New Kent
COUNTY · VIRGINIA
COMMUNITY DEVELOPMENT

DATE: April 21, 2016
TO: Agricultural & Forestal District Advisory Committee
FROM: Sheri Wood, Community Development
RE: **AFD-003-16**, Addition to the **Black Creek** AFD

REQUEST

The applicant, William C. Pearson, Jr., has applied to add approximately 170 acres to the **Black Creek** Agricultural and Forestal District (AFD). The **Black Creek** AFD currently consists of 13 parcels totaling approximately 540 acres and expires August 31, 2017.

PUBLIC HEARINGS (Tentative)

Planning Commission:	June 20, 2016
Board of Supervisors:	July 11, 2016

PROPERTY INFORMATION

Tax Map Parcel:	10-47
GPIN #:	N10-1628-2683
Total Acreage:	170.42
Dwellings on Parcel:	1 House & Shed
Zoning:	A1
Future Land Use Designation:	RURAL LANDS
Current assessed value:	$395,400.00
Public Utilities:	No, Private

LAND USE

Acres Devoted to Pasture:	0
Acres Devoted to Marsh/Wetlands:	0
Acres Devoted to Tilled Cropland:	5
Acres Devoted to Timber:	165+/-

LOCATION

The Black Creek District is located near the Quinton Rose Cottage subdivision in the Western portion of the County 3.5 miles East of Henrico County. It is 1.6 miles North of Interstate 64.

COMPREHENSIVE PLAN

The Comprehensive Plan designates this area for RURAL LANDS. The Comprehensive Plan provides the following definition for Rural Lands:

Rural lands *– The designation of Rural Lands is the most extensive designation on the Land Use map, representing the majority of land contained within the County. Rural Lands incorporate traditional rural development patterns including agriculture and silviculture. Rural lands contain historic sites, including historic commercial sites such as general stores, mills, etc. and the preservation and perpetuation of these sites and activities is allowed and encouraged. Rural Lands are also intended to include very low density housing in cluster or open space developments or on very large lots. The intensity of development in Rural Lands as a whole is to be kept at low levels; however, the spot intensity of a particular development in a specific location may be greater than in other areas because of density trades or the use of open space development techniques. Rural Lands are not intended to be served by public utilities and the existence of utilities along a corridor is not to be viewed as sufficient reason for increasing the intensity of use.*

By placing this property into the AFD program, the property could not be developed into a more intense use and would promote consistency with the intent of the rural lands future land use designation in that "the intensity of development in Rural Lands as a whole is to be kept at low levels."

COUNTY CODE REQUIREMENTS

The use of Agricultural and Forestal Districts by counties is authorized by the Code of Virginia as a way of preserving agriculture and forest production for commercial and environmental purposes. They provide landowners with certain tax benefits and restrictions on public utility and government actions to protect the agricultural use of the land. Typically, landowners agree not to subdivide their land to a more intensive non-agricultural use during the term of the district. In return, the government agrees to provide various protections from non-agricultural interference and development pressure.

According to law, a district shall have a core of no less than 200 acres in one parcel or in contiguous parcels. A parcel not part of the core may be included in a district if the nearest boundary of the parcel is within one mile of the boundary of the core (or if it is contiguous to a parcel in the district the nearest boundary of which is within one mile of the boundary of the core).

Land being considered for inclusion in a district may be evaluated by the following factors:

a) The Agricultural and Forestal significance of the land within the District and area adjacent thereto:
b) The presence of any significant Agricultural lands or significant Forestal lands within the District and in areas adjacent thereto that are not now in active Agricultural Forestal production;
c) The nature and extent of land uses other than active farming or forestry within the District and in areas adjacent thereto;
d) Local development patterns and needs;
e) The Comprehensive Plan and, if applicable, the Zoning Ordinance;

f) The environmental benefits of retaining the lands in the District for Agricultural Forestal uses, and;
g) Any other matter which may be relevant.

RECOMMENDATION

The request does not appear to comply with the requirements of State and County codes regulating AFDs with regards to the 5 acre minimum requirement for devoted agriculture but does appear to meet the requirements for forestal activity. The request does promote land use patterns that are consistent with the Comprehensive Plan. Staff finds that adding the subject property into the AFD program would conserve and protect commercially-viable forestal lands, staff therefore offers a favorable recommendation for application **AFD-003-16 with exception of the agricultural acreage.**

SUGGESTED MOTIONS

_____I move to forward a favorable recommendation to the Planning Commission and Board of Supervisors to approve application **AFD-003-16**, less the agricultural acreage, a request by the applicant to add following parcel to the **BLACK CREEK** AFD:

Tax Map Parcel Number 10-47, GPIN N10-1628-2683

or

_____I move to send an unfavorable recommendation to the Planning Commission and Board of Supervisors for the approval of application AFD-003-16 for the following reasons:

_____

Charles Moss, Chairman Date
AFD Advisory Committee

Cc: File

TO BE COMPLETED BY PROPERTY OWNER

PROPERTY OWNER (S) – Please use additional page if necessary

Name (s): WILLIAM C. PEARSON, JR.

Address: 9940 TUNSTALL RD.

City: NEW KENT State: VA Zip: 23124

Phone: 804-357-2062 Fax: N/A

Email: PEARSON_WC@VERIZON.NET

EXISTING DISTRICT INFORMATION

Name of Existing District to be extended: Black Creek

Acreage of Existing District:

Existing District Renewal Date: August 31, 2017

PROPOSED DISTRICT INFORMATION

Proposed District Name (name of nearest named body of water or swamp):

Proposed District Acreage: N/A

Proposed District Renewal Date:

PROPERTY INFORMATION

Tax assessor's Map and Parcel No.: 10-47 | PID 5222 Acreage: 170.42

GPIN: N10-1628-2683

Deed Book/Plat Book Reference No.: WB 8/661

Number of Dwellings on Parcel: 1

Number and types of other improvements on parcel: 1 10'x10' STORAGE SHED

Current Assessed Value: ~~303,400~~ 395,400.00

Acres Devoted to Pasture: ∅

Acres Devoted to Crop Production: 5 ±

Acres Devoted to Animal Production: ∅

Acres Devoted to Timber: 165.42 144 ±

Acres Devoted to Marsh/Wetlands: ∅

(Above information is available from the Commissioner of Revenue)

Current Zoning: A-1

Comprehensive Plan Designation: Rural Land

(Available from the Planning Department)

Please describe any conditions to the creation of a district and any that may apply for the period before the review of the district

Property Owner Signature

The name and original signature of each property owner applying for the creation of a district or an addition to an existing district must be submitted with the application. The application cannot be accepted without the original signatures of ALL property owners.

All property owners hereby certify that this application and any attachments are true and correct:

Signature of Property Owner	Date	Printed Name of Property Owner
	2/25/16	William C. Pearson, Jr.

VirginiaTech

Virginia Cooperative Extension
11809 New Kent Highway, Suite 1
P.O. Box 205
New Kent, VA 23124
804-966-9645 Fax: 804-966-5013
http://www.ext.vt.edu/

March 22, 2016

Mr. William Pearson

Re: Agricultural and Forestal District (AFD) Application
GPIN# N10-1628-2683

Dear Mr. Pearson,

Thank you for contacting the New Kent Office of Virginia Cooperative Extension with you request to review your Agricultural and Forestal District application.

Virginia Cooperative Extension (VCE) appreciates your interest in conserving and protecting our forest and agricultural lands. This program provides a higher level of certainty that farm and forest lands will be maintained and managed for the production for sale of plants or animals.

VCE assists New Kent County by verifying that the land in your application is currently being farmed. I visited the property on March 15, 2016 to photo-document agricultural practices. The property, N10-1628-2683, showed that it was being managed for hay. However, measuring the property using the New Kent County GIS mapping system showed that this property does not meet the 5 acre minimum needed for acceptance into the New Kent County AFD program.

If my office can be of any other service, please call 804-966-9645.

Sincerely,

John B. Allison

John B. Allison
Extension Agent – Agriculture and Natural Resources

cc: Sheri Wood – Department of Community Development - New Kent County
Patty Townsend – Virginia Cooperative Extension - New Kent County

Invent the Future

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Virginia Cooperative Extension
www.ext.vt.edu

David Slack
Regional Forester

COMMONWEALTH of VIRGINIA

DEPARTMENT OF FORESTRY
New Kent and Charles City Counties
11301 Pocahontas Trail
Providence Forge, Virginia 23140
(804) 966-2209

February 5, 2008

Tract Number: NKT08010

Mr. W.C. Pearson:

Please find within your *Virginia Forest Stewardship Plan* for your property located at 9940 Tunstall Road, in New Kent County. It is a pleasure to know that you have a true interest in the good stewardship of your property.

In this plan, there are two basic components. The first is your personalized management plan based upon your objectives for managing the property, whereas the second part is a small library of information to help you with your management decisions. All of the recommendations within this plan are for your consideration. You may do as much or as little as you desire.

One of the first opportunities you should consider is harvesting the timber on the backside of the property to capture the value of the hardwood saw timber.

I hope you find this plan to be interesting and informative. If you have any questions or comments please feel free to contact me at any time.

Sincerely,

Will Shoup
11301 Pocahontas Trail
Providence Forge, Virginia 23141
(804) 966-2209

VIRGINIA FOREST STEWARDSHIP MANAGEMENT PLAN

Location: Property is located behind 9940 Tunstall Road, New Kent, VA.

This Forest Stewardship Plan was designed to help guide the management activities of the natural resources on your property. The plan is based upon the objectives you have defined as being important to you. All project recommendations are for your consideration.

THE GOALS YOU IDENTIFIED FOR MANAGING THE PROPERTY ARE:

1. Capture the value of the hardwood saw timber.
2. Perform improvements to road and stream crossing.
3. Manage timber for future income and generations.

INTRODUCTION:

This forest resource plan covers the examination of approximately 144 acres of forestland in New Kent County, Virginia. Management recommendations are given on the following pages. Boundaries and acres are only estimates derived from aerial photographs. The tract map is located in the plastic folder at the front of this book, allowing you to see the map as you read through your plan.

DESCRIPTIONS AND RECOMMENDATIONS:

PARCEL A

Acres:	approximately 85
Forest Type:	Upland hardwoods
Species Present:	White Oak, Hickory, Yellow Poplar, Loblolly Pine
Age:	approximately 41 years
Size:	medium saw timber
Quality:	moderate
Trees/acre:	100
Growth Rate:	1 inch in last ten years (excellent)
Soil/Water:	contains stream running through parcel
Topography:	steep slopes towards drain
Wildlife Habitat:	excellent for deer and turkey
Recreation/Aesthetics:	park-like views
Fire Risk:	N/A
Unique Natural Features:	drainage through stand
History:	cut approximately 40 years ago
Interaction with surrounding properties:	property lines visible

Recommendations: This stand of timber is not mature yet. Allow the timber to grow for approximately 10-15 additional years. This will allow the timber to become large saw timber which is the next product size class up from where it is at now. The timber has a very good growth rate and will be highly valued when it reaches maturity.

DESCRIPTIONS AND RECOMMENDATIONS:

PARCEL B

Acres:	approximately 53
Forest Type:	Cove hardwoods
Species Present:	Yellow Poplar, Red Oak, Black Oak, Beech
Age:	approximately 54 years
Size:	large saw timber
Quality:	excellent
Trees/acre:	85
Growth Rate:	1.25 inches in last ten years (excellent)
Soil/Water:	drains towards train tracks
Topography:	steep slopes with plateau
Wildlife Habitat:	excellent for deer and turkey
Recreation/Aesthetics:	park-like views
Fire Risk:	N/A
Unique Natural Features:	steep slopes
History:	left to grow after previous harvest
Interaction with surrounding properties:	cut over to the north, boundaries are visible

Recommendations: This parcel consists of cove hardwoods, Yellow Poplar being the dominant species. This stand of timber is ready to be harvested any time in the next 5 years. A clear cut harvest should be performed to remove all stems 2 inches and larger. This will open up the forest floor to direct sunlight and allow yellow poplar regeneration to come back in naturally, thus, preparing the stand for the next hardwood timber stand.

Descriptions and Recommendations:

PARCEL C & D

Acres:	approximately 6
Forest Type:	field
Species Present:	n/a
Age:	n/a
Size:	n/a
Quality:	n/a
Trees/acre:	n/a
Growth Rate:	n/a
Soil/Water:	n/a
Topography:	n/a
Wildlife Habitat:	n/a
Recreation/Aesthetics:	n/a
Fire Risk:	n/a
Unique Natural Features:	n/a
History:	n/a
Interaction with surrounding properties:	n/a

Recommendations: n/a

DISCUSSION:

THE STREAM CROSSING ON THE PROPERTY NEEDS TO BE DEALT WITH BEFORE ANY TIMBER HARVESTING CAN BE PERFORMED. A TEMPORARY TIMBER BRIGDE CAN BE USED WHICH THE LOGGER WILL PROVIDE DURING HARVESTING OPERATIONS. THIS BRIGDE WILL BE PUT DOWN THROUGHOUT THE DURATION OF THE TIMBER HARVESTING OPERATIONS AND THEN REMOVED AFTER COMPLETETION. THIS METHOD IS THE LEAST INVASIVE TO CROSS THE STREAM ON THE PROPERTY.

THE OTHER METHOD WOULD BE TO PLACE CULVERT PIPES DOWN WITH FILL ON TOP. THIS IS MORE LABOR INTENSIVE BUT WOULD PROVIDE GOOD ACCESS ACROSS THE STREAM. THERE ARE TWO OPTIONS FOR THE CULVERTS; TEMPORARY PLACEMENT OR PERMANENT PLACEMENT OF THE PIPES. WITH THE TEMPORARY CULVERT INSTALLATION, THE PIPES WOULD BE PUT IN PLACE AND REMOVED ONCE THE HARVESTING OPERATION IS COMPLETE. FOR THE STREAM CROSSING ON YOUR PROPERTY, TEMPORARY INSTALLATION, A CULVERT PIPE SIZE OF 24 INCHES IN DIAMETER WOULD BE NECCESARY. THIS SIZE IS NOT PERMANENT. FOR A PERMANENT CULVERT INSTALLATION, THE PIPES WOULD BE LEFT IN PLACE INDEFINITELY. THE SIZE OF THE PERMANENT CULVERT PIPE WOULD BE 48 INCHES IN DIAMETER OR TWO 36 INCH PIPES OR THREE 30 INCH PIPES.

DEPENDING ON WHETHER YOU WOULD WANT TO REMOVE THE CULVERT PIPES AFTER HARVESTING OPERATIONS ARE COMPLETE OR LEAVE THEM IN PLACE WOULD DETERMINE THE METHOD AND CULVERT PIPE DIMENSIONS THAT YOU WOULD HAVE TO CHOOSE.

Agricultural and Forestal District

A New Kent County land use option

Landowners often find it difficult to justify holding forest land because of high property taxes. Urban expansion and development, and governmental regulations or investments can impose enough pressure to cause owners to shift the use of land from bono fide agricultural and forestry uses to more intensive uses, e.g. sub-divisions.

The 1977 Agricultural and Forestal District Act (AFDA) created a process to relieve this pressure. It allows a local governing board and a landowner to mutually engage in a contract to protect and enhance agricultural and forested land as an economic and environmental resource of the locality and Commonwealth. New Kent County has adopted this legislation as part of its land use options for citizens in the county.

The 1977 AFDA assures the landowner of a property tax rate based on land use rather than market value. This is a real-property-tax benefit. As a pre-condition to receive this benefit in New Kent County, landowners must act voluntarily and collectively to place their land in a publicly regulated district containing no fewer than 200 acres for a period of time ranging from 4 to 10 years.

The creation of this district imposes restraints on some of the authority held by each level of government to affect land use through regulations or investments or both. The benefits to landowners and the restraints on government were designed to increase the probability that the publicly desired outcome of controlled growth and maintenance of open spaces is attained.

The New Kent County Planning Department (966-9690) can answer any specific questions on the application procedure.

COST-SHARE ASSISTANCE PROGRAMS

Cost-share assistance programs may be available to help defray reforestation project costs. Some programs pay 35-50% of all costs involved in certain projects. Funds are available on a first-come, first-served basis at the start of reforestation work. Please check with us for availability of funds.

CULTURAL AND HISTORIC RESOURCES

Historic and cultural resources are a vital link to past land-use practices in Virginia. The Department of Historical Resources offers programs which survey, catalog, and

encourage the preservation of such resources. This department maintains records of old sites open to the general public. While no sites were identified during my visits, old records for the area may exist. To check if any information is in the database or to request a survey of the area please contact: Department of Historical Resources; 221 Governor Street; Richmond, VA 23219; (804) 786-3143.

THREATENED OR ENDANGERED SPECIES

No endangered or protected species were observed on the property. No such species are known to exist which would be found on your property. For more information regarding threatened and endangered species, or any regulations involved with them please contact the Virginia Department of Game and Inland Fisheries.

FOREST HEALTH AND PROTECTION

No disease or insect problems were identified on the property. Continued monitoring is the best preventative measure to ensuring forest health. If any unusual problems are found, please contact The Department of Forestry for an examination.

FIRE

Protection of your property from wildfire is essential. Wildfire rapidly destroys valuable timber, wildlife, and property. From February 15 through April 30, open air fires are not permitted within 300 feet of woodland, brush land, or field containing dry grass or other inflammable material between midnight and 4:00 p.m. The Forest Warden for your county is *. He should be contacted immediately in case of fire by telephoning (*) * at your local Forestry Office or by calling the Regional Office at (*) * or by contacting your local fire dispatch (911).

SUGGESTED SCHEDULE OF MANAGEMENT RECOMMENDATIONS

YEAR	PARCEL	ACTIVITY
2008-2012	B	Clear cut, natural regeneration
2018-2023	A	Clear cut

This schedule may need to be adjusted depending on financial needs, timber markets, timing of actual harvest, and availability of contractors.

Virginia Department of Forestry

Protecting and Developing Healthy, Sustainable Forest Resources

Pearson

NKT08010

Map By:

Report Date: Thursday, February 07, 2008

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10-48C
10-48E
10-48D
10-47C
10-47B
10-47
10-46
10-45
9-7-2-7
9-7-2-8
9-7-2-9
9-7-2-6
10-27

9900 TUNSTALL RD

Location	9900 TUNSTALL RD	**Map#**	10/ / 47/ /
Acct#	10 47	**Owner**	PEARSON W C JR
Assessment	$395,400	**PID**	5222
Subdivision	LOT 3 WOODLAND RT 612	**AFD**	
Description	170.42 AC WB 8/661	**Legal**	
Area	N	**Class**	6
AFD Name		**AFD Expiration**	

Current Value

Assessment			
Valuation Year	**Improvements**	**Land**	**Total**
2016	$92,000	$303,400	$395,400

Owner of Record

Owner	PEARSON W C JR	**Sale Price**	$0
Co-Owner		**Book & Page**	WB 8/661
Address	9940 TUNSTALL RD NEW KENT, VA 23124	**Sale Date**	

Ownership History

Ownership History			
Owner	**Sale Price**	**Book & Page**	**Sale Date**
PEARSON W C JR	$0	WB 8/661	

Building Information

Building 1 : Section 1

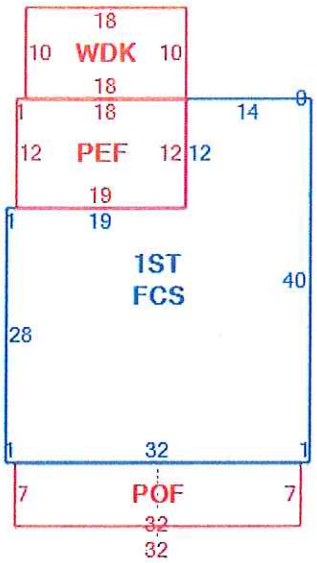
Year Built: 1955
Living Area: 1120
Building Percent Good: 82
Replacement Cost Less Depreciation: $92,000

Building Attributes	
Field	**Description**
Style	Ranch
Model	Residential
Grade:	C-
Exterior Wall 1:	Vinyl Siding
Exterior Wall 2:	
Roof Structure:	Hip
Roof Cover:	Metal
Interior Wall 1:	Sheet Rock
Interior Wall 2:	
Interior Flr 1:	Hardwood
Interior Flr 2:	Vinyl
Heat Fuel:	Electric
Heat Type:	Heat Pump
AC Type:	Heat Pump
Total Bedrooms:	3 Bedrooms
Total Bathrooms:	1
Total Half Baths:	0
Extra Kitchens:	0
Extra Heat Pump:	0
Total Fireplaces:	0
Fireplace Type:	
Neighborhood:	WESTERN
Utilities:	Private Well/ Private Septic

Building Photo

Building Photo (http://images.vgsi.com/photos2/NewkentcountyVAPhotos//Y:\REASSESSMENT%20PHOTOS\LLM\05132013/IMG_2001.JPG)

Building Layout



Building Sub-Areas (sq ft)			Legend
Code	**Description**	**Gross Area**	**Living Area**
1ST	1ST STORY	1,120	1,120
FCS	FOUNDATION, CRAWL	1,120	0
PEF	PORCH, ENCLOSED, FRAME	228	0
POF	PORCH, OPEN, FRAME	224	0
WDK	DECK, WOOD, RAILS	180	0
		2,872	1,120

Extra Features

Extra Features	Legend
No Data for Extra Features	

Parcel Information

Use Code	2000
Description	HSITE WD MDL-01
Deeded Acres	170.42

Land

Land Use

Use Code	2000
Description	HSITE WD MDL-01
Zone	A1
Neighborhood	WESTERN
Category	

Land Line Valuation

Size (Acres)	170.42
Assessed Value	$303,400

Outbuildings

Outbuildings						Legend
Code	**Description**	**Sub Code**	**Sub Description**	**Size**	**Assessed Value**	**Bldg #**
1SFN	SHED/FRAME/NO VAL			100.00 S.F.	$0	1

Valuation History

Assessment			
Valuation Year	**Improvements**	**Land**	**Total**
2015	$80,800	$232,400	$313,200
2013	$73,000	$217,700	$290,700
2013	$73,000	$217,700	$290,700

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