

PRESENT: S. F. Shreckhise, Chairman
G. A. Coyner, II, Vice Chairman
D. A. Brown
T. H. Byerly
J. W. Callison, Jr.
J. R. Wilkinson, Zoning Administrator & Secretary
Timothy K. Fitzgerald, Director of Community Development

ABSENT: Pat Morgan, County Attorney

VIRGINIA: At the Called Meeting of the Augusta County Board of Zoning Appeals held on Thursday, July 7, 2011, at 9:00 A.M., in the County Government Center, Verona, Virginia.

The staff briefing was held at **9:00 a.m.** in the Board of Supervisors Conference Room where the Zoning Administrator reviewed the staff report for each request on the Board's agenda. Copies of the staff reports can be found in the Community Development Department.

VIEWINGS

The members of the Board of Zoning Appeals assembled at the Government Center and went as a group to view the following:

- **ERIC WALTER, AGENT FOR BLACK BEAR COMPOSTING - SPECIAL USE PERMIT**
- **CHARLES QUENTIN CRAIG - SPECIAL USE PERMIT**
- **PAUL W. JOHNSON – REQUEST FOR A 60 DAY EXTENSION OF TIME**

At each location, the Board observed the site and the premises to be utilized. The Board also viewed the development and the character of the surrounding area.

Chairman

Secretary

PRESENT: S. F. Shreckhise, Chairman
 G. A. Coyner, II, Vice Chairman
 J. W. Callison, Jr.
 D. A. Brown
 T. H. Byerly
 J. R. Wilkinson, Zoning Administrator & Secretary
 Timothy K. Fitzgerald, Director of Community Development
 B. Cardellicchio-Weber, Administrative Assistant

ABSENT: Pat Morgan, County Attorney

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VIRGINIA: At the Regular Meeting of the Augusta County Board of Zoning Appeals held on Thursday, July 7, 2011, at 1:30 P.M., in the County Government Center, Verona, Virginia....

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Vice Chairman Coyner moved that the minutes from the June 2, 2011, meeting be approved.

Ms. Brown seconded the motion, which carried unanimously.

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ERIC WALTER, AGENT FOR BLACK BEAR COMPOSTING - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Eric Walter, agent for Black Bear Composting, for a Special Use Permit to have a composting operation on property owned by Darrell Lee and Michael Eugene Landram, located on the west side of East Side Highway (Route 340), at the south end of McGuslin Lane and adjacent to the Virginia Department of Forestry in the Middle River District.

Mr. Eric Walter stated that he formed Black Bear Composting (BBC) to start an organic recycling business. He mentioned that his consultant is also here today to answer any questions. He stated that his contract to purchase the property is contingent on his Special Use Permit being granted. He stated the parcels combined contain forty-seven (47) acres and zoned General Agriculture. He stated that composting is the controlled aerobic

biological decomposition process where microorganisms convert organic materials into relatively stable humus-like materials suitable as a soil amendment. He mentioned this use would be a great fit for the land and it will help preserve agricultural land. He stated the key word is control and manage. He mentioned recycling organic material by composting has many benefits: 1. Saves valuable landfill space and resources, 2. Reduces greenhouse gases – organics decomposing in landfills produce methane, which is 25 times more potent than CO₂, 3. Good for business – recycling is a cost-effective waste solution that is increasingly expected by customers and citizens, and 4. Environmentally restorative – produces a product that has many benefits to soil and water quality. He provided pictures of windrows which is a long row of compost. He stated that it is engineered to keep water in and trap in the odor. He uses a tractor to create the windrow as well as a windrow turner. He stated a sprayer is built into the windrow turner in order to keep the dust down and keep moisture levels optimal. He stated that it will cure for several months. He mentioned finished compost has many benefits: 1. Provides physical (structure), chemical (nutrients) and biological (living environment for microbes) benefits to soil, 2. Replenishes organic materials in soil, 3. Promotes healthy soil for healthy plants, 4. Healthy plants and soil reduce the need for chemical additives for fertilizing and pest control, and 5. Compost's water retention and filtration capabilities have proven benefits to erosion control and stormwater management. He stated there will be minimal site development. He mentioned there is a gravel road that goes into the property. He will use a 20' x 40' concrete pad and the rest is done on bare earth. He stated there are railroad tracks along the southeast corner that provide screening. He would be happy to provide additional screening along the southwest corner. He will purchase Leyland Cypress trees from Shenandoah Nursery. He stated the property also has natural buffers in extensive tree coverage along the river and a tree line dividing the property from west to east. He mentioned his facility will be regulated by the Virginia Department of Environmental Quality (DEQ). He stated this proposed composting facility will be regulated by DEQ. He mentioned BBC will apply for a Compost Facility permit to process 2,800 tons per year. He stated the permit will also define the facility as Type B (employing open windrow method) and accepting Category III feedstocks (animal and post consumer food wastes). He stated they do not intend on composting animals. He explained that they need to have approval from DEQ in order to proceed with the process. He stated they will hold public meetings after County approval with the community in order to further gather comments. He mentioned DEQ strictly regulates compost facilities to ensure that environmental standards are being met and operational requirements are being followed. He stated this facility is subject to quarterly inspections and the finished product will be tested regularly. He mentioned sales of finished compost are regulated by the Virginia Department of Agriculture and Consumer Services. He stated they will collect food scraps from schools, vegetation trimmings from golf courses and landfills, and woodchips from forestry departments and local pallet companies. He stated he would collect these items with his own trucks. He will not collect animal carcasses or hazardous items or garbage. He will operate 8:00 a.m. to 5:00 p.m. Monday through Friday and Saturday morning during

composting season. He stated that they will not be open to the general public. He mentioned the gates open only when staff is present. He will operate with two (2) employees and seasonal staff during compost and delivery times. He stated the food scraps will be mixed with feedstocks. He stated the covers will be 4' x 8' and 200' long and breathable. He stated a temperature greater than 130 degrees will be maintained for fifteen (15) days. He stated the compost will be tested to be sure it is pathogen free. He stated it will take four (4) months for it to mature. He stated the compost will be tested. He stated that the majority of the compost will be delivered to farmers, garden centers, nurseries, and low impact developers. He personally reached out to the adjacent property owners and he was grateful for their friendliness. He stated they want to protect the environment and they will be a good neighbor. He hopes that overall, the extensive buffers, acreage, and vegetative screening, mitigate most operational activities. He mentioned additionally, activity at the facility will be limited to standard business hours. He mentioned with traffic, by having BBC-owned trucks collect and deliver materials, BBC anticipates that its' trucks will be the majority of traffic to the facility. He stated that by requiring contracts from customers who wish to deliver their feedstocks to the facility will make incoming traffic accountable and traceable. He does not have definitive plans to move his home there but will treat the land as if it was. He stated there will be three (3) to five (5) truck trips per day to the facility. He stated that with a farm-based operation, BBC will also have a small tow-behind tree chipper to chip brush as needed. He mentioned BBC will stockpile these materials and chip in batches to avoid continuous noise from this machine. He stated odors from the decomposition process will be controlled through operational means, such as immediate processing of non-woody materials and covering new windrows. He will be turning and monitoring the windrows and keeping the temperature over 130 degrees which will eliminate any odors. He stated by using covers on new windrows, he will be mitigating animal interest in the decomposition process in the windrows. The property is also secured by continuous fencing. He stated that BBC will maintain proper moisture levels during the composting process and will actually be watering the windrows as they are turned through the use of a water wagon attached to the windrow turner. He mentioned by keeping adequate moisture levels, we hope to minimize dust from activities. He stated they will not impact well water. He stated the organic materials will be free of chemicals. He stated BBC is committed to keep the South River clean. He has been working with a stormwater engineer on low impact stormwater management. He stated there will be no lights at the site due to the fact that they will not operate after sunset. He stated all of the neighbors have his cell phone and are encouraged to contact him. He would like to have community involvement, work with the Extension office, and provide education for schools in the area. He stated this is an agricultural support business as well as a green business. He stated this use is another marketing tool in order to attract new businesses to the County.

Ms. Brown asked how long will food take to decompose?

Mr. Walter stated within two (2) months. He mentioned it will be tested before being moved to the curing area.

Ms. Brown asked if the compost will be turned every day and watered?

Mr. Walter stated that it will not be turned every day. He stated he will monitor the temperatures. He stated that if there is a peak in temperature, it will be turned and he will reintroduce oxygen every five (5) days on average.

Ms. Brown asked if the food/vegetation will be distributed differently from the animal remains?

Mr. Walter stated meat from plate scraps will be used. He is not authorized to collect from rendering facilities. He stated he will collect waste from the grocery stores. He mentioned the meat and vegetation will all be combined together.

Vice Chairman Coyner asked what would be the source for the organic materials?

Mr. Walter stated that he will use the forestry department. He will also get woodchips from local tree trimming operations and the Augusta County landfill. He will also use landscapers, golf courses, and leaves from municipalities such as the Cities of Staunton and Waynesboro.

Vice Chairman Coyner asked if they will build windrows as the materials come in or will you collect a pile?

Mr. Walter stated the wood chips are collected in mass. He will mix the grass and scraps together and then they will be covered. He stated they will be mixed immediately and covered. He will collect wood and other items that will not breakdown but the food scraps will be mixed immediately. He stated anything green will be mixed and then covered. He stated that he will form the windrows in small segments.

Vice Chairman Coyner asked how fast will it take to turn the windrow?

Mr. Walter stated they operate the tractor on a really slow gear. He stated each row may take about ten (10) to fifteen (15) minutes.

Vice Chairman Coyner asked if there is a piece of equipment specifically for mixing?

Mr. Walter stated yes.

Vice Chairman Coyner asked if the finished product would be bagged?

Mr. Walter stated he will sell the product in bulk to farmers, landscapers, garden centers, and nurseries.

Vice Chairman Coyner asked what would the timeframe be from when the waste enters and exits?

Mr. Walter stated six (6) months. He stated everything that comes in to the site will go back out.

Vice Chairman Coyner asked if this operation has been done in Virginia already?

Mr. Walter stated yes.

Mr. Callison asked if the applicant has operated this type of facility before?

Mr. Walter stated no which is why he has retained a consultant.

Ms. Brown asked if the covers will hold the odor in?

Mr. Walter stated yes.

Ms. Brown asked if the covers build up heat?

Mr. Walter stated it does not add heat. He stated the covers help keep extra moisture out.

Ms. Brown asked once the compost is broken down would it look fine?

Mr. Walter stated it does get fine especially with a heavy volume of food scraps.

Ms. Brown asked if the purpose is to feed the nutrients back into the ground?

Mr. Walter stated yes the nutrients are absorbed by the soil.

Ms. Brown asked how will customers know about the business?

Mr. Walter stated by relationships, word of mouth, and advertising.

Vice Chairman Coyner asked if they will use liquids like cooking oils?

Mr. Walter stated no. He does not feel the facility is prepared to accept those materials.

Ms. Brown asked what items would the applicant be collecting from the landfill?

Mr. Walter stated the landfill is a great source of collecting leaves and trees. His main concern is having enough materials of carbon to mix with green waste that he will get.

Vice Chairman Coyner asked how would the applicant control what is coming in?

Mr. Walter stated that he is running his own vehicle and any agreements that are in place would be for only organics and no trash. He stated that food soiled cardboard can be used. He stated he will be inspecting the items and he can either accept it or reject it. He stated he can reject the load and send it to the landfill.

Vice Chairman Coyner asked what is the radius to get the resources?

Mr. Walter stated Harrisonburg, Charlottesville, and other places, but the majority would be in Augusta County.

Mr. Callison asked once the process gets up and running, how many windrows would there be?

Mr. Walter stated nine (9) windrows composting and nine (9) windrows in the curing area.

Mr. Callison stated this is a good size piece of property. He asked if only one side of the land would be used?

Mr. Walter stated he would like to use just the one side. He feels that he would have plenty of room. He stated eventually he would like to have educational compost piles but it would all be contained to the one side.

Vice Chairman Coyner stated the size of the property makes this process work.

Mr. Walter stated he chose an area with five times the amount of space than he needs. He wants to be a good neighbor. He mentioned this type of operation could not be done on twenty (20) acres. He stated he was looking at a lot that was at least forty (40) acres.

Vice Chairman Coyner asked if business goes well, will this property sustain nine (9) more windrows?

Mr. Walter stated yes, there will be room for expansion. He stated that it would have the same footprint but he would straddle the larger windrows. He stated that they would have fewer windrows but they would be taller and bigger.

Mr. Byerly stated if the applicant would like to double the size, would he need anything from the Board?

Mr. Wilkinson stated the site plan approved by the Board needs to be followed. He stated the applicant can amend the site plan as long as there is a substantial buffer. He stated any expansion would need to be heard by the Board.

Mr. Walker stated that he would also have to amend his permit with DEQ.

Mr. Wilkinson asked if the applicant will need an office facility?

Mr. Walter stated that if things go well possibly within two (2) years. He stated it will take at least a year in order for him to get to capacity. He stated if he were to expand then he may need an office.

Ms. Brown asked if half of the forty-seven (47) acres will be used?

Mr. Walter stated the southern part of the property will be used.

Chairman Shreckhise asked how far away from the floodplain will the windrows be and is it regulated by DEQ?

Mr. Walter stated yes. He stated that they will be 100' from the floodplain buffer area.

Vice Chairman Coyner asked what is the elevation at the site?

Mr. Walter stated the elevation is 1212' at the beginning of the compost pad. He stated elevation rises as it gets back toward the railroad tracks.

Mr. Wilkinson showed the Board the aerial photo with the floodplain.

Chairman Shreckhise asked if there was anyone wishing to speak in favor, or in opposition to the request?

Mr. Victor Lapierre from New Hampshire stated that he has a summer home at 182 McGuslin Lane. He spoke with Mr. Walter and he would like to have him as his neighbor. He stated his operation seems to be better than the one in New Hampshire. He stated Mr. Walter proposes to use the upper gate and not the lower gate that is actually on his property. He would like to see Mr. Walter's business get started.

Mr. Scott Gochenour, 43 Thorofare Road, Crimora, stated that he is not in opposition to his business venture. He is not an adjoining property owner but he is 150 yards from Route

340 and 250 yards from the corner of the land. He stated that Mr. Walter did a nice job of making contact with the neighbors in the area. He stated there was a request in Nelson County on Duncan Lane similar to this that he visited but it did not even make it to public hearing because they did not think that was a good area for a composting business. He stated that Nelson County is more rural than this tract of land. He stated Duncan Lane only has eight (8) residents on the lane. He stated this is not a good lot for this type of business. He stated approximately 500 residents live in the Meadow Rue Manufactured Home Park and Country Estates. He stated that many of the residents will be prone to winds and he does not agree that there will not be any odor. He stated that they may have an issue with bears. He does not understand why this area would be selected for a compost business. He stated that an outdoor operation would be prone to rodents, animals, bears, and odors. He stated that there is no way that they can capture leeching. He stated that the proposed site has a steady slope down to the river. He stated his mother runs Meadow Rue restaurant and it adjoins the property. He stated there could be a potential impact with the health hazards, bacteria, spores, bio aerosols, and possibly even more risks to the health issues particularly with food. He stated that he supports Mr. Walter's effort but given human inhabitants in the area, South River, the railroad, and the restaurant, he felt that this is not a good area for the business.

Mr. Byerly asked if he visited any existing operations?

Mr. Gochenour stated that he tried to but he has not. He made a trip to the address but that was the applicant's home address.

Mr. Byerly stated in Rockingham County there are two (2) sites that are very well done.

Mr. Gochenour stated with this venture there are uncertainties.

Ms. Bonita Snyder, 39 McGuslin Lane, Crimora, stated her mom resides at this address. She stated the single lane road is not improved and there is not an adequate turn around. She stated residents on the road will be forced off the road by the trucks coming in. She stated that they will need to worry about rats, odor, and reduced property values. She stated they realize the landfill is filling up but to put this behind someone's backyard is not right.

Mr. Allen Wolf, 287 Red Mill Lane, Crimora, stated that he lives directly across the river from the proposed site. He stated that the aerial is inaccurate showing the floodplain. He stated over the years the floods have gone up and up. He stated water covered the floodplain area and it was just a rainstorm.

Chairman Shreckhise asked if the water has been above the property location where the compost storage will be?

Mr. Wolf stated no. He met with Mr. Walter and he is not opposed to his personal business venture. He is in total support of green businesses. He does agree with Mr. Gochenour. He stated this is the wrong place for this type of business. He stated that compost places are very good but some compost sites do get shut down. He stated that there is not a single facility this close to a river. He mentioned leaching with this type of business will go into the groundwater and they all use wells in the area. He stated there are not a lot of specific DEQ regulations for a compost business in Virginia. He mentioned regulations from DEQ in Ohio. He stated in the first three (3) months the organics will be in the windrows which would be the closest to the river at fifty (50') feet. He stated Mr. Walter mentioned about changing the proposed site before anything is approved. He stated the applicant mentioned that he would only collect certain kinds of organic material for composting and that he would control what is collected and brought in. He would like to see in writing that meats would not be taken from the butcher department of grocery stores. He stated the remains from a butcher are a different level of smell and it will take longer to decompose. He stated that he would be one of the first residents to smell the odor across the river. He stated that one of the main concerns is the noise. He stated neighbors live in the area for nature. He stated they are in support of green facilities but this business would be leaching into the stormwater system and create runoff in the river even if it is organic materials, it is still pollution. He would like to see some more research on this type of business.

Mr. Byerly asked if he visited a composting operation?

Mr. Wolf stated no.

Mr. Byerly stated you refer to leachate as if it is poison. He stated that it is an organic material versus a chemical.

Mr. Wolf stated it is not a chemical or poison.

Mr. Byerly stated that it came across to him that you were indicating that it was a poison.

Mr. Wolf stated no. He stated it can be poisonous if materials put in have poisonous materials but that is not the way Mr. Walter is using it.

Ms. Cecelia Wolf, 287 Red Mill Lane, Crimora, stated as citizens of Augusta County she is concerned about the smells and the river. She asked if the smell is not controlled what can they do as citizens. She stated this is the first time something like this is being done in the area and the first time the applicant is doing anything like this. She wanted to know the recourse if the smell is overwhelming.

Mr. Wilkinson stated that if odors are being produced, citizens can complain to DEQ and they can inspect the site. He stated they may even revoke the permit if it is not operating accordingly.

Chairman Shreckhise stated that if the request is granted, the Board can review the permit for compliance. He asked if there was anyone else wishing to speak in favor, or in opposition to the request?

There being none, Chairman Shreckhise asked the applicant to address the concerns of the citizens.

Mr. Walter stated this is a good starter operation. He stated if an expansion is necessary in the future, it would be a public process with the DEQ and the Board. He can prove this operation at every step. He stated all materials will be covered in waterproof covers while they are decomposing. He stated once it is out of the covers it is considered compost and not waste by DEQ. He met with Mr. and Mrs. Wolf on two occasions. He stated the compost pad is 500' from the water. He stated it is 100' to 200' beyond the 100' floodplain buffer. He stated it is 750' to their home. He stated we can push it back if the Board would prefer. He feels the site plan that was provided maintains the correct balance. He stated there is a big difference between composting meat scraps from a restaurant or butcher than animal carcasses. He stated Graham Simmerman from DEQ is here and can speak regarding the regulations. He has also met Bonita Snyder's mom and talked with her about the traffic issues. He mentioned he will continue to have conversations with all of the neighbors. He will be using Craig Coker's thirty (30) years worth of experience as a guide for his business.

Mr. Craig Coker stated that he runs Coker Composting. He stated that they require all runoff to be diverted around it. He stated all runoff from the facility has to be captured and discharged only when it goes above 2.3 inches per hour. He stated the windrows will help keep heat in. He stated there are two (2) facilities in Rockingham County. He mentioned twenty (20) to twenty-two (22) facilities in the state. He stated that the largest facility is in Lynchburg. He stated Mr. Walter will be producing 2,800 tons on the forty-seven (47) acre farm.

Vice Chairman Coyner asked what is going on if there is an odor to the compost piles?

Mr. Coker stated if the composting piles are producing odor, it is because improper management of the composting process. He stated there is too much green and not enough carbon. He mentioned if there is more carbon, there is less of an opportunity for bad odors to develop.

Chairman Shreckhise asked the representative from DEQ to address some of the items.

Mr. Graham Simmerman stated he is the Land Protection Manager for DEQ. He attends public meetings to listen to the public concerns.

Chairman Shreckhise asked if the Rockingham County facility ever had any issues with odor?

Mr. Simmerman stated no. He mentioned there has only been one (1) facility in Virginia that developed significant odors. He stated they were not adding enough carbon. He stated they revoked the permit at the Virginia Beach facility.

Chairman Shreckhise asked if he felt there would be a leaching problem?

Mr. Simmerman stated they require runoff to be diverted around and captured. He stated the definition of leaching is where any water comes in contact with waste. He stated most of the material is not waste. He stated that DEQ cannot speak in favor or in opposition to the permit. He does see that composting is a better alternative than using a landfill. He helped write the regulations on farm composting. He stated carcasses are exempt from regulations on the farm.

Chairman Shreckhise asked if the facilities in Rockingham County are similar to this site?

Mr. Simmerman stated yes. He stated there is a composting operation at Eastern Mennonite University. He stated that there is a very large facility at the University of Virginia that produces tons per day without any odor concerns.

Vice Chairman Coyner asked if there would be issues with rodents?

Mr. Simmerman stated with DEQ regulations there should not be any problems with rodents. He stated if there is a problem, they do have regulations on trapping rodents. He mentioned at landfills there are problems with buzzards and with composting sites there are no buzzards.

Mr. Wilkinson stated if the facility is operated by DEQ regulations, the site should not have a negative impact on neighbors and not draw bears to the area.

Mr. Simmerman stated that he has no experience with a facility drawing bears. He stated if there are problems with wildlife and odors, citizens can call DEQ and the problem will be addressed. He stated Mr. Walter is not allowed to take in trash. He stated DEQ inspects the site quarterly. He stated they also look at runoff issues and buffer zones. He stated they can shut down facilities for nuisances which is what odor is.

Mr. Wolf asked if any of the other composting operations in Virginia are this close to a river?

Mr. Simmerman stated there is one site in Albemarle County that is near a river. He stated they have not had a problem with that particular site.

Chairman Shreckhise declared the public hearing closed.

Mr. Byerly stated that he appreciates the applicant taking a detailed, professional approach to this venture. He stated that he is a farmer and have used composting for five (5) years. He does not like commercial fertilizer because of the chemicals. He would applaud the citizens who turned out to listen. He stated some are more experienced than others. He feels this operation has been well thought out. He stated the applicant will have a professional consultant guiding him through the process. He moved the request be approved with the conditions set forth by staff.

Chairman Shreckhise stated the Board does not have any experience with this type of operation. He stated that he has spoken with many farmers and farm composting is not strictly regulated. He stated they expressed to him that they did not have a problem with odors. He stated that if the permit is approved the Board should review the permit on an annual basis in case there is some difficulty with the permit such as extreme odors.

Mr. Byerly stated that DEQ will be regulating the permit and he feels that it will be adequately covered by them.

Ms. Brown asked if the Board wants to include an office on the site if it is needed in the future?

Mr. Byerly stated that he does not have a problem adding a future office if needed.

Mr. Callison stated that he agrees with Mr. Byerly. He stated that DEQ will inspect the site on a quarterly basis and he feels with DEQ doing that it will provide the citizens with adequate protection. He stated that staff reviews the Special Use Permit yearly. He seconded the motion.

Vice Chairman Coyner stated this has been a good learning experience. He stated there are a number of folks that have concerns. He asked what is the criteria for offensive odor?

Mr. Simmerman stated that odor is highly subjectable to the individual. He stated that odor is the most difficult for them to regulate. He stated in his experience compost does not smell bad. He stated that if they received an odor complaint first they would figure out why

the odor is occurring. He stated that if they do smell the odors then they have a panel of five (5) people with normal sensitivity that check the odor out. He stated that they have shut down landfills in the past. He mentioned Mr. Walter has been forthcoming and he does not think odors will be a real problem. He confirmed that DEQ will regulate odors.

Vice Chairman Coyner stated this request is similar to when the Board first starting hearing the cell tower requests. He does not know much about composting operations. He feels that the Board should review this request in a year especially since the applicant is not putting a huge amount of infrastructure at the site.

Mr. Byerly stated that he is amendable to including that to satisfy Vice Chairman Coyner. He amended his motion that the request be approved with the following conditions:

Pre-Condition:

1. Obtain Health Department approval and provide a copy to Community Development.

Operating Conditions:

1. Be limited to two (2) full-time employees and two (2) seasonal workers onsite unless the Health Department approves additional staff.
2. Site be kept neat and orderly.
3. No junk or inoperable vehicles, equipment, or parts of vehicles or equipment be kept outside.
4. Hours of operation for the public be Monday – Friday 8:00 a.m. to 5:00 p.m. and Saturday from 9:00 a.m. to noon.
5. No Sunday work.
6. Be permitted one (1) structure for an office.
7. Issued for one (1) year and renewable if all conditions are met.

Ms. Brown stated that Mr. Walter did a lot of research for his business. She stated the permit will also be regulated by DEQ.

Mr. Callison seconded the motion, which carried with a 4-1 vote, with Vice Chairman Coyner being opposed to the motion.

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CHARLES QUENTIN CRAIG - SPECIAL USE PERMIT

This being the date and time advertised to consider a request by Charles Quentin Craig, for a Special Use Permit to reconstruct and enlarge an existing non-conforming building on property he owns, located at 39 Craig Hill Lane, Verona, in the Middle River District.

Mr. Charles Quentin Craig stated that he cannot go any closer to the house with the building. He stated that it will be about ten (10') feet from the property line. He stated that if he put the building in the middle of the field he would have to make another entrance. He mentioned that he does not want the building too far away because he wants to see the building for security reasons.

Chairman Shreckhise stated accessibility is important. He asked if there was anyone wishing to speak in favor, or in opposition to the request?

Mr. Charles Craig, 15 Craig Hill Lane, Verona, stated that he has spoke with some of the neighbors in the area. He stated that this request is fine with Ms. Bailey and Mr. Dean.

Chairman Shreckhise said all of the direct neighbors are in favor of the request.

Vice Chairman Coyner asked when was the road paved?

Mr. Craig stated within the last thirty (30) days.

Chairman Shreckhise asked if there was anyone else wishing to speak in favor, or in opposition to the request?

There being none, Chairman Shreckhise declared the public hearing closed.

Vice Chairman Coyner stated that the Board visited the site today. He stated this request is in keeping with the character of the area. He moved that the request be approved with the following conditions:

Pre-Conditions:

None

Operating Conditions:

- 1. Be permitted to replace the old manufactured home with a 36' x 60' machine shed for personal use.
- 2. The machine shed shall be setback a minimum of ten (10') feet from the property line as shown on the BZA sketch plan.

Mr. Callison seconded the motion, which carried unanimously.

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POUNDING MILL QUARRY CORPORATION – REQUEST FOR A TWO YEAR EXTENSION OF TIME

Mr. Ed Treadway stated that he would like to keep the Special Use Permit active. He stated even though they are not there they maintain the quarry. He hopes in the near future there will be a project for them.

Vice Chairman Coyner asked how far from the quarry is profitable for hauling?

Mr. Treadway stated ten (10) miles north and south.

Vice Chairman Coyner stated a two (2) year Extension of Time request seems reasonable.

Mr. Callison moved that the two (2) year Extension of Time be approved.

Vice Chairman Coyner seconded the motion, which carried unanimously.

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PAUL W. JOHNSON – REQUEST FOR A 60 DAY EXTENSION OF TIME

A request by Paul W. Johnson, for a Special Use Permit to have a personal kennel on property he owns, located on the north side of Stuarts Draft Highway (Route 340), just east of the intersection of Stuarts Draft Highway (Route 340) and Shalom Road (Route 632) in the South River District.

Mr. Wilkinson stated that Paul Johnson's permit has a pre-condition to construct the privacy fence within ninety (90) days. He mentioned during staff's inspection it showed that

the fence was not complete. He stated the Board visited the site this morning and there has been a significant amount of activity at the site. He stated the applicant is requesting a sixty (60) day Extension of Time to complete the pre-condition on his Special Use Permit.

Vice Chairman Coyner moved to approve only a thirty (30) day Extension of Time.

Ms. Brown seconded the motion, which carried unanimously.

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STAFF REPORT

- 10-50 Rhafiri, Said or Donna L.
- 10-51 Price, Jeffrey S. or Rebecca L.
- 10-52 Clark, Diane
- 10-53 Community Bank/Blue Marlin Investments
- 10-54 Horst, Stanley M. or Deborah J.
- 10-55 Normel, Inc. c/o Peeler Oil Co.
- 10-56 Lucas, Vernon O.

Mr. Wilkinson stated that the pre-conditions have not been met for SUP#10-50. He stated staff sent the applicant a letter. He mentioned SUP#10-51 is in compliance. He stated that the business has been closed for SUP#10-52. He stated that the applicant is canceling the permit. He stated that SUP#10-53 is in compliance. He stated that the applicant cannot complete the Health Department requirements for SUP#10-54. He stated that staff sent the applicant a letter to cancel the permit. He stated the property owner withdrew the approval for SUP#10-55. He stated that staff sent the applicant a letter to cancel the permit. He stated that SUP#10-56 is in compliance.

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Mr. Wilkinson passed out the court cases for the Board to review.

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There being no further business to come before the Board, the meeting was adjourned.

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Chairman

Secretary