Agenda

Bowe: Adoption of Agenda.

Allen: So moved.

Bickford: Second

Bowe: We have a first and a second lets vote. All in favor raise your hand. 8 of 8.

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

Re: Approval of Minutes

Bowe: Approval of minutes for August 17th joint work session.

Gormus: Move to approve.

Allen: Second.

Bowe: Any discussion. Let’s vote. All in favor? 7 of 8.

Commissioner Gormus moved, Supervisor Allen seconded and was carried by the Commission to approve the minutes as presented with a vote of 7-1-0 with Chet Maxey abstaining.
Bowe: August 24th 2020 regular meeting.

Bickford: So moved.

Maxey: Second.

Bowe: All in favor? 8 of 8.

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

Bowe: Public comment.

Edmondston: Mr. Chairman we have no one signed up.

RE: Old Business

Edmondston: Our old business tonight is public hearing for case 20-SUP279. Landowner Charles Jackson, applicant Frederick Jackson, property information Tax Map 54 Parcel 177, lot A containing approximately .60 acres located at 785 Sleepy Hollow Road New Canton Virginia 23123. This is on state route 727 in the Marshall magisterial district current zoning is A1. Mr. Jackson's request tonight is to obtain a special use permit for a private park and playground. The zoning ordinance does not list private parks playground as a permitted use. However, within this Awan zoning district, private parks playgrounds may be permitted by the Buckingham board of supervisors by special use permit, following recommendation by the planning commission in accordance with this ordinance and the code of Virginia, the planning commission may recommend, and the board may impose conditions to ensure protection of the district. If the special use permit is approved, we do have 13 conditions listed tonight. We did have an additional condition, which was a 50 foot buffer maintained at all times around the perimeter of the property, but that was struck at the introduction last month in August, Mr. Jackson is present with us to address any questions or concerns that you may have tonight.

Bowe: Mr. Jackson do you have anything you want to say?

Jackson: No, not at the moment. I'm just thank you guys for allowing me to be here.

Bowe: Any of the commissioners have any questions for Mr. Jackson?

Bickford: I have one. Have you read the conditions that your special use permit requires have any questions on those?

Jackson: The distances?

Bickford: The conditions sorry.
Jackson: Yes, I've read the conditions and feel like I have a clear understanding of them. I didn't have any questions come up from the conditions I read. I feel pretty comfortable.

Bickford: Okay thank you sir. That's all I had.

Bowe: The rest of y'all have any questions for Mr. Jackson?

Bickford: Mr. Chairman, if nobody has any questions, I'm going to move to approve this and move it forward.

Allen: Have we opened the public hearing?

Bowe: Was that a second?

Allen: Yeah that's fine. Second.

Bowe: We have a first and a second. Any discussion? Let vote.

Allen: Do we need to open the public hearing?

Bickford: Mr. Allen is correct. We were actually supposed to open up. We don't have any public, but I guess we're supposed to do that before we vote.

Allen: Right. We'll have to open and close the public hearing.

Bowe: Oh sorry. We opened and will now close the public hearing. Let's vote. All in favor. 8 of 8. Move on to the board of supervisors.

Bickford: Jackson you passed and moving forward.

Edmondston: Freddie can you hear us?

Jackson: It's muffled.

Bowe: You are approved.

Jackson: I'm approved?

Edmondston: Yes sir. The Planning Commission recommends approval. So the next step will be an introduction to the Board of Supervisors on October 13th at their 6:00 PM meeting.

Jackson: Okay. Sounds great. Thank you guys. So, you know, I'll let love do what it does, so thank you.
Bickford: We wish you the best of luck. Appreciate your concern about the community.

Jackson: No problem thank you.

*Commissioner Bickford moved, Supervisor Allen seconded and was unanimously carried by the Commission to move 20-ZTA/SUP279 on to the Board of Supervisors.*

Bowe: New Business.

Edmondston: We have no new business.

Bowe: Reports.

Edmondston: Included is the building permit report for your information and I do not have anything new to report on as zoning administrator that I have no reported on in the last two months.

Bowe: Commission matters and concern. Anyone have any thoughts or comments? Nicci do you want to do this closed session?

Edmondston: What will happen at this point? We are, there's a request to move into executive closed session. The motion should be that if anyone chooses to go into closed section, it would have to be read verbatim. The section 2.2 dash 37, 11.8 0.7, that we move into closed session. Based upon this state code, I would need a motion for that and a second and a vote.

Allen: You would read that motion.

Bowe: Section 2.2-3711.A.7: Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel.

Allen: So moved.

Bickford: Second.

Bowe: Vote. All yes. We go into closed session.

*Supervisor Allen moved, Commissioner Bickford seconded and was unanimously carried by the Commission to executive closed session by code Section 2.2-3711.A.7: Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, where such consultation or briefing in open meeting would adversely affect the*
negotiating or litigating posture of the public body; and consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel

Allen: I want to return to Open Session and Certification that to the best of each Planning Commission Member’s knowledge only business matters related to the code of which the executive meeting was convened was discussed or considered in the closed executive session.

Gormus: Second.

Bowe: It’s been first and seconded. Let’s vote, all in favor. Unanimous.

Supervisor Allen moved, Commissioner Gormus seconded and was unanimously carried by the Commission to return to return to Open Session and Certification that to the best of each Planning Commission Member’s knowledge only business matters related to the code of which the executive meeting was convened was discussed or considered in the closed executive session.

Bowe: Do I have a move to adjourn?

Gormus: Moved.

Allen: Second.

Bowe: Vote. All yes. Were adjourned.

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

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

ATTEST:

Nicci Edmondston
Zoning Administrator

Patrick Bowe
Chairman

Buckingham County
Planning Commission
September 28, 2020
Buckingham County Planning Commission
October 26, 2020
Administration Building
7:00 PM
Introduction of Case 20-ZMA280

Owner/Applicant: Landowner Lucy Jamerson
115 Anchor Point Lane
Dillwyn, VA 23936

Applicant Amos Beiler
3145 Union Church Road
Dillwyn, VA 23936

Property Information: Tax Map 115, Parcel 15, containing approximately 20 acres (original parcel 67.76 acres) in Watson and Duggan plat dated 9/26/2018 and approved for recordation 10/2/2020, located on East James Anderson Highway Dillwyn, VA 23936 (Route 60) Curdsville Magisterial District.

Zoning District: Agricultural District (A-1)

Request: Zoning Map Amendment-Mr. Beiler is asking the Planning Commission to recommend a Public Hearing Date to hear the Request for Rezoning from Agricultural A1 to Business B1 for the Purpose of Operating Business on a Main Corridor, Route 60 (as indicated in application)

Background/Zoning Information: This property is located approximately one mile west of Sprouse’s Corner (intersection of Route 15 and Route 60). The Comprehensive Plan does list Route 60 as a main corridor, and this property is one mile west of the Sprouse’s Corner-Dillwyn-Alpha High Growth Area which is generally appropriate for residential, business, and limited industrial development of medium and higher density. This property is currently zoned Agricultural A1 and is owned by Lucy Jamerson. The applicant is Amos Beiler. Mr. Beiler currently has this property under a purchase contract with Mrs. Jamerson and a closing date of November 6, 2020. Mr. Beiler has plans to subdivide this property to three lots. He has submitted within the narrative of his application that he wishes to relocate Spring Hollow Market to Lot#2, possible retail farm supply/hardware store to Lot#1, and a wholesale outlet for local produce to Lot#3. Mr. Beiler met with VDOT to discuss entrance options. Mr. Beiler met with Lyn Hill, Buckingham County E&S Inspector, to discuss land disturbance and possible necessary actions. Mr. Beiler is also in contact with engineers and surveyors for his next development steps.
The following table lists the information necessary to review a rezoning application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

<table>
<thead>
<tr>
<th>Item</th>
<th>Required</th>
<th>Reason</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjacent Property Owners List and Affidavit (pages 5, 6 &amp; 7 attached)</td>
<td>YES</td>
<td>This list can be obtained from the Clerk of Courts Office.</td>
</tr>
<tr>
<td>Completed application for rezoning (pages 3 &amp; 4 attached)</td>
<td>YES</td>
<td>If not signed by the owner, a Power of Attorney must accompany the application.</td>
</tr>
<tr>
<td>Interest Disclosure Affidavit (page 8 attached)</td>
<td>YES</td>
<td>Must be signed by the owner.</td>
</tr>
<tr>
<td>Power of Attorney (page 11 attached)</td>
<td>YES</td>
<td>Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner.</td>
</tr>
<tr>
<td>Written Narrative (page 12 guidance in preparing the Written Narrative)</td>
<td>YES</td>
<td>guidance in preparing the Written Narrative.</td>
</tr>
<tr>
<td>Fees</td>
<td>YES</td>
<td>Fees required.</td>
</tr>
<tr>
<td>Deed</td>
<td>YES</td>
<td>Deed required.</td>
</tr>
<tr>
<td>Plat (15 copies)</td>
<td>YES</td>
<td>Plat information may be incorporated into the Rezoning General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:</td>
</tr>
<tr>
<td>A. Bearings and distances of a scale of 1&quot; = 100' or less for all property lines and existing and proposed zoning lines</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>B. Area of land proposed for consideration, in square feet or acres</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>C. Scale and north point</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>D. Names of boundary roads or streets and widths of existing right-of-ways</td>
<td>YES</td>
<td></td>
</tr>
<tr>
<td>Rezoning General Site Plan (15 copies)</td>
<td>YES</td>
<td>The General Site Plan must contain the following:</td>
</tr>
<tr>
<td>1. Vicinity Map – Please show scale</td>
<td>YES</td>
<td>Vicinity Map.</td>
</tr>
<tr>
<td>2. Owner and Project Name</td>
<td>YES</td>
<td>Owner and Project Name.</td>
</tr>
<tr>
<td>3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels</td>
<td>YES</td>
<td>Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels.</td>
</tr>
<tr>
<td>4. Property lines of existing and proposed zoning district lines</td>
<td>YES</td>
<td>Property lines of existing and proposed zoning district lines.</td>
</tr>
<tr>
<td>5. Area of land proposed for consideration, in square feet or acres</td>
<td>YES</td>
<td>Area of land proposed for consideration, in square feet or acres.</td>
</tr>
<tr>
<td>6. Scale and north point</td>
<td>YES</td>
<td>Scale and north point.</td>
</tr>
<tr>
<td>7. Names of boundary roads or streets and widths of existing right-of-ways</td>
<td>YES</td>
<td>Names of boundary roads or streets and widths of existing right-of-ways</td>
</tr>
</tbody>
</table>

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

Taxes paid First Half 2020
APPLICATION FOR A ZONING MAP AMENDMENT

CASE NUMBER: 20-ZMA280
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: _________________

Zoning Map Amendment: Request to rezone from A-2 to B-1

Purpose of Zoning Map Amendment:
To be able to operate businesses on main corridor,
on Rt 60

Zoning District: A-1
Number of Acres: 20

Part of Tax Map Section: 151 Parcel: 15 Lot: __________ Subdivision: ________ Magisterial Dist.: Curdsville

Street Address: Dillwyn VA 23936
Directions from the County Administration Building to the Proposed Site: head East on Rt 60
to traffic light, stay straight @ lights for 1 mile to site on right

Name of Applicant: Amos K Beiler
Mailing Address: 3145 Union Church Rd
Dillwyn VA 23936

Daytime Phone: 434-290-8965 Cell Phone: _________________

Email: __________________________ Fax: __________________________

Name of Property Owner: Lucy Jamerson
Mailing Address: __________________________

Daytime Phone: __________________________ Cell Phone: __________________________

Email: __________________________ Fax: __________________________

Signature of Owner: __________________________ Date: 10-5-2020

Signature of Applicant: __________________________ Date: 10-8-2020
ADJACENT PROPERTY OWNER’S LIST

(Required)

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

1. Name: Lucy Jamerson
Mailing Address: 115 Anchor Point Ln Dillwyn, VA 23936
Physical Address: P.O. Box 533 Dillwyn VA 23936
Tax Map Section: 151-15 Parcel: Lot: Subdivision: ________

2. Name: William Kidd
Mailing Address: P.O. 234 Buckingham, VA 23921
Physical Address: 18077 E James Anderson Hwy Dillwyn, VA 23936
Tax Map Section: 138-85B Parcel: Lot: Subdivision: ________

3. Name: Edward Selfridge
Mailing Address: 18125 E James Anderson Hwy Dillwyn, VA 23936
Physical Address: 18125 E James Anderson Hwy Dillwyn, VA 23936
Tax Map Section: 138-85A Parcel: Lot: Subdivision: ________

4. Name: Ivan P Davis Jr
Mailing Address: 106 Whetstone Ln Dillwyn, VA 23936
Physical Address: 106 Whetstone Ln Dillwyn, VA 23936
Tax Map Section: 151-17 Parcel: Lot: Subdivision: ________
6. Name: Weyerhaeuser Company
   Mailing Address: 100 Professional Center Brunswick GA 31525
   Physical Address: 
   Tax Map Section: 651-14 Parcel: Lot: Subdivision: 

7. Name: Linda W Russell
   Mailing Address: 12 Falls Rd Bethany CT 06524
   Physical Address: 
   Tax Map Section: 138-84 Parcel: Lot: Subdivision: 

8. Name: 
   Mailing Address: 
   Physical Address: 
   Tax Map Section: Parcel: Lot: Subdivision: 

9. Name: 
   Mailing Address: 
   Physical Address: 
   Tax Map Section: Parcel: Lot: Subdivision: 

10. Name: 
    Mailing Address: 
    Physical Address: 
    Tax Map Section: Parcel: Lot: Subdivision: 

11. Name: 
    Mailing Address: 
    Physical Address: 
    Tax Map Section: Parcel: Lot: Subdivision: 

Buckingham County Rezoning Application Page 6
ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 12th day of October, year 2020,

I, Amos K. Beiler, hereby make oath that

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

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

Amos K. Beiler

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

NOTARY:
COMMONWEALTH OF VIRGINIA
COUNTY OF Buckingham
STATE OF Virginia

Subscribed and sworn to me on the 12th day of October

of the year 2020 My Commission expires on 1-31-2021

Notary Public Signature: Victoria M. Ripley

Stamp: VICTORIA M. RIPLEY NOTARY PUBLIC COMMONWEALTH OF VIRGINIA
CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR PENDING DEVELOPMENT APPLICATIONS

Case Number / File Name: ________________________________

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

Road Frontage is mostly brush with some standing timber @ back of property

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

20 Ac. no homes or businesses, just planted in pines and harvested couple years ago

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

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

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

If yes, please explain any impact:

Owner/Applicant Signature: Amos K. Beiler Date: Oct 13, 2020

Printed Name: Amos K. Beiler Title: Applicant
APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: ____________________________________________

Applicant: __________________________________________________________

Location: __________________________________________________________

Proposed Use: _______________________________________________________

For VDOT use only:

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

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

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

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

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

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

____________________________________________________________________

Signature of VDOT Resident Engineer: ________________________________

Printed Name: ___________________________ Date ________________
SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this _________ day of ________________________, in the year of __________,

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

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

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

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

____________________________

NOTARY PUBLIC
County of ______________________ State of _______________

Subscribed and sworn before me on the __________ day of _________________________
in the year _______________ My commission expires _________________________

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

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

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

We are a Retail Grocer / Farm Market
we 1st establish our business in Mar 2020
and due to our success along Rt 15
we are looking to move to a larger piece
of property and expand our business
we feel like Rt 60 would be a great
location therefore the reason for our rezoning application
This would be a main corridor for your
Comprehensive Plan in thus a great location
for economic development we are looking for
a minimum of 3 businesses in this 20 acre
we anticipate operating hrs would be as
Fellows monday thru Saturday 7:30 Am - 6:00 Pm
Closed on Sunday

[Signature]

Amos & Beiler
Lot # 2

Spring Hollow Market

We are Retail Grocery / produce / Deli store looking for a new location to expand our business. We also plan to do a small garden center with approx. 3000 sq ft in retail greenhouse space. We also are considering putting in a shed/lawn furniture lot.

Hrs 7:30 AM - 6:00 PM

Lot # 3

To be determined

Possible Retail Farm to Various Sites
The produce auction would conduct auctions 1-5 days a week at main hours from 7:00 AM - 2:00 PM.

The auction will serve as a wholesale outlet for local farmers and a local produce source regional, retailers, and the community.
The attached plat, and courses and distance description, made by
Robert S. Maxey, Jr.,
Certified Land Surveyor, Farmville, Virginia, dated
May 22, 2009, of the lands of Charles M. Garland, Jr.
and Gloria T. Garland, situate in
Curdsville District, Buckingham County, Virginia,
and being the same land acquired by the said Garlands
by deeds of record in the Clerk's Office of the Circuit Court of Buckingham County,
Virginia, in Deed Book No. 46 Page 371, Deed Book 92 Page 181,
Deed Book 299 Page 377, and Deed Book 278 Page 798, is hereby
confirmed and submitted for record in the aforesaid Clerk's Office.

Given under our hands this 18th day of November 2009

Charles M. Garland (SEAL) OWNER

Gloria T. Garland (SEAL) OWNER

ACKNOWLEDGMENT

State of Virginia.
County of Buckingham.

1, Kimberly A. Smith, a Notary Public for the said
County of Buckingham, in the State of Virginia, do certify that
Charles M. Garland, Jr. and Gloria T. Garland
whose names are signed to the foregoing Certificate of Confirmation by Owners and
Plat, bearing date of the 22nd day of May, 2009, have
acknowledged the same before me in my county aforesaid.

Notary Public

Prepared by Maxey-Hines & Associates, P.C.

Virginia Clerk's Office of the Circuit Court of Buckingham County
The foregoing instrument with acknowledgement
was accepted to record on 11-18-20 09

Malcolm Dooker Jr. Clerk

Brenda Kiber, Deputy Clerk
THIS DEED, made the 24th day of May, 2013, by and between GLORIA T. GARLAND by J. MORGAN KEARSE, Conservator Grantor, hereinafter referred to as party of the first part, and ANDREW G. JAMESON LOGGING, INC., Grantee, hereinafter referred to as party of the second part. Grantor's mailing address is P.O. Box 523, Dilwyn, Virginia 22385.

WITNESSETH: That for and in consideration of the sum of Ten Dollars ($10.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the party of the first part does hereby grant and convey with GENERAL WARRANTY of title and with ENGLISH COVENANTS of title, unto the party of the second part, the following described real property, to wit:

SEE ATTACHED SCHEDULE "A" FOR FULL DESCRIPTION OF THE REAL ESTATE HEREBY CONVEYED AND SCHEDULE "A" IS HEREBY INCORPORATED HERIN BY REFERENCE AS FULLY AS IF FULLY WRITTEN HEREIN.

This property is conveyed subject to conditions, restrictions, easements, and rights of way of record as may be apparent from inspection of the property.

Except as set forth above, the party of the first part covenants with the party of the first part has the right to convey such lands to the party of the second part, that the party of the first part has done so not to encumber such lands, that the party of the second part shall have quiet
possession of such lands free from all encumbrances; and that the party of the first part will
execute such further assurances of lands as may be requisite.

WITNESS the following signatures and seals:

[Signature]

STATE OF South Carolina

CITY:COUNTY OF Allendale

[Signature]

I, the undersigned notary public, do hereby certify that by J. Morgan Kearse, Esquire,
Conservator of Gloria T. Garland whose name is signed to the foregoing Deed, has
acknowledged the same before me in my jurisdiction aforesaid.

Given under my hand this 9th day of May, 2018

My commission expires: 2/10/2027
Tax Map: 138-85
All that certain lot or parcel of land, with improvements thereon and appurtenances thereto belonging, situated in Curdsville Magisterial District of Buckingham County, Virginia, containing Three and one hundred fifty-six/thousandth (3.156) acres, more or less, said lands fronting on U.S. Route #60 and being more particularly described by a plat of survey prepared by Carroll Gillispe, L.S. dated November 14, 1998 and January 13, 1999, found recorded in Deed Book 239 at page 679 in which plat reference is hereby made for a more complete and accurate description of said lands

Being the same real estate conveyed to Gloria T. Garland by deed dated January 29, 1999 and recorded in the Circuit Court Clerk's Office for Buckingham County, Virginia in Deed Book 239, at page 677.

Tax Map: 151-15
All that certain lot or parcel of land, with improvements thereon and appurtenances thereto belonging, situated in Curdsville Magisterial District of Buckingham County, Virginia containing 61.89 acres, described as Lot 3 and 5.87 acres, described as Lot 1 on a plat of survey by Maxey-Hines & Associates, P.C., dated May 22, 2009 entitled “Boundary Survey of Tax Map Parcel 151-15 & 16 and 138-85 for Charles M. Garland, Jr., Gloria T. Garland, Curdsville District, Buckingham County, Virginia recorded in the Circuit Court Clerk's Office, Buckingham County, Virginia in Deed Book 376, page 277.

Being the same real estate conveyed to Charles M. Garland, Jr. by deed dated July 22, 1957 from Myrtle Ivy Garland, and recorded in the Circuit Court aforesaid in Deed Book 62, at page 181. Charles Mayo Garland, Jr. died on July 24, 2010 and by his Last Will and Testament of record as Court Instrument No. 20083179 did leave the above described real estate to his wife Gloria T. Garland.

This document prepared solely from information provided by the Grantor and/or Grantee or their agents thereof and without title examination and therefore Attorney is not making any representations as to the accuracy of the facts contained herein. Attorney is not certifying title.

SCHEDULE A
INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this 14 day of October of the year 2020

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

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

Notary Public
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 14 day of October of the year 2020 My commission expires Sept 30, 2023

Notary Public Signature
Stamp:
SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

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

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

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

Applicant/Owner:

Date: 10-14-2020
INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this ___ day of ___ , 2020

I, Lucy Jameson, (printed name of owner)

hereby make oath that no member of the Buckingham County Board of Supervisors nor

the Buckingham County Planning Commission has interest in such property either

individually, or by ownership of stock in a corporation owning such land, or by

partnership, or as a holder of ten percent (10%) or more of the outstanding shares of

stock in or as a director or officer of any corporation owning such land, directly or

indirectly by such members of his/her immediate household, except as follows:

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

NOTARY PUBLIC
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this ___ day of ___ , 2020

of the year My commission expires Sept 30, 2023

Notary Public Signature
Stamp
SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

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

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

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

Applicant/Owner: [Signature]

Date: 10/14/2020
The Buckingham County Zoning Ordinance requires the following:

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

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

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

Applicant/Owner: Amos K. Beiler

Date: 10-8-2020
26 Building Permits were issued in the amount of $5,543.66 for the month of September 2020

<table>
<thead>
<tr>
<th>Permit No.</th>
<th>District</th>
<th>Name</th>
<th>Purpose</th>
<th>Cost of Construction</th>
<th>Cost of Permit</th>
</tr>
</thead>
<tbody>
<tr>
<td>18219</td>
<td>Slate River</td>
<td>Lisa and Seth Richardson</td>
<td>Farm Building - Exempt</td>
<td>$25,000.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>18224</td>
<td>Town of Dillwyn</td>
<td>Ronnie Moss</td>
<td>Commercial Remodel</td>
<td>$9,000.00</td>
<td>$51.00</td>
</tr>
<tr>
<td>18228</td>
<td>Curdsville</td>
<td>Synder Design CO Chris Siburn</td>
<td>New Dwelling</td>
<td>$760,000.00</td>
<td>$13,459.22</td>
</tr>
<tr>
<td>18229</td>
<td>Slate River</td>
<td>Brenda Washington</td>
<td>Mobile Home - Singlewide</td>
<td>$9,000.00</td>
<td>$254.00</td>
</tr>
<tr>
<td>18230</td>
<td>Marshall</td>
<td>David Allen</td>
<td>Farm Building - Exempt</td>
<td>$17,000.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>18232</td>
<td>Slate River</td>
<td>JT Enterprises</td>
<td>New Dwelling</td>
<td>$175,000.00</td>
<td>$354.25</td>
</tr>
<tr>
<td>18233</td>
<td>Marshall</td>
<td>Larry Darrenbacker</td>
<td>Detached Garage</td>
<td>$20,000.00</td>
<td>$141.94</td>
</tr>
<tr>
<td>18234</td>
<td>Curdsville</td>
<td>Jennifer Crews</td>
<td>Electrical</td>
<td>$0.00</td>
<td>$25.50</td>
</tr>
<tr>
<td>18235</td>
<td>Slate River</td>
<td>Jose Castillo</td>
<td>Mobile Home - Singlewide</td>
<td>$2,000.00</td>
<td>$306.49</td>
</tr>
<tr>
<td>18236</td>
<td>Marshall</td>
<td>Joe Garcia</td>
<td>Electrical</td>
<td>$2,450.00</td>
<td>$25.50</td>
</tr>
<tr>
<td>18237</td>
<td>Maysville</td>
<td>Jeffery Weston</td>
<td>Residential Addition</td>
<td>$1,000.00</td>
<td>$25.50</td>
</tr>
<tr>
<td>18238</td>
<td>Town of Dillwyn</td>
<td>Thomas Bolden</td>
<td>Commercial Addition</td>
<td>$14,000.00</td>
<td>$106.08</td>
</tr>
<tr>
<td>18239</td>
<td>Maysville</td>
<td>Robin and Lionel Bolden</td>
<td>Mobile Home - Singlewide</td>
<td>$6,700.00</td>
<td>$187.52</td>
</tr>
<tr>
<td>18240</td>
<td>Francisco</td>
<td>Mills Heating and Air</td>
<td>Mechanical</td>
<td>$8,798.00</td>
<td>$25.50</td>
</tr>
<tr>
<td>18241</td>
<td>Marshall</td>
<td>Thomas Gillespie</td>
<td>New Dwelling</td>
<td>$75,000.00</td>
<td>$215.63</td>
</tr>
<tr>
<td>18242</td>
<td>Curdsville</td>
<td>John Yoder</td>
<td>Farm Building - Exempt</td>
<td>$50,000.00</td>
<td>$10.00</td>
</tr>
<tr>
<td>18243</td>
<td>James River</td>
<td>Janice Turner</td>
<td>New Dwelling</td>
<td>$30,000.00</td>
<td>$117.30</td>
</tr>
<tr>
<td>18244</td>
<td>James River</td>
<td>Janice Turner</td>
<td>New Dwelling</td>
<td>$30,000.00</td>
<td>$117.30</td>
</tr>
<tr>
<td>18245</td>
<td>James River</td>
<td>Rutherford Enterprises</td>
<td>Replace Manufactured Home</td>
<td>$50,000.00</td>
<td>$241.32</td>
</tr>
<tr>
<td>18247</td>
<td>Marshall</td>
<td>Melinda Booker</td>
<td>Mechanical</td>
<td>$300.00</td>
<td>$25.50</td>
</tr>
<tr>
<td>18248</td>
<td>Slate River</td>
<td>Jenny Paterson</td>
<td>Residential Addition</td>
<td>$2,500.00</td>
<td>$35.50</td>
</tr>
<tr>
<td>18250</td>
<td>Slate River</td>
<td>Sigora Solar</td>
<td>Residential Addition</td>
<td>$29,120.00</td>
<td>$63.00</td>
</tr>
<tr>
<td>18251</td>
<td>Curdsville</td>
<td>Darwins Construction</td>
<td>Residential Remodel</td>
<td>$70,000.00</td>
<td>$51.00</td>
</tr>
<tr>
<td>18252</td>
<td>Curdsville</td>
<td>Jerry Ownby</td>
<td>Mobile Home - Singlewide</td>
<td>$5,000.00</td>
<td>$197.06</td>
</tr>
<tr>
<td>18253</td>
<td>Maysville</td>
<td>John Payne</td>
<td>New Dwelling</td>
<td>$125,000.00</td>
<td>$1,053.29</td>
</tr>
<tr>
<td>18254</td>
<td>Francisco</td>
<td>Artec Rental</td>
<td>Tent</td>
<td>$1,989.75</td>
<td>$548.56</td>
</tr>
</tbody>
</table>

Total: $1,518,857.75 $5,543.66

based on square footage of structure**