

CLARKE COUNTY
Conservation Easement Authority
Friday – 8 September – 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 August 11, 2023 meeting
4. Bank Account balances
5. Campaign for the Authority
6. Discussion
 - a. Nutrient Trading Banks
7. Easement Donation/Purchase
 - a. Joe Guenther – TM 30-A-17 & 30-A29 – application – donation
 - b. Joe & Tamara Myer – TM 23-A-55 – new application - donation
 - c. Billy and Lorie Wallace - TM 6-A-45 - withdrawal
8. Adjournment – The next meeting is scheduled for October 13th at 10:00 am

Clarke County Conservation Easement Authority

Draft - Meeting Minutes

Friday August 11, 2023 – 10:00 AM

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

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

STAFF PRESENT: Alison Teetor, Lorien Lemmon

OTHERS PRESENT: Robin Couch-Cardillo

CALL TO ORDER: Mr. Buckley, Chair called the meeting to order at 10:00 a.m.

Approval of the Agenda – August 11, 2023:

The Committee voted 5-0-0 to approve the Agenda with the addition of a discussion of the Clermont Fall Native Plant Sale and Community Day under item 5 and the discussion of the James Fansler easement grant purchase under item 8.

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

Approval of Meeting Minutes – July 14, 2023:

The Committee voted 5-0-0 to approve the July 14, 2023 meeting minutes as amended with minor changes requested by the Committee.

Motion to approve Meeting minutes for July 14, 2023:	
Randy Buckley (Chair)	✓
Rives Bacon	x
Bev McKay	x
Michelle Jones	✓
John Hedlund	✓ (moved)
George Ohrstrom (Vice-chair)	✓
Walker Thomas (Secretary/Treasurer)	✓ (seconded)

Bank Account:

Ms. Teetor reviewed the financial spreadsheets. Current fund balances show a total fund balance of \$558,695.46 consisting of \$146,141.41 in the donations account, \$238,936.36 in stewardship/restricted, and \$173,617.69 in local funds. Ms. Teetor explained that the expenditures for July included the \$500 donation to the Clarke County Fair from the Donations account and \$2,700 for the Landscape software subscription, used for annual monitoring and management of conservation easements, paid out of the Stewardship account.

Campaign for the Authority:

Ms. Cardillo stated that donations in July totaled \$8,735.00 from 57 donations. She explained that she is working on the summer newsletter and had interviewed the CEA intern, Emma Coutts, during one of her annual monitoring visits. Ms. Cardillo plans to interview staff member Lorien Lemmon and an easement landowner for the newsletter and is still working on the branded booklets. The Authority discussed plans for setting up a booth and banner at the Clarke County Fair. Ms. Cardillo reported that there were no new first time donors for the month of July and she inquired about the donor reception that traditionally occurs in October. The Authority suggested Friday, October 13 at 6:00pm for the donor reception and Mr. Ohrstrom volunteered to organize the event.

Ms. Teetor stated that the Authority was invited to set up a booth at Clermont Farm for the Fall Native Plant Sale and Community Day on Sunday, October 8th from 9am-3pm. She discussed displaying a map of the easement properties as well as distributing brochures and the new booklet at the event.

PEC updates from Hallie Harriman:

Ms. Teetor described the PEC's Clarke County Land Conservation Fund (the "Clarke Conservation Fund") meeting that took place on July 18th, 2023. In a report provided by Ms. Harriman, the creation of a "Conservation Easement Assistance Grant" was discussed as a way to help alleviate some of the financial barriers landowners face when putting their land into conservation easement such as appraisal fees, attorney fees, and survey costs. Ms. Teetor explained that the Clarke Conservation Fund is attempting to set up \$25,000 in available funds for such costs that would otherwise require approvals from the Clarke Board, PEC executive committee and the PEC Board which can take several months. The Clarke Conservation Fund will meet again on October 24th, 2023 to review and vote on the grant proposal.

Discussion:**a. Nutrient Trading Banks**

Ms. Lemmon shared monitoring reports obtained from the Department of Environmental Quality (DEQ) for two nutrient banks in Clarke County. These reports were submitted to DEQ as part of the requirements for the Nutrient Credit program. Ms. Lemmon noted the differences in the thoroughness of the two reports and explained that formal complaints can be submitted to DEQ if maintenance is being neglected on a particular nutrient bank. She then explained the maintenance that DEQ requires includes stem survivorship of at least 400 stems per acre and eradication of woody invasive plant species if they impact 5% or more of the credit generating acreage. She noted that non-invasive volunteer woody plants count toward the 400 stem count and so generally mowing the Nutrient Bank acreage is discouraged.

Ms. Lemmon inquired as to additional maintenance requirements that the Authority may be interested in and Ms. Jones recalled past conversations involving the prohibition of monocultures to be included in the deed language. Ms. Lemmon explained that the policy ideas considered by the Authority have included prohibiting new nutrient banks on easements that have any high productivity soils according to NRSC soil series classification and require that 90% of the trees planted be hardwood species typical of productive reference forests in the valley. Mr. Buckley asked if a parcel percentage cap has been included in the policy

and Ms. Lemmon answered that a cap has not included but could be added. Ms. Lemmon explained that determining the location and composition of the Nutrient Bank would likely be feasible but enforcing maintenance requirements would be more difficult through deed language. Ms. Jones posed the question as to what the procedure would be if the owner of the Nutrient Bank does not comply with the restrictions and maintenance requirements. Members discussed implementing a 10% cap on the acreage of the parcel in easement that may be dedicated to a nutrient bank. Staff agreed to draft a policy that would prohibit new nutrient banks on easements that have any high productivity soils (Important Farmland soils), require that 90% of the trees planted be hardwood species typical of productive reference forests in the valley, and put a 10% cap on the acreage of the parcel that may be in put into a nutrient bank. This policy along with questions on enforcement would be presented to the county attorney by staff.

Landscape Software Demo

Ms. Lemmon presented the Landscape software that staff have been using to record and organize annual monitoring reports for conservation easements. She explained that Emma Coutts would access Landscape on the iPad that she would take with her to site visits. Emma would use the GPS capability of the iPad and the maps in Landscape to confirm that she was at the correct property and create tracks during her monitoring visit. She would also take photos and fill out a form for each parcel she was monitoring. Ms. Lemmon would then review that data that was collected, run the final report in Landscape, and then file the report locally. Ms. Teetor commented that this software creates the reports much quicker than the methods used in the past, is a great tool for tracking overall progress of monitoring all of the easements in the county, and has a helpful communications tab that can be used to track which methods worked best for contacting landowners. She said that additional things such as deeds of easement and purchase details for each parcel could be uploaded to the Landscape software. This would allow for references of the deed in the field during inspections and could also be used to produce quick summaries of purchase information.

Report on Easement Donations/Purchases

a. Summary of current applications/inquiries – Ms. Teetor provided an update on recent inquiries to the conservation easement program as a result of a solicitation letter being sent out in July. She discussed various meetings with interested landowners and their varying progress towards formally applying to the program.

b. Keith Lilly - TM 12-A-37B - new application – grant purchase - Mary Keith Lilly has applied to the easement authority for approval of a grant purchase easement. The 43.05 acre property is currently vacant and located in the 1400 block of Triple J Road. The property meets 3 of the 4 criteria for a purchase including having a Property Resource Score of 55.6, retiring 2 of the remaining 3 DURs, and is over 40 acres.

The property is eligible for a Virginia Land Conservation Fund grant, and an application requesting an estimated \$300,000 appraised easement value will be submitted by the August 18th application deadline, if approved by the Authority. A preliminary appraisal is being paid for by the applicant to determine the potential value. If acceptable to the landowner, an estimated funding breakdown would be \$150,000 (50%) (VLCF), \$75,000 (25%) applicant, and \$75,000 (25%) or \$37,500 each from the County and VDACS. An additional Natural Resource Conservation Service (NRCS) grant may also be submitted, a preliminary application is due September 1.

Ms. Teetor explained that the property is underlined by karst, is within the County's groundwater recharge area, and is actively farmed in cattle grazing. Ms. Teetor requested preliminary approval of the Lilly grant purchase and authorization to submit the grant application for \$300,000.

The Committee voted 5-0-0 to give preliminary approval and authorization to submit a grant application for \$300,000 for the Lilly property TM 12-A-37B.

Motion to grant preliminary approval and submission of grant application for \$300,000 for Lilly property	
Randy Buckley (Chair)	✓
Rives Bacon	x
Bev McKay	x
Michelle Jones	✓
John Hedlund	✓ (seconded)
George Ohrstrom (Vice-chair)	✓ (moved)
Walker Thomas (Secretary/Treasurer)	✓

c. Joe Guenther – TM 30-A-17 & 30-A-29 – new application – donation - Joe Guenther has applied to the easement authority for approval of an easement donation. The 31.4 acre property is located at 2862 Millwood Road at the intersection of Thornton Road. The property meets 3 of the 4 criteria to be considered for donation. The Property Resource Score is 54.2, it is adjacent to an existing easement, and the applicant plans to retire 1 of the 2 remaining DURs. The property has 1 existing house that was built in 1988 and has frontage on Millwood Road, a state designated scenic byway.

Ms. Teetor explained that Mr. Guenther purchased an adjoining utility lot that is less than one acre and plans to apply for a subdivision or boundary line adjustment in order to create a 2 or 3 acre lot for his daughter. Ms. Teetor requested preliminary approval for the Guenther donation application.

The Committee voted 5-0-0 to approve the preliminary application of the Guenther donation and request staff to schedule a site visit.

Motion to grant preliminary approval of the Guenther easement donation	
Randy Buckley (Chair)	✓
Rives Bacon	x
Bev McKay	x
Michelle Jones	✓ (moved)
John Hedlund	✓
George Ohrstrom (Vice-chair)	✓ (seconded)
Walker Thomas (Secretary/Treasurer)	✓

d. Billy and Lorie Wallace - easement donation TM 6-A-45 – Ms. Lemmon provided an update on the Wallace application. A draft deed of easement and other paperwork were sent out a few weeks prior and staff are still waiting to hear back from the applicants.

e. Poulshot – Ann Brown - TM 29-A-16A – DUR purchase, closed session

On motion of Ms. Thomas, seconded by Mr. Ohrstrom the Authority unanimously approved going 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. On motion of Mr. Ohrstrom, seconded by Mr. Hedlund the Authority unanimously approved reconvening in Open Session. Mr. Buckley moved, seconded by Ms. Walker, to certify that to the best of the member’s knowledge:

- (i) only public business matters lawfully exempted from Open Meeting requirements under Chapter 2.2-

3700, et sec., of the Code of Virginia, as amended, pursuant to Section 2.2-3711-A3 of the Code of Virginia, as amended, to discuss the Acquisition or Sale of Property, and
(ii) only such public business matters as were identified in the motion by which the Closed meeting was convened were heard, discussed, and considered in the meeting by the Authority. The vote on the above motion was:

Ms. Bacon	Absent	Mr. Buckley	Aye	Mr. Hedlund	Aye
Ms. Thomas	Aye	Mr. Ohrstrom	Aye	Ms. Jones	Aye
Mr. McKay	Absent				

The Committee voted 5-0-0 to give final approval to Ann Brown for a DUR purchase on the parcel identified by Tax Map# 29-A-16A for the DUR purchase offer of \$40,000/DUR, multiplied by the income factor of 76% of the Easement Authority's offer, for a total of \$60,800 for the purchase of 2 DURs.

Motion to give final approval and offer \$60,800 for retiring 2 DURs to Ann Brown	
Randy Buckley (Chair)	✓
Rives Bacon	x
Bev McKay	x
Michelle Jones	✓
John Hedlund	✓
George Ohrstrom (Vice-chair)	✓ (moved)
Walker Thomas (Secretary/Treasurer)	✓ (seconded)

f. James Fansler – TM 27-A-3 – new application – grant purchase – James Fansler has applied to the easement authority for approval of a grant purchase easement. The 88.95 acre property is currently vacant and located at 225 Nations Spring Rd approximately 4/10 of a mile west of the intersection with Gun Barrel Road. The property meets all 4 criteria to be considered for a grant purchase. The Property Resource Score is 74.6, the property is over 40 acres, is adjacent to an existing easement, and the applicant plans to retire 3 of the 4 remaining DURs.

The property is eligible for a Virginia Land Conservation Fund grant, and an application requesting an estimated \$400,000 appraised easement value will be submitted by the August 18th application deadline, if approved by the Authority. A preliminary appraisal is being paid for by the applicant to determine the potential value. If acceptable to the landowner, an estimated funding breakdown would be \$200,000 (50%) (VLCF), \$100,000 (25%) applicant, and \$100,000 (25%) or \$50,000 each from the County and VDACS. An additional Natural Resource Conservation Service (NRCS) grant may also be submitted, a preliminary application is due September 1.

Ms. Teetor explained that the property is within the Agricultural District, is within the County's groundwater recharge area, and contains a number of sinkholes. She requested preliminary approval and authorization to submit the grant application for \$400,000.

The Committee voted 5-0-0 to give preliminary approval and authorization to submit a grant application for \$400,000 for the Fansler property TM 27-A-3.

Motion to grant preliminary approval and submission of grant application for \$400,000 for Fansler property	
Randy Buckley (Chair)	✓
Rives Bacon	x
Bev McKay	x
Michelle Jones	✓
John Hedlund	✓ (seconded)
George Ohrstrom (Vice-chair)	✓ (moved)
Walker Thomas (Secretary/Treasurer)	✓

Adjournment

There being no further business, the Committee agreed to adjourn the meeting at 11:11 AM. The next Clarke County Easement Authority meeting is scheduled for September 8th, 2023 at 10 AM in the A/B conference room, Government Center, Berryville.

The Committee voted 5-0-0 to adjourn the August 11, 2023 meeting at 11:11 AM.

Motion to adjourn the August 11, 2023 meeting at 11:11 AM.	
Randy Buckley (Chair)	✓
Rives Bacon	x
Bev McKay	x
Michelle Jones	✓
John Hedlund	✓
George Ohrstrom (Vice-chair)	✓ (moved)
Walker Thomas (Secretary/Treasurer)	✓ (seconded)

Randy Buckley, Chair

Lorien Lemmon, Clerk to the Authority

Through 8/30/23

Conservation Easement Expense Detail - FY24

	<u>Donations (128)</u>	<u>Stewardship (210)</u>	<u>Local Funds (000)</u>
<u>July</u>	500.00 Clarke County Ruritans Sponser at Fair	2,700.00 CEA Landscape Govt subscription	
	<u>500.00</u>	<u>2,700.00</u>	<u>0.00</u>
<u>August</u>	190.47 Postage	444.68 Mileage Emma Coutts	
	178.98 Winchester Printers CEA mailing labels	1,620.00 Summer Intern CEA	
	560.00 Robin Couch Cardillo July 2023		
	<u>929.45</u>	<u>2,064.68</u>	<u>0.00</u>
YTD Totals	<u><u>Donations</u></u> <u><u>1,429.45</u></u>	<u><u>Stewardship</u></u> <u><u>4,764.68</u></u>	<u><u>Local Funds</u></u> <u><u>0.00</u></u>

JAS - E Johnson

AS OF 8/30/23

FY2024 - FY23 NOT FINAL

Fund 235 - Conservation Easement Balances

	Total Fund Balance	Donations (128)	Stewardship/Restricted Funds Account (210)	Local Funds (000)
SOY FY24	560,145	144,891	241,636	173,618
Fiscal Year 2024				
July Rev/AR		1,750	352	0
July Exps/AP		-500	-2,700	0
Aug Rev/AR		406		10,162
Aug Exps/AP		-929	-2,065	0
Sept Rev/AR				
Sept Exps/AP		0	0	0
Oct Rev/AR				
Oct Exps/AP		0	0	0
Nov Rev/AR				
Nov Exps/AP		0	0	0
Dec Rev/AR				
Dec Exps/AP		0	0	0
Jan Rev/AR				
Jan Exps/AP		0	0	0
Feb Rev/AR				
Feb Exps/AP		0	0	0
Mar Rev/AR				
Mar Exps/AP		0	0	0
Apr Rev/AR				
Apr Exps/AP		0	0	0
May Rev/AR				
May Exps/AP		0	0	0
June Rev/AR				
June Exps/AP		0	0	0
YTD Rev/AR	12,668.85	2,155.57	351.51	10,161.77
YTD Exps/AP	6,194.13	1,429.45	4,764.68	0.00
Adjustments				
YTD FUND BALANCE (AR & AP)	566,620.18	145,617.53	237,223.19	183,779.46

Emily Johnson:
\$10,161.77 Rollback tax

ESTIMATED YTD FUND BALANCE **566,620.18** **145,617.53** **237,223.19** **183,779.46**

FY24 Expenditure Appropriations	Appropriated	Actual Expenses	Appropriated Balance Remaining
General Expenses	90,000	6,194	83,806
	90,000	6,194	83,806

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



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

September 1, 2023

Clarke County Conservation Easement Authority
Fundraising Report
September 2023 meeting

Donor Statistics

See attached Master Report

- 2023 year-to-date total: \$8,860.00 from 59 donations

Ongoing

-Donor BBQ

- Friday, October 13, 6-8:00 pm, at George Ohrstrom's venue
- Will have some type of alcohol tasting (bourbon?) – Robin to organize; BBQ dinner, tenting, seating – George to organize. Helpers to assist with set-up before the event and tear-down after?

-Summer newsletter

- At printer, featuring interviews with Lorien Lemmon and intern Emma Coutts; new software Landscape software; call for next year's interns; upcoming donor BBQ reception

-Easement Authority at the Clarke County Fair

- Good visibility at fair, with booth exhibit in Horticulture building and banner signage at the Livestock Sale Dinner (Easement Authority sponsored event at \$500)

-Branded booklet with testimonials, photos

- In the works

-New donors

- No first-time donors this month

MEMORANDUM

TO: Conservation Easement Authority
FROM: Lorien Lemmon
SUBJECT: Nutrient Credit Banks
DATE: August 25, 2023

The Clarke County Conservation Easement Authority (CEA) has been discussing including further restrictions for nutrient credit banks on easement properties. The following is a draft policy to guide nutrient bank installation and management enforcement on new easements. The policy is based on feedback from the Authority along with recommendations from Kerry Hutchinson and other groups involved with nutrient bank management. It is recommended that any final language regarding this policy be reviewed and approved by Mr. Mitchell.

Draft Policy

Purpose of Policy

The purpose of restricting nutrient banks on easement properties is to prevent the permanent conversion of agriculture to forested land that seems to benefit developers in other counties within the Potomac River watershed. Being an agricultural community, the CEA does not support the permanent loss of farmland and sees this program as biased against farming localities because it shifts issues related to rapid-growth development to slower growing areas that still have farmland.

The following draft guidelines are provided to inform landowners considering placing their property in an easement with the CEA. They are intended to describe the types of resources the CEA strives to protect, the conservation values, and the potential restrictions considered necessary to protect them. Each property is unique and will be considered on a case-by-case basis. Staff will use these guidelines to work with landowners to create a planting and maintenance plan for nutrient banks on easement properties.

Definitions

“Monoculture” Cultivation of a single tree species

“Nutrient Bank” A site specific practice generating certified nutrient credits for sale on the Nonpoint Source Nutrient Credit Registry (Virginia Department of Environmental Quality)

“Prime Farmland Soils” Prime farmland is permeable to water and air. It is not excessively erodible or saturated with water for long periods, and it either is not frequently flooded during the growing season or is protected from flooding. Slope ranges mainly from 0 to 6 percent. (United States Department of Agriculture)

Nutrient Credit Bank Policy

Nutrient credit banks are prohibited unless prior written approval has been obtained from Grantee. Nutrient banks are prohibited in areas that contain prime farmland soils as designated by NRCS and may not exceed 10% of the overall acreage of the easement property. Initial planting of the nutrient bank will require that 90% of the trees planted be hardwood trees typical of the species growing in healthy and productive reference forests in the valley.

Grantee retains the right but not the obligation to enforce management of the nutrient bank. Management shall include conditions included in the Implementation Plan as described in 9VAC25-900-120, regardless of the term of the credits:

Code of Virginia:

9VAC25-900-120. Implementation plan.

A. The implementation plan submitted pursuant to 9VAC25-900-80 shall provide information detailing how the nutrient credit-generating project will generate credits for the term of the credits. The implementation plan will include the applicable information as required in subsections B through J of this section.

B. For all nutrient credit-generating projects, the implementation plan shall include:

1. An operation and maintenance plan that provides a description and schedule of operation and maintenance requirements and detailed written specifications and process diagrams for the practices used at the nutrient credit-generating project. The plan must be adhered to for the term of the credits and shall include a description of site management activities to be performed after meeting all performance standards to ensure long-term sustainability of the site.
2. The performance standards that shall be used to evaluate whether the nutrient credit-generating project is generating credits as calculated in 9VAC25-900-110.
3. Applicable requirements for the project required pursuant to Part IV (9VAC25-900-140 et seq.) of this chapter.

C. For nutrient credit-generating projects utilizing managed afforestation land use conversion, the implementation plan shall also include:

1. A project plan submitted in the form required by the department and prepared by a person trained in (i) forestry management, (ii) nutrient management, or (iii) other applicable land management training that includes an understanding of whole land management planning. The project plan shall include (i) methods for invasive plant species control and eradication if woody invasive plant species impacts 5.0% or more of the nutrient credit-generating project's acreage; (ii) a requirement that any harvesting of timber shall adhere to best management practices as set forth by Department of Forestry's Water Quality Guide and any other applicable local, state, or federal laws or requirements; (iii) the land management goals; (iv) a statement that no fertilizer is to be used on the nutrient credit-generating project's land conversion acreage for the term of the credit generated; (v) a planting plan to include size, species, and spacing of trees; and (vi) any planting phases planned for the project if the area will not be planted all at one time, but will be planted in different phases. Additionally, if timbering is planned within the land conversion area, a copy of the timbering plan shall be submitted to the department at least 90 days prior to the occurrence of any land disturbance or timbering.
2. Provisions for planting forests to achieve an initial survival density of a minimum of 400 deciduous tree or evergreen tree woody stems per acre including any noninvasive volunteers. Survival of planted deciduous trees shall not be established until the start of the second complete growing season following planting. Survival of planted evergreen trees may be established after completion of the first complete

growing season following planting. Survival of mixed specie plantings with a minimum of 200 evergreen trees per acre may be established after completion of the first complete growing season following planting.

3. A description of agricultural baseline requirements implemented in accordance with 9VAC50-900-100 B and C that apply to any remaining portions of the management area that are not undergoing land use conversion.

4. Performance standards and reporting procedures demonstrating ongoing compliance with the baseline requirements of 9VAC25-900-100 B and C.

Proposed submission requirements:

- The CEA shall review and approve all planting and maintenance plans for nutrient banks. Applicant shall provide a species list, site plan that includes bank boundaries, and proposed maintenance schedule.

MEMORANDUM

TO: Conservation Easement Authority
FROM: Lorien Lemmon
DATE: August 31, 2023
SUBJECT: Application for easement donation – Joe Guenther

Joe Guenther has applied to the easement authority for approval of an easement donation. The property is located at 2862 Millwood Road at the intersection of Thornton Road. The property is identified by Tax Map# 30-A-17 and 30-A-29. It consists of 31.4 acres with 1 existing house that was built in 1988 and 2 DURs. The applicant proposes to retire one remaining DUR.

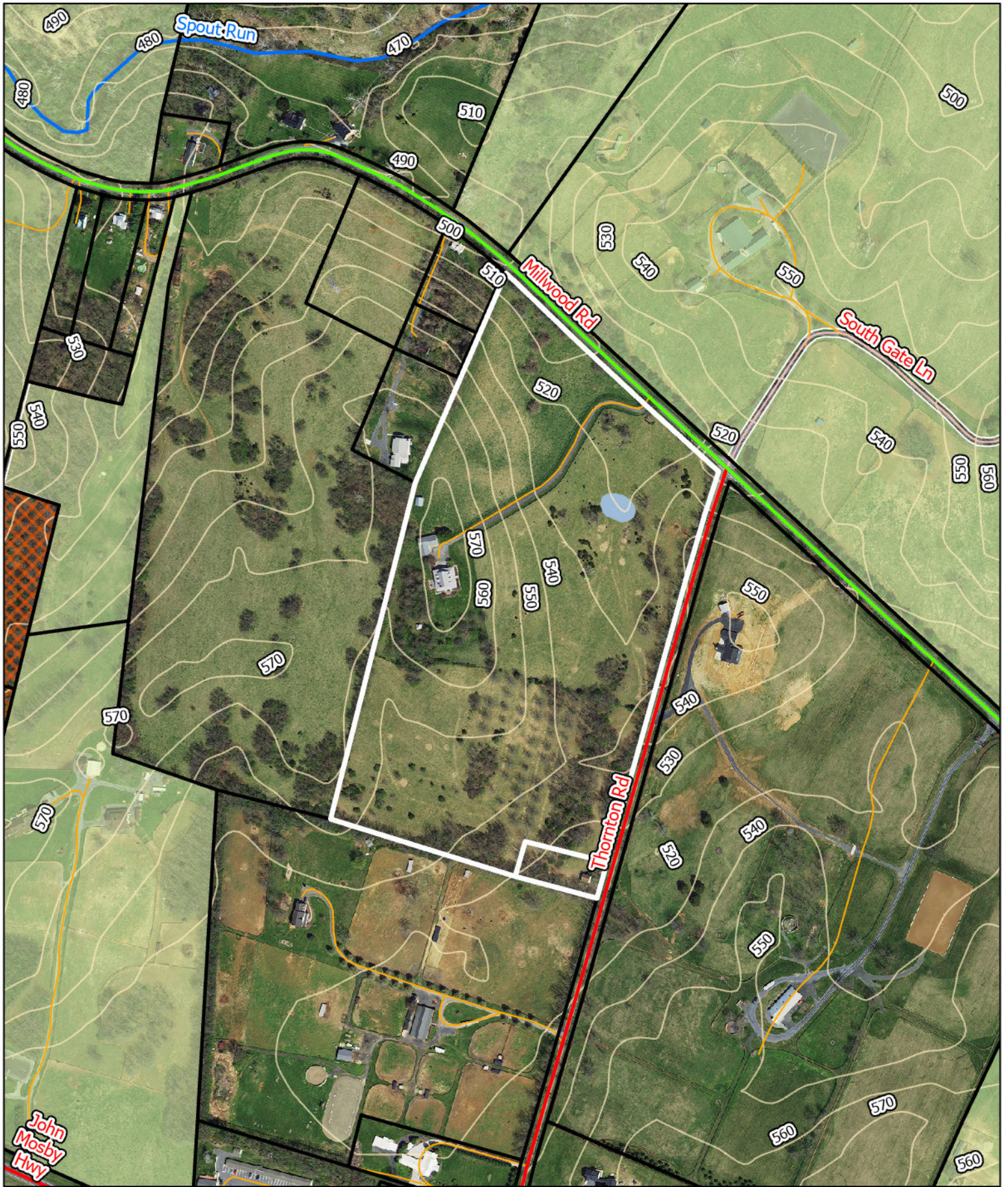
The parcel is zoned AOC and is currently in use value taxation, therefore in accord with the Commissioner of Revenue's requirements, then a donation may be considered if at least two of the following four guidelines are met:

- 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.

The property meets 3 of the 4 criteria. The property resource score is 54.2, the applicant is retiring 1 DUR and it is adjacent to an existing easement. The property is less than 40 acres. Points were given for retiring 1 DUR, having frontage on Millwood Road, a state designated scenic byway, and being adjacent to an existing easement. A site visit was scheduled for September 5 and September 7th.

Recommendation

Give final approval to the easement donation for Joe Guenther, Tax Map# 30-A-17 & 30-A-29 and recommend approval to the Board of Supervisors.



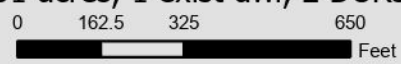
John Mosby Hwy



Clarke County GIS
August 3, 2023



Joe Guenther
Tax Map # 30-A-17 & 30-A-29
31 acres, 1 exist dwl, 2 DURs



Aerial Imagery 2022 Commonwealth of Virginia

- Guenther Property
- County Parcel
- Scenic Roads
- Private Road
- Public Road
- Driveways

- 10 ft Elevation Contour
- Intermittent
- Perennial Stream
- Freshwater Pond
- Existing Easements
- Ag and Forestal District



MEMORANDUM

TO: Conservation Easement Authority
FROM: Lorien Lemmon
DATE: August 30, 2023
SUBJECT: Application for easement donation – Joe and Tamara Myer

Joe and Tamara Myer have applied to the easement authority for approval of an easement donation. The property is located at 1689 Brigg Road and is identified by Tax Map# 23-A-55. It consists of 40.2 acres with 2 existing houses that were built prior to 1980, including the main house which is a contributing structure in the Greenway Rural Historic District. The applicant proposes to retire all of the three remaining DURs.

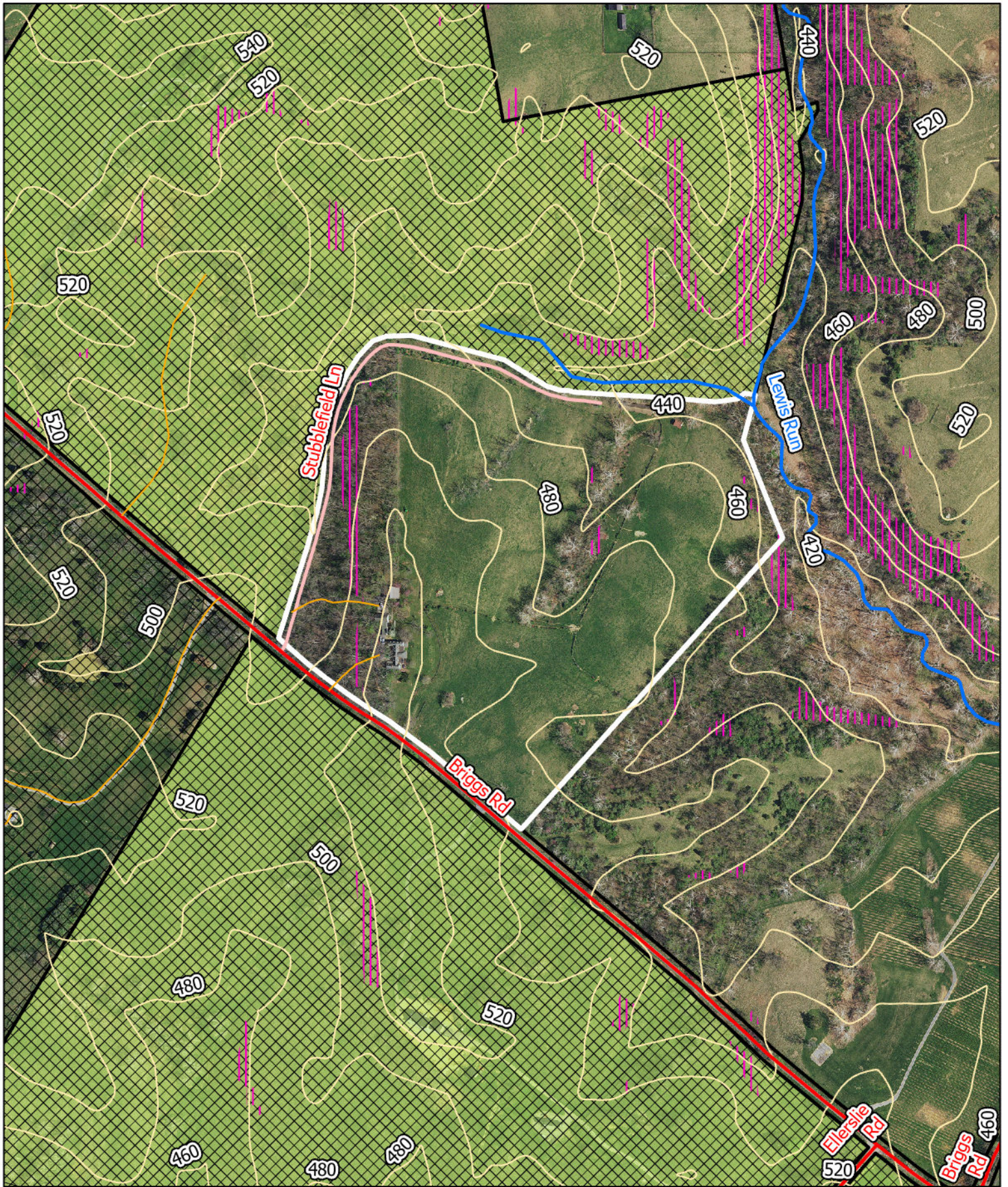
The parcel is zoned AOC and is currently in use value taxation, therefore in accord with the Commissioner of Revenue's requirements, then a donation may be considered if at least two of the following four guidelines are met:

- 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.

The property meets all 4 of the criteria. The property resource score is 83.8, the applicant is retiring 3 DURs, it is adjacent to 2 existing easements and is just over 40 acres. Points were given for retiring 3 DURs, being within the Greenway Rural Historic District, being adjacent to 2 existing easements, containing a small stretch of Lewis Run and about 1 acre of steep slopes.

Recommendation

Give preliminary approval to the easement donation for Joe and Tamara Myer, Tax Map# 23-A-55 and schedule a site visit.



Joe Myer
 Tax Map #23-A-55
 40.2 acres, 2 exist dwl, 3 DURs



Aerial Imagery 2022 Commonwealth of Virginia

- Myer Property
- County Parcels
- Ag and Forestal District
- Existing Easement
- 20ft Elevation Contour

- Public Road
- Private Road
- Driveway
- Perennial Stream
- >25% Slope

Location Map w/
Greenway
Historical
District



Clarke County GIS
August 28, 2023