



Conservation Easement Authority Meeting Agenda

Community Development Conference Room

December 16th, 2024

5:30 PM – 6:30 PM

To have your comments read aloud during the “Public Comment” period please either utilize the dedicated email address: mallen@shenandoahcountyva.us, or mail in or drop off comments via a physical letter to the County Government Center addressed to the Conservation Easement Authority. Please consider submitting comments by 4:00 pm, August 7th, 2024.

AGENDA

1. Welcome and Greetings
2. Approve or Amendment of the December 16th, 2024 CEA Meeting Agenda
3. Review of the Draft Minutes from June 5th, 2024 CEA Meeting
4. Public Comment
5. Updates:
 - a. CEA Funding
 - b. CEA PDR 22-02-01 Part 2: Terry & Linda Baker, Bruebeck Lane
 - c. Signs
 - d. Comprehensive Plan Website
6. Discussion:
 - a. Outreach
 - b. Election of Chair and Vice Chair
 - c. Additional Member Ideas
7. Next Meeting Topics:
 - a. Easement updates.
8. +/-
9. Other Discussion
10. Adjourn
11. Next Meeting of CEA

MINUTES OF MEETING OF THE SHENANDOAH COUNTY CONSERVATION
EASEMENT AUTHORITY

June 5th, 2024

A regular meeting of the Shenandoah County Conservation Easement Authority was held in the Community Development Conference Room, 600 North Main Street, Woodstock, Virginia on June 5th, 2024.

CEA Members present: Chair Dee Hockman, Kelly Watkinson, and Planning Commissioner Debbie Keller.

CEA Members absent: Supervisor Josh Stephens, Vice Chair Doug French, and Marla Mooney.

Others Present: Tyler Hinkle County Planner, McKenzie Allen Associate Planner.

Chair Dee Hockman called the CEA meeting to order at 5:42 pm.

1. **Agenda**

Chair Hockman asked if anyone would like to make a motion, Planning Commissioner Debbie Keller made a motion to approve the agenda as presented. Kelly Watkinson seconded the motion. All in favor. This motion carried.

2. **Minutes**

Chair Hockman asked if anyone would like to make a motion, Planning Commissioner Debbie Keller made a motion to approve the minutes as presented. Kelly Watkinson seconded the motion. All in favor. This motion carried.

3. **Public Comment**

No comments.

4. **Discussion on CEA DDR 23-02-01**

Mr. Hinkle provided an update on the proposed easement and provided an overview on the draft deed of easement. Commissioner Keller made a motion to approve the donation of development rights. Kelly Watkinson seconded the motion. All in favor. This motion carried with reservations and suggested edits, as well as a request for organizations to seek approval from the CEA prior to grant applications.

Next Meeting: December 16th, 2024. Meeting adjourned at 6:30 PM

Minutes recorded by Tyler Hinkle

Mission statement of the CEA: "To retain the rural character, ensure agricultural sustainability, and protect historic and natural resources in Shenandoah County by promoting holding/ co-holding and purchasing Voluntary Conservation Easements".



December 16th, 2024

Jack Owens
Park Ranger – Resource Preservation
Shenandoah Valley Battlefields Foundation
P.O. Box 897
New Market, VA 22844

Subject: Compliance of Baker conservation easement with Comprehensive Plan

Dear Mr. Owens,

I write you today on behalf of the Conservation Easement Authority of Shenandoah County (CEA) to express support as you pursue grant funding from the American Battlefield Protection Program (ABPP) to facilitate donation of a conservation easement on the Baker property.

We are aware of the many important features of this property, including its location in the Study Area of the Battle of Fishers Hill. Further, permanent protection of this property with a conservation easement would be in line with Shenandoah County's Comprehensive Plan. The CEA's Board has been fully briefed on this potential conservation easement and has unanimously agreed to hold a conservation easement on the property.

The CEA is a government entity established to advance the county's mission of conserving land and protecting natural and cultural resources. The primary purposes of the CEA include: (i) retaining and enhancing the rural character of Shenandoah County, (ii) ensuring agricultural sustainability, and (iii) protecting historic and natural resources. The mission of the CEA is reflected in its ranking criteria, as outlined in its ordinance, which emphasize preserving large open spaces, protecting prime farmland and forestland, maintaining environmental quality, and safeguarding significant cultural and historical sites. These efforts are achieved through promoting, holding, co-holding, and purchasing voluntary conservation easements, as enabled by the Virginia Conservation Easement Act, §§10.1-1009 et seq., VA. CODE. As a governmental entity, the CEA is tax-exempt under Section 115 of the Internal Revenue Code.

Our mission statement is: "To retain the rural character, ensure agricultural sustainability, and protect historic and natural resources in Shenandoah County by promoting, holding/co-holding and purchasing Voluntary Conservation Easements."

Chapter 82, Conservation Easement Program, of the Code of Shenandoah County includes the purpose and intent to "to further the goals of the County's Comprehensive Plan and provide a means to assist County landowners in protecting and preserving farm and forest land, open space, scenic vistas, historic sites, water resources and environmentally sensitive lands, and the County's rural character." (as stated in 82-1 of the code).

The CEA has the capacity to enforce and defend donated conservation easements in perpetuity, given that conservation easements are co-held with our Board of Supervisors which have legal staff available to defend easements.

With regard to stewardship of historic resources protected under the CEA's easements, and especially those that are protected under the Secretary of the Interior's Qualification Standards, where necessary, the CEA will evaluate recent or proposed changes to a property's historic resources under the direction of qualified County employed staff and trades people or professionals with expertise in historic preservation. The Virginia Department of Historic Resources (VDHR) maintains a "Historic Trades Directory" that is useful in finding appropriate expertise for various situations, but regardless, if the CEA were to need assistance regarding stewardship of protected historic resources on the Baker property, the CEA would seek the consultation of VDHR before relying on the services of any particular historic preservation professional or trades person.

Sincerely,

Tyler Hinkle, AICP
County Planner

600 N Main Street, Suite 107 | Woodstock, Virginia 22664 | 540-459-6165



PURCHASE OF DEVELOPMENT RIGHTS, #22-02-01

Staff Contact: Tyler Hinkle, County Planner
Staff Report First Prepared: 1/10/2022
Amended: 10/3/2022, 3/22/2024, 4/3/2024, 12/10/2024

This report is prepared by the Shenandoah County Office of Community Development to provide information to the Conservation Easement Authority and the Board of Supervisors to assist them in making a decision on this request.

Agenda Date: 12/16/2024
Item Type: Conservation Easement.
Applicant: Terry And Linda Baker
Owner: Terry And Linda Baker

Consent
Regular
Closed Session
Action
Information
Public Hearing

Introduction: Terry L. and Linda Baker have made the request for a Purchase of Development Rights for 82.633 acres on the property located at 322 Bruebeck Lane, Strasburg, Va 22657 per § 82-9 of the Shenandoah County Conservation Easement Program. The Conservation Easement will involve the preservation of agricultural use of the land, extinguish development rights, protection of the Fishers Hill Battlefield, and ensure the continued character of the property.

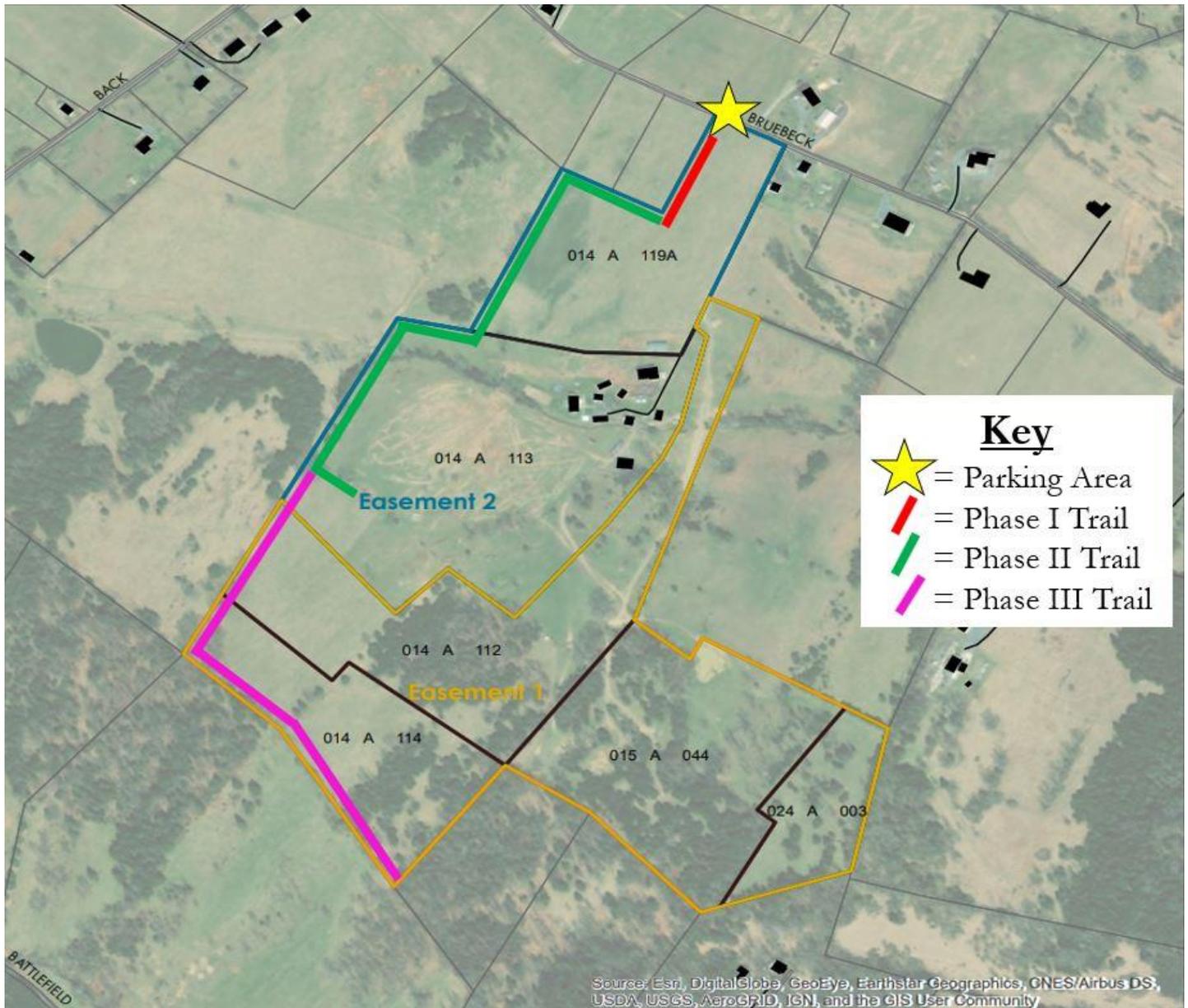
Due to an existing bank lien the plan is to tackle the easement in two stages with the first easement covering parcels 014 A 112, 014 A 114, 024 A 003, and 015 A 044 for a total of 47.64 acres and then later there will be a second easement that will cover parcels 014 A 119A and 014 A 113 for a total of 34.993 acres.

At their March 27th, 2024 meeting, the CEA unanimously voted to approve the agreement and the proposed easement. On the April 23rd, 2024 the Board of Supervisors approved the easement and it was filed with the Circuit Court on May 8th, 2024.

Since that time County Staff have worked with the Battlefield Foundation and the Bakers to come to an agreement on how to handle the second easement, covering 014 A 119A and 014 A 113 for a total of 34.993 acres. The Bakers have agreed to sell the property to the Battlefield Foundation while retaining lifetime rights. No County funds will be spent on the second easement as the Battlefield Foundation will leverage American Battlefield Protection Program. In order to be eligible, the County will need to be the holder of the conservation easement.

Staff brings this to the CEA as sole holderships need to be approved on a case by case basis and to review a proposed letter to support the efforts of the ABPP grant. Staff recommends approval of this request and letter.

<u>Acres:</u> 82.633	<u>Magisterial District:</u> Davis
<u>Address:</u> 322 Bruebeck Lane, Strasburg, Va 22657.	<u>Electoral District:</u> 5
<u>Tax Map Number / Area:</u> 014 A 119A, 014 A 113, 014 A 112, 014 A 114, 024 A 003, and 015 A 044.	<u>Zoning:</u> A-1 Agriculture
<u>Past Planning Commission Items:</u> None.	<u>Use:</u> Residential and Farm
<u>Access Easements:</u> Access easement and public road.	<u>County Value Per Acre:</u> \$1,240.42 plus trail easement.
<u>Percent Donated or using other funding:</u> 83%	<u>Percent County Purchase:</u> 17%
<u>CEA Scoring:</u> 36.5 Points	<u>Adjacent to existing easement:</u> Yes
<u>Public Access:</u> Yes, parking and 4,500 feet of trail.	<u>Access Timeframe:</u> Phased, not at once.
<u>Coholder:</u> Shenandoah Valley Battlefield Foundation	<u>Outside Funding:</u> VDACS, VOF (Potential for second easement)



Review Evaluations:

VA Department Of Conservation And Recreation (VDNR): <https://vanhde.org/content/map>

The Conserve Virginia mapping service known as the Virginia Natural Heritage Data Explorer has designated the property as important for agriculture and forestry, cultural and historic preservation, and water quality improvement. The parcel is listed as having conservation priority for the watershed and it holds a Class III for vulnerability to development.

Planning & Zoning:

Based on Shenandoah County’s Chapters One, Two, and three of the Comprehensive Plan, the conservation easement is in line with the Comprehensive Plan as it will preserve historic, forestal, and other natural resources while ultimately addressing multiple objectives to achieve rural preservation and public access.

This proposed easement is just north of an existing easement held by Shenandoah County and the Shenandoah Valley Battlefields Foundation as part of their Fishers Hill Battlefield conservation efforts.

View Of Indoor Spring And Residence On Parcel 014-A-113



View Of Residence And Signal Knob From Hill On Parcels 014-A-113 And 014-A-112



View Of Great North Mountain On Parcels 014-A-112 And 015-A-044

