

NEW RIVER RECYCLING INERT DEBRIS FILL SITE

SPECIAL USE PERMIT

Located in:

Montgomery County, Virginia

Project Number: 3117.0

Date: December 30, 2020



GAY AND NEEL, INC.

ENGINEERING ♦ LAND PLANNING ♦ SURVEYING
1260 Radford Street • Christiansburg, Virginia 24073
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New River Recycling Inert Debris Fill Site

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SPECIAL USE PERMIT APPLICATION



Special Use Permit Application Checklist

The applicant shall submit ten (10) copies of all required materials listed below. Applications will **NOT** be accepted without the following attachments:

- ✓ **Application Form (pg 10).** The application form must be signed by all of the property owners. If ownership is in the name of any type of legal entity or organization including, but not limited to, a name of a corporation, partnership, or association, or in the name of a trust, or in a fictitious name, a document acceptable to the County must be submitted certifying that the person signing the application has the authority to do so. If the application is submitted by an agent of the owner, the agent shall sign the application as well.

- ✓ **Comprehensive Plan Justification.** References should be made to the Comprehensive Plan Policy sections in the text portion of the plan. The Comprehensive Plan map provides an overview of the future land use policy areas, but does not provide a guide to the specific land use policies adopted by Montgomery County.

Land use policies are articulated in the Planning and Land Use portion of *Montgomery County, 2025* (chapter 2). available at the Planning & GIS Services Department or on the web. If the proposed development, rezoning, or special use permit is located in a village or village expansion area not covered by an adopted village plan, then the proposal needs to be consistent with the overall Comprehensive Plan.

Villages and Village Expansion Areas. If the proposed development, rezoning, or special use permit is located in a village or village expansion area covered by an adopted Village Plan, the proposal needs to be consistent with both the overall county Comprehensive Plan and with the village plan.

Information that must be addressed concerning the County Comprehensive Plan when submitting special use permit applications includes:

- a) Compliance with required lot minimums, district minimums, and availability of water and sewer
 - b) Describe, in specific detail, how the request fits with the land use policies included under the appropriate land use policy area. There are seven land use policy areas: Resource Stewardship (PLU 1.2), Rural (PLU 1.3), Rural Communities (PLU 1.4), Residential Transition (PLU 1.5), Villages (PLU 1.7), Village Expansion Areas (PLU 1.6), and Urban Expansion Areas (PLU 1.8). Each area has specific policies covering land uses, community design, and community facilities and utilities.
 - c) If the proposed request requires an E and S permit (land disturbance of more than 10,000 square feet) or with large areas of impervious surface (paved parking areas, etc.), the proposal will need to address groundwater, surface water, and stormwater runoff concerns included in the Environmental Resources Chapter. (ENV6.5, ENV5.6)
- ✓ **Concept Development Plan.** Required for all special use permit requests. A concept plan is an initial plan, which shows the general nature of the land use change or development, which is intended. It differs from the final site plan, or, plot plan, which is required prior to the issuance of zoning approval and a building permit.

The level of needed detail may vary depending on the nature, size and complexity of the proposed project; however, the following items shall be addressed with a concept plan submittal:

Existing Site Features:

- a) Name of all landowners, applicant (if different), developer, engineer/ party preparing the plans.

- b) Date, revision date(s), scale and north point of plan.
- c) Lot size in acres and/or square feet, property lines and dimensions and any easements.
- d) Zoning and existing use of property and all adjoining properties.
- e) All existing buildings, and streets and/or other adjacent improved or unimproved rights-of-way.
- f) All existing physical features such as tree cover, natural watercourses, recorded drainage easements, and 100-year floodplain limits.

Proposed Site Features:

- g) Location of proposed access areas, loading zones, SWM facilities and streets or other rights-of-way.
- h) Structures: dimensions, use and the general types of exterior materials.
- i) Outside lighting: general location, height and type, and shielding.
- j) General landscaping plan. Existing trees and shrubs are recommended to be maintained wherever possible.
- k) General location and type of screening (fences, walls, vegetation), signs and trash enclosures.

- Filing Fee.** The application fee shall be paid when the application is submitted. Fees are determined by the current fee schedule. Contact Planning & GIS staff for assistance calculating fees. Checks should be payable to "Treasurer of Montgomery County".

Please note: In addition to the application fee, an invoice will be sent to the applicant/owner for fees associated with legal advertisements as required by the Commonwealth of Virginia.

- Digital Submission of Application and all exhibits.** Applications will not be considered complete until digital items are received. An Adobe PDF document format is preferred for compatibility.

- Ensure all applicable items identified in "Special Use Permit Requirements" (pg 11) are addressed in the application package (concept plan, justification statement, etc).** It may be necessary to attach additional documentation.

- Completed Preliminary Review Meeting Application & Preliminary Review Meeting-Application Checklist Forms (pg 8-9 if required).**

- **Items determined necessary in Preliminary Review Meeting (pg 9)**



Preliminary Review Meeting Request

Special Use Permit

Montgomery County, Virginia

755 Roanoke St. Suite 2A, Christiansburg, VA 24073;
540-394-2148; mcplan@montgomerycountyva.gov

Contact Information: Owner Contract Purchaser Other (Please list: Agent)

Name: Gay and Neel, Inc.	Address: 1260 Radford Street, Christiansburg, VA 24073
Telephone: (540) 381-6011	Email: info@gayandneel.com

Subject Property Description:

Location: (Describe in relation to nearest intersection) Entrance to the site is approximately 1500' up Walton Road from Route 11		
Address: (if applicable) Walton Road	Existing Zoning: A1	Acreage: 124
Parcel ID Number(s): 021900	Property Owner(s): Indigo Road Investments, LLC	
Existing Use:		

Description of Proposed Development and Uses:

The requested information below MUST be submitted

A. Proposed Use(s): Inert Fill Site
B. Proposed Use Details (check all that applies): <input type="checkbox"/> Residential Total Single Family # of Units: _____ Total Multi-Family # of Units: _____ <input type="checkbox"/> Commercial Use _____ S.F. _____ Use _____ S.F. _____ Use _____ S.F. _____

Applicant Signature: *Tanya Northcutt Phillips* Date: 1/15/2021

FOR INTERNAL STAFF USE ONLY

VDOT Requirements

In accordance with the Code of Virginia §15.2-2222.2 and 24 VAC 30-155, the project:

- Will require a Traffic Impact Analysis (TIA) submission and review by VDOT. TIA must be submitted with rezoning application.
- Applicant will be required to coordinate a Scope of Work Meeting with VDOT (Project will generate 1,000 or more vehicle trips per peak hour.)

This determination is based upon the information provided by the applicant on the submitted Preliminary Review Request Form. Determination is subject to change based upon changes to the request.

Information and VDOT forms regarding the VDOT's Traffic Impact Analysis Regulations Administrative Guidelines can be obtained online at www.virginiadot.org/projects/chapter527.

- Documentation of Community Meeting.** Community meetings can be held after submitting application. County staff should be notified a least a week in advance of meeting date.
- Survey Plat.** Copies no larger than 11"x17"
- Traffic Impact Analysis (TIA) - County:** Based upon the proposed use and location, the project may substantially affect roadways and the County may require a traffic impact analysis.
- Elevations:** Copies reduced to 8 ½" x 11" of proposed buildings must be submitted in addition to an electronic copy in ".pdf" format.
- Other:**


Applicant's Signature/Printed Name

1/15/2021
Date

Staff Signature (Planning)

Date

This form is to verify completion of the required Preliminary Review Meeting and must be submitted at the time of filing of applications. Based upon the proposed development, County staff has determined the information checked on this form must be submitted in addition to regular submission requirements for Rezoning, Provisional Use Permit, or Amendment to Proffer Application



Special Use Permit Application Form

Montgomery County, Virginia

755 Roanoke St. Suite 2A, Christiansburg, VA 24073;
540-394-2148; mcplan@montgomerycountyva.gov

Applicant Information: (PLEASE PRINT – if additional owners, please attach additional sheets)

Owner of Record (attach separate page for add'l owners): Indigo Road Investments	Address: 840 Auburn Avenue, Radford, VA 24141
Telephone: (540) 633-0407	Email: steelnrr@gmail.com

Applicant Name: Owner Contract Purchaser/Lessee Indigo Road Investments	Address: 840 Auburn Avenue, Radford, VA 24141
Telephone: (540) 633-0407	Email: steelnrr@gmail.com

Representative Name and Company: Gay and Neel, Inc.	Address: 1260 Radford Street, Christiansburg, VA 24073
Telephone: (540) 381-6011	Email: info@gayandneel.com

Property Description:

Location or Address: (Describe in relation to nearest intersection) Entrance to the site is approximately 1500' up Walton Road from Route 11		
Parcel ID Number(s): 021900	Acreage: 124	Existing Zoning: A1
Comprehensive Plan Designation: Resource Stewardship	Existing Use: Vacant	

Description of Request: (Please provide additional information on attached sheet if necessary)

Proposed Use(s) including acreage: Inert Fill site on approximately 3 acres of the 124 acres parcel. This site is adjacent to the existing NRR Site.

I certify that the information supplied on this application and on the attachments provided (maps or other information) is accurate and true to the best of my knowledge. In addition, I hereby grant permission to the agents and employees of Montgomery County and State of Virginia to enter the above property for the purposes of processing and reviewing the above application.

Janey Northcott Shelless _____ 1/15/21 _____
Owner 1 Signature Date

Owner 2 Signature (for add'l owners please attach separate sheet) Date

Applicant Signature Date

Representative/Agent Signature Date

New River Recycling Inert Debris Fill Site

COMPREHENSIVE PLAN JUSTIFICATION

Comprehensive Plan Justification

Introduction:

Any development within Montgomery County is viewed by the Board of Supervisors, Planning Commission, County Staff, and Citizens through the prism of the comprehensive plan. The following narrative and analysis will address points within the comprehensive plan and discuss how the proposed use aligns with the vision, goals, and objectives of the comprehensive plan. Please note that below are excerpts from the adopted 2025 Comprehensive Plan and one should refer to the Plan for the full text.

The subject property is identified in the Comprehensive Plan as having a future land use of Resource Stewardship. The text below is from the Comprehensive Plan, with the bold text demonstrating how the proposal meets the guidelines.

Overview:

The project proposes to allow for a small inert fill site on approximately 3 acres of an existing 124 acre parcel located in the Plum Creek area of Montgomery County. The entirety of the 124 acres is wooded and is land-locked by surrounding properties. New River Recycling is currently operating an existing borrow site and expansion of their operations per a previously approved site plan. Stormwater Management will be achieved through the use of an onsite detention facility. Stormwater Quality will be handled by the dedication of open space on the site and/or and nutrient credits.

Policy Chapters:

Planning and Land Use

PLU 1.2 Resource Stewardship Areas: Resource Stewardship Areas are generally defined as rural areas of the County This planning policy area is the least densely developed of all of the planning areas and includes many largely undeveloped areas of the County.

Discussion – This proposed use is allowed by SUP in the A1 zoning district and does not propose any ‘development’ of the land other than grading and filling of approximately 2.5% of the total parcel area. The remainder of the site will stay forested and undisturbed.

PLU 1.2.1 Resource Stewardship Area Land uses:

- a. The preferred land uses for Resource Stewardship Areas include agriculture, forest uses, outdoor recreational uses,

Discussion – This proposed use would maintain more than 90% of the acreage of the property in forest use.

Conclusion:

With the areas available for inert fill sites being extremely limited, this sheltered location adjacent to an existing grading operation is ideal for an inert fill site.

Additional Special Use Permit Requirements

The applicant for special use permit shall provide a statement of justification to address the following items in the application materials to demonstrate what impact the proposed request will have on the County's resources and how the request complies with Montgomery County's comprehensive plan.

Section 10-54(3)(g), Montgomery County Zoning Ordinance

(g) Issues for Consideration. In considering a Special Use Permit application, the following factors shall be given reasonable consideration. The application shall address all the following in its statement of justification or Special Use Permit plat unless not applicable, in addition to any other standards imposed by this Ordinance:

1. Whether the proposed Special Use Permit is consistent with the Comprehensive Plan (Addressed under "3. Comprehensive Plan Justification"). **See Comp Plan Justification**
2. Whether the proposed Special Use Permit will adequately provide for safety from fire hazards and have effective measures of fire control. **N/A**
3. The level and impact of any noise emanating from the site, including that generated by the proposed use, in relation to the uses in the immediate area. **Site is buffered by forested areas**
4. The glare or light that may be generated by the proposed use in relation to uses in the immediate area. **N/A**
5. The proposed location, lighting and type of signs in relation to the proposed use, uses in the area, and the sign requirements of this Ordinance. **N/A**
6. The compatibility of the proposed use with other existing or proposed uses in the neighborhood, and adjacent parcels. **Site is adjacent to existing New River Recycling Facility and Shale Borrow area**
7. The location and area footprint with dimensions (all drawn to scale), nature and height of existing or proposed buildings, structures, walls, and fences on the site and in the neighborhood. **N/A**
8. The nature and extent of existing or proposed landscaping, screening and buffering on the site and in the neighborhood. **N/A**
9. The timing and phasing of the proposed development and the duration of the proposed use. **See Submitted Plan**
10. Whether the proposed Special Use Permit will result in the preservation or destruction, loss or damage of any topographic or physical, natural, scenic, archaeological or historic feature of significant importance. **No areas of significant importance will be damaged**
11. Whether the proposed Special Use Permit at the specified location will contribute to or promote the welfare or convenience of the public. **Site will contribute to the local economy**
12. The traffic expected to be generated by the proposed use, the adequacy of access roads and the vehicular and pedestrian circulation elements (on and off-site) of the proposed use, all in relation to the public's interest in pedestrian and vehicular safety and efficient traffic movement. **Site will use the existing VDOT entrance**
13. Whether, in the case of existing structures proposed to be converted to uses requiring a Special Use Permit, the structures meet all code requirements of Montgomery County. **N/A**
14. Whether the proposed Special Use Permit will be served adequately by essential public facilities and services. **N/A**
15. The effect of the proposed Special Use Permit on groundwater supply. **N/A**
16. The effect of the proposed Special Use Permit on the structural capacity of the soils. **N/A**
17. Whether the proposed use will facilitate orderly and safe road development and transportation. **N/A**
18. The effect of the proposed Special Use Permit on environmentally sensitive land or natural features, wildlife habitat and vegetation, water quality and air quality. **N/A**

19. Whether the proposed Special Use Permit use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan. Site will contribute to the local economy
20. Whether the proposed Special Use Permit considers the needs of agriculture, industry, and businesses in future growth. N/A
21. The effect of the proposed Special Use Permit use in enhancing affordable shelter opportunities for residents of the County. N/A
22. The location, character, and size of any outdoor storage. N/A
23. The proposed use of open space. N/A
24. The location of any major floodplain and steep slopes. See Submitted Plan
25. The location and use of any existing non-conforming uses and structures. N/A
26. The location and type of any fuel and fuel storage. Site will utilize fuel storage of existing NRR site
27. The location and use of any anticipated accessory uses and structures. N/A
28. The area of each use; if appropriate. See Submitted Plan
29. The proposed days/hours of operation. Site will generally conform to normal business hours from 6am-6pm; however, occasional variances may occur as needed
30. The location and screening of parking and loading spaces and/or areas. N/A
31. The location and nature of any proposed security features and provisions. N/A
32. The number of employees. Typically 1-2 employees on site
33. The location of any existing and/or proposed adequate on and off-site infrastructure. N/A
34. Any anticipated odors, which may be generated by the uses on site. N/A
35. Whether the proposed Special Use Permit uses have sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas. Site will use the existing VDOT entrance and access via the existing NRR site

New River Recycling Inert Debris Fill Site

EXHIBITS

SPAULDING ROAD

Spaulding Road Property - 6 acres
- Zoned: RR - Future House Site(s)

Approximate Boundary of
proposed Fill Area - 4-5 acres

Indigo Road Investments Property - 124 acres
- Zoned: A1 - Inert Fill and Remaining Forest

Existing NRB&T Walton Road Recycling
Facility and 124 Acre Property Access Drive

Existing NRB&T Walton Road Recycling
Facility -- Site Plan approved October 2020.

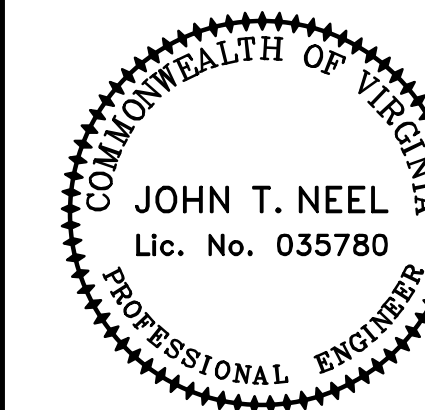
Existing VDOT Permitted Entrance for
NRB&T Walton Road Recycling Facility

WALTON ROAD

The drawing, design, and digital files relating to this project are the property of Gay and Neel, Inc. The reproduction, copying, or other use of this drawing without GNI's written consent is prohibited.

**NEW RIVER RECYCLING
INERT DEBRIS FILL SITE**

MONTGOMERY COUNTY, VIRGINIA



REVISIONS

NO.	COMMENTS	DATE

PROJECT TEAM

PIC	JOHN T. NEEL, PE
PM	JOHN T. NEEL, PE
DESIGN	TDG, SEC

ISSUE DATE

01/07/2021

GNI JOB NO.

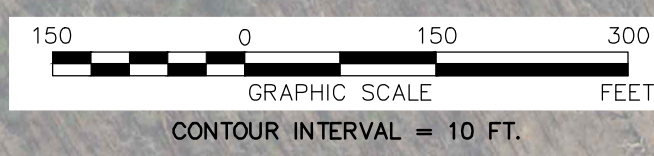
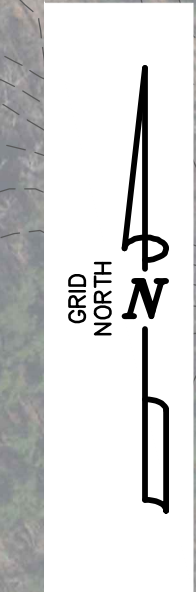
3117

SHEET TITLE

SITE CONCEPT

SHEET NUMBER

1 OF 1



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LEGEND:

- PROPERTY LINE
- ADJOINING PROPERTY LINE
- DISTANCE
- SPECIFIC DISTANCE
- R/W ROAD / STREET RIGHT-OF-WAY
- TRACT LINE
- EXISTING EDGE OF PAVEMENT
- EDGE OF GRAVEL
- OHU OVERHEAD UTILITY LINE
- EXISTING FENCE LINE
- PIPE FOUND
- PROPERTY CORNER
- CAPPED ROD SET
- U.P. UTILITY POLE
- TREE

BOUNDARY AS SHOWN ON PLAT BY NEAL H. WRT DATED 02/21/84 RECORDED IN D.B. 482 PG. 687

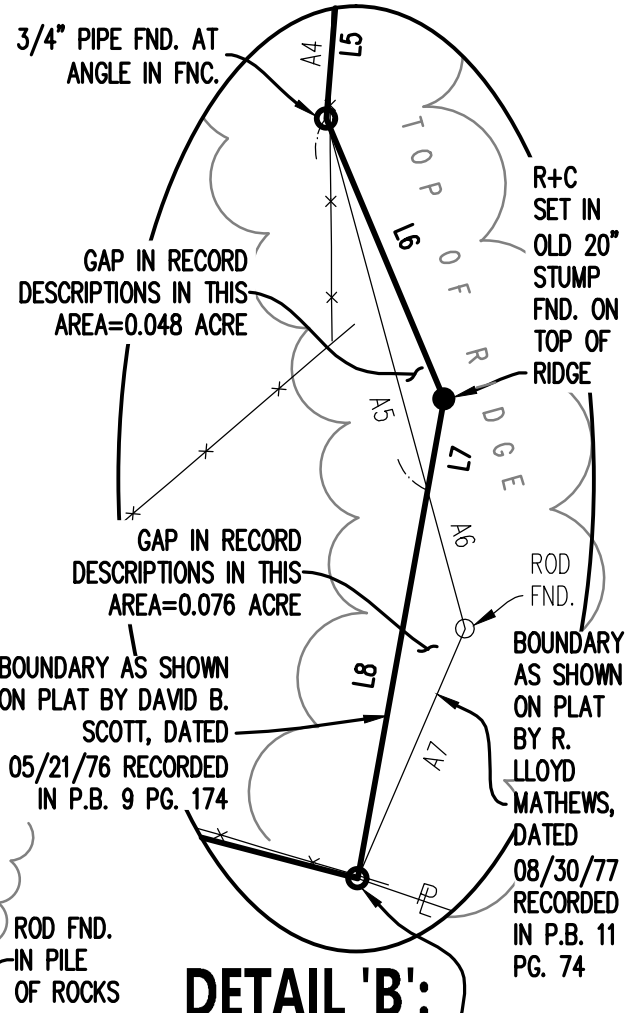
BOUNDARY AS SHOWN ON PLAT BY DAVID B. SCOTT, DATED 05/21/76 RECORDED IN P.B. 9 PG. 174

BOUNDARY AS SHOWN ON PLAT BY ROBERT A. HENEGAR, DATED 07/25/96 RECORDED IN P.B. 17 PG. 146

ABBREVIATIONS:

- &=AND
- (TYP.)=TYPICAL
- @=AT
- ±=PLUS OR MINUS
- APPROX.=APPROXIMATE
- DAA=DRAPER ADEN ASSOCIATES
- D.B.=DEED BOOK
- DBL=DOUBLE
- DR.=DRIVE
- E=EAST
- ET AL=AND OTHERS
- EX. / EXIST.=EXISTING
- F.E.M.A.=FEDERAL EMERGENCY MANAGEMENT AGENCY
- F.I.R.M.=FLOOD INSURANCE RATE MAP
- FNC.=FENCE
- FND.=FOUND
- FT.=FOOT/FEET
- GNI=GAY AND NEEL, INC.
- INC.=INCORPORATED
- INST.=INSTRUMENT
- JR.=JUNIOR
- LLC=LIMITED LIABILITY COMPANY
- L.S.=LAND SURVEYOR
- LIC.=LICENSE
- LOC.=LOCATION
- MI.=MILE(S)
- MON.=MONUMENT
- MONT. CO.=MONTGOMERY COUNTY

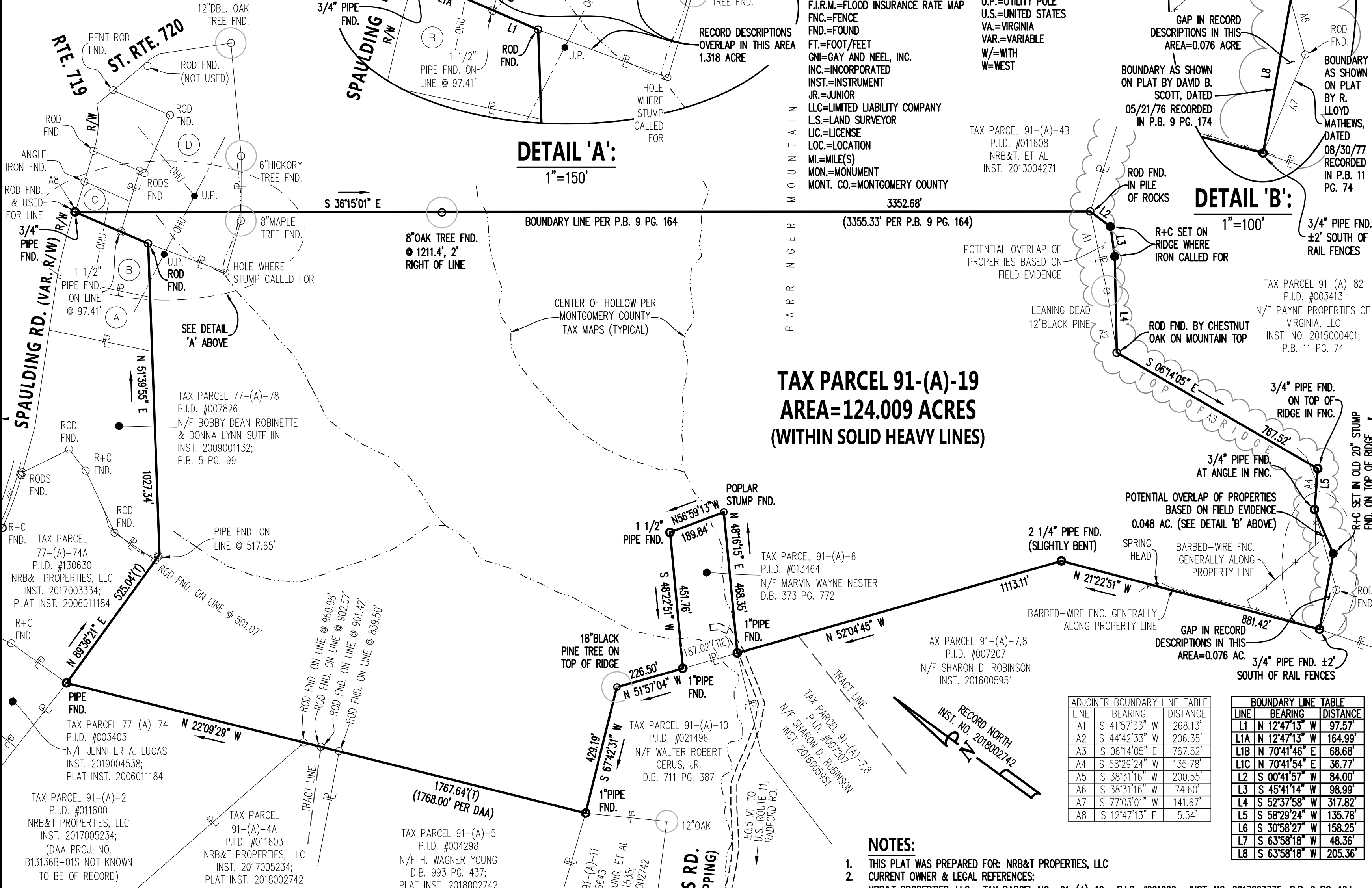
- N/F=NOW OR FORMERLY
- N=NORTH
- NAD=NORTH AMERICAN DATUM
- NO. / #=NUMBER
- P.B.=PLAT BOOK
- P.I.D.=PARCEL IDENTIFICATION
- PG. / PGS.=PAGE/PAGES
- PROJ.=PROJECT
- R/W=RIGHT-OF-WAY
- R+C=CAPPED ROD
- RD.=ROAD
- RTE.=ROUTE
- S=SOUTH
- ST.=STATE
- U.P.=UTILITY POLE
- U.S.=UNITED STATES
- VA.=VIRGINIA
- VAR.=VARIABLE
- W/=WITH
- W=WEST



DETAIL 'A':
1"=150'

DETAIL 'B':
1"=100'

TAX PARCEL 91-(A)-19
AREA=124.009 ACRES
(WITHIN SOLID HEAVY LINES)



ADJOINER BOUNDARY LINE TABLE

LINE	BEARING	DISTANCE
A1	S 41°57'33\"	268.13'
A2	S 44°42'33\"	206.35'
A3	S 06°14'05\"	767.52'
A4	S 58°29'24\"	135.78'
A5	S 38°31'16\"	200.55'
A6	S 38°31'16\"	74.60'
A7	S 77°03'01\"	141.67'
A8	S 12°47'13\"	5.54'

BOUNDARY LINE TABLE

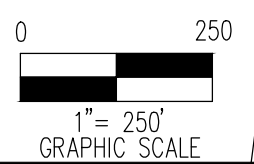
LINE	BEARING	DISTANCE
L1	N 12°47'13\"	97.57'
L1A	N 12°47'13\"	164.99'
L1B	N 70°41'46\"	68.68'
L1C	N 70°41'54\"	36.77'
L2	S 00°41'57\"	84.00'
L3	S 45°41'14\"	98.99'
L4	S 52°37'58\"	317.82'
L5	S 58°29'24\"	135.78'
L6	S 30°58'27\"	158.25'
L7	S 63°58'18\"	48.36'
L8	S 63°58'18\"	205.36'

NOTES:

- THIS PLAT WAS PREPARED FOR: NRB&T PROPERTIES, LLC
- CURRENT OWNER & LEGAL REFERENCES: NRB&T PROPERTIES, LLC; TAX PARCEL NO.: 91-(A)-19; P.I.D. #021900; INST. NO. 2017003335; P.B. 9 PG. 164.
- THIS PLAT WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND THEREFORE MAY NOT INDICATE ALL ENCUMBRANCES AND EASEMENTS THAT MAY AFFECT THE SUBJECT PROPERTY.
- THIS PLAT IS BASED ON AN ACTUAL FIELD SURVEY, USING MONUMENTS FOUND TO EXIST AND THEREFORE MAY NOT CONFORM TO PREVIOUS DEEDS OR PLATS OF RECORD. HORIZONTAL DATUM, AS SHOWN HEREON, IS BASED ON PLAT RECORDED IN INSTRUMENT NO. 2018002742. HORIZONTAL UNITS OF MEASUREMENT UTILIZED IS U.S. SURVEY FOOT.
- THE SUBJECT PROPERTY DOES NOT LIE WITHIN A F.E.M.A. DESIGNATED 100-YEAR FLOOD HAZARD ZONE. THE SUBJECT PROPERTY LIES WITHIN "UNSHADED ZONE X - OTHER AREAS", AS DEFINED BY F.E.M.A. & AS SHOWN ON F.I.R.M. MAP NO. 51121C0140C, EFFECTIVE DATE OF SEPTEMBER 25, 2009. THIS DETERMINATION HAS BEEN MADE BY GRAPHIC METHODS ONLY. NO ELEVATION STUDY HAS BEEN PERFORMED AS A PART OF THIS PROJECT.
- NO KNOWN IDENTIFICATIONS OF GRAVES, OBJECTS, OR STRUCTURES MARKING A PLACE OF HUMAN BURIAL WERE OBSERVED ON THE SUBJECT PROPERTY DURING THE COURSE OF THIS SURVEY.

ADJOINER PROPERTY:

- (A) TAX PARCEL 77-(A)-79 P.I.D. #017905 THOMAS M. & MELAINE A. DICKEN INST. 2005011677; PLAT IN D.B. 359 PG. 486
- (B) TAX PARCEL 77-(A)-79A P.I.D. #007873 PATRICK L. KELLY INST. 2008004466 W/ PLAT
- (C) TAX PARCEL 77-(A)-83 P.I.D. #012197 N/F KAROLEIN GARLUCK WALSH INST. 2009002653; PLAT IN D.B. 482 PG. 687
- (D) TAX PARCEL 77-(A)-80 P.I.D. #002968 N/F INDIGO ROAD INVESTMENTS, LLC INST. 2019003067; P.B. 17 PG. 146



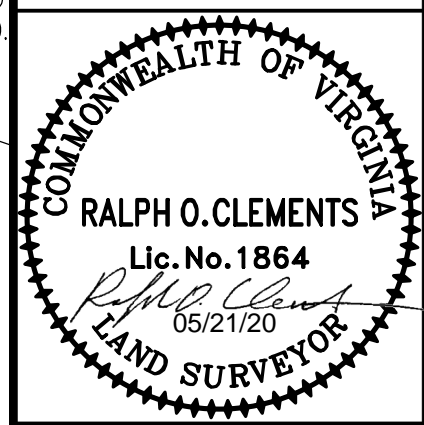
GAY AND NEEL, INC.
ENGINEERING ♦ LAND PLANNING ♦ SURVEYING

1260 Radford Street
Christiansburg, Virginia 24073

Email: info@gayandneel.com
Web: www.gayandneel.com

Phone: (540) 381-6011
Fax: (540) 381-2773

PLAT OF SURVEY OF
TAX PARCEL 91-(A)-19
SITUATED NEAR
PLUM CREEK COMMUNITY
RINER MAGISTERIAL DISTRICT
MONTGOMERY COUNTY, VIRGINIA



REVISIONS

NO.	DATE	DESCRIPTION

PROJECT TEAM

PM	ROC
TECH	KJD
CREW	SBU

GNI JOB NO. 2828.1
ISSUE DATE 05/21/20

SHEET NUMBER 1 OF 1

X:\Drawings\2828\SURVEY\Drawings\Plots\2828-1-Boundary Plat.dwg
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