



STAFF PERSON: Tori Kanellopoulos
PLANNING COMMISSION: November 19th, 2019
ATTACHMENT: Updated information, as requested by the Board of Supervisors at their October 16th, 2019 meeting

1. A clearer timeline of when the recent logging activities occurred

RESPONSE: The applicant provided additional information on the timeline of when the logging activities occurred, as follows:

"Our timber agreement with Augusta Lumber was for 24 months and was initiated in October of 2015. The agreement and logging was to end in October of 2017, but due to weather factors lasted until January-February of 2018."

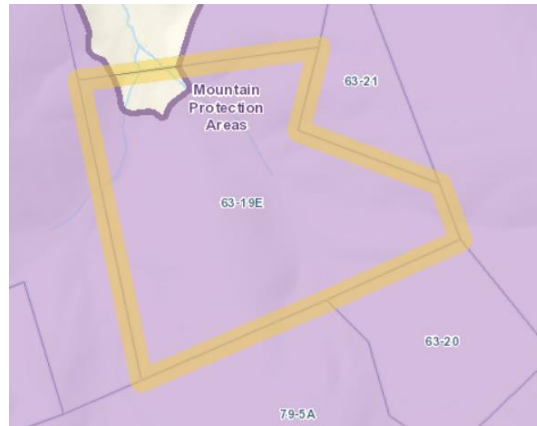
2. More information on the drainfield feasibility of the two possible locations (the original and proposed building sites)

RESPONSE: The soils consultant for the applicant, Thomas G. Hogge, provided additional information on the feasibility of drainfields on this parcel (Attachment F). The updated statement from November 4, 2019, reads in part:

"The report that I prepared on May 30, 2019 was based on a thorough site and soil evaluation that I performed on April 10, 2019. I evaluated the property in its entirety. I chose the site that I used for the report after eliminating all other areas on the property. The reason the other areas were eliminated was because they either exceeded critical slopes or they were concave/low-lying areas that would be subject to flooding/saturation. The area where I proposed the septic to be installed is the only place on the entire property, in my opinion, that meets both VDH's regulations for the installation of sewage disposal systems and Albemarle County's ordinances pertaining to SDS installations."

3. More information on mountain protection and mountain resources, per the Comprehensive Plan

RESPONSE: This site lies within the Mountain Protection Area overlay for 700-foot contours (measured from the base of the mountain). The Mountain Protection Area overlay is not part of the Zoning Ordinance. The intent of this Comprehensive Plan policy is to protect water quality, protect against erosion and debris flow, conserve natural resources and habitats, and retain scenic resources.



The Natural Resources Chapter of the Comprehensive Plan discusses the importance of protecting and enhancing both water resources and mountain resources.

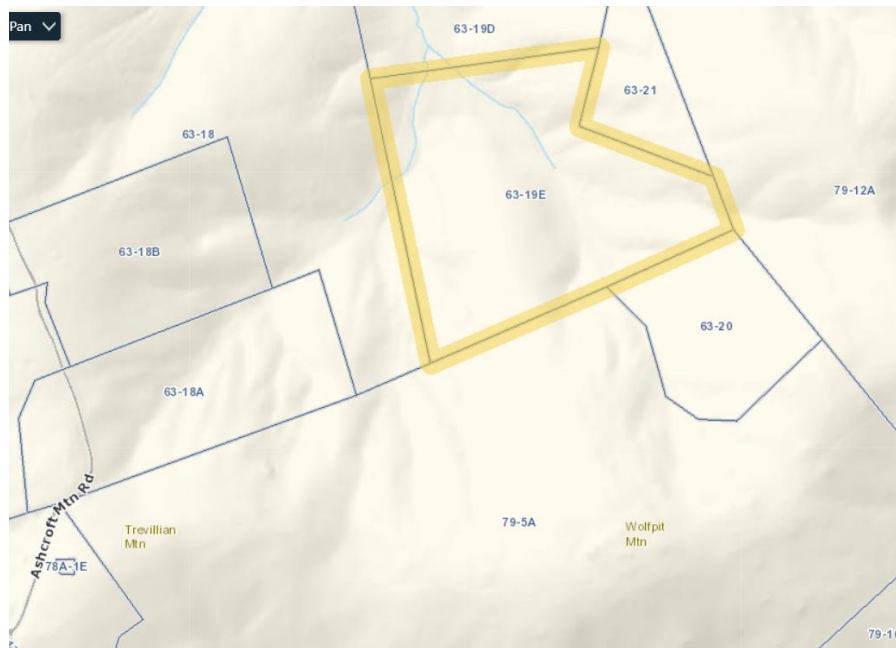
- Objective 1: “Ensure clean and abundant water resources for public health, business, healthy ecosystems, and personal enjoyment by preventing shortages and contamination.”
- This Chapter discusses the importance of encouraging landowners to develop carefully to protect groundwater resources and prevent contamination of groundwater with their development.
- Objective 5: “Retain mountain resources.”
- This Chapter discusses the importance of proper erosion and sediment control and of restoring vegetation on slopes.
- Strategy 5a: “Continue to protect mountain resources identified for protection in the Mountain Contour List.”
- Strategy 5b: “Continue to protect critical slopes in the Rural Area.”
 - “Protection measures for critical slopes include: continuing to prohibit construction on critical slopes except where necessary to build or access the first dwelling on a parcel”
- Objective 6: “Retain and improve land cover near rivers and streams and protect wetlands.”

The applicant worked with Engineering staff on approval of a VESCP, which addresses erosion and sediment control. The applicant stated that they are currently putting seed and matting down all the slopes for vegetation.

The Comprehensive Plan indicates the balance of protecting these natural resources while also allowing reasonable use of property. Critical slopes disturbance is permissible to “build or access the first dwelling on a parcel”. Given the drainfield feasibility constraints and WPO buffers on this parcel, staff finds that disturbance of critical slopes on this parcel and modification of a building site is not inconsistent with the Comprehensive Plan.

4. Whether or not the proposed building site is on a designated mountain resource in the Comprehensive Plan

RESPONSE: Appendix 4: Natural Resources, in the County's Comprehensive Plan, contains the Mountain Contour List, which "provides a list of significant mountains to protect within Albemarle County". There are two 700-foot contour mountain ridgelines listed that are near TMP 63-19E: Wolfpit Mountain and Trevillian Mountain.



The site is not on a ridgeline within the Southwestern mountain range, however it is in the Mountain Protection Area overlay.