

NEW RIVER RECYCLING INERT DEBRIS FILL SITE

SPECIAL USE PERMIT AMENDMENT

Located in:

Montgomery County, Virginia

Project Number: 3117.0

Date: December 30, 2020

Revised: September 1, 2022



ENGINEERING • LAND PLANNING • SURVEYING
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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: Foresight Design Services	Address: 1260 Radford Street, Christiansburg, VA 24073
Telephone: (540) 381-6011	Email: info@foresightdesignservices.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: 244 acres
Parcel ID Number(s): 021900, 011608		Property Owner(s): Indigo Road Investments, LLC; NRB&T
Existing Use: Fill Site/Undeveloped		

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: *Robert A. Hill* **Date:** 9/1/22

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:**

Robert L Phillips Robert L Phillips 9/1/22
Applicant's Signature/Printed Name 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: steelrr@gmail.com
Applicant Name: Owner Contract Purchaser/Lessee Indigo Road Investments	Address: 840 Auburn Avenue, Radford, VA 24141
Telephone: (540) 633-0407	Email: steelrr@gmail.com
Representative Name and Company: Foresight Design Services	Address: 1260 Radford Street, Christiansburg, VA 24073
Telephone: (540) 381-6011	Email: info@foresightdesignservices.com

Property Description:

Location or Address: <i>(Describe in relation to nearest intersection)</i> Entrance to site is approximately 1500' up Walton Road from Route 11		
Parcel ID Number(s): 021900 ; 002969	Acreage: 12.9 acres	Existing Zoning: A1
Comprehensive Plan Designation: Resource Stewardship	Existing Use: Fill Site/Vacant	

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

Proposed Use(s) including acreage: Inert Fill Site on approximately 1.1 acres of the 12.9 acre 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.

<i>Lanya Northcutt Phillips</i> Owner 1 Signature	9/1/22 Date
<i>Lanya Northcutt Phillips</i> Owner 2 Signature (for add'l owners please attach separate sheet)	9/1/22 Date
<i>Lanya Northcutt Phillips</i> Applicant Signature	9/1/22 Date
<i>[Signature]</i> Representative/Agent Signature	09/01/22 Date



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): NRB&T	Address: 840 Auburn Avenue, Radford, VA 24141
Telephone: (540) 633-0407	Email: steelnrr@gmail.com
Applicant Name: Owner Contract Purchaser/Lessee NRB&T	Address: 840 Auburn Avenue, Radford, VA 24141
Telephone: (540) 633-0407	Email: steelnrr@gmail.com
Representative Name and Company: Foresight Design Services	Address: 1260 Radford Street, Christiansburg, VA 24073
Telephone: (540) 381-6011	Email: info@foresightdesignservices.com

Property Description:

Location or Address: <i>(Describe in relation to nearest intersection)</i> Entrance to site is approximately 1500' up Walton Road from Route 11		
Parcel ID Number(s): 011608	Acreage: 120 acres	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 15.5 acres of the 120 acre parcel. This site is adjacent to the existing Inert Fill Site.
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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.

<i>Robert L. Hill</i>	9/1/22
Owner 1 Signature	Date
<i>Lange Northcutt Phillips</i>	9/1/22
Owner 2 Signature (for add'l owners please attach separate sheet)	Date
<i>Robert L. Hill</i>	9/1/22
Applicant Signature	Date
<i>[Signature]</i>	09/01/22
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. This submittal is an amendment to the existing previously approved SUP.

Overview:

The project proposes to allow the extension of the original SUP of approximately 3 acres of inert fill to be extended to 34 total acres of the existing 330 acres owned by NRB&T and Indigo Investments located off Walton Road in the Plum Creek area of Montgomery County. The large majority of the 330 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. Approximately 17 acres of the property is zoned M1-Manufacturing and a portion of that is where the Recycling operation currently operates. 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 nutrient credits. Once a fill site location is closed out and capped, the area will be replanted in trees. In addition, find below a list of anticipated items in reference to the operations of the fill site:

- Based upon anticipated operations, the potential number of vehicle trips per day may be as little as 0 on most days and then as many as 30-40 per day when fill operations are ongoing.
- The original volume of fill for the approved SUP was approximately 55,000 CY. This additional location will increase the total volume to approximately 1,000,000 CY.
- The overall fill site anticipates being in operation for up to 40 years depending on economic factors and the need for the placement of fill.
- Note that noise is anticipated to be a minimal impact to any surrounding properties due to tree coverage along the boundary of the fill site area and the distance the site is from neighboring structures. Also, fill operations will only take place during daylight hours. The closest property under separate ownership is 1399 Lithia Springs Road and is a 1.9 acre parcel. A 75' vegetative buffer of the existing vegetation is proposed to remain and be undisturbed. The second closest residential home is 2901 Spaulding Road and is

located on a 4.9 acre parcel and contains a wooded buffer from the proposed disturbed area that was created with the approval of the original SUP.

- The site area should help contribute to the local economy by providing a location to place material. This project will support numerous construction projects within Montgomery County as well as sustain itself by providing jobs for the equipment operators, truck drivers and other supporting facilities.

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 6.0% 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. And the expansion directly adjacent to the previously approved SUP for an inert fill site is in keeping with a desire to limit the county-wide impacts of such an operation. The SUP for an inert fill site in the Agricultural district is put in place so as to permit an operation and put conditions on it instead of prohibiting the use. Prohibition of the use would take the form of their not being a pathway for permitting the use through an SUP.

Indigo Inert Fill Site

Please consider the below items as additional information for consideration in the submittal of the SUP Amendment to the Indigo Inert Fill Site. This amendment will add some adjacent area to the Inert Fill Site that is even more "internal" to the 330 acres and is further removed from the potential to create negative impacts such as noise, dust, or traffic as this site will operate in phases as illustrated on the concept plan. Phases I (Existing SUP) and II will operate concurrently with Phase III only being initiated during the closeout of Phase II. Phase IV will be initiated with the closeout of Phase III. The proposed Phases will not generate more traffic than currently visits the site.

Traffic:

This site, and others like it throughout the county are allowed by right to fill up to 15,000 cubic yards of material in all land zoned Agricultural. Sites like this generate dump truck traffic and the noise associated with equipment working the material and placing it. The existing entrance has been upgraded as approved by VDOT and the intermittent traffic generated by the proposed inert fill site will be minimal in comparison to the existing traffic generated by the Recycling Site. One of the proposed and existing conditions is that access to the Inert Fill Site will be wholly via the Walton Road Entrance. The amendment to the SUP will not create any additional traffic demands but will only extend the life of the site.

Dust:

This site will be governed by an Erosion and Sediment Control Plan that has dust control integral to its requirements that will be enforced by the County Engineering staff through routine inspections, we recognize that this issue may warrant an additional condition to provide peace of mind to staff and County residents.

The entrance on Walton Road and more than 2000 feet of the access drive is paved as part of the development currently under construction for the New River Recycling site. It should be noted that the proposed haul road beyond the paved road will be constructed of recycled concrete and brick that will generate significantly less opportunity for dust generation than a typical dirt haul road that might be seen on by-right clean earth fill sites.

Lighting:

No lighting is proposed for the Indigo Inert Fill Site. This could be a condition if the Board desired.

Noise:

With any construction comes the sounds of that progress of something being built. Sometimes that takes the shape of a concrete truck dropping off concrete to form the foundation of a home

or business, or the sound of an air compressor providing air pressure for a host of nail guns re-roofing a house. It is also typically understood that new and existing businesses will have the melody of their particular business. A music shop will have the beat of drums and the blaring of horns, an auto repair shop will have horns beeping, cars running, and impact guns spinning. New River Recycling is continuing to develop a new site directly adjacent to the proposed Indigo Inert Fill Site. That business will routinely have heavy equipment operating, dump trucks pulling in, backing up, and dumping their loads. The New River Recycling site is a by right use and is in the M1-Manufacturing zoning district. Some uses allowed by right in the M1 district include:

- Automobile or mobile home assembling, painting, public garages, upholstering repairing, rebuilding, reconditioning, truck repairing or overhauling and tire retreading or recapping;
- Contractor service establishment;
- Equipment Sales and Service;
- Recycling facility;
- Truck terminal;
- Welding or machine shop;
- Railroad facility

The proposed amendment to the Indigo Inert Fill site will have some equipment operating and trucks delivering material intermittently as fill material is generated at construction sites throughout the County; however, this site will be operating alongside the existing by right New River Recycling operation.

With respect to the proposed Inert Fill Site, it should be noted that typical construction activities that will generate material delivered to the site will occur during the regular construction season. At those times, the existing woods surrounding the site will not be in 'leaf off' conditions and those wooded areas will serve to mitigate the noise generated at the site.

Operating at a single location is preferable to the County as a whole vs. multiple small sites throughout the county operating with no time constraints or other conditions and generating similar levels of truck traffic and equipment operation.

Control of Runoff:

In keeping with Montgomery County requirements and Erosion and Sediment Control Handbook, a detailed erosion and sediment control plan will be developed for each phase prior to the start of land disturbance activities. This Erosion and Sediment Control plan will be reviewed and approved by the Montgomery County Engineer in accordance with all appropriate regulations. Montgomery County will routinely inspect the site to maintain compliance with the approved plan.

Need:

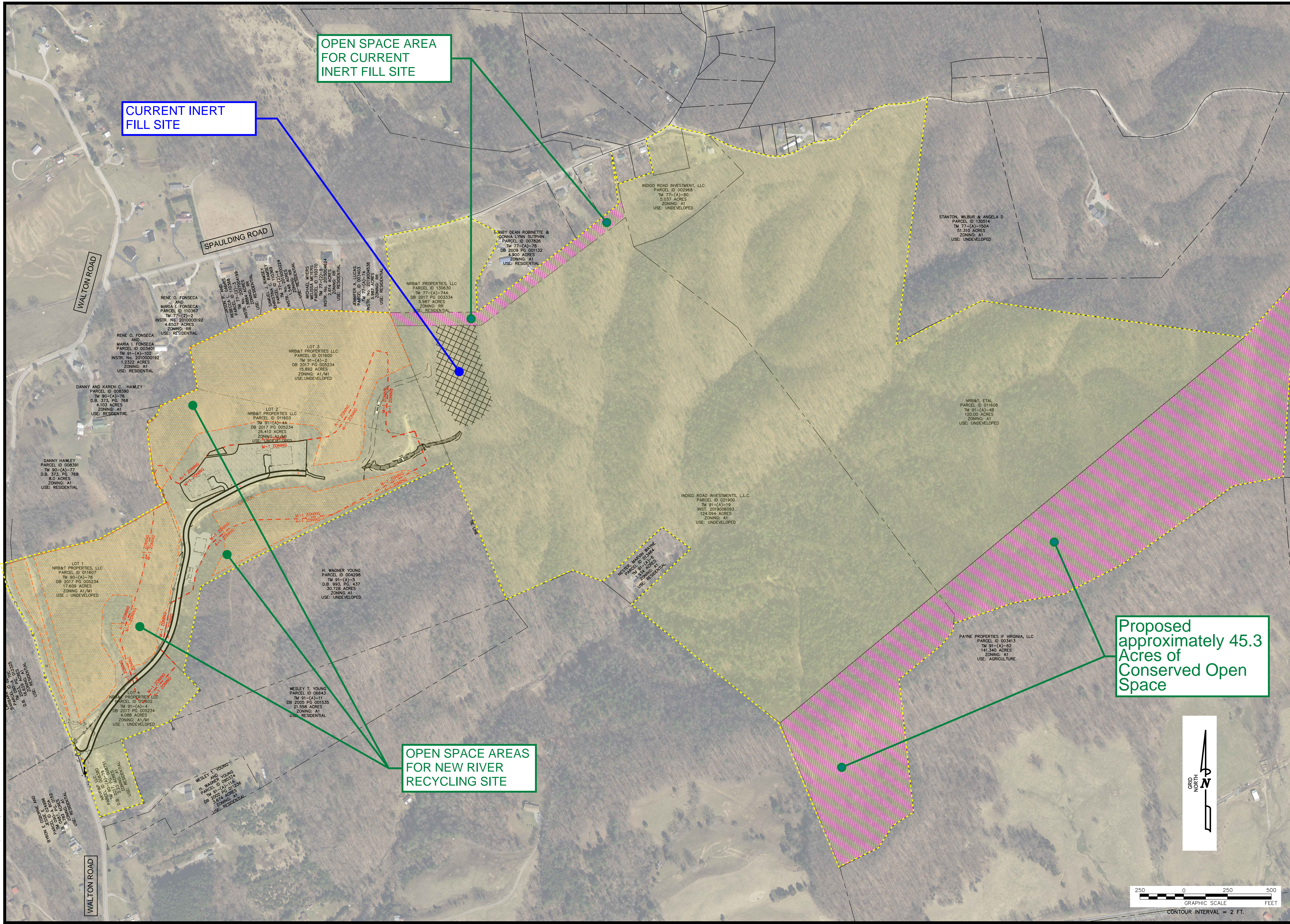
The need to preserve space/volume within the MRSWA's sole landfill for the area should be of high importance. The opportunity to permit a larger inert fill site centrally in the County will also discourage illegal dumping that could happen by contractor's attempting to avoid the MRSWA fee of \$43.00/ton. The proposed site is targeting a fee of approximately \$40/truck. Co-locating adjacent to the existing New River Recycling site will also cut down on truck traffic in allowing contractors to both drop off recyclable materials and inert fill at one site. New River Recycling makes tremendous efforts to recycle everything possible delivered to the site.

In closing, this site is ideally suited for the proposed use due to its proximity to the existing New River Recycling Site, the proposed conditions to be placed as a part of the SUP permit, and the opportunity to minimize the amount of small sites in areas that are wholly unsuited for a clean earth fill site that is allowed by right in Agricultural zoned areas of the County.

New River Recycling Inert Debris Fill Site

EXHIBITS

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 Model: 05/24/2018 12:42:00 PM, E:\espenberry, \IGNI\SERVER\CAD\IP\8680 Plotter Floor, 1:1



CURRENT INERT FILL SITE

OPEN SPACE AREA FOR CURRENT INERT FILL SITE

OPEN SPACE AREAS FOR NEW RIVER RECYCLING SITE

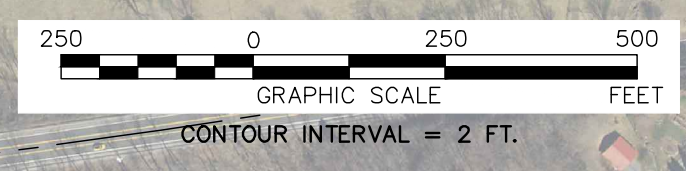
Proposed approximately 45.3 Acres of Conserved Open Space

The drawing, design, and digital files relating to this project are the property of Foresight Design Services. The reproduction, copying, or other use of this drawing without FDS's written consent is prohibited.

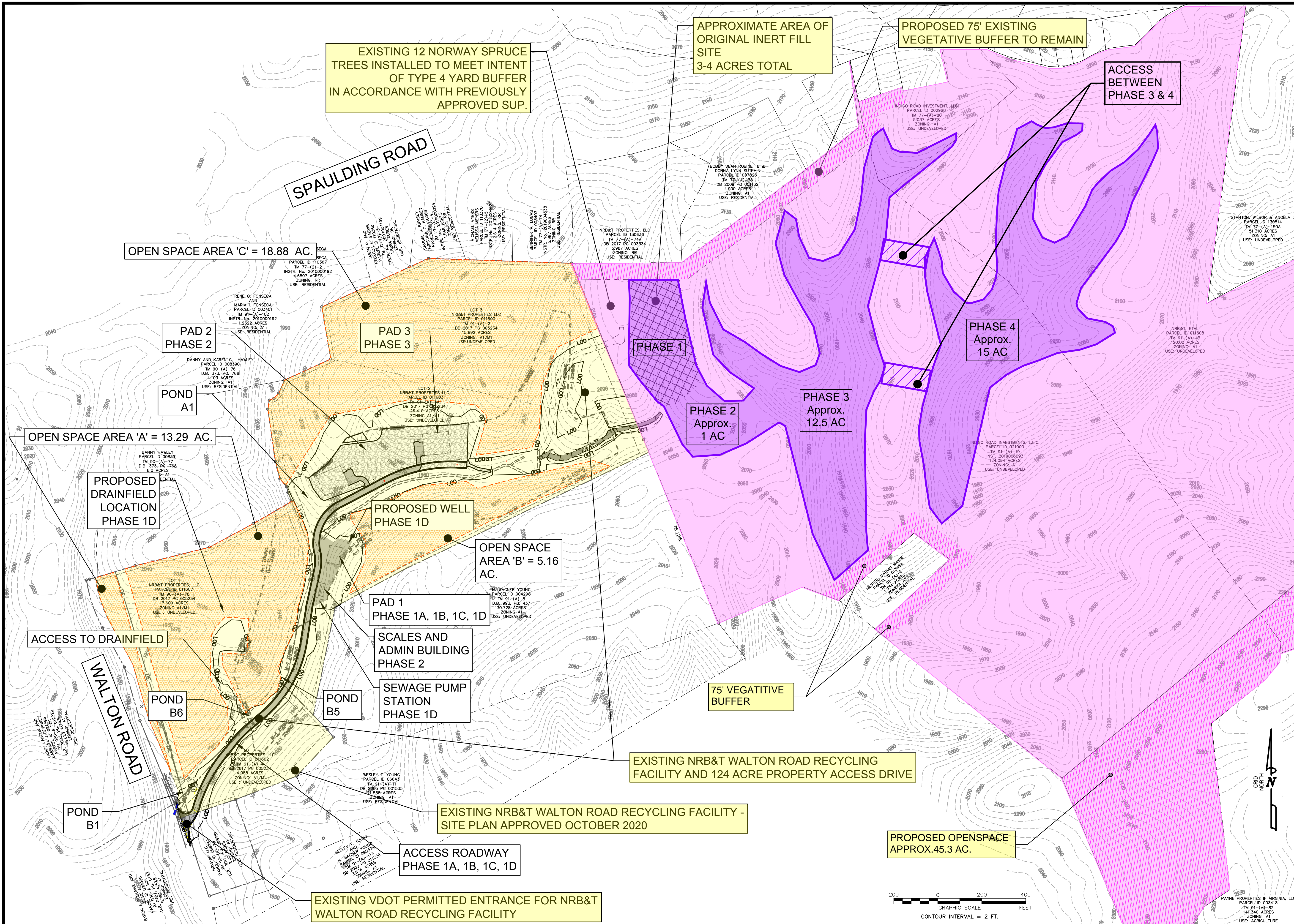
**NEW RIVER RECYCLING
 INERT DEBRIS FILL SITE**
 MONTGOMERY COUNTY, VIRGINIA

REVISIONS		
NO.	COMMENTS	DATE

PROJECT TEAM	
PIC	JOHN T. NEEL, P.E.
PM	JOHN T. NEEL, P.E.
DESIGN	TDG, SEC
ISSUE DATE	
09/01/2022	
FDS JOB NO.	
3117	
SHEET TITLE	
PROPERTY MAP	
SHEET NUMBER	
1 OF 1	



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**NEW RIVER RECYCLING
INERT DEBRIS FILL SITE**
MONTGOMERY COUNTY, VIRGINIA

REVISIONS

NO.	COMMENTS	DATE

PROJECT TEAM

PIC	JOHN T. NEEL, P.E.
PM	JOHN T. NEEL, P.E.
DESIGN	TDG, SEC
ISSUE DATE	09/01/2022
FDS JOB NO.	3117
SHEET TITLE	SITE CONCEPT
SHEET NUMBER	1 OF 1

GRID NORTH

SCALE: 1" = 200'

CONTOUR INTERVAL = 2 FT.