

February 9, 2021

County of Greene, Virginia

THE GREENE COUNTY BOARD OF SUPERVISORS MET ON TUESDAY, FEBRUARY 9, 2021, BEGINNING AT 4:30 P.M. BY ZOOM VIDEO COMMUNICATION IN ACCORDANCE WITH THE ORDINANCE ADOPTED ON MARCH 24, 2020 TO PERMIT PUBLIC BODIES OF GREENE COUNTY TO ASSEMBLE ELECTRONICALLY, TO MODIFY PUBLIC MEETING AND PUBLIC PRACTICES AND PROCEDURES, TO EFFECTUATE TEMPORARY CHANGES IN CERTAIN DEADLINES, AND TO ADDRESS CONTINUITY OF OPERATIONS ASSOCIATED WITH THE COVID-19 PANDEMIC DISASTER

Present were: Bill Martin, Chair
Marie Durrer, Vice Chair
Steve Bowman, Member
Dale Herring, Member
Davis Lamb, Member

Staff present: Mark B. Taylor, County Administrator
Kelley Kemp, Assistant County Attorney
Patti Vogt, Deputy Clerk
Jim Frydl, Director of Planning and Zoning
Melissa Meador, Director of Emergency Services
Tracy Morris, Director of Finance

RE: WORK SESSION – CAPITAL IMPROVEMENT PLAN

Mr. Frydl reviewed the Capital Improvement Plan which provides the base data needed by the Board of Supervisors to create a long-term capital improvement budget. The Plan is typically updated annually to reflect the shifts in priorities or resources. It is important that projects listed in the CIP are consistent with the goals identified in the Comprehensive Plan. Among the advantages of having a CIP are:

- Using tax dollars wisely
- Focusing on community needs and capabilities
- Obtaining community support
- Encouraging economic development
- Maintaining a stable financial program
- Taking advantage of federal and state grants and loan programs

The Planning Commission reviewed the CIP at their December 18, 2019 meeting and made the following recommendations:

- Recommends that the Greene County Board of Supervisors review the attached Capital Improvement Plan when making budgeting decisions for the next fiscal year. Of particular note is the tax impact chart, added this year, which tracks the portion of the County's property tax rate that would be required to pay for all projects listed in each year, including items listed as needed maintenance, repair or replacement of existing capital assets, and proposals for new items or projects.
- As projects listed within the plan are selected, it is recommended that a more detailed justification and description be provided for the projects before they are placed into the final budget.
- In order to fulfill the goals of the Comprehensive Plan, the Greene County Planning Commission would like to recommend that completing the pending expansion of a safe and reliable water supply system should be a high priority for immediate capital improvement budgeting.

Mr. Martin felt the Plan is improving over time and needs are really vast in the County. Big tickets projects include: water project; fire department in Ruckersville; public safety building; EMS building; public safety communication project; demand for Parks and Rec facilities, community bldg., swimming pool; and another school in the Ruckersville area.

Mr. Bowman sent a memo to Board members in January suggesting the entire process needs to be strategically recalibrated. He attended the recent Local Government Day conference and it was said that capital needs in most counties in Virginia far exceeds the state and local ability to pay for those things. How do we manage our resources so we can do the things that need to be done? The longer decisions are put off, the more difficult it will become. Needed projects include the water system; a lot of things from the Fire and EMS study that needs to be addressed; the Sheriff needs a new facility including a range; etc. He suggested the Board identify all systems that need to be addressed and then look at how to do that. There should be a designated employee for a critical infrastructure procurement position to do such things as the building needs assessment and components of the Fire and EMS study. Mr. Bowman also suggested the establishment of a county policy that allows county departments to set aside and use funds at the end of the fiscal year for capital projects.

Mr. Martin said there has been discussion about a position for grant writing and this staff person could be involved in that also. His thought was to defer to the County Administrator and his staff to take this to the next level.

Mr. Herring said upgrades are needed in the IT area. The phone system needs to be upgraded and we need to look at upgrading the AS400 system for efficiency. The water project should be the priority. He felt the Board should develop a six-year guideline for what we want to accomplish.

Mrs. Durrer agreed that the water project is the top priority and agreed with comments by Mr. Herring.

Mr. Taylor commented on the suggestion for an additional position to deal with centralized procurement and grant writer function. There might be an opportunity to help meet needs more efficiently and this can be considered during the budget proposal. He sees real value in the recommendations from the Fire Study that concern centralized procurement and administrative assistance for volunteer companies. As far as capital projects, water is the top priority. A public

safety training facility (combined law enforcement and fire training), an updated telephone system and IT concerns are also on the list.

Mr. Martin said he would support another staff position if it included grant writing and if the budget justification included information on various grants opportunities available.

Mr. Taylor said proffer money can be devoted to items on the list and the Board can add projects. Mr. Frydl said this is a working list. His recommendation would be to hold a public hearing to formally adopt the Capital Improvement Plan and to create a list of potential proffer related projects that could be done during the first, second, and third years. Mr. Taylor suggested Board members rank projects by priority and submit a list of the top 5 priorities for the next 3 years. He felt it would be prudent to proceed with the public hearing and act on the Plan ahead of the budget. Mr. Frydl noted projects using proffer funds must be on the Capital Improvement Plan and identified in the budget.

It was the consensus of Board members to submit a list of priorities to the County Administrator as discussed.

RE: CLOSED MEETING

Ms. Kemp read the proposed resolution for closed meeting.

WHEREAS, the Board of Supervisors of Greene County desires to discuss in Closed Meeting the following matter(s):

- Consultation with legal counsel pertaining to actual or probable litigation, where such consultation in open meeting would adversely affect the negotiating or litigating posture of the public body concerning RSA
- Consultation with legal counsel employed or retained by a public body regarding specific legal matters requiring the provision of legal advice by such counsel concerning Flat Top Tower.

WHEREAS, pursuant to: §2.2-3711(A)(1) (A)(7) and (A)(8) of the Code of Virginia, such discussions may occur in Closed Meeting;

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Greene County does hereby authorize discussion of the aforesated matters in Closed Meeting.

Upon motion by Dale Herring, second by Marie Durrer and unanimous roll call vote, the Board approved the following:

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: OPEN MEETING

Upon motion by Dale Herring, second by Marie Durrer and unanimous roll call vote, the Board returned to open meeting.

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.

By unanimous roll call vote, members certified that only public business matters lawfully exempted from the open meeting requirement and only such matters as identified by the motion to enter into closed meeting were discussed.

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

RE: PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

The Chair opened the meeting with the Pledge of Allegiance followed by a moment of silence. Mr. Martin said the Board of Supervisors is operating under Greene County's Continuity of Government Ordinance which allows for meetings to be held digitally.

RE: ADOPTION OF AGENDA

Upon motion by Davis Lamb, second by Marie Durrer and unanimous roll call vote, the Board approved the agenda as published.

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: UPDATE ON COVID-19

Ms. Meador said there are 534,116 COVID cases in Virginia and 6,898 COVID related deaths. The Blue Ridge Health District reports 11,365 cases and 116 fatalities. Greene County has 912 COVID cases, 41 hospitalizations, and 5 COVID related deaths. Blue Ridge Health District continues to hold testing clinics in the County with the next clinic scheduled on Tuesday, February 23. As of today, there are 3,532 individuals who have received their first vaccine shot and 621 who are fully vaccinated. She asked the Board to support requesting the Blue Ridge Health District to conduct weekly vaccination clinics in Greene.

Mr. Martin expressed concerns for those who may have trouble receiving information on vaccinations, particularly senior citizens. Ms. Meador said individuals can call the COVID hotline at the Blue Ridge Health District - 972-6261 - for assistance in scheduling an appointment for vaccination.

RE: CARES ACT UPDATE

Mr. Taylor said the Parks and Rec Department is close to moving to new office space at the Park. Projects at the Courts, including a new witness stand, have been completed. Work has begun at the new EMS Building site. The building should be delivered around March 23.

RE: MATTERS FROM THE PUBLIC

None

RE: CONSENT AGENDA

Upon motion by Steve Bowman, second by Marie Durrer and unanimous roll call vote, the Board approved the following items on the consent agenda:

- a. Minutes of January 26, 2021 meeting
- b. Resolution to accept roads in Oxford Hills Subdivision into the State Secondary System (see Attachment "A")

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: PUBLIC HEARING – GREENE CD, INC. – AMEND PROFFERS – RZ#20-009

Mr. Frydl reviewed the request from Greene CD, Inc. to amend proffers (RZ#11-002) on TMP#'s 66-(A)-59, 66-(A)-75, 66-(13)-C, 66-(13)-C1A and 66-(13)-C1B on approximately 402.59 acres. (RZ#20-009) The development was approved in 2012 for 1,180 units within the growth area and original proffers included the cut-thru road from Preddy Creek Road to Route 29. VDOT has since funded that road as a SMART Scale Project with an April 2022 start date.

A general summary of proposed proffer amendments was reviewed and included:

- Applicant may opt to substitute other dwelling types in lieu of townhomes IF those substituted homes have a first-floor bedroom.
- Deleted approved proffer regarding construction of connector road since VDOT is building the Route 670 connector road.
- Street frontage regulations shall be consistent with current SR zoning, except that for single family attached dwellings, the minimum width shall be 30 feet for end lots (generally 40 feet at right-of-way line). Single family dwellings shall not contain more than the 8 attached units.
- Applicant will donate at least 50 acres of land adjacent to Preddy Creek Park, build a public access trailhead and parking lot, and build trails along Cedar Run and Preddy Creek (approximately 10,000 linear feet) and dedicate it to public use.
- No changes to approved proffers regarding \$1,500 per detached single-family home for 380 single-family homes, which equates to a monetary contribution that totals \$570,000
- Applicant shall proffer \$1,000.00 per townhome unit constructed to Greene County for use toward water system capital improvements.

The developer shall install all of the water distribution system in the subdivision which will be dedicated to public use and shall replace the existing 6" water main along Preddy Creek Road from the elevated water tank to Lumber Lane with a 12" transmission main.

The proposed flexibility in unit types may yield somewhat different traffic impacts due to differing trip generation expectation. Any difference would likely be minor. The statement references the SMART Scale funded project to build the connector road. At this time, the project is expected to move forward but is not without risk. Any additional traffic generated from what was previously approved and expected would contribute to incremental delays at the nearby intersection. Traffic estimates do not exceed the capacity of the road.

The capacity study conducted for the Greene County School Board, identified that all elementary schools are currently over capacity.

The Planning Commission recommended approval of the proffer amendment dated December 10, 2020 as submitted.

Mr. Keith Lancaster, Mr. Charif Soubra, and Mr. Charlie Armstrong, of Southern Development, were present. Mr. Soubra reviewed the requested proffer amendments. Marketing analysis showed there is a need for a specific housing type that was not covered in the original proffers.

Favorable factors for the Creekside proffer amendment included:

- Greene needs to build the reservoir. This project will generate \$23.6 million of water and sewer tap fees. Getting the project started sooner will generate those funds sooner.
- VDOT is building the Route 670 connector road and it is fully funded with State SMART Scale funds. Since the developer no longer needs to tackle this project, it can reallocate those resources toward other things that will benefit Greene County.
- Creating more housing options for Greene County residents of all income levels is a primary goal of the Ruckersville Area Plan.
- Creating additional parkland is one of the primary goals of the Ruckersville Area Plan. Provide resource that is turn key for the County.
- Creekside is large enough that the developer can entice broadband internet providers such as Century Link to extend fiber optic service to the area, satisfying another major Greene County goal.

Mr. Martin asked what the monetary value of the proposed park land is. Mr. Lancaster said the value of that part of the project is \$1.5 million.

The hearing was opened for public comments.

Mr. Frydl read emails received from Sara L. Smith (see Attachment "B") and Suzanne Latchford (see Attachment "C").

The public hearing was closed with no additional comments.

Mr. Herring had questions about the VDOT project for the Route 670 connector road.

Mr. Bowman asked how many units could be built per year. Mr. Lancaster up to 100 units could be built each year if the market is good. Mr. Lancaster agreed with Mr. Bowman that it will take somewhere between 7 and 10 years to build out this development.

Mrs. Durrer asked when the development would be started and when the first building would be completed. Mr. Lancaster said it will take time to go through the approval process, award contracts for infrastructure, and it could be a couple of years to get to a pad ready site.

Mr. Martin did not think there will be an issue with additional traffic from Creekside before the connector road is completed. Mr. Frydl agreed. Mr. Martin asked who would be responsible

for maintenance at a park and Mr. Frydl said that will be the responsibility of the Parks and Recreation Department. Mr. Herring asked if proffer funds could be used for the park. Mr. Frydl said the new proffer specifies use of funds for the water project. Original proffer money was not designated but can be used only for capital projects not operational budgets.

Mr. Frydl briefly reviewed the site plan process which includes road design, storm water design, erosion and sediment controls, lighting requirements, open space requirements, landscaping, infrastructure, etc. This will be an extensive process for a project this size. Mr. Frydl said Albemarle and Orange Counties were notified of this request as required. There has been multiple conversation with Albemarle County about the possibility of receiving park land contiguous to Preddy Creek Park.

Upon motion by Steve Bowman, second by Dale Herring and unanimous roll call vote, the Board, in accordance with the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and good zoning practice, approved RZ#20-009, to amend proffers (RZ#11-002) dated December 10, 2020, for TMP#'s 66-(A)-59, 66-(A)-75, 66-(13)-C, 66-(13)-C1A and 66-(13)-C1B on approximately 402.59 acres. (See Attachment "D")

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: PUBLIC HEARING – AMERICAN TOWERS, INC/SHENANDOAH CABLE TELEVISION LLC (SHENTEL) – SPECIAL USE PERMIT TO EXTEND EXISTING CELLULAR TOWER

Mr. Frydl reviewed the request from American Towers, Inc/Shenandoah Cable Television, LLC (Shentel) for a Special Use Permit for an existing cellular tower to allow a 12-foot extension as required in Article 21 of the Greene County Zoning Ordinance. This is a nonconforming tower located on 3.67 acres, zoned C-1, Conservation, located at 465 Tower Road, Stanardsville and identified on County Tax Maps as 18-(A)-52. The tower was increased in height by 28 feet in 2017 under the Spectrum Act which supersedes county ordinances. The extension would put the tower at 140.6 feet above ground level.

Maps and photos of the tower site, photo-simulation of the tower with the 12-foot extension, and coverage area were shared. The extension would make internet available to approximately 575 households.

The Planning Commission recommended approval with the following conditions:

- The base station shelter that is proposed to house the radio transmitting equipment and emergency back-up generator shall be a natural brown color with aggregate stone finish siding.
- The tower and all attachments shall be maintained with the industry-standard non-reflective, matte, galvanized steel finish that does not require any other special paint treatments.
- Any antennae shall be consistent with the tower color.
- The tower height shall not exceed 141 feet.

Ms. Jessie Wilmer, Shentel Site Acquisition Manager, was present to discuss the request. Beam Internet is a new service by Shentel that delivers carrier grade 5G ready broadband internet to homes wirelessly from a nearby tower. This will allow internet service to underserved rural areas. A project is planned in the Ruckersville area in 2021 also. The service cost is \$60 per month for 25 mg, \$80 for 50 mg, and \$160 for 100 mg. There are installation fees also. Ms. Wilmer was not sure if there is a cap on data usage per month.

The public hearing was opened for comments. There were no comments made.

Mr. Bowman read an email received from Mr. Alan Ward supporting the proposed tower extension. Emails were also received from Krystal Samuels and Bob Stohlman. (These emails were included in the information packet for this meeting.)

Upon motion by Dale Herring, second by Steve Bowman and unanimous roll call vote, the Board, in accordance with the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and good zoning practice, approved SUP#20-011, for a telecommunication tower as listed in Article 3-1-2.19 and subject to the regulations of Article 21 of the Greene County Zoning Ordinance with the following conditions: (See Attachment "E")

- a. The base station shelter that is proposed to house the radio transmitting equipment and emergency back-up generator shall be a natural brown color with aggregate stone finish siding.
- b. The tower and all attachments shall be maintained with the industry-standard non-reflective, matte, galvanized steel finish that does not require any other special paint treatments.
- c. Any antennae shall be consistent with the tower color.
- d. The tower height shall not exceed 141 feet.

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.

RE: BOARD LIAISON REPORTS

Mr. Lamb attended a meeting of the Social Services Board where the department budget was finalized.

Mr. Bowman said the Board of Zoning Appeals met on January 27. He attended the School Board budget work session on January 27. Student population estimate for FY 2022 is 2,875. The Planning Commission will meet on February 17.

Mr. Herring said the Thomas Jefferson Planning District Commission met last Thursday. Mr. Boyles, Director, has taken a position with the City of Charlottesville. Funding for the Ride Share Program will be taken from the County's allocation to TJPDC. Mr. Herring said Star Link internet service is now available in the County. Fiber Link, based in Orange County, has indicated interest in serving a development on Wilhoits Mill Road and possibly another area in Greene County near the Orange County line. The VATI grant application is still active.

Mrs. Durrer said there will be a meeting of the Central Virginia Regional Jail Board on Thursday.

RE: COUNTY ADMINISTRATOR UPDATE

Mr. Taylor expressed appreciation to Mr. Larry Snow, Commissioner of Revenue, for his work on revenue projections with the reassessment and value updates this year. The Sheriff continues to be interested in locating a shooting range in the County and other training opportunities for public safety service.

Mr. Taylor thanked Senator Emmett Hanger for introducing Senate Bill 1355 which would have given Greene County a clear way out of the Rapidan Service Authority partnership. The bill died in the Senate Local Government Committee but consideration of it did get Orange County talking to Greene County. Orange County submitted a statement to members of the Committee supporting this bill which was appreciated.

Madison County declined to support SB 1355 despite assurances from Orange and Greene Counties that Madison County customers would not lose service. Greene County has not done or said anything to hurt Madison County water and sewer customers, to hurt Madison's ability to pay their debts or provide for their county's future.

Action taken by Madison and Orange RSA Board Members last summer did damage Greene County and hurt our ability to provide for our county's future. The ability to borrow money by all three counties may have been hurt. Greene County has no ill will toward our RSA partners but Greene does want to leave RSA. Madison and Orange have agreed to meet this week and Mr. Taylor is hoping for an open and fruitful discussion.

RE: OTHER ITEMS FROM BOARD MEMBERS

None

RE: ADJOURN

Upon motion by Davis Lamb, second by Marie Durrer and unanimous roll call vote, the Board meeting was adjourned.

Recorded vote:	Bill Martin	-	Yes
	Marie Durrer	-	Yes
	Steve Bowman	-	Yes
	Dale Herring	-	Yes
	Davis Lamb	-	Yes

Motion carried.



William Bryan Martin, Chair
Greene County Board of Supervisors



Mark B. Taylor, Clerk
Greene County Board of Supervisors



RESOLUTION

February 9, 2021

WHEREAS, the streets described on the attached VDOT Form AM-4.3, fully incorporated herein by reference, is shown on a plat recorded in the Clerk's Office of the Circuit Court of Greene County, and

WHEREAS, the Resident Engineer for the Virginia Department of Transportation has advised this Board the streets meet the requirements established by the Subdivision Street Requirements of the Virginia Department of Transportation, and

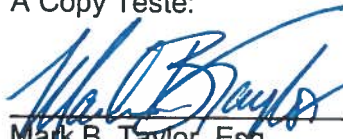
NOW, THEREFORE, BE IT RESOLVED, this Board requests the Virginia Department of Transportation to add/abandon the streets described on the attached VDOT Form AM-4.3 to the secondary system of state highways, pursuant to 33.2-705, Code of Virginia, and the Department's Subdivision Street Requirements, and

BE IT FURTHER RESOLVED, this Board guarantees a clear and unrestricted right-of-way, as described, and any necessary easements for cuts, fills and drainage, and

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Resident Engineer for the Virginia Department of Transportation.

Adopted in open meeting on February 9, 2021

A Copy Teste:


Mark B. Taylor, Esq. 2/9/2021
Greene County Administrator Date

Recorded Vote:	Bill Martin	—	Yes
	Marie Durrer	—	Yes
	Steve Bowman	—	Yes
	Dale Herring	—	Yes
	Davis Lamb	—	Yes

In Greene County**37393446**

by Resolution of the governing body adopted February 09, 2021

The following VDOT Form AM-4.3 is hereby attached and incorporated as part of the governing body's resolution for changes to the secondary system of state highways.

A Copy Testee Signed (County Official): _____

Report of Changes in the Secondary System of State Highways

Project/Subdivision: Oxford Hills Phases III and IV

Addition - New subdivision street §33.2-705

Rte Numb er	Street Name	From Termini	To Termini	Length	Num ber Of Lan es	Recordation Reference	Row Widt h
1063	Oland Street	Existing ESM	0.049 Miles South to Rt 1066, Penny Lane	0.05	2	Plat Card 5370-5373	50
1063	Oland Street	Rt 1066, Penny Lane	0.053 Miles North to ESM	0.05	2	Plat Card #5370-5373	50
1063	Oland Street	Rt 1066, Penny Lane	0.17 Miles South to Rt 1068, Mannie Court	0.17	2	Plat Card #5370-5373	50
1063	Oland Street	Rt 1068, Mannie Court	0.076 Miles West to Rt 1066, Penny Lane	0.08	2	Plat Card #5370-5373	50
1066	Penny Lane	Rt 1063, Oland Street	0.04 Miles West to Rt 1067, Campbell Court	0.04	2	Plat Card 5370-5373	50
1066	Penny Lane	Rt 1067, Campbell Court	0.11 Miles West to Rt 1063, Oland Street	0.11	2	Plat Card 5370-5373	50
1067	Campbell Court	Rt 1066, Penny Lane	0.05 Miles North To ESM	0.05	2	Plat Card #5370-5373	50

In Greene County

37393446

by Resolution of the governing body adopted February 09, 2021

1068	Mannie Court	Rt 1063, Oland Street	0.13 Miles South to ESM	0.13	2	Plat Card #5370-5373	50
------	-----------------	--------------------------	-------------------------------	------	---	-------------------------	----

Creekside

SS Sally Smith <sallysfive@yahoo.com>
Mon 2/8/2021 7:59 PM
To: Comment



Per your website, please make the following letter available to all supervisors:

RE: REZ20-009 Creekside Development

I am writing to object to the Creekside project's amended proffers, specifically with regard to beginning construction before the connector road from Rt 670 to Rt 29 has been completed.

With all the residential developments that have been built in Greene County in the past 15 years as well as the future developments that have already been approved, Greene County infrastructure is already close to being overwhelmed.

Our schools are already overcrowded. Our water supply is iffy and the reservoir construction is completely stalled. Rt 670 remains a dangerous, curvy country road that has seen four fatalities in recent years.

Not only should Creekside be required to wait to begin construction until the connector road is fully complete, it should also be noted that the company is saving itself about 5.4 million dollars by having the taxpayers of Virginia pay for it. The proffer of limited parking and a trail to Preddy Creek Park is mainly in a flood plain where no housing would be built, so no great sacrifice for Creekside.

As a senior citizen, I see no use for housing built for seniors in this location. When I need a "first floor bedroom," I will not want to have to travel on a dangerous road followed by a congested road (Rt 29, getting worse by the day) 45 minutes to the nearest hospital.

Creekside development could be marginally more palatable if it doubled the acreage for a buffer along both Preddy Creek and Cedar Run to a minimum distance of 1500 feet, donated land to the County for another school, park, or public swimming pool, eliminated two of the access points onto Rt 670, and constructed its own "connector road" leading to the first one to further reduce traffic on the existing Rt 670. In addition, a proffer of \$3000 per housing unit should be considered.

I formerly lived in Prince William County, and saw the quality of life there diminish in direct proportion to the rampant development that took place. I trust that the Greene County Board of Supervisors will take all of these concerns into consideration and do the RIGHT THING for the current citizens of Greene County.

Sincerely,

Sara L. Smith 434-985-3871

Reply Forward

Please distribute a copy of this document to all Board of Supervisors

Greene CD, Inc. request a rezone to amend proffers (RZ#11- 002) on TMP#'s 66-(A)-59, 66-(A)-75, 66-(13)-C, 66-(13)-C1A, and 66-(13)-C1B on approximately 402.59 acres. The parcels are zoned PUD (Planned Unit Development) and are located south of Preddy Creek Road in Barboursville. The Greene County Future Land Use Map designates these parcels as "Suburban Residential ". (RZ#20-009)

Dear Board of Supervisors:

I am Suzanne Latchford and I reside in Preddy Creek 3 on White Cedar Road near the intersection of Walnut Way. The following are my concerns after reviewing the Rezone Application, Creekside Proffer Amendment (RZ#20-009), by Greene CD, Inc. My previous comments to the Planning Commission are still a concern. After listening to the Planning Commission review of the Creekside Development on January 20th, I have some additional comments and questions.

Greene CD, Inc.:

It is important for Greene County citizens to review the site plan with the roads, location of the pump station, the ten parking spaces for access to Preddy Creek Park and the trail(s) in addition to what has already been submitted to the County.

Has Albemarle County BOS approved connecting the bridge(s) and trail(s) to Preddy Creek Park? If not, what is the timeframe for their decision? If they do not approve connecting Creekside to Preddy Creek Park, do you have an alternative plan?

Provide an update if horses would be allowed to enter Creekside from Preddy Creek Park. Having horses in Creekside is problematic since it is a residential subdivision and for safety concerns.

Are the trails(s) outside a flood plan area? If not, what is the distance from the creeks to the trail(s) to reduce flooding and maintenance?

Any thought for having a designated community garden area?

Greene County Board of Supervisors:

During the Planning & Commission meeting, a meeting attendee asked who will maintain the trail(s) and I am assuming the bridges, the response was Greene County by using volunteers, i.e. a Boy Scout Troop. That is an unrealistic plan therefore a plan needs to be developed and reviewed as part of this approval process.

How much funding will Greene County set aside to maintain the trail(s) and bridges?

What department will be responsible?

How often will the trail(s) and bridges be maintained?

Respectively submitted,

Suzanne Latchford

154 White Cedar Road, Barboursville, VA 22923

2/8/21

AN ORDINANCE TO REZONE to amend proffers (RZ#11-002) on TMP#'s 66-(A)-59, 66-(A)-75, 66-(13)-C, 66-(13)-C1A and 66-(13)-C1B on approximately 402.59 acres. The parcels are zoned PUD (Planned Unit Development) and are located south of Preddy Creek Road in Barboursville. The Greene County Future Land Use Map designates these parcels as "Suburban Residential".

WHEREAS, Greene CD, Inc submitted a request (RZ#20-009) to the Greene County Board of Supervisors to amend proffers associated with TMP#'s 66-(A)-59, 66-(A)-75, 66-(13)-C, 66-(13)-C1A and 66-(13)-C1B.

WHEREAS, §15.2-1427 and §15.2-1433 of the Code of Virginia, 1950, as may be amended from time to time, enable a local governing body to adopt, amend and codify ordinances or portions thereof; and

WHEREAS, §15.2-2280, §15.2-2285 and §15.2-2286 of the Code of Virginia, 1950, as amended, enables a local governing body to adopt and amend zoning ordinances; and

WHEREAS, the Planning Commission advertised and held a public hearing on the proposed rezoning on, January 20, 2020, and all of those who spoke on this topic were heard; and

WHEREAS, the Planning Commission voted 4-1 to recommend approval of the request to rezone the subject property; and

WHEREAS, public necessity, convenience, general welfare, and/or good zoning practice support approval of this rezoning; and

WHEREAS, the Greene County Board of Supervisors caused to be published a notice of public hearing on this matter in the Greene County Record on January 28th, 2021, and February 4, 2021 and

WHEREAS, the full text of this request was available for public inspection in the Greene County Administrator's Office, County Administration Building, 40 Celt Road, Stanardsville, Virginia 22973; and

WHEREAS, on February 9, 2021, the Greene County Board of Supervisors held a public hearing on this matter and all of those who spoke on this topic were heard.

NOW, THEREFORE, BE IT ORDAINED, that the Greene County Board of Supervisors hereby approves Ordinance O-2020-019 to amend proffers (RZ#11-002) on TMP#'s 66-(A)-59, 66-(A)-75, 66-(13)-C, 66-(13)-C1A and 66-(13)-C1B on approximately 402.59 acres. The proffer amendment, dated December 10, 2020, are approved as submitted.

PLANNED UNIT DEVELOPMENT
REVISED PROFFER STATEMENT

Rezoning Case #RZ20-009

Greene County, Virginia

Revised as of December 10, 2020

The Applicant, Greene CD, Inc (the "Applicant"), are the fee simple owners of the below referenced property, which is the subject of this rezoning application, containing approximately 402 acres, more or less, in the aggregate (herein the "Property"). The Property includes the following property:

Tax Map Parcel 66-13-C (17.87 acres)
Tax Map Parcel 66-13-C1A (3.91 acres)
Tax Map Parcel 66-A-59 (168.78 acres)
Tax Map Parcel 66-13-C1B (1.62 acres)
Tax Map Parcel 66-A-75 (209.67 acres)

Applicant, on behalf of themselves and their respective successors and assigns, hereby seek approval of Planned Unit Development District ("PUD") zoning and development plan for the Property and voluntarily proffer that development of the Property as a PUD will be in substantial conformance with this proffer statement in the event that the Property is rezoned by the Board of Supervisors of Greene County (hereinafter the "County") to Planned Unit Development District in accordance with the attached illustrative plan dated 12-09-20 (the "Illustrative Plan"). These proffered conditions ("Proffers") are the only conditions offered on this rezoning request, and any prior proffered conditions on the Property shall be superseded and without further force and effect upon effectiveness of these Proffers. The Proffers shall become effective only upon the County's full and final approval of the PUD development plan and rezoning request submitted by Applicant. The Proffers shall not be deemed accepted by the County until the expiration of the statutory 30-day appeal period following the Board of Supervisors' approval of the PUD rezoning without the filing of an appeal, or if an appeal is timely filed, upon satisfactory resolution in favor of the County and Applicant of any such appeal (the "Date of Approval").

1. GENERAL/LAND USE and PHASING/TIMING

The Property shall be developed as a residential community not to exceed 1,180 dwelling units in total, as follows and as shown on the attached Illustrative Plan: (a) No more than 600 single family homes, and (b) No more than 580 townhouse dwellings. In lieu of some or all of the townhouses, Applicant may opt to build other Single Family Attached or Single Family Detached Dwellings, so long as those dwellings in lieu of townhouses have at least one bedroom on the first floor, such that all typical living functions can be accommodated on the first floor of the home.

No commercial uses shall be permitted, other than home occupations permitted in residential dwellings under the County's ordinances.

The Property will be developed in phases. The Applicant will submit its preliminary development plan for the first phase of its development to the County for approval within one calendar year of the Date of Approval of this rezoning, and its final development plan for that phase within six months after approval of the preliminary development plan unless the Zoning Administrator grants an extension as permitted under the County's ordinances. Applicant agrees that the number of building permits for townhouse lots shall not exceed 100 per year on a cumulative basis starting from the Date of Approval, with lots not permitted in a given year carried over to the next year until permitted.

2. UTILITY SERVICE

The PUD and all residences within the PUD will be served by public water and public sewer service provided by either Greene County or the Rapidan Service Authority. Applicant will create and dedicate public utility easements to that end, as well as the installation of a pump station and lines connecting the future development to existing water and sewer facilities on the Property, all of which (pump station and line extensions, other than service lines to individual residences) shall be sized to serve the PUD and shall be dedicated to public use as part of public water and sewer system.

3. RESIDENTIAL DEVELOPMENT

The Applicant shall prepare and record a Declaration of Covenants, Conditions and Restrictions (the "Declaration") on the Property. The Declaration's purpose shall be to facilitate the planning and development of the Property in a unified and consistent manner. The Declaration shall set forth covenants, conditions and restrictions for private enforcement by homeowners within the community. The clear intent of Declarations shall be that the County shall have no obligation to enforce such covenants, conditions and restrictions. The Declarations shall not be interpreted as authorizing any relaxation of state or county regulatory or minimum Code standards, except as allowed by the regulations of the Ordinance. The Declarations will also create shared use and maintenance obligations as to the pedestrian bridges across Preddy Creek and Cuddins Run, as shown on the development plan, and the County will have no obligations as to construction or maintenance of pedestrian bridges until it is accepted by the County or its designee as part of a public park.

Design Standards The Declaration shall impose design and architectural guidelines for each residential unit or building within the governed Property; the architectural and design standards for the respective development areas (the "Design Guidelines") shall have the goal of creating harmonious residential communities. The Design Guidelines shall:

1. Provide the standards for development within the Property and explain how such standards are implemented;
2. Provide for creation of a Design Review Committee for each community (The County shall not participate on such Design Review Committee);

3. Provide an outline for the procedures and contacts for approvals by the Design Review Committee in connection with design and construction within the community; and
4. Minimum building separation for all detached single-family residences will be six feet; and
5. Street frontage regulations shall be consistent with current SR zoning, except that for Single Family Attached Dwellings the minimum lot width shall be 30 feet for end lots..
6. Single Family Attached Dwelling buildings shall not contain more than 8 attached units.

Maintenance of Landscaping, Open Space and Common Areas The Declaration shall provide a mechanism for establishing and maintaining landscaping, open space, and common areas within the Property, including the following:

1. Applicant shall organize one or more homeowners' associations for the Property (the "Associations(s)"), as non-stock corporation(s) under the laws of the Commonwealth of Virginia for the care and maintenance of all such lands and improvements owned or entrusted to the Association (the "Common Areas"). Once the Association(s) has been approved by the County as to form, and the Declaration recorded among the Land Records of Greene County, the Association(s) shall be solely responsible for enforcement of the Declaration in perpetuity.
2. The recreational areas and open space areas are designated in green on the PUD development plan shall be designated as Open Space under the Declaration and shall be actively managed by the respective Associations, independently or cooperatively, as Common Areas for the homeowners in each community. The Open Space shall include recreational amenities determined by the Applicant for the benefit of the homeowners.
3. The Declaration shall be in full force and effect for a period of not less than twenty five (25) years and shall be automatically extended for successive periods of twenty five (25) years unless terminated in a manner set forth in the Declaration.
4. The Association(s) shall continue in effect so as to control the availability of the facilities and land thereby provided and to maintain the common areas for their intended function.

Setbacks and Frontage. Street frontage of single-family lots will vary within the projects and such variance is permitted to achieve a mix of lot sizes and frontages within the community. No minimum setbacks will be required.

4. ROAD AND PARK IMPROVEMENTS

Entrances. Entrance to the Property from Preddy Creek Road shall be at the locations shown on the development plan as "Approved Entrance Location," all of which have been pre-approved by Virginia Department of Transportation ("VDOT") and which shall be subject to

VDOT's final approval and constructed in accordance with applicable VDOT standards. Each entrance will be developed in connection and concurrently with the development of the portion of the project served by that entrance. If and as necessary to meet the requirements of VDOT for the center entrance to the Property (serving the townhouse development to be known as The Village at Preddy Creek), Applicant will undertake clearing and related work on the frontage of Preddy Creek Road along Tax Parcel 66-A-57 as necessary to meet site distance requirements and will be solely responsible for obtaining any required sight distance easement in that regard (the County having no obligation to acquire any such rights).

Public Park, Trail, and Bridge. To provide public park and recreation amenities to the citizens of Greene County, the Applicant proffers to do the following, at the Applicant's expense: (a) construct at least 10,000 linear feet of 5' wide gravel or natural surface trails, at the discretion of the Planning Director, on the Property roughly parallel to both Preddy Creek and Cuddins Run that will be dedicated to public use or otherwise open to the public, (b) construct two (2) pedestrian bridges, over Preddy Creek and Cuddins Run, to connect the Property to Preddy Creek Park, (c) construct a public trailhead and parking area containing approximately 10 parking spaces and dedicate the parking area to public use, (d) donate approximately 50 acres of the Property in fee simple title to Greene County or its designee for use as a public park. The donated land shall be contiguous to Preddy Creek Park. Park Trail, & Bridge improvements will be constructed concurrent with each phase of development.

5. EXHIBITS AND ILLUSTRATIONS

Any plan submitted as part of the Applicant's rezoning application, or as part of the rezoning process, shall be deemed illustrative only, and such plans shall not be deemed to be proffered, except as herein specifically provided.

6. CAPITAL IMPACTS

In recognition of the projected impacts that this project will have on capital facilities and expenditures (but also in recognition that the property is currently zoned for 1,180 by-right units), the Applicant shall contribute the sum of \$1,500 per single-family home constructed on the Property starting with the first single-family home and to be paid to the County at the time of issuance of permanent certificate of occupancy for the first single-family home on the Property and the next 379 single-family homes thereafter. Such contribution shall not apply or be payable with respect to single-family homes after the first 380 (so shall not apply to the 381st single-family home and those thereafter) units constructed on the Property. The Applicant shall also contribute the sum of \$1,000 per townhome constructed on the Property, to be paid to the County at the time of issuance of the Certificate of Occupancy. Dwellings with first floor bedrooms shall be exempt from cash proffers. All cash proffers will be used toward water distribution system improvements as proximate to the Property as possible. If the County or Water Authority wish to include water or sewer system upgrades/improvements beyond the capacity required to meet the Applicant's needs, the Applicant may be willing to perform the additional improvements. Should the County desire that the Applicant construct system improvements in excess of the capacity required for the Property, Applicant may opt to do so and shall receive credit toward the cash proffers equivalent to actual project costs paid by Applicant. Such proffered payments shall

be subject to applicable law regarding disposition in the event not used for the purpose for which proffered.

7. TRIGGER FOR OBLIGATIONS. Notwithstanding anything to the contrary herein contained, the owners of the Property subject to this rezoning request shall not be required to incur any liability or expense in connection with the Proffers herein set forth, and no Proffer herein set forth shall require an affirmative financial obligation or monetary payment of or upon the Applicant prior to submission of a plan for development of the Property, or application for a construction permit or building permit thereon.

Owners and Applicant:

Greene CD, LLC

By *[Signature]*
Title mgr

ADOPTED BY THE GREENE COUNTY BOARD OF SUPERVISORS ON FEBRUARY 9, 2021.

Motion: Steve Bowman
Second: Dale Herring

Votes:

Martin: Yes

Lamb: Yes

Bowman: Yes

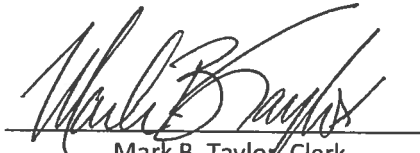
Durrer: Yes

Herring: Yes



William Bryan Martin, Chair
Greene County Board of Supervisors

ATTEST:



Mark B. Taylor, Clerk
Greene County Board of Supervisors

O-2020-022

AN ORDINANCE (O-2020-022) GRANTING A SPECIAL USE PERMIT (SUP #20-011) TO AMERICAN TOWERS, INC./SHENANDOAH CABLE TELEVISION, LLC (SHENTEL), FOR AN EXISTING CELLULAR TOWER TO ALLOW A 12' EXTENSION, AS REQUIRED IN ARTICLE 21 IN THE GREENE COUNTY ZONING ORDINANCE. THE TOWER IS LOCATED ON 3.67 ACRES, WHICH IS ZONED C-1, CONSERVATION, FOUND AT 465 TOWER ROAD, STANARDSVILLE, AND IDENTIFIED ON COUNTY TAX MAPS AS 18-(A)-52. THE GREENE COUNTY COMPREHENSIVE PLAN, FUTURE LAND USE MAP DESIGNATES THESE PARCELS AS "RURAL AREA".

WHEREAS, §15.2-1427 and §15.2-1433 of the Code of Virginia, 1950, as may be amended from time to time, enable a local governing body to adopt, amend and codify ordinances or portions thereof; and

WHEREAS, §15.2-2280, §15.2-2285 and §15.2-2286 of the Code of Virginia, 1950, as amended, enables a local governing body to adopt and amend zoning ordinances; and

WHEREAS, on January 20, 2021, the Greene County Planning Commission held a public hearing on this matter and all of those who spoke on this topic were heard; and

WHEREAS, on January 20, 2021, the Greene County Planning Commission voted 5-0 to recommend to the Board of Supervisors approval of the request to grant the Special Use Permit (SUP) with conditions; and

WHEREAS, the Greene County Board of Supervisors caused to be published a notice of public hearing on this matter in the Greene County Record on January 28, 2021, and February 4, 2021; and

WHEREAS, the full application was available for public inspection in the Greene County Administration Building, Room 226, 40 Celt Road, Stanardsville, Virginia 22973; and

WHEREAS, on February 9, 2021, the Greene County Board of Supervisors held a public hearing on this matter and all of those who spoke on this topic were heard.

NOW, THEREFORE, BE IT ORDAINED by the Greene County Board of Supervisors, in accordance with Article 16-2 of the Greene County Zoning Ordinance, public necessity, convenience, general welfare, and good zoning practice, that the SUP request is hereby approved subject to the following conditions:

- a. The base station shelter that is proposed to house the radio transmitting equipment and emergency back-up generator shall be a natural brown color with aggregate stone finish siding.
- b. The tower and all attachments shall be maintained with the industry standard non-reflective, matte, galvanized steel finish that does not require any other special paint treatments.

- c. Any antennae shall be consistent with the tower color.
- d. The tower height shall not exceed 141'.

ADOPTED BY THE GREENE COUNTY BOARD OF SUPERVISORS ON FEBRUARY 9, 2021.

Motion: Dale Herring
Second: Steve Bowman

Votes:

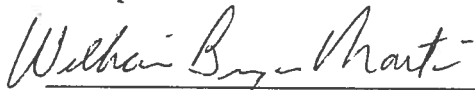
Martin: Yes

Lamb: Yes

Bowman: Yes

Durrer: Yes

Herring: Yes



William Bryan Martin, Chair
Greene County Board of Supervisors

ATTEST:



Mark B. Taylor, Clerk
Greene County Board of Supervisors