

CLARKE COUNTY  
Conservation Easement Authority  
Friday – 14 July 2023 – 10:00 am  
A/B & Main Conference Room, 2nd Floor Government Center

AGENDA

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes of the June 9, 2023 meeting
4. Discussion
  - a. Changes to meeting rules -- VA Supreme Court case – Brandon Stidham
  - b. Nutrient Trading Banks
5. Bank Account balances
6. Campaign for the Authority
7. PEC updates from Hallie Harriman
8. Easement Donation/Purchase
  - a. Bruce & Debbie Anderson – TM 30-A-74 & 74A
  - b. Dennis & Lissette Pippy – TM 6-A-59 – grant purchase – closed 6/21
  - c. Solicitation letter sent 7/6/2023
  - d. Billy and Lorie Wallace – new application - easement donation TM 6-A-45

Motion to go into Closed Session pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property and Section 2.2-3711(A)(7) for consultation with legal counsel regarding specific legal matters requiring the providing of legal advice.

9. Adjournment – The next meeting is scheduled for August 11<sup>th</sup> at 10:00 am

# Clarke County Conservation Easement Authority

Draft - Meeting Minutes

Friday June 9, 2023 – 10:00 AM

Berryville/Clarke County Government Center – A/B Meeting Room

ATTENDANCE	
Randy Buckley (Chair)	x
Rives Bacon	✓
Bev McKay	✓
Michelle Jones	✓
John Hedlund	✓
George Ohrstrom (Vice-chair)	x
Walker Thomas (Secretary/Treasurer)	✓

**STAFF PRESENT:** Alison Teetor, Lorien Lemmon

**OTHERS PRESENT:** Robin Couch-Cardillo

**CALL TO ORDER:** Ms. Thomas, Secretary/Treasurer called the meeting to order at 10:00 a.m.

**Approval of the Agenda – June 9, 2023:**

The Committee voted 5-0-0 to approve the Agenda as presented.

Motion to approve the Agenda as presented:	
Randy Buckley (Chair)	x
Rives Bacon	✓ (moved)
Bev McKay	x
Michelle Jones	✓
John Hedlund	✓ (seconded)
George Ohrstrom (Vice-chair)	x
Walker Thomas (Secretary/Treasurer)	✓

**Approval of Meeting Minutes – May 12, 2023:**

The Committee voted 5-0-0 to approve the May 12, 2023 meeting minutes.

Motion to approve Meeting minutes for May 12, 2023:	
Randy Buckley (Chair)	x
Rives Bacon	✓
Bev McKay	✓
Michelle Jones	✓ (moved)
John Hedlund	✓ (seconded)
George Ohrstrom (Vice-chair)	x
Walker Thomas (Secretary/Treasurer)	✓

**Bank Account:**

Ms. Teetor reviewed the financial spreadsheets. Current fund balances show a total fund balance of \$558,076.99 consisting of \$146,377.28 in the donations account, \$236,100.16 in stewardship/restricted, and \$175,599.55 in local funds. Ms. Teetor explained that May expenditures were for expenses related to the spring newsletter, mileage for the annual easement inspections and the legal services related to the Pippy easement purchase and Mr. Mitchell's advice on the building envelope policy.

**Campaign for the Authority:**

Ms. Cardillo stated that donations in May totaled \$6,335.00 from 48 donations. Ms. Cardillo reviewed her plans to create a branded folder and booklet to hand out to prospective easement donors and purchasers. The Committee discussed including testimonials in the hand out from a variety of profiles to convey the many different reasons people put their land in easement. Ms. Cardillo discussed her findings on group emailing services and explained that, while there are free versions of some of these services, they usually come with advisements that may confuse the recipient. The Committee questioned what the county uses for group emails and decided to consult with county staff to review other options.

**PEC updates from Hallie Harriman:**

Ms. Teetor explained that Ms. Harriman had contacted her and Ms. Cardillo about including an update on the CEA for the PEC newsletter and had asked if there were plans for a Fall workshop. The Committee discussed issues with the past workshop and Ms. Jones suggested improving this year's workshop by changing the location and expanding on some of the activities. Ms. Teetor proposed that the workshop be moved to April in order to space it out from the donor reception in October and to allow for more time to plan.

**Discussion:**

**a. IRS Boundary Line Adjustment recommendations** - Ms. Teetor explained that there are new IRS recommendations for the Boundary Line Adjustment (BLA) and extinguishment clauses in deeds of easements to insure that easement donations for tax credits meet the requirements of the IRS tax code. She stated that it was brought to her attention when the attorney representing Stone Ridge LLC, Mildred "Bucky" Slater, requested that their deed of easement be amended to include safe harbor language provided by the IRS. Ms. Teetor further explained that donors of previously recorded easements have until July 24<sup>th</sup>, 2023 to request amendments to their easement deeds to include this language. She relayed that in her discussion with attorney Robert Mitchell, she found that a public hearing or public meeting is not required to authorize the signatures of the Chair of the Board of Supervisors and the Chair of the Conservation Easement Authority in order to approve the deed amendments. She also noted that Mr. Mitchell advised against the CEA notifying all donors about the IRS recommendations as he thought it would be best to leave the decision to the individuals' attorney as to whether the amendment is warranted but he did recommend that the CEA include the language in future deeds. Ms. Teetor explained that the safe harbor deed language now requires judicial proceedings for extinguishment and boundary line adjustments. Also the determination of proceeds reads to clarify that if land is taken out of easement, land of equal conservation value must be placed into easement so that there is no net loss of easement acreage. Ms. Jones predicted that approval from a judge would be more of a formality and may not be too difficult to acquire.

**b. Draft deed template language Impervious Surface, Building Envelopes** – Ms. Teetor reviewed the draft deed template language regarding Impervious Surfaces and Building Envelopes that had been previously approved by the CEA. She explained that the language for the deed template was inspired by the Hunter deed that was approved in 2022 and that she had worked with attorney Kerry Hutcherson on that deed. When reviewing the Pippy deed that is nearing final approval, Mr. Hutcherson had an issue with the deed language allowing building envelopes to be moved. Ms. Teetor explained that the current language allows for building envelopes to be moved if a percolation site for a septic system cannot be

found. She mentioned that the septic system does not have to be included within the building envelope and suggested asking the landowner to continue to look for a percolation site before moving the building envelope. Mr. McKay asked if that would be problematic if the landowners ever sold the property and Ms. Teetor explained that the building envelope was a just the allowable building area and is still part of the parcel. Ms. Bacon asked if the building envelope can be extended and Ms. Teetor explained that building envelopes cannot be enlarged, they can only be shifted and cannot be within conservation areas such as near streams or steep slopes. Ms. Teetor advised that the deed language template be reviewed by Mr. Mitchell and reiterated that paved driveways would not be considered impervious surface areas under the current draft of the deed template language.

The Committee voted 5-0-0 to approve the updated deed template language

<b>Motion to approve the updated deed template language</b>	
Randy Buckley (Chair)	<b>x</b>
Rives Bacon	✓ (moved)
Bev McKay	✓ (seconded)
Michelle Jones	✓
John Hedlund	✓
George Ohrstrom (Vice-chair)	<b>x</b>
Walker Thomas (Secretary/Treasurer)	✓

**Report on Easement Donations:**

**a. Ann Brown – Poulshot – new application – easement donation TM# 29-A-16A** – Ms. Teetor reported that Ms. Brown contacted her and, due to a delay in her tax returns, she is reconsidering the DUR purchase option on her easement application. The Committee decided to postpone until Ms. Brown reached a decision.

**b. Billy and Lorie Wallace – new application – easement donation TM# 6-A-45** – Billy and Lorie Wallace applied to the easement authority for approval of an easement donation. The property consists of 10 acres with 1 remaining DUR and no exemptions. The property is currently vacant and is located in the 600 block of Pierce Road, approximately 6/10 mile north of the intersection with Route 7. The applicant proposes to build one house and is not retiring any DURs. The property meets two (2) out of the four (4) criteria. The property resource score is 39.2 due to a 40 foot right of way that is in easement adjacent to the property. Points were given for being adjacent to two existing easements. There is currently a lien on the property.

The Committee voted 4-0-1 to give preliminary approval of the Wallace easement donation and request staff to schedule a site visit.

<b>Motion to approve the updated deed template language</b>	
Randy Buckley (Chair)	<b>x</b>
Rives Bacon	✓
Bev McKay	✓
Michelle Jones	<b>abstain</b>
John Hedlund	✓ (seconded)
George Ohrstrom (Vice-chair)	<b>x</b>
Walker Thomas (Secretary/Treasurer)	✓ (moved)

**c. Bruce & Debbie Anderson – easement donation TM# 30-A-74** – Ms. Teetor provided the update on the Anderson property, noting that they are still working on their boundary line adjustment issue and are waiting on a plat and further discussions with neighbors.

**Adjournment**

There being no further business, the Committee agreed to adjourn the meeting at 10:40 AM. The next Clarke County Easement Authority meeting is scheduled for July 14th, 2023 at 10 AM in the A/B conference room, Government Center, Berryville.

The Committee voted 5-0-0 to adjourn the June 9, 2023 meeting at 10:40 AM.

<b>Motion to adjourn the June 9, 2023 meeting at 10:40 AM.</b>	
Randy Buckley (Chair)	<b>x</b>
Rives Bacon	<b>✓ (moved)</b>
Bev McKay	<b>✓</b>
Michelle Jones	<b>✓ (seconded)</b>
John Hedlund	<b>✓</b>
George Ohrstrom (Vice-chair)	<b>x</b>
Walker Thomas (Secretary/Treasurer)	<b>✓</b>

\_\_\_\_\_  
Randy Buckley, Chair

\_\_\_\_\_  
Lorien Lemmon, Clerk to the Authority



**Clarke County Planning Department**  
**101 Chalmers Court, Suite B**  
**Berryville, Virginia 22611**  
**(540) 955-5132**

**TO: Conservation Easement Authority**

**FROM: Brandon Stidham**

**RE: Changes to meeting rules – Virginia Supreme Court Case**

**DATE: July 5, 2023**

A recent Virginia Supreme Court ruling will require the following changes meetings and public gatherings that will affect the Easement Authority:

- A quorum of a public body is no longer allowed to attend a meeting at which "public business" is being discussed that is likely to come before that public body, such as a quorum of members conducting a site visit to view a property or structure in order to get information from the property owner. If a quorum of a public body does attend a meeting or a site visit, this constitutes a meeting of that public body and notice of the meeting or site visit must be publicized per State code requirements.
- Public meetings are required to be publicized to the county website no less than 3 working days prior to the meeting. Notice is not required to be advertised in the Winchester Star unless it is a public hearing.
- If a quorum of the Authority wants to have an off-site meeting on private property (such as for a site visit), this must be publicized as a public meeting and the public must be allowed to come onto the property for the meeting. This is not recommended due to potential liability risks to the property owner of allowing members of the public to come onto their property. The preferred approach is to have no more than two committee members conducting a site visit at a time.
- If a committee creates a subcommittee of two members to do site visits and report back, this two-person committee would also be a public body and their meetings would be public. A cure for this is to have two members volunteer to do a site visit with no action taken by the committee to assign them the task.
- All gatherings constituting a public meeting will need to have minutes taken, including those for which we did not previously take minutes. Such minutes can be very simple consisting of the date, start and stop time, which members were there, and a statement of why they met. Minutes for annual luncheons will need to be modified slightly to "recess" from the business portion of the meeting to the luncheon and noting the end time of the luncheon. A statement should be included describing any public business that was discussed (if any) during the luncheon, or that no public business was discussed.

The outcome of the court case does not appear to impact members' ability to convene in social settings or unrelated public events, however they should be cognizant of the subject matter of the public event and whether it contains topics that could come before them as public business.

I am planning to attend the July 14 meeting and can answer any questions you may have.

## MEMORANDUM

TO: Clarke County Conservation Easement Authority  
FROM: Lorien Lemmon  
SUBJECT: Draft Nutrient Bank Policy on CEA Easements  
DATE: July 5, 2023

The Clarke County Board of Supervisors have clearly expressed their dislike of how Virginia's Nutrient Banking Program affects Clarke County. Due to rapid growth of neighboring counties, Clarke County ranks second among Virginia counties for acreage in nutrient banks. The process of setting up a nutrient bank typically involves converting grazing or crop land into forested land, placing long-term (usually permanent) covenants on the lands registered in the nutrient bank. The primary covenant is that the nutrient management area meet trees per acre requirements given the stands' age, meaning trees must survive in the short term and future timbering in established nutrient bank areas leave enough trees to meet density thresholds. Nutrient banks permanently prevent the use of land for grazing and crop production, two land uses that are highly valued by citizens of Clarke County. Citizens also complain that forest quality on nutrient banks is poor, with many banks planted in loblolly pine or allowed to regenerate with volunteer species that are unlikely to mature into desirable forest areas.

Chris Boies attended several meetings in Richmond to explain Clarke County's point of view and advocate for more local control; however, the Virginia DEQ does not currently allow local control over any aspects of the nutrient bank program. Mr. Boies was challenged as to whether the Clarke County Easement Authority had developed a policy on nutrient banks that reflects the opinion of its BOS.

### **Recommendations**

The CEA currently holds easements on all or portions of 161 different parcels, including one property that is already registered as a DEQ nutrient bank. Staff recommends that the CCEA develop a nutrient bank policy that reflects the opinions of the BOS, even if this policy cannot be applied retroactively to properties already in easement.

The CEA could consider 2 different options for managing nutrient banks on new easements.

#### **Policy Option 1**

Prohibit Nutrient Banks on all new easements. This option may be interpreted as a precedent for all natural resources crediting programs. Therefore, if the CEA wants to retain the possibility of wetland banking or similar programs on CEA-held easements, language should be created that allow for this type of management.

#### **Policy Option 2**

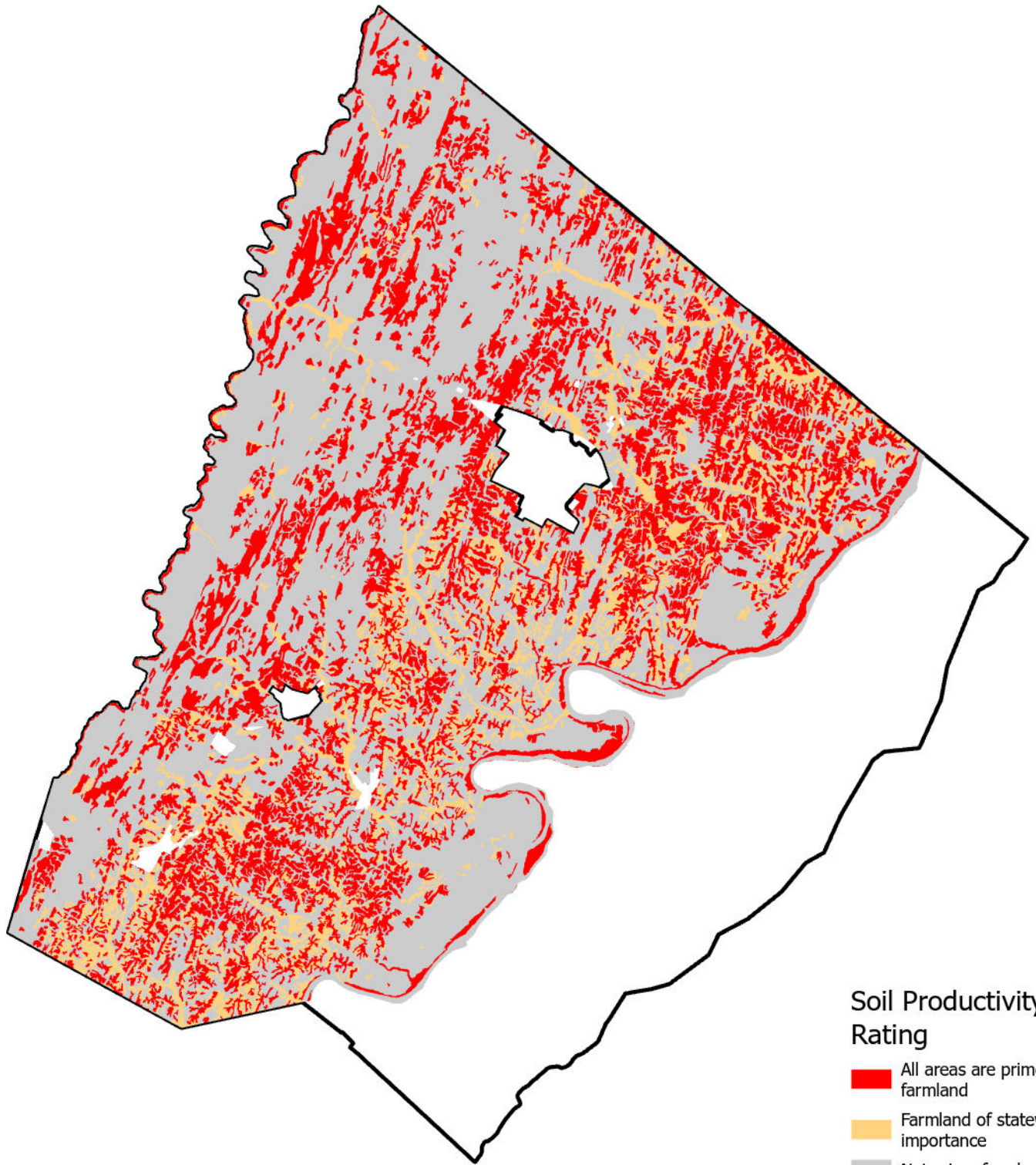
A policy could be created that allows Nutrient Banks, but with much more stringent criteria that improves the conservation value of an easement that is consistent with the predominant ethic of citizens within the county. While setting some more restrictive criteria for nutrient banks created in easements, this policy could also acknowledge that nutrient banks can provide some economic and environmental benefits, particularly on less productive soils and soils prone to high erosion.

The policy would overlay existing DEQ nutrient bank policies and could be implemented in two ways:

- 1) Future deed of easements shall set criteria for nutrient bank establishment, including:

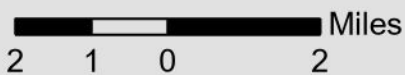


- a. Prohibit new nutrient banks on soil map units considered high productivity soils (prime farmland or farmland of statewide importance) according to NRSC soil series classifications. As a reference for the potential of this policy to limit conversion highly productive areas, in county areas zoned AOC, 42% of soil map units are considered high productivity soils, while 58% of lands are soils that are not.
  - b. Requiring that 90% of new trees planted on new nutrient banks be a mix of hardwood and softwood trees typical of the species growing in healthy and productive reference forests in the valley.
- 2) For any new nutrient bank being proposed on established easements, the easement authority or county staff would attempt to educate the landowner on the preferred planting policies established for new properties, with the acknowledgment that the policy cannot be retroactively required for the easement.



**Soil Productivity Rating**

- All areas are prime farmland
- Farmland of statewide importance
- Not prime farmland
- County Boundary



Clarke County GIS  
July 5, 2023

Addendum to draft nutrient bank establishment policy  
Clarke County Easement Authority

Prime Farmland plus Farmland of Statewide Importance  
= Highly Productive Soils

Highly Productive Soils = 42% of AOC  
Less Productive Soils = 58% of AOC

Fund 235 - Conservation Easement Balances

	Total Fund Balance	Donations (128)	Stewardship/Restricted Funds Account (210)	Local Funds (000)
<b>SOY FY23</b>	<b>428,702</b>	<b>131,142</b>	<b>235,018</b>	<b>62,541</b>
<b>Fiscal Year 2023</b>				
July Rev/AR		800	128	51,593
July Exps/AP		0	0	0
Aug Rev/AR		155	195	21,165
Aug Exps/AP		-1,554	-1,314	0
Sept Rev/AR		2,925	200	159
Sept Exps/AP		-3,419	0	-621
Dupuy Easement Purchase				-42,000
Oct Rev/AR		755	249	729
Oct Exps/AP		-2,813	0	-22
Nov Rev/AR		3,504	276	21,135
Nov Exps/AP		-3,136	0	-792
Dec Rev/AR		15,513	318	16,144
Dec Exps/AP		-904	0	-17
Jan Rev/AR		6,154	4,905	22,151
Jan Exps/AP		-1,870	0	-248
Feb Rev/AR		1,405	325	428
Feb Exps/AP		-1,364	0	0
Mar Rev/AR		2,059	353	9,435
Mar Exps/AP		-3,113	0	-714
Apr Rev/AR		1,703	0	553
Apr Exps/AP		-480	0	0
May Rev/AR		1,293	354	6,003
May Exps/AP		-1,857	0	-552
June Rev/AR		941	0	39,382
June Exps/AP		-1,277	-2,700	0
Pippy Easement Purchase				-158,786
YTD Rev/AR	233,387.35	37,206.39	7,304.33	188,876.63
YTD Exps/AP	229,554.92	21,788.91	4,014.29	203,751.72
Adjustments	14,875		0	14,875
YTD FUND BALANCE (AR & AP)	<b>447,409.24</b>	<b>146,559.67</b>	<b>238,308.50</b>	<b>62,541.07</b>

**Emily Johnson:**  
Rollback taxes  
\$51,510.09

**Emily Johnson:**  
Dupuy Supplement

**Emily Johnson:**  
Conservation Easement  
refund Hall Monohan  
Closing Dupuy

**Emily Johnson:**  
VDACS reimbursement  
Dupuy Property

**Emily Johnson:**  
Rollback taxes  
\$15,793.08

**Emily Johnson:**  
Rollback taxes  
\$21,725.81

**Emily Johnson:**  
\$5,000 PEC contribution  
\$4,000 Rollback taxes

**Emily Johnson:**  
\$5,499.71 Rollback  
taxes

**Emily Johnson:**  
\$7,350 PEC Contribution  
Rollback taxes \$5,031.61

**ESTIMATED YTD FUND BALANCE**                      **447,409**                      **146,560**                      **238,308.50**                      **62,541**

FY23 Expenditure Appropriations			Appropriated Balance
	Appropriated	Actual Expenses	Remaining
General Expenses	45,000	28,769	16,231
E. Dupuy Property	42,000	42,000	0
Pippy Property	161,500	158,786	2,714
	248,500	229,555	18,945

**Clarke County:**  
includes expenses not specifically  
designated to an easement  
(including donation, stewardship and  
monthly Hall, Monohan expenses).

Through 6/1/2023

Conservation Easement Expense Detail - FY23

	Donations (128)	Stewardship (210)	Local Funds (000)
July	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
August	240.00 Robin Cardillo Services for July 1,000.00 2022 Clarke County Fair Sponsor 300.00 Barns of Rose Hill ESMT Rental 14.08 Postage for CEA packets <u>1,554.08</u>	1,259.56 Dorsey Mileage and Intern payment 54.73 Dorsey Mileage <u>1,314.29</u>	<u>0.00</u>
Sept	825.00 Gloria Marconi Summer Newsletter 1,282.13 Winchester Printers Summer Newsletter 652.26 Winchester Printers Workshop 660.00 Vital Signs Plus-sign <u>3,419.39</u>	<u>0.00</u>	610.00 Hall Monahan CEA legal services Aug 2022 11.19 Postage 42,000.00 Dupuy Closing Tax Map 24-A-25 <u>42,621.19</u>
Oct	1,440.00 Robin Couch Cardillo Sept/Oct Services 585.00 Maral Kalbian Aug/Sept Services 649.24 Winchester Printers BBQ Invite 139.00 CEA Map printing Staples <u>2,813.24</u>	<u>0.00</u>	21.93 Postage <u>21.93</u>
Nov	750.00 Gloria Marconi New design 8.5x11 1,238.07 Winchester Printers CEA Fall 188.36 Winchester Printers CEA Workshop 960.00 Robin Couch Cardillo CEA Oct 2022 <u>3,136.43</u>	<u>0.00</u>	745.00 Hall Monahan Legal Services Oct 2022 46.64 Postage through 11/2/22 <u>791.64</u>
Dec	200.00 Gloria Marconi EOY CEA letter 704.45 Robin Couch Cardillo November 2022 <u>904.45</u>	<u>0.00</u>	17.28 Postage through 11/9/22 <u>17.28</u>
Jan	970.86 Winchester Printers December 2022 105.30 Locke Store 560.00 Robin Couch Cardillo December 2022 233.56 Envelopes <u>1,869.72</u>	<u>0.00</u>	247.50 Hall Monahan Legal Services Nov-Dec 2022 <u>247.50</u>
Feb	96.00 Wordpress 994.34 Robin Couch Cardillo January 2023 23.90 Purchase Power 250.00 Vault - Bronze Sponsorship <u>1,364.24</u>	<u>0.00</u>	<u>0.00</u>
Mar	233.56 Winchester Printers Envelopes 450.00 Gloria Marconi CEA Winter Newsletter 500.00 Myers&Woods Pippy Property valuation letter fee 640.00 Robin Cardillo CEA services Feb 2023 1,189.81 Winchester Printers CEA Winter Newsletter 100.00 Long Branch CEA Advertising <u>3,113.37</u>	<u>0.00</u>	700.00 Hall Monahan Legal Services Jan-Feb 2023 13.92 Postage through 02/14/23 <u>713.92</u>
Apr	480.00 Robin Cardillo CEA services Mar 2023 <u>480.00</u>	<u>0.00</u>	<u>0.00</u>
May	450.00 Gloria Marconi CEA Spring 2023 1,238.07 Winchester Printers 2023 Spring 13.20 USPS Postage 156.22 A. Teetor Mileage <u>1,857.49</u>	<u>0.00</u>	250.00 Hall Monahan Legal Services Mar 2023 250.00 Hall Monahan Legal Services 52.26 Purchase Power Postage <u>552.26</u>
June	697.50 Hall Monahan Legal Services May 2023 560.00 Robin Cardillo CEA services May 2023 19.00 Wordpress HPC Awards lunch <u>1,276.50</u>	2,700.00 CEA Landscape Government <u>2,700.00</u>	158,786.00 Pippy Closing Tax Map 6-A-59 <u>158,786.00</u>
<b>YTD Totals</b>	<u><u>21,788.91</u></u>	<u><u>4,014.29</u></u>	<u><u>203,751.72</u></u>



R O B I N   C O U C H   C A R D I L L O

July 7, 2023

Clarke County Conservation Easement Authority  
Fundraising Report  
July 2023 meeting

**Donor Statistics**

See attached Master Report

- 2023 year-to-date total: \$7,035.00 from 53 donations

**Ongoing**

*-Branded booklet with testimonials, photos*

- In the works – mini-magazine style with insert capability

*-Summer newsletter*

- Easement landowner to profile? Upcoming events? Including piece on new software

*-Group emailing capability*

- Update on ability to use county's group email capability (Parks & Rec?)

*-New donors*

- An opportunity to show appreciation



# Clarke County Conservation Easement Authority

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540-955-5132 ♦ 101 Chalmers Court ♦ Berryville, Virginia 22611

July 6, 2023

Clarke County landowner

RE: Clarke County Conservation Easement Program Information

I am contacting you to provide some information about the Clarke Conservation Easement Program. Periodically the Authority solicits landowners with property containing with high conservation values to determine if there is interest in protecting the land. These values include prime farmland soils, streams, or historic structures to name a few. The County currently has several opportunities to apply for state and federal grants that can pay up to 75% of the appraised value of an easement.

If your land is already in easement, and you have received this in error, please disregard this letter.

Typically the financial value of an easement is based on the number of Dwelling Unit Rights or DURs retired as part of a conservation easement. Depending on the location, current appraised DUR values have been around \$100,000/ DUR retired.

Property owners can retire some or all of their DURs while still retaining the right to home construction and limited subdivision. The land remains your property and you can sell or gift it just as you could if it were not in easement. In addition, if in easement, the property automatically qualifies for the landuse taxation under the open space category so submitting annual paperwork to the Commissioner of the Revenue is no longer necessary! There are additional state and federal tax benefits as well.

If you have ever thought about placing a conservation easement on your property please contact me for additional information, 540-955-5177 (office) or 540-336-5567 (cell) or email [ateetor@clarkecounty.gov](mailto:ateetor@clarkecounty.gov).

I look forward to hearing from you!

Sincerely,

Alison Teetor  
Conservation Easement Specialist

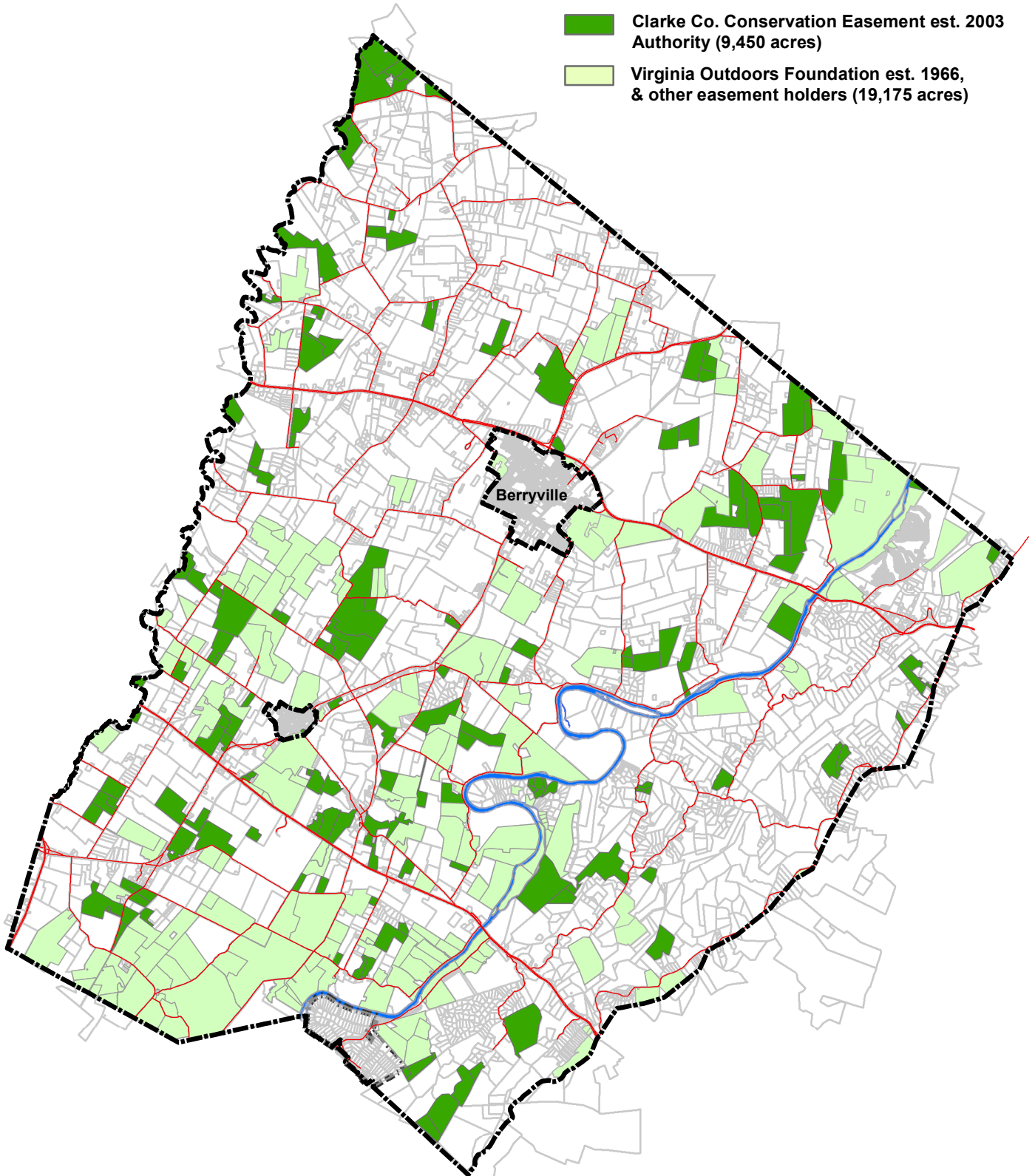
Enclosure



# Conservation Easements in Clarke County

## Total Area Permanently Protected - 28,626 acres, 25% of land area

-  Clarke Co. Conservation Easement est. 2003 Authority (9,450 acres)
-  Virginia Outdoors Foundation est. 1966, & other easement holders (19,175 acres)



Clarke County







0 0.5 1 2 Miles



Clarke County GIS  
July 5, 2023



### Legend

-  County Boundary
-  Parcel Boundary
-  Roads
-  Shenandoah River



## MEMORANDUM

TO: Conservation Easement Authority  
FROM: Alison Teetor  
DATE: July 7, 2023  
SUBJECT: Application for easement donation – Bill & Lorie Wallace

Bill and Lorie Wallace are interested in applying to the easement authority for approval of an easement donation. The property is currently vacant and located in the 600 block of Pierce Road approximately 6/10 mile north of the intersection with Route 7. The property is identified by Tax Map# 6-A-45. It consists of 10 acres. There is one remaining DUR. The applicant proposes to build one house and is not retiring any DURs.

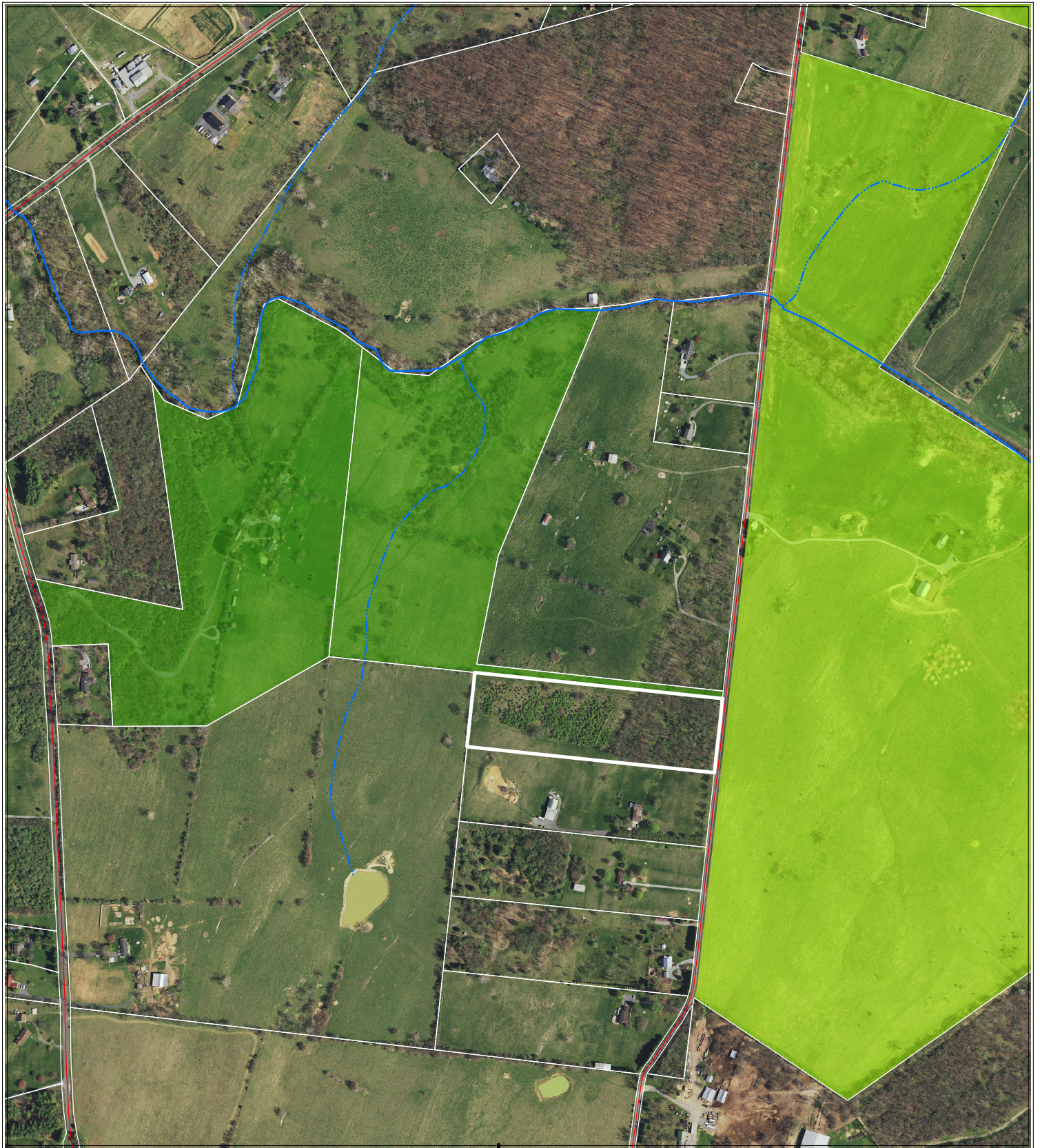
The parcel is zoned AOC and is not currently in use value taxation, but is eligible, in accord with the Commissioner of Revenue's requirements, then a donation may be considered if at least two of the following four guidelines are met:

- 1) the parcel's Property Resource Score is at least 35;
- 2) at least one dwelling unit right is extinguished by the conservation easement;
- 3) the parcel is adjacent to a parcel already under permanent conservation easement;
- 4) the property has a minimum area of 40 acres.

Based on your interpretation of the property resource score, the property meets 2 of the 4 criteria. The property resource score is 34.7 unless you count a 40' access R/W that is in easement adjacent to this property. If that is counted it adds 1,200 feet of frontage on easement property and then the score is 39.2. The applicant is not retiring any DURs. It is next to two existing easements, and it is less than 40 acres. Points were given for being adjacent to existing easements. A site visit was conducted on June 23<sup>rd</sup>.

### Recommendation

Give final approval for the easement donation Bill and Lorie Wallace, Tax Map# 6-A-45 and recommend approval to the Board of Supervisors.



**Bill & Lorie Wallace**  
**Tax Map# 6-A-45, 10 acres, 1 DUR**



Date: 6/1/2023  
 Clarke County GIS

500 250 0 500 Feet



- Scenic Byway
- Roads
- Intermittent Stream
- Perennial Stream
- Poulshot Properties
- parcelsDec22
- CEA
- VOF

