

CLARKE COUNTY
Conservation Easement Authority
Friday – 12 April – 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 March 8, 2024 meeting
4. Bank Account balances
5. Campaign for the Authority
6. PEC updates from Tia Earman
7. Discussion
 - a. Summer Internship – second iPad
8. Easement Donation/Purchase
 - a. Summary of easement applications/inquiries
 - b. Bryant – McDonald – donation – update
 - c. Williams – TM 14-A-37B - new application – DUR purchase
 - d. Lilly – TM 12-A-37B – grant purchase - update
9. Adjournment – The next meeting is scheduled for Friday May 10 at 10:00

Clarke County Conservation Easement Authority

Draft - Meeting Minutes

Friday, March 8, 2024 – 10:00 AM

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

ATTENDANCE			
Randy Buckley (Chair)	✓	John Hedlund	✓
George L. Ohrstrom, II (Vice-Chair)	X	Michelle Jones	✓
Walker Thomas (Secretary/Treasurer)	✓	Bev McKay	✓
Rives Bacon	✓		

STAFF PRESENT: Alison Teetor, Lorien Lemmon, Brandon Stidham (Planning Dept.)

OTHERS PRESENT: Robin Couch-Cardillo, Tia Earman (PEC)

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

Approval of the Agenda – March 8, 2024:

The Authority voted 6-0-0 to approve the Agenda with the addition of Items: 7c. Deed template amendments, 8c. Greenhalgh easement application, 8d. Guenther easement PEC grant discussion, 8e. Lilly easement update and closed session and 8f. Fansler easement.

Motion to approve the Agenda as amended:			
Buckley (Chair)	AYE	Hedlund	AYE (seconded)
Thomas (Secretary/Treasurer)	AYE	Jones	AYE (moved)
Bacon	AYE	McKay	AYE

Approval of Meeting Minutes – February 9, 2024:

The Authority voted 6-0-0 to approve the February 9, 2024 meeting minutes as amended with minor changes requested by the Authority.

Motion to approve Meeting minutes for February 9, 2024 as corrected:			
Buckley (Chair)	AYE	Hedlund	AYE
Thomas (Secretary/Treasurer)	AYE (seconded)	Jones	AYE (moved)
Bacon	AYE	McKay	AYE

Bank Account:

Ms. Lemmon reviewed the financial spreadsheets. Current fund balances show a total fund balance of \$620,427.24 consisting of \$172,124.14 in the donations account, \$245,454.01 in stewardship/restricted, and \$202,849.09 in local funds. Ms. Lemmon explained that the Authority received \$7,527 from the Virginia Land Conservation Foundation for the annual stewardship fund and that the expenditures for February included the donation to the annual Virginia United Land Trust (VaULT) conference and expenses related to the winter newsletter.

Campaign for the Authority:

Ms. Couch-Cardillo stated that donations were \$2,350.00 from 16 donors. She asked for feedback about the Wingate Mackay-Smith Land Conservation Award luncheon. The Authority agreed that the event was a success and Ms. Teetor relayed the positive response she noted from the attendees about inviting the past

award recipients to the luncheon. Ms. Couch-Cardillo requested suggestions for another easement landowner to profile for the upcoming spring newsletter and Ms. Teetor suggested Joe and Tamara Myer who put their land into easement in 2023. Mr. McKay requested that a segment in the newsletter cover how conservation easements factor into the Local Composite Index used to determine state funding for local schools. The Authority discussed how conservation easements reduce the true value of real property, which results in increased state aid for schools.

Chair Buckley suggested the Guenther’s as an alternative landowner to profile for the newsletter, as they recorded in 2023 as well. Ms. Couch-Cardillo mentioned that she is also working on updating the conservation easement brochure. She stated her idea for an additional outreach event that would include taking small groups of potential easement landowners on a tour of a few of the CEA held easements and have them discuss the process with landowners that have recorded easements. Ms. Teetor also mentioned that some of the information sheets that are handed out to interested landowners are a bit outdated and could be revised with new information in a more approachable format.

Ms. Couch-Cardillo reported that the CEA had no new donors for the month of February.

PEC updates from Tia Earman:

Ms. Earman provided a brief update on the conflicts regarding the review of planning policies and zoning regulations with the brewery industry in western Loudoun County.

Discussion:

a. Summer Internship:

The Authority briefly reviewed the resumes for the summer internship and agreed that staff could ultimately make the hiring decision.

b. Nutrient Trading Bank Policy:

Ms. Lemmon reread the Nutrient Trading Bank Policy that was discussed at the August meeting in 2023. At that meeting, the Authority agreed to table the discussion until the policy could be reviewed by Mr. Mitchell. Ms. Lemmon explained that Mr. Mitchell reviewed the policy in November 2023 and did not have any issues with the policy. She explained that the Authority would need to approve this policy in order for her to present it at the Board of Supervisor’s work session for their approval.

The Authority reviewed the policy and voted 6-0-0 to approve the Nutrient Trading Bank Policy as presented.

Motion to approve the Nutrient Trading Bank Policy as presented:			
Buckley (Chair)	AYE	Hedlund	AYE
Thomas (Secretary/Treasurer)	AYE	Jones	AYE (moved)
Bacon	AYE (seconded)	McKay	AYE

c. Deed Template Amendments:

Ms. Teetor relayed her review of the draft deed of easement with Tom Cammack, the realtor working with Dr. McDonald and the Bryant’s on their easement, and how he noted some problematic language that is part of the deed template. She suggested that the title of Section 3.3 be changed to match the Virginia Outdoors Foundation (VOF) deed language, which includes roads, alternative energy structure, and utilities as well as allowed structures. She stated that this new title would more accurately reflect the contents of that section.

Ms. Teetor then described changing the deed template language regarding private roads and driveways. The current template deed language requires Grantor approval for any new driveway or private road on the property. She suggested changing that language to reflect the VOF language, which states that Grantor approval is only required for private roads, driveways, or access easements that cross easement property in order to serve adjacent properties.

Ms. Teetor also explained Mr. Cammack’s confusion regarding the Grantee Approval section, which he interpreted as stating that a landowner must notify the Authority before undertaking any activities on their property, including those permitted under Section 3. She suggested additional language that clarifies the need for Grantee approval only for activities outside of those permitted under Section III, which would require grantee approval.

The Authority voted 6-0-0 to approve the proposed changes to the deed template as presented.

Motion to approve the changes to the deed template as presented:			
Buckley (Chair)	AYE	Hedlund	AYE
Thomas (Secretary/Treasurer)	AYE (seconded)	Jones	AYE
Bacon	AYE (moved)	McKay	AYE

Report on Easement Donations/Purchases:

a. Summary of easement applications/inquiries

Ms. Lemmon gave a broad overview of the current status of active applications and inquiries for easements. She explained the updated map and table used to track easements that are in various stages. She stated that an application had been sent to Ms. Craig and noted that she is neighbors with Mr. Wenzel, who was interested in placing his land in easement, but did not qualify.

Ms. Teetor explained that the Clarke County Ruritan Club drafted a resolution for approval from the Board of Supervisors during their March meeting. This resolution would be necessary for the Fairgrounds to be held in conservation easement, even though the Authority will not be the holder.

b. Bryant - McDonald –donation update

Ms. Teetor gave an update on the Bryant – McDonald easement. The holder of the Bryant easement is to be reassigned from VOF to the Authority during the VOF meeting on March 15th. The subdivision for the McDonald easement is on the agenda for the Planning Commission in April. The McDonald easement will have to be recorded before the Planning Commission can approve the subdivision. On the same day of the subdivision approval, a deed of merger, will be recorded to merge 60 acres of the McDonald parcel into the Bryant property and then the Bryant deed of easement can be recorded.

Ms. Teetor also noted that Mr. Cammack requested that the square footage allowance for the secondary dwelling for the Bryant parcel be increased from 2,000 square feet to 2,500 square feet. She reminded the Authority that this dwelling would need to be in a building envelope and on the existing 39 acres owned by the Bryant’s, since the 60-acre parcel that will be merged will have zero remaining DURs.

The Authority voted 6-0-0 to approve the increase in square footage allowance for the secondary dwelling for the Bryant easement to 2,500 square feet.

Motion to grant approval of a secondary dwelling of up to 2,500 sq. ft. for the Bryant easement			
Buckley (Chair)	AYE	Hedlund	AYE
Thomas (Secretary/Treasurer)	AYE	Jones	AYE (moved)
Bacon	AYE (seconded)	McKay	AYE

Since this application will move pretty quickly once it is approved by the Planning Commission, staff agreed to schedule a site visit within the next couple of weeks.

c. Robin Greenhalgh - new application – easement purchase - TM# 30-A-98, 30-A-98A, 30-A-98B

Ms. Lemmon explained that Robin Greenhalgh applied to the easement authority for approval of a DUR purchase. The property is located on the north side of Ellerslie Road at the intersection with Clay Hill Road at 475 Shan Hill Lane, Tax Map# 30-A-98, 30-A-98A, 30-A-98B. The parcel is 259 acres with 2 existing houses and 6 DURs. The applicant would like to retire 4 of the 6 remaining DURs.

The property resource score was 98.3, the applicant is retiring 4 DURs, the parcel is over 40 acres, and adjacent to existing easements. The parcel has nearly ½ mile frontage on the Shenandoah River, a spring, 3 sinkholes, a pond, 2 streams, and approximately 17 acres of steep slopes. The two houses are contributing to the Greenway Historic District and the property is a family farm.

The Authority voted 6-0-0 to approve the preliminary application of the Greenhalgh purchase and requested that staff schedule a site visit.

Motion to grant preliminary approval of the Greenhalgh easement purchase:			
Buckley (Chair)	AYE	Hedlund	AYE (seconded)
Thomas (Secretary/Treasurer)	AYE	Jones	AYE (moved)
Bacon	AYE	McKay	AYE

d. Guenther – PEC grant discussion

Ms. Lemmon explained that Mr. Guenther reached out to her about reimbursement for legal fees incurred during the easement donation process. Traditionally the Authority covers legal fees for purchases, but not donations. Chair Buckley supported the idea of reimbursing legal fees for donation easements but he thought that the grants should be based on income.

Ms. Teetor mentioned the new PEC grant that could be used to help cover the cost of the required 60-year title search and appraisal. Ms. Earman mentioned that the type of appraisal being covered would need to be considered. She stated that the PEC grant would be appropriate for a basic appraisal, but not for the full development plan that some appraisers are producing in order to determine the maximum appraised value for these easements.

The Authority discussed how some potential applicants lost interest in a donation easement once they learned how much money they would need to spend upfront during closing. Ms. Teetor suggested having Mr. Guenther apply for the PEC grant before asking the County to finance his legal fees. Ms. Jones asked if this situation is common and if the Authority would want to consider a policy to help donation easement landowners. The Authority agreed to wait and see how the PEC grant process is received before moving forward with a policy.

e. Lilly – TM 12-A-37B – grant purchase, closed session

On motion of Ms. Jones, seconded by Ms. Bacon 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. McKay, seconded by Mr. Hedlund the Authority unanimously approved reconvening in Open Session. Mr. McKay moved, seconded by Ms. Thomas, 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:

Buckley (Chair)	AYE	Hedlund	AYE
Thomas (Secretary/Treasurer)	AYE	Jones	AYE
Bacon	AYE	McKay	AYE

The Authority voted 6-0-0 to approve the request of \$37,625 from PEC for the Lilly grant purchase easement.

Motion to approve the request of \$37,625 from PEC for the Lilly easement:			
Buckley (Chair)	AYE	Hedlund	AYE (seconded)
Thomas (Secretary/Treasurer)	AYE	Jones	AYE (moved)
Bacon	AYE	McKay	AYE

The Authority voted 6-0-0 to seek approval from the Board of Supervisors for the Lilly grant purchase.

Motion to request approval from the Board of Supervisors for the Lilly easement:			
Buckley (Chair)	AYE	Hedlund	AYE (moved)
Thomas (Secretary/Treasurer)	AYE	Jones	AYE
Bacon	AYE (seconded)	McKay	AYE

f. Fansler – TM 27-A-3 – grant purchase

The Authority voted 6-0-0 to seek approval from the Board of Supervisors for the Fansler grant purchase.

Motion to request approval from the Board of Supervisors for the Fansler easement:			
Buckley (Chair)	AYE	Hedlund	AYE (seconded)
Thomas (Secretary/Treasurer)	AYE	Jones	AYE
Bacon	AYE (moved)	McKay	AYE

Adjournment

There being no further business, the Authority agreed to adjourn the meeting at 10:48 AM. The next Clarke County Easement Authority meeting is scheduled for April 12, 2024 at 10 AM in the A/B conference room, Government Center, Berryville.

The Authority voted 6-0-0 to adjourn the March 8, 2024 meeting at 10:48 AM.

Motion to adjourn to the March 8, 2024 meeting at 10:48 AM.

Motion to adjourn to the March 8, 2024 meeting at 10:48 AM:			
Buckley (Chair)	AYE	Hedlund	AYE
Thomas (Secretary/Treasurer)	AYE (seconded)	Jones	AYE (moved)
Bacon	AYE	McKay	AYE

Randy Buckley, Chair

Lorien Lemmon, Clerk to the Authority

Fund 235 - Conservation Easement Balances

	Total Fund Balance	Donations (128)	Stewardship/Restricted Funds Account (210)	Local Funds (000)
SOY FY24	555,145	144,891	241,636	168,618
Fiscal Year 2024				
July Rev/AR		2,006	352	277
July Exps/AP		-500	-2,700	0
Aug Rev/AR		207	0	10,551
Aug Exps/AP		-929	-2,065	0
Sept Rev/AR		944	346	14,814
Sept Exps/AP		-1,644	0	-40
Oct Rev/AR		4,148	358	4,208
Oct Exps/AP		-2,024	0	0
Nov Rev/AR		16,955	347	2,419
Nov Exps/AP		-5,542	0	-208
Dec Rev/AR		12,810		4,788
Dec Exps/AP		-284	0	-2,620
Jan Rev/AR		1,185		134
Jan Exps/AP		-160	0	0
Feb Rev/AR		665	7,527	
Feb Exps/AP		-688	0	0
Mar Rev/AR		2,175		
Mar Exps/AP		-4,742	0	-1,658
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	87,215.82	41,095.68	8,929.47	37,190.67
YTD Exps/AP	25,802.19	16,512.51	4,764.68	4,525.00
Adjustments				
YTD FUND BALANCE (AR & AP)	616,559.09	169,474.58	245,801.15	201,283.36

Emily Johnson:
\$10,161.77 Rollback tax

Emily Johnson:
14,342.33 Rollback Tax

Emily Johnson:
\$3,675.47 Rollback Tax

Emily Johnson:
\$2,418.76 Rollback Tax

Emily Johnson:
\$4,787.97 Rollback Tax

Emily Johnson:
134.40 Rollback Tax

Emily Johnson:
\$7,526.51 Annual Stewardship Award

ESTIMATED YTD FUND BALANCE **616,559.09** **169,474.58** **245,801.15** **201,283.36**

FY24 Expenditure Appropriations	Appropriated	Actual Expenses	Appropriated Balance Remaining
General Expenses	90,000	25,802	64,198
	90,000	25,802	64,198

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

Through 03/31/24

Conservation Easement Expense Detail - FY24

	Donations (128)	Stewardship (210)	Local Funds (000)
July	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>
August	190.47 Postage 178.98 Winchester Printers CEA mailing labels 560.00 Robin Couch Cardillo July 2023	444.68 Mileage Emma Coutts 1,620.00 Summer Intern CEA	
	<u>929.45</u>	<u>2,064.68</u>	<u>0.00</u>
Sept	233.56 Winchester Printers Envelopes 450.00 Gloria Marconi Summer CEA 2023 960.00 Robin Couch Cardillo August 2023		40.00 Legal Services August
	<u>1,643.56</u>	<u>0.00</u>	<u>40.00</u>
Oct	41.49 Postage 816.23 Winchester Printers 2023 CEA BBQ 1,166.15 Winchester Printers Summer 2023		
	<u>2,023.87</u>	<u>0.00</u>	<u>0.00</u>
Nov	2,725.00 Bank of America CEA Dinner 450.00 Gloria Marconi Fall CEA Newsletter 1,230.00 Winchester Printers Fall Newsletter 1,136.52 Robin Couch Cardillo CEA Newsletter		207.50 Hall, Monohan Sept/Oct Legal Fees
	<u>5,541.52</u>	<u>0.00</u>	<u>207.50</u>
Dec	84.33 Postage 200.00 Gloria Marconi CEA EOY 2023 Appeal letter		2,620.00 Hall, Monahan July-Nov Legal
	<u>284.33</u>	<u>0.00</u>	<u>2,620.00</u>
Jan	160.00 Robin Couch Cardillo December 2023		
	<u>160.00</u>	<u>0.00</u>	<u>0.00</u>
Feb	500.00 VAULT CEA Donation 96.00 CEA Wordpress 91.77 Pitney Bowes Postage		Pitney Bowes Postage
	<u>687.77</u>	<u>0.00</u>	<u>0.00</u>
Mar	186.23 Postage 15.80 Crown Trophy Wingate Trophy 900.00 Love at First Bite Reimbursement 980.28 Winchester Printers Services 450.00 Gloria Marconi Services 1,111.34 Robin Couch Cardillo Services 1,098.36 Winchester Printers CCEA Winter		1,657.50 Hall, Monahan Dec-Feb Legal
	<u>4,742.01</u>	<u>0.00</u>	<u>1,657.50</u>
YTD Totals	<u><u>16,512.51</u></u>	<u><u>4,764.68</u></u>	<u><u>4,525.00</u></u>

VDACS

As of 3/31/24

Close Date	Project	FY 2017	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY2023	FY2024	TOTALS
		use by June 30, 2019	use by June 30, 2020	use by June 30, 2021	use by June 30, 2022	use by June 30, 2023	use by June 30, 2024	use by June 30, 2025	use by June 30, 2026	
		\$86,950.00	\$61,615.23	\$75,738.77	\$58,333.00	\$54,000.00	\$156,476.00	\$175,000.00	\$165,400.00	\$833,513.00
November 2018	Sprouse	-\$31,104.00								
February 2019	Opequon Cattle	-\$55,846.00	-\$696.00							
May 2019	Rowland		-\$38,148.50							
October 2019	Coleman		-\$21,448.00							
June 2020	Expired		-\$1,322.73							
July 2021	Moon			-\$40,717.75						
December 2021	RSP			-\$35,021.02	-\$48,435.98					
May 2022	Murphy				-\$9,897.02	-\$54,000.00	-\$17,519.05			
August 2022	Dupuy						-\$20,981.50			
June 2023	Pippy						-\$26,140.50			
TOTAL REMAINING		\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$91,834.95	\$175,000.00	\$165,400.00	\$432,234.95



ROBIN COUCH CARDILLO

April 5, 2024

Clarke County Conservation Easement Authority
Fundraising Report
April 2024 meeting

Donor Statistics

See attached Master Report

- 2024 year-to-date total: \$4,455.00 from 34 donations

Ongoing

-Spring newsletter

- Easement landowner profile – Joe Myer
- Article on how easements help county composite index
- May conservation easement workshop at Blandy – Alison speaking, Tuesday, May 14, 7-8:30 pm
- Mailing issues with spring and potentially fall newsletters; getting mailing estimates

-New donors

- No first-time donors this month

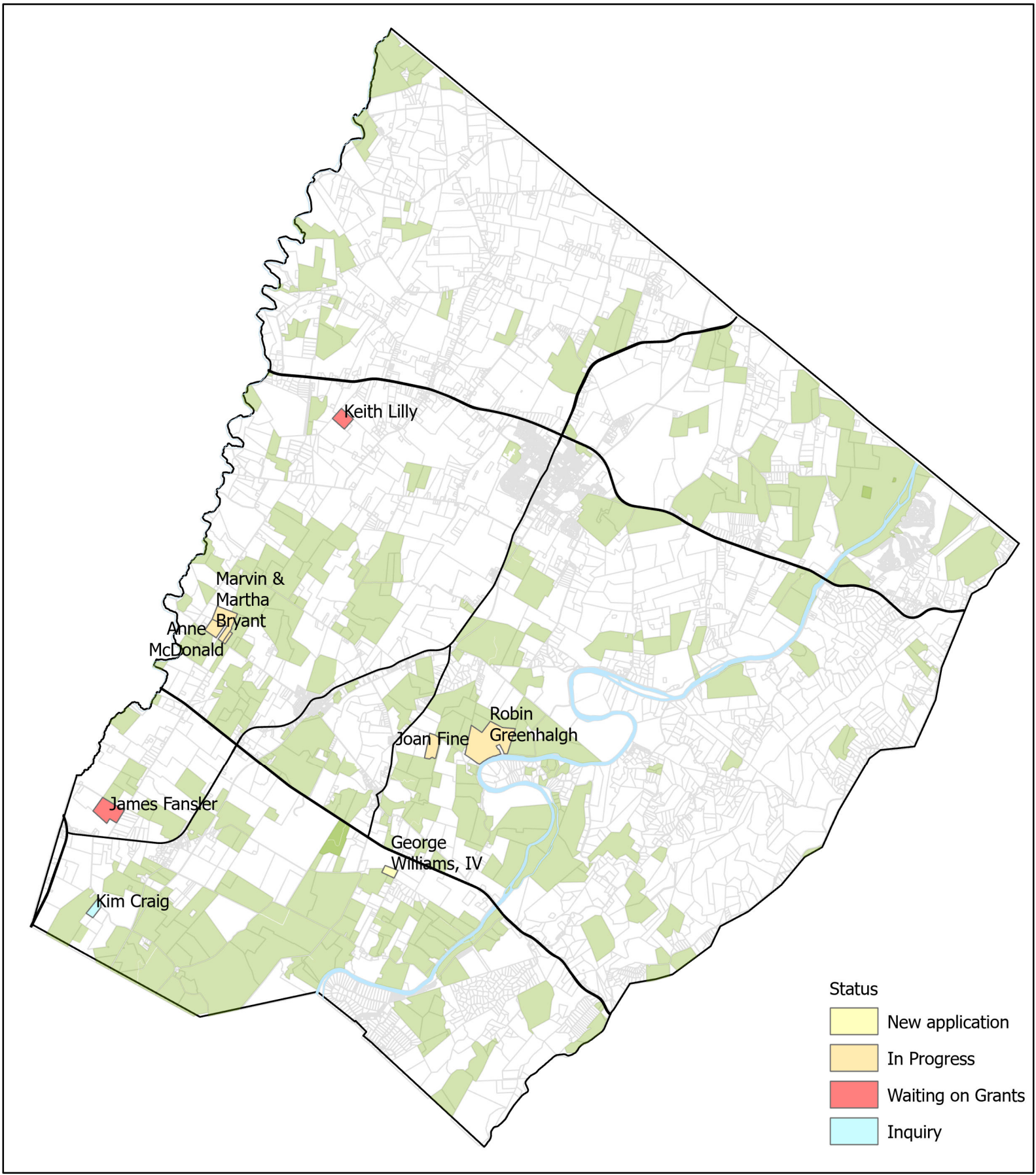
Fundraising Results: Clarke County Conservation Easement Authority

as of April 5, 2024

	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Amount	\$42,266	\$36,260	\$57,356.00	\$24,778.00	\$26,101.00	\$34,815.28	\$38,230.00	\$36,822.80	\$37,739.00	\$35,967.00	\$32,966.00	\$4,455.00
# Donations	200	169	158	164	169	169	167	209	206	201	180	34
YE Donor Appeal	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
YE Donor Appeal Amount	\$15,706	\$17,635	\$47,003	\$15,665	\$7,577	\$16,755	\$16,710	\$16,232	\$16,915	\$17,887	\$16,610	
Donor Respondents	69	51	61	47	48	58	52	73	73	83	78	
YE Prospect Amount		\$1,650	\$104	\$25	\$325	\$2,200	\$200	\$120	\$350	\$175	\$150	
Prospect Respondents		3	2	1	3	4	3	2	1	3	1	
Winter Newsletter	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Dollar Amount	\$4,805	\$3,335	\$2,700	\$2,228	\$2,815	\$4,920	\$2,668	\$3,105	\$1,710	\$4,371	\$1,875	\$2,105
Respondents	39	26	25	29	39	29	32	43	22	28	16	18
Spring Newsletter	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Donor: Dollar Amount	\$1,975	\$3,705	\$3,420	\$2,725	\$2,810	\$1,600	\$2,500	\$2,762	\$8,650	\$3,131	\$3,975	
Donor: Respondents	28	26	27	19	23	15	23	18	44	27	16	
payer Spring Newsletter: Dollar Am	\$165	\$1,380	\$100	\$75	\$1,150	\$550	\$2,045	\$615	\$130	\$250	\$525	
yer Spring Newsletter: Respondent	4	9	1	3	8	3	6	6	2	4	6	
Summer Newsletter	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Dollar Amount	\$5,040	\$3,215	\$1,927	\$2,115	\$3,110	\$4,480	\$2,135	\$5,260	\$6,445	\$4,088	\$4,625	
Respondents	22	27	22	28	20	38	23	30	31	22	31	
(new)									3	1	1	
Fall Newsletter	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Donor: Dollar Amount	\$2,660	\$2,325	\$1,250	\$600	\$3,870	\$220	\$2,925	\$6,244	\$1,380	\$3,095	\$1,721	
Donor: Respondents	27	14	3	6	11	4	11	16	11	8	9	
Taxpayer Fall Newsletter Dollar Am	\$240	\$760		\$325	\$1,200	\$100	\$100	\$410	\$450		\$1,000	
payer Fall Newsletter: Respondent	5	5		5	4	1	1	5	5		1	
Over the Transom	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Dollar Amount	10,500	\$1,550	\$257	\$362	\$2,230.00	\$3,970	\$8,665	\$1,980	\$1,709	\$2,970.00	\$2,485.00	\$2,350.00
Donor Respondents	2	2	3	12	7	17	10	14	14	25	21	16
Donor Thank-You Party	2013	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
Dollar Amount	\$1,175	\$705	\$595	\$638	\$710							
Donor Respondents	4	6	14	14	6							
Photo Revenue				\$ 20								
Notecards					\$304		282 (6)	94.80 (2)				
Gift-in-Kind (admin work donated by Kate Petranec)	\$469											

Apple - Tablet

Year	Model / Storage	MSRP	AT&T	FirstNet
2022	iPad Pro 12.9" 128GB	\$1,299.99	\$1,224.99	\$1,224.99
2022	iPad Pro 12.9" 256GB	\$1,399.99	\$1,324.99	\$1,324.99
2021	iPad Pro 12.9" 128GB	\$1,249.99	\$1,174.99	\$1,174.99
2022	iPad Pro 11" 128GB	\$999.99	\$924.99	\$924.99
2022	iPad Pro 11" 256GB	\$1,099.99	\$1,024.99	\$1,024.99
2022	iPad Air 5th Gen. 64GB	\$749.99	\$649.99	\$649.99
2022	iPad Air 5th Gen. 256GB	\$899.99	\$824.99	\$824.99
2022	iPad 10th Gen. 64GB	\$599.99	\$299.99	\$299.99
2022	iPad 10th Gen. 256GB	\$749.99	\$674.99	\$674.99
2021	iPad Mini 64GB	\$649.99	\$549.99	\$549.99
2021	iPad 9th Gen. 64GB	\$384.99	\$199.99	\$199.99



- Status
- New application
 - In Progress
 - Waiting on Grants
 - Inquiry



1 0.5 0 1
 Miles

Clarke County GIS
 April 5, 2024



	New application	In Progress	Waiting on Grants	Inquiry	Total
Acres	22	437	132	27	618
Retired DURs	1	8	5	2	16
Donation	0	3	0	0	3
Purchase	1	1	2	1	5

Memorandum

To: Conservation Easement Authority
 From: A. Teetor, L. Lemmon
 Subject: Status update - active easement applications/inquiries
 Date: April 5, 2024

Active Applications						
Name	Tax Map#	Address	Acres	DURs retired	Type	status
George Williams, IV	30-A-47B	Vacant, adjacent to 502 Kennel Rd.	22.22	1	DUR purchase	Preliminary application received 4/5
Robin Greenhalgh	30-A-98 30-A-98A 30-A-98B	Shan Hill Ln & Ellerslie Rd	56.5 100.2 100.7	4	Grant purchase	Site visit complete. Staff working on draft deed/building env map
Joan Fine	30-A-104B	516 Clay Hill Rd	40.58	0	donation	Applicant reviewing building envelope location
Anne McDonald	20-A-5A 20-A-5B	Old Winchester Road	80 8	3	donation	Subd approved 4/5. Staff report attached
David & Marti Bryant	20-A-7	2092 Old Winchester Road	39.06	1	donation	Subd approved 4/5. VOF to approved reassignment to CEA
James Fansler	27-A-3	225 Nations Spring Road	88.95	3	Grant purchase	ALE application approved
Keith Lilly	12-A-37B	Triple J Road-access	43	2	Grant purchase	Funding secured closing anticipated in May

Inquiry						
Name	Tax Map#	Address	Acres	DURs Retired	Type	Status
Kim Craig	35-A-3A	186 Silver Ridge Ln, White Post	27.26	?? out of 2	DUR Purchase?	Information sent –waiting on prelim app

MEMORANDUM

TO: Conservation Easement Authority
FROM: Alison Teetor
DATE: April 3, 2024
SUBJECT: Conservation easement donation – update
David & Marti Bryant, TM# 20-A-7, Anne McDonald TM# 20-A-5A 7 20-A-5B

The following is an update on the status of the easement application with the Conservation Easement Authority (CEA) for the McDonald/Bryant properties referenced above.

Applications were submitted and preliminary approval given for the easement donations at the December and January CEA meetings. A site visit was conducted March 20th. Final approval for the easement donations by the Easement Authority is scheduled for April 12th. There are no outstanding issues.

In total 119 acres will be placed, through donation, in permanent conservation easement retiring a total of 4 DURs, allowing for 2 additional dwellings, one on the current 39 acres, 20-A-7, and 1 on the 20 acres, 20-A-5A.

The Authority requested conditional approval of the subdivision from the Planning Commission at the April 5th Planning Commission meeting. Then the following process of recordation can take place after the BOS approval on April 16th.

The anticipated process is as follows:

1. The re-assignment of the Bryant's current VOF conservation easement to the County – VOF approval 3/27.
2. Conditional approval of 2 lot Subdivision – 20-A-5A from Planning Commission 4/5
3. Final approval of the Conservation Easements by CEA 4/12
4. Board of Supervisors approval of the Conservation Easements 4/16
5. The recordation of the Deed of Easement for Anne McDonald – 20-A-5A after final approval by BOS 4/16
6. The recordation of the Planning Commission approved subdivision – recorded immediately following McDonald Deed of Easement 4/16
7. The recordation of the merger deed of the 60 acres to the Bryant's – recorded immediately following subdivision plat recordation 4/16
8. The recordation of the Deed of Easement for the Bryant's 99 acres – recorded immediately after the merger plat recordation 4/16

Requested Deed changes:

The Bryants have requested the following changes to the deed template:

1. Change to size of permitted single family dwelling from 4,500 square feet to 6,500 square feet with the ability to build the larger house on a separate building envelope.

(i) One single-family dwellings, of which one (1) exists on the date of this Easement. ~~Such dwellings except for the existing; which~~ dwelling, ~~or any replacement thereof,~~ shall not exceed 46,500 square feet of ~~above-ground enclosed living~~ area without Grantee's prior review and written approval; and

Current Deed template Language: (i) One single-family dwellings, of which one (1) exists on the date of this Easement. Such dwellings except for the existing dwelling shall not exceed 4,500 square feet of above-ground enclosed living area without Grantee's prior review and written approval; and

Explanation from the applicant: This is going to be a 99 acre estate property. The current Bryant easement has no size restrictions at all. Because the owner will not be receiving tax benefits (Brian Jones indicated that the loss of 1 DUR is insufficient to justify the expense) from this donation, the goal is to preserve its value as an estate property. Potential future owners able to afford and interested in a 99 acre estate property may well want a significantly larger primary residence.

Staff comment: The deed template permits exceptions to the 4,500 square feet for additions to the existing dwelling. The applicant is proposing to increase the square footage to 6,500. The exception to the 4,500 would be for expansion or replacement of the existing house. Staff recommends language that would prohibit relocation of the primary dwelling unless the existing house is razed. One idea proposed by the applicant is to reduce the existing house footprint to 2,500, which could then serve as the tenant house. The current house footprint is 3,897 square feet and therefore it may be difficult to enforce any size reduction as the property owner ends up using the bigger space unless it is physically removed.

Staff is recommending the following language to allow for a new 6,500 sq ft house.

(i) One single-family dwelling, of which one (1) exists on the date of this Easement; which dwelling, or any replacement thereof, shall not exceed 6,500 square feet of ground area without Grantee's prior review and written approval. In the event the structure is to be replaced, it shall only be permitted if the current single-family dwelling is razed or reduced to 2,500 square feet of above ground heated living area; and

2) Reduction in recommended Riparian Buffer from 100' to 35'

The Bryant's have requested a reduction in the riparian buffer requirements for the pond in the front of the property.

Request to change current Deed template Language:

3.6 RIPARIAN PROTECTION ZONE.

A. To protect water quality and natural habitat, a riparian protection zone (RPZ) shall be maintained on the Property as shown in the Baseline Documentation Report. Such zone is made up of ~~100~~35-foot riparian buffer along the edge of Duck Pond, which is located adjacent to Old Winchester Road (Route 723) on the Property, as measured from the top of the bank of the pond. Such zone includes wetlands contiguous to the pond. Any other ponds or intermittent ponds shall not be subject to these restrictions.

Explanation from the applicant: Because the pond has no perennial outflow (indeed the entire pond sometimes runs dry), the VLCT Criteria do not require 100' buffer, but only 35'.

Staff comment: The current deed template identifies and highlights significant conservation values in the description of the property. One current standard is ConserveVirginia v3.0, which is Virginia's land conservation strategy and is based on a data-driven process for identifying Virginia's highest priority lands for protection. Portions of the property are located within areas designated as priorities for land conservation in the "Water Quality Improvement", category of the ConserveVirginia v3.0 program. The recommended protection of these resources is for the deed language to require vegetated riparian buffers of at least 100 feet on waterways. This area appears to be the headwaters of Roseville Run, an impaired perennial stream. See attached map for recommended buffer and ConserveVirginia criteria.

Dr. McDonald is requesting an increase in the permitted impervious surface from 6,960 square feet to 8,700.

Request to change current Deed template Language:

G. The collective footprint of all buildings and structures on the Property, including paved parking areas but excluding roads, shall not exceed 6,960 square feet of the total area of the Property, provided that if Grantor can demonstrate that an increase in the collective footprint would result in increased protection of the conservation values protected herein, Grantee may approve such increase. For the purpose of this paragraph the collective footprint is the ground area measured in square feet of the structures set forth in subsections (i) through (vi) above and all other impervious surfaces, excluding roads.

Explanation from the applicant: The increase in size anticipates that an owner might want a one story house (3500 sq ft) with an attached garage (1200 sq ft) and an apron leading to the garage (1200 sq ft) a small barn or art studio (2000 sq ft) and perhaps a chicken coop/run in shed (600 sq ft).

Staff comment: Staff recommends approval of the request.

For parcels < 50 acres in size, impervious surface limits are calculated at a rate of 2% of the acreage. Proposed increases will be considered on a case-by-case basis and shall not impact conservation values.

Recommendation: Approve the requested deed changes with the as recommended.