



ALBEMARLE
COUNTY,
VIRGINIA

Share Your Experience

SURVEY RESPONSE REPORT

01 July 2024 - 30 July 2025

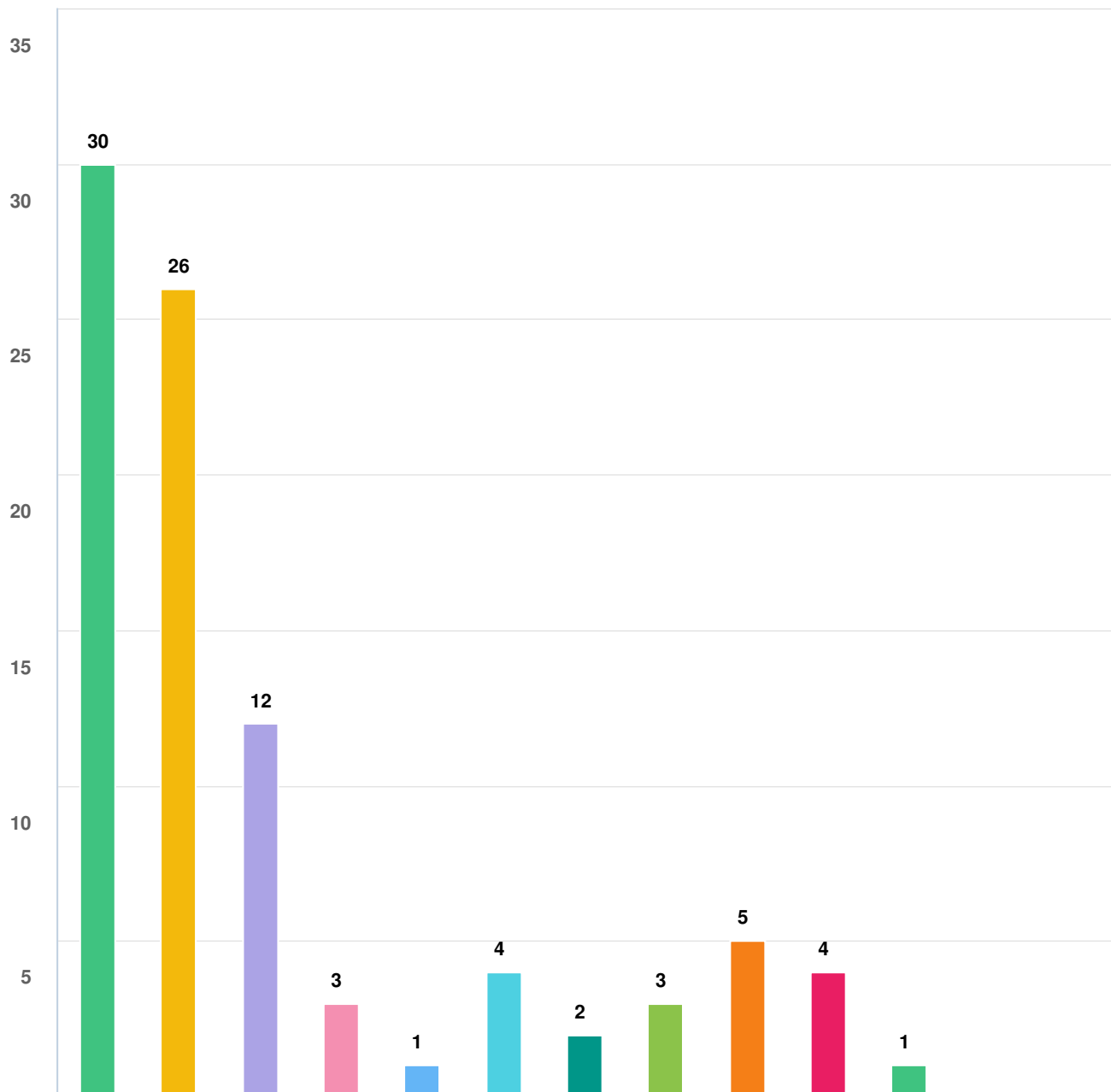
PROJECT NAME:

Fill Ordinance (2025)



GRANICUS

SURVEY QUESTIONS

Q1 Check all that apply.**Question options**

- I am a county resident
- I am a county property owner
- I am a neighbor to a currently active fill operation
- I was a neighbor to a previously active fill operation
- I am a trucking contractor
- I am a farmer
- I am a developer, builder, or contractor
- I am a member of a local interest group
- I am a member of a local business
- I am a staff member or other official associated with a governmental organization
- I am someone who has contracted for fill and/or waste removal in Albemarle County
- I am someone who has contracted for fill and/or waste placement in Albemarle County
- I prefer not to answer.

Mandatory Question (32 response(s))

Question type: Checkbox Question

Q2 | Based on your experience with the current regulations, please share any lessons learned, as well as specific proposed changes.

Anonymous

8/08/2024 01:35 PM

test response

Anonymous

8/29/2024 04:13 PM

Coordinate with County Development Office to vet potential sites for fill placement before initiation

Anonymous

8/30/2024 12:04 PM

Fill sites must be prohibited if their only entrance is from a residential street. It is simply too dangerous for hundreds of dump trucks per week to pass each other where residents routinely walk their dogs or simply want to enjoy their homes in peace. Fill site owners must also be required to own the access to their site; it must not be an easement across residential properties. Fill activity must be prohibited on conservation easements unless the owner is purchasing material to repair damage after a natural disaster or to complete a conservation project that was a specific condition of originally establishing the easement. Use of a conservation easement to receive excavated waste from construction sites must be prohibited explicitly.

Anonymous

8/30/2024 07:26 PM

Want to make sure "clean earth fill" does not include asphalt, concrete, etc. which our neighborhood has seen trucked in to a "conservation" easement in Earlysville Forest. Would also like to know what kind of observation, compliance, and enforcement will take place since county employees don't have time or manpower to police compliance (not an opinion, but what county compliance officers have told us), and what notice will be given to landowners and residents around the site (not just immediate nextdoor neighbor, which is what happened before. It would also be nice if our county board of Supervisors and county attorney would respond to phone calls, texts, letters, or emails, about this subject, or any subject, but that is a different and (and, sadly, endemic) problem.

Anonymous

8/31/2024 09:59 AM

We are in the process of pasture restoration for farming on a property that has been farmed by the same family for generations and unfortunately neglected. A contractor offered free fill dirt which we gladly accepted. However, we were not aware that there were regulations on receiving 'permitted dirt' to a 'non-permitted site'. We were not a dump site and the fill dirt was clean as we diligently bulldozed to even out areas to be able to grow crops and bush hog

without ravines. We received a visit from the county and a stop work order, noting that we as the land owners were now responsible for obtaining a costly engineering plan. We are confused why this would be the landowner's responsibility when clearly the contractor should have known about this regulation. We would have gladly adhered to regulations ahead of time if we were aware. The fill dirt obtained has improved the nature of the agricultural land and our motivation was to advance and improve our farmland. We do feel taken advantage of by the contractor and caught in the crosshairs of this new regulation, feeling punished for acting in manner that appears to be exactly what the regulation is trying to promote: being a good steward of the land. As individual land owners, and not excavating contractors by trade, with our intention of improving farmland and NOT creating a dump site, we feel the contractor who knowingly deceived us should be held accountable in this situation. We have met with the Community Development Dept. and have discussed our concerns. Again, we would have been happy to receive clean fill dirt while at the same time abiding by the current regulations if we were aware. We are not clear how we could have been aware of this regulation unless the contractor actually informed us. The county might want to consider exceptions where farmers are improving the land, purposefully not compromising waterways/watershed areas and proactively creating water bars to prevent erosion. Thank you for considering our particular situation.

Anonymous

8/31/2024 08:06 PM

I live in a neighborhood that is being severely disrupted by a clean earth fill project. During active periods, which span months, our neighborhood endures upwards of 90 dump truck passes per day on residential streets without any shoulders or safe walking spaces, for almost 12 hours per day. This results in substantial noise disruption, unclean air, lack of safety for walkers and joggers, and concerns about ongoing industrial traffic by 80,000lb vehicles on roads that were designed for residential access. Moreover, the project is taking place on a site that is accessible only via an easement across residential back yards. The county offered residents the opportunity to object to the project, and ignored 14 pages of objections from neighbors when approving the project through 2028. With this miserable experience in mind, I propose the following specific changes. 1. Clean earth fill projects should not be permitted when the only access is through residential neighborhoods. 2. Clean earth fill projects should only be permitted on sites where the owner of the site owns the access in full, not on sites where the only access is via an easement across residential property. 3. Clean earth fill projects should not be approved on conservation easement sites unless they are restoring damage from natural disasters - they should not be a tool for development of conserved sites, even when the development is agricultural in nature, as it results in substantial change to the

conserved parcel. 4. Clean earth fill projects should be limited in duration to one year, without exception.

Anonymous

10/16/2024 10:13 AM

Our experience has generally been OK, however we think there should be more options for recycling electronics, especially batteries. They seem to be nearly impossible to dispose of.

Anonymous

10/16/2024 10:18 AM

The restrictions passed in 2020 were tremendously important to ordinary county residents like us who live near large open areas where fill so often ends up. We endured over 10k truckloads of "inert fill" getting dumped on acreage next to us, within 400 feet of our home, for over a year. This included concrete, asphalt, entire trees, tires, rebar, wires, etc. Our new neighbors, who live on the new home built there, are surprised as they try to garden and continue to find debris in their topsoil. I would appreciate even more restrictive language that states what constitutes "clean fill" versus a mixture of soil and construction debris, so that the latter is not so easily dumped into low-lying areas, ravines, and so forth. I understand development is important, and will continue to happen. However, I think developers can do more, and be expected to sort out categories of fill/debris/waste that leaves their construction sites. Thank you for soliciting our feedback.

Anonymous

10/16/2024 10:54 AM

paint can't be disposed of very easily

Anonymous

10/16/2024 12:00 PM

Fill should not be allowed to be dumped in the rural areas on farms without very high fees that go back into the community to improve the impacted roads or increase safety on those roads or nearby communities.

Anonymous

10/16/2024 12:04 PM

I am renovating my house, and average about 4 trips to the Ivy Landfill annually. Thus far I've been very pleased with the process and with the courtesy of the staff.

Anonymous

10/16/2024 12:33 PM

Our recycling centers do not accept #3, 4 or 5 plastics which is unfortunate since these end up in landfill.

Anonymous

10/16/2024 12:53 PM

the McIntire Recycling Center is a terrific facility and I use it regularly. I especially appreciate the composting service. I wish more people would recycle in the County!

Anonymous

10/16/2024 01:48 PM

No complaints! It was easy, close and exactly what I was looking for. From my perspective no changes are required.

Anonymous

10/16/2024 01:53 PM

I am a resident of Earlysville Forest, where adjacent landowner Kindrick is running a heavy dumptruck operation through the neighborhood, with the supposed intent of improving his agricultural holdings. A few years ago when this operation started, the route of the trucks came off Earlysville Road, past my house, every weekday, all day, for an entire summer. In the most recent iteration of Kindrick's trucking operation exception by the Board of Supervisors, the trucks now skirt most of the neighborhood by entering from the Advance Mills (opposite) end of Earlysville Forest Drive. Kindrick's exception allows for unlimited trips 6 days a week by 10 trucks, for more than 8 hours per day. This results in approximately 100 truck passings per day when viewed on a round trip basis. The least concern about this situation is that the trucks are noisy and stink. They pass very close, within 50 yards in at least one instance, of residents' homes. They traverse the neighborhood during school bus loading and unloading periods. There are many runners and walkers in this neighborhood, all of whom are forced to reckon with this invasion. This unfavorable situation was created by the Albemarle Board of Supervisors, with all the benefit afforded to Kindrick and all the detriment placed on the residents of Earlysville Forest. The dirt, the noise, the pollution and the wear falls entirely on the residents of this neighborhood. Clearly we were not considered at all in the approval of Kindrick's exception by the neighborhood. It is quite evident the Board of Supervisors cares only for Kindrick's land and operation, and thinks nothing of the many in Earlysville Forest who have, and will continue to be, inconvenienced and endangered by his commercial trucking operation. In summation, my experience with fill & waste is entirely negative. My view of the Albemarle County supervisors is the same --negative. My proposed change in regard to Kindrick's operation is that he has another property entrance that does not involve our neighborhood. Let him improve that entrance and truck his fill through it. (Linda Erdely Pierce, 1085 Earlysville Forest Drive)

Anonymous

10/16/2024 01:56 PM

As Director of the Rivanna Solid Waste Authority, I think the County is acting in a proactive way to evaluate and manage the placement of inert fill (or "clean fill" as it is defined by VA DEQ). That said, our organization has first-hand experience in trying to meet the County, City, and UVA need for repositories for this material at a reasonable cost and in a sustainable manner. I hope your evaluations and planning will bear in mind that the disposal of this material is an important aspect of development and redevelopment within our area and a viable home needs to be identified for this material as part of

any waste management strategy.

Anonymous

10/16/2024 02:12 PM

Clean fill and inert fill on agriculture or forestry lands should be exempt from from all regulations

Anonymous

10/16/2024 05:22 PM

Our experience in Earlysville Forest has been horrific. Due to a fill dirt operation going on (for 6 years, under a special exception granted by Albemarle County Board of Supervisors), we have up to 50+ dump trucks on our little neighborhood street every day (except Sunday) from 7:30 am to 6 pm. Here are specific proposed changes, followed by "Lessons Learned:" 1. Do not allow 50+ dump trucks a day in a residential neighborhood. 2. Do not allow unlimited dump truck loads. 3. Ensure reasonable restrictions, e.g., several days per year. 4. Monitor the decibel level of dump trucks in a residential neighborhood. 5. Monitor the exhaust and pollution of dump trucks in a residential neighborhood. 6. Monitor the "fill" entering the site.** SEE LESSONS LEARNED #5 and #6 below for details. 7. Ensure that residents / homeowners rights and enjoyment of their homes and land is given equal weight to that of the landowner contracting with dump truck "fill" dirt operators. Lessons learned: **1. The time guidelines and truck restrictions of "fill" dirt dump trucks are repeatedly violated: --Restriction: Only 7:30 am to 6 pm, Monday thru Saturday. --Restriction: Only 10 unique trucks plus the landowner's, EVEN THOUGH each of the 11 trucks can make as many trips into the neighborhood as they like, which are already very generous (all day, every day except Sunday). **DESPITE the fact that County Code (§18.33.9 (c)) states that the BOS can revoke the special permit if the "permittee or any successor has not complied with any conditions of the special exception," the BOS and County employees will ONLY repeatedly REMIND the landowner that he is in violation. Even after constant, flagrant violations, brought to the attention of the BOS and County, the Board refuses to even initiate a hearing to consider revocation of the "fill" dirt permit. 2. Safety issues of dump trucks and pedestrians on roads with no shoulders or sidewalks has REPEATEDLY been brought to Board's attention with no response. Safety issue of children at school buses with dump trucks passing went completely ignored by County Attorney. 3. The noise (up to 90+ decibels) is relentless and unconscionable, making it difficult for people to work, never mind enjoy their homes or decks. 4. Residents and homeowners need to wear masks just to walk in our own neighborhood. The smell and fumes are unhealthy. 5. The "fill" is questionable. Who is monitoring the contents of the dump trucks as they enter? What from the UVA construction sites is in the trucks along with "fill?" Where, exactly, do the contents go? How is the land and water in the adjoining neighborhood affected? Who is going to test and monitor these effects? 6. Why is an industrial activity allowed

to go on in a suburban neighborhood? Why does it need to be every day, all day, except Sunday? Why does it need to go on for 6 years?

7. Where is the balance between one landowner's business (who has another entrance to his land, BTW) and several hundred neighbors' right to enjoy their land? What is the landowner going to do to compensate neighbors for their property value loss (see Fauquier County judgement won by neighbors Rainwater & Hupp against what judge referred to as the "ruse" of fill dirt by landowner Hawkins? Not saying the situation is identical here, just curious as to what is actually going on and what will be done to help homeowners.)

8. How can residents/neighbors/property owners believe the County will even listen, given that the Board will not respond to our concerns?

Anonymous

10/16/2024 11:59 PM

I own land along Advance Mills Road, on the route that dump trucks have been following to haul fill dirt to a parcel accessed through Earlysville Forest. There have been a lot of dump trucks on some days, which makes it feel like some sort of industrial-scale operation is underway. I can't imagine how annoying it must be for the people whose houses are in closer proximity to the trucks' route. It seems to me that the main point of conflict is specifically the increased truck traffic, and not anything to do with the topographic changes on the property to which the materials are being delivered.

Anonymous

10/17/2024 09:18 AM

We just need to be aware of any impact that it has on the water supply and river.

Anonymous

10/17/2024 10:34 AM

Agricultural and Forestal activities should be exempt from this ordinance. Although fill was removed from the definition of agricultural activities it is still a part of agricultural operations. If it is being used for agricultural activities it should be exempted from any zoning clearance as is already stated in the county ordinances Existing Access should be exempted from this ordinance (specifically) from setbacks from adjoining properties and houses on adjoining properties. The area (2 acres) and the time limit (12 months) need to be addressed. Size of the Operation and availability of material are driving forces behind both of these requirements. The approval process for Special Exceptions needs to be modified. When it was approved a special exception was to take 90 days. You cant even get on the agenda in 90 days. Trucks should not be restricted from any State Roads. State roads are maintained by fuels taxes and other fees. Truckers spend more money through both fuel taxes, registration fees and heavy vehicle use taxes than your average vehicle owner.

Anonymous

Asphalt is NOT inert. It can pollute soil and ground water. Asphalt

10/17/2024 12:50 PM

contains toxic polycyclic aromatic hydrocarbons (PAHs), which are harmful to human and environmental health. Our natural resources should be protected to the extent we are able to protect them. C & D debris containing asphalt should never be buried in rural areas for this reason. We have disregarded warnings about spreading contamination around in the past--- for ex., PFAS into our water, and drug-residues, PFAS and microplastics from sewage spread on farmland as fertilizer. Be smart about this and anticipate the harm. "An ounce of prevention is worth a pound of cure." Proactively prevent asphalt from contaminating our environment, by addressing this in the updated ordinance.

Anonymous

10/17/2024 01:30 PM

I am a neurodivergent stay-at-home mother of a high functioning autistic teenager. My husband is partially deaf and has CPTSD. We are unable to walk down our neighborhood roads safely. We are cut off from our community nature paths and we continue to be denied safe access to our communities resources.

Anonymous

10/17/2024 01:33 PM

Dump truck operations that involve private, so called farm property for dumping construction garbage is an affront to residents who purchased their rural property in the expectation that they would not be living in an industrial and construction zone. There are no sidewalks in Earlysville Forest therefore joggers, walkers and dog walkers must share the narrow roads with up to 50 round trips a day. Districts, County, and state officials must do their duty to their constituents to prevent this situation from spiraling further out of control than it is already. A farm surely should be used for farming if that property owner needs a legitimate living.

Anonymous

10/22/2024 09:27 AM

I would propose to extend the available duration of activity based on the size of the property, assuming there are no violations.

Anonymous

10/24/2024 03:23 PM

What I have learned is that the regulations are essentially meaningless and unenforceable, and as such, average citizens are at the mercy of what appear to be greedy, special interest individuals, and possibly groups. Neighborhood residents have observed construction debris and material that would not appear to be clean earth suitable for agriculture, the alleged reason for the fill coming past our homes to a property that has conservation easement status. We have also seen large root balls and tree limbs, etc., which are supposedly not allowed. It baffles us that asphalt road millings are allowed as clean earth fill for agricultural purposes when we know that material contains chemicals and other debris found on road services. We are concerned about possible contamination of our own

neighborhood water supply and also about possible contamination of Chris Greene Lake. Common sense would say that none of this is actually clean earth, and that it certainly has no place on property that has been granted the advantages and responsibility that come with conservation easement status. As it is, the regulation seem too vague and too loose, and there are far too many loopholes for someone who wants to claim the intended use of the fill is agricultural. That the county cannot fully monitor what is being dumped is not an acceptable excuse. Because the regulations are both vague and unenforceable, and because the Board of Supervisors decided to grant a particular landowner a six year exception for dumping, the residents of Earlysville Forest are facing 4 more years of 60+ , four to six wheel, 80,000 pound loads of "clean fill" entering daily, up to six days per week. Please bear in mind that this does not include the return trips once the loads have been emptied. We are literally dealing with up to and sometimes exceeding 120 truck passing per day just feet from our homes. Walking is frightening. The fumes are terrible. The road damage is easily visible. Our quality of life in our own homes is significantly diminished. Neighbors have contacted the BOS and spoken at board meetings. We have worked with the VDOT, Piedmont Environmental Council, Southern Environmental Law Center, Creigh Deed's staff and Amy Lauffer's staff, As well as had meetings with Albemarle County code compliance staff and police officials. We continue to investigate and work on options to reduce this threat to our environment and to our daily life experience. We believe that clarifying and tightening the regulations/definitions regarding clean earth fill would be helpful. We further believe that any definitions and regulations Must be monitored in a meaningful way and not just occasionally. In addition, when violations occur, the violator should be stopped rather than given an opportunity to "fix" the problem.

Anonymous

10/24/2024 07:18 PM

Having this kind of operation going on in the county has a drastic effect on the safety and quality of the roads and the areas immediately surrounding them. Permits to have such operations should be limited, not just in total time allowed but more specifically in days of operation, time of day, quantity of trucks and types of materials allowed. Permits for fill dirt operations should never be given if the ingress/egress and the dump site itself involve a neighborhood as materials can leak into local water sources and affect day to day air quality and health of residents. The County of Albemarle should not grant permission for a fill dirt operation unless they have the staff on hand to monitor it on a regular basis. If a current permitted operation is found to not be operating under the agreed upon guidelines set by the County of Albemarle and/or has become a hazard to the area, the County should have an avenue to revoke said permit.

Anonymous

10/24/2024 08:59 PM

I am an Earlysville Forest resident and the amount of dump trucks driving through our neighborhood constantly throughout the day six days a week is absolutely ridiculous. It is loud, dangerous, and a huge nuisance. I am especially concerned as there are many children in our neighborhood getting on and off the school bus as these trucks are driving by, as well as people walking, running, and riding bikes. Our neighborhood does not have sidewalks making it especially dangerous when the trucks pass. And they do. Constantly.

Anonymous

10/24/2024 10:32 PM

biggest impact I have seen is from gangs of trucks hauling dirt/rock all day long on narrow neighborhood streets without sidewalks. the trucks arrive early, before hauling can legally begin, and idle along the roadway, polluting the air. the board did not take into account the suffering of many neighbors who seem to have no recourse, no help. the board has no way to enforce the provisions of the permit. What is the connection to agriculture as opposed to commercial fill operation which would not be permitted?

Anonymous

10/25/2024 08:02 AM

Clean fill operations create a 'landfill' type situation from the massive number of dump trucks needed to accomplish any significant fill. In Earlysville neighborhoods, families and roads are significantly impacted by this industrial road traffic. This must be considered.

Anonymous

10/25/2024 09:54 AM

Clean fill and inert fill on agriculture or forestry lands should be exempt from all regulations

Anonymous

10/25/2024 10:42 AM

This process is highly disruptive to our neighborhood in Earlysville Forest. What the person claims is an enhancement to the property is truly a business of dumping other people's waste. How can the county allow over 100 dump trucks a day in a residential neighborhood and not deem that a business. Where else would you allow that much traffic in a residential area? I have a small business and I'm not even allowed to have customers or employees show up at my house. You allow 100 trucks a day to go to a site? This makes no sense to me.

Mandatory Question (32 response(s))**Question type:** Essay Question**Q3** Would you like to stay informed about this project? Please share your email below.

Note: pages 12 and 13 are not included in this report as they include email addresses