

Bart Svoboda

From: Wendy Adkins <wendyadkins@gmail.com>
Sent: Friday, December 16, 2022 12:21 PM
To: Bart Svoboda; Ann Mallek
Subject: Special Exception SE202200068 Kindrick Farm 4394 Carriage Hill Drive

CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.

Dear Mr. Svoboda and Ms. Mallek,

I am writing in response to the letter we received dated December 9th regarding the special exception application for the Kindrick Farm at 4394 Carriage Hill Drive. I would like to implore you to reject this application. Earlysville Forest is a residential, family neighborhood. The last several months we have been beset by a stream of dump trucks equal to any commercial operation. Our neighborhood is full of walkers, runners, bikers, kids playing, dog walking, and other pedestrian activities. We have no sidewalks, and when the dump trucks come roaring through the neighborhood it creates a safety hazard, not to mention a terrible nuisance. Some days I've encountered more than a dozen dump trucks in a half hour walk, and on more than one occasion I've had to jump out of the way to avoid being hit as a dump truck came around a corner. These dump trucks are ruining the peaceful natural environment that so many of us moved to this neighborhood to enjoy.

Please consider all the people affected by these dump trucks continually flowing through our neighborhood and do not approve this application to allow even more. If you can put a stop to the dump trucks now that would be even better.

I would also like to ask that you not use my name or property address in any discussions on this matter. We have a good neighborly relationship with the Kindricks and don't want to jeopardize that, but I felt I had to speak out against the trucks.

Thank you for your consideration.

Respectfully,
Gwendolyn Adkins
4420 Carriage Hill Drive

Bart Svoboda

From: Cathie Brettschneider <cathie.brettschneider@gmail.com>
Sent: Friday, December 16, 2022 10:28 AM
To: Bart Svoboda
Subject: Special Exception for a Zoning Clearance
Attachments: KF letter to Bart Svoboda #3.odt

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Dear Mr. Svoboda:

Attached is my letter of comments and concerns about the clean earth fill operation at Kindrick Farm, in response to your letter of December 9. If you need, or prefer, to have a signed hard copy, please let me know and I will hand deliver it to you today.

Sincerely,
Cathie Brettschneider

Bart Svoboda

From: BRIAN MCCAY <mikejack11@comcast.net>
Sent: Friday, December 16, 2022 12:23 AM
To: Bart Svoboda
Cc: Ashlee Henshaw; Lisa Green
Subject: Re: SE202200068 Kindrick Farm – Clean Earth Fill APO Notice

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Mr. Svoboda,

Thank you for this notification. As we discussed at our last meeting in September our biggest concern is the heavy traffic of large dumptrucks on our neighborhood streets caused by the special exception already granted. Our streets are not suited for these dumptrucks which are a hazard to dog-walking residents and other vehicles as well as being loud and polluting. Since that meeting the traffic has been constant and increasing on a daily basis, often exceeding 40 round trips a day.

As the number of truckloads already dumped on the farm must have already far exceeded the limited amount of dirt allowed in the special exception we question the need to continue hauling more dirt in until next May. And we definitely oppose an extension beyond that deadline. It is difficult to believe there has been any delay to the pasture restoration plan that was the purpose for the original exception when there has been no interruption to the dirt hauling operation.

In conclusion, we oppose any further exception or extension to the Kindrick Farm clean earth fill operation.

Sincerely,

Brian McCay, President
Earlysville Forest Homeowners Association

On 12/09/2022 12:49 PM Bart Svoboda <bsvoboda@albemarle.org> wrote:

Mr. McCay,

As discussed previously, attached is a copy of the adjacent property owner notice for SE202200068 Kindrick Farm – Clean Earth Fill that was mailed today. The residents adjacent to the property on Carriage Hill Drive will also receive a hand delivered copy later this afternoon. The item is scheduled to be before the Board of Supervisors on January 18, 2023.

Please let me know if there are questions.

Kind regards,

Bart

This e-mail is not intended to be and shall not be deemed to be an official order, requirement, decision or determination made by or on behalf of the Zoning Administrator.

Bart J. Svoboda

Zoning Administrator

Albemarle County

bsvoboda@albemarle.org

office: (434)296-5832 ext.3225

401 McIntire Road, North Wing, Charlottesville, VA 22902

This e-mail is not intended to be and shall not be deemed to be an official order, requirement, decision or determination made by or on behalf of the Zoning Administrator.

Bart J. Svoboda

Zoning Administrator

Albemarle County

bsvoboda@albemarle.org

office: (434)296-5832 ext.3225

401 McIntire Road, North Wing, Charlottesville, VA 22902

Bart Svoboda

From: Greco, Michael D (mdg4u) <mdg4u@virginia.edu>
Sent: Monday, December 12, 2022 1:05 PM
To: Bart Svoboda
Cc: Ann Mallek
Subject: Earlysville Forest

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Mr. Svoboda,

I understand you personally approved the permit that allows Mr. Kindrick to send a constant stream of dump trucks through our residential community. Mr. Kindrick is clearly violating the permit you granted him. I am writing to ask why you have not revoked this permit. Have you been out to the neighborhood to witness what is happening? Have you made a site visit to Mr. Kindrick's farm?

Also, please let me know who your direct supervisor is. I find your failure to act in this case to be disturbing.

It is no longer safe for my wife to walk our dogs or for my child to ride his bike in our neighborhood. Please respond to this email with answers to my questions.

Sincerely,



Michael Greco
Director of Information Technology

O 434.924.4016
M 434.806.7424
millercenter.org

Bart Svoboda

From: Laura Peet <lpeet@peetcom.com>
Sent: Monday, December 12, 2022 12:15 PM
To: Bart Svoboda
Cc: Ann Mallek
Subject: Earlysville Forest /Kindrick Exception

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Dear Administrator Voboda --

I am a resident of Earlysville Forest and am writing you to request that you deny the extension of the special exception previously granted to Timothy Kindrick.

I live on Hunters Ridge Road and walk on Earlysville Road each morning with my dog. As there are no sidewalks, we walk on the edge of the road and most neighbors are very courteous about leaving plenty of room as they drive by. Normally during our morning walks (the same time that school children are waiting for busses) we are passed by numerous large dump trucks - which are seldom as courteous as those that live in the neighborhood. The noise, increased traffic and smell from the diesel exhaust which they have brought into our neighborhood is an affront. Moreover, the wear and tear on the roads themselves is becoming obvious as potholes are already beginning to surface.

My dog and I also will also often walk from our home to the end of Carriage Hill Drive -- typically in the afternoons and that is where the traffic really becomes obvious. On several occasions, I have seen dump trucks parked on Carriage Hill Drive waiting for another to exit from the dirt road before it can enter. Our neighborhood was not designed to support this level of commercial traffic and I urge you to not let it continue.

Thank you for your attention.

Laura Peet

1065 Hunters Ridge Road
Earlysville, VA 22936

Laura B Peet
PEETCOM INC.
www.peetcom.com
(917) 860-6285 c
(434) 422-8671 p

Bart Svoboda

From: Mike Pierce <mpiercepc@comcast.net>
Sent: Sunday, December 11, 2022 1:20 PM
To: Bart Svoboda
Cc: Ann Mallek
Subject: Kindrick Exception Renewal Earlysville Forest

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Mr. Svoboda:

As a homeowner in the Earlysville Forest neighborhood, residing on the main thoroughfare of Earlysville Forest Drive which receives the bulk of the neighborhood traffic, we strongly oppose the current and any future exception being granted to Mr. Timothy Kindrick for the purpose of hauling a “limited amount” of dirt through our neighborhood for the purpose of “recontouring and improving” his pastureland.

The past year has seen countless large dump trucks traversing our roads daily, beginning at 7am, resulting in substantial noise, unusual wear and tear on our roads, and heightened air pollution. We are an active community of runners, walkers and cyclists utilizing the road shoulder, as there are no sidewalks in our neighborhood. The physical danger to each of us of allowing this hauling operation to continue or be renewed is quite evident.

The homeowners of Earlysville Forest were not consulted at the time of the initial exception grant. Our neighbor bears all the ill effects from the ongoing hauling operation that benefits Mr. Kindrick solely and in no way enhances our quality of life in our neighborhood. **And Mr. Kindrick does not reside in the neighborhood.** To us it is a dangerous nuisance. We ask that it be stopped immediately; barring that, we demand that Mr. Kindrick's request to renew his exception be denied.

Please let us know what criteria is being used to determine if the current exception is renewed or denied .

Regards
Mike and Linda Pierce
1085 Earlysville Forest Dr
Earlysville VA 22936

Bart Svoboda

From: Betsy Collins <cgpcollins@comcast.net>
Sent: Sunday, December 11, 2022 12:26 PM
To: Bart Svoboda
Subject: Earlysville Forest

CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.

Please consider this email as a request to curtail the truck hauling business of Mr. Kindrick that is disrupting our quiet, pedestrian user friendly neighborhood. My husband and I have lived here for 35 years and have never seen this continuous type of loud, disruptive trucks. Our neighborhood is rebuilding with young families and the desire to have children riding bikes and playing is a great concern. This gentleman should be able to find another access road to his property. Cutting through our neighborhood needs to be prohibited.

Please stand up for us in Earlysville Forest.

Respectfully,
Betsy Collins
1240 Earlysville Forest Drive
4347602534

Sent from my iPhone

Bart Svoboda

From: KATHLEEN BOHORFOUSH <kcb1955@comcast.net>
Sent: Sunday, December 11, 2022 8:23 AM
To: Bart Svoboda
Cc: Ann Mallek
Subject: Please stop the dirt hauling in Earlysville Forest

CAUTION: This message originated outside the County of Albemarle email system. DO NOT CLICK on links or open attachments unless you are sure the content is safe.

Dear Mr. Svoboda,

I live at 1360 Earlysville Forest Drive, adjacent to Carriage Hill Drive, where the Kindrick farm is located. I am retired so at home much of the day. I have a bird's eye (and ear) view of the dirt hauling operation at the Kindrick farm.

For months, I have been subjected to the sight, sound and general nuisance of a constant stream of dump trucks coming and going from the farm and passing my home from 8AM until 5PM every weekday. I believe Mr. Kindrick is abusing his access to our quiet neighborhood roads for a commercial fill dirt business. The volume of dirt I see being moved every day certainly exceeds what was needed for his approved purpose of recontouring pastureland. The noise and the stench from the trucks are an insult to the people and the abundant wildlife who live here. I am very tired of being escorted by a parade of dump trucks every time I walk my dog.

In years past, Mr. Kindrick has used our roads to haul logs, for weeks and in large volumes. Combined with the dirt hauling, it is hard to believe that he is compliant with the spirit of conservation although he has enjoyed the financial benefits of having his farm in a conservation easement.

It is my understanding that you will be voting on an extension of Mr. Kindrick's permission from the county to haul dirt over our roads. Please vote against the extension and terminate the dirt hauling operation.

Thank you for considering my comments.

Kind regards,
Kathy Bohorfoush
1360 Earlysville Forest Drive

Bart Svoboda

From: John Mawyer <johnmawyer@comcast.net>
Sent: Saturday, December 10, 2022 10:55 AM
To: Bart Svoboda
Subject: Dump trucks in my Peaceful and Quiet neighborhood

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My name is John Mawyer, I live in Earlysville Forest. I strongly disagree, with allowing, more dump trucks, pass the original allotment date. I walk this route daily and it looks like a parade. The trucks, take up the entire road. I have seen cars, having to stop, in opposite directions, to let trucks go by. I myself, have gotten off the road, for fear of being hit, by trucks. Has anyone from your office, counted the trucks, that are used, daily? You can clearly see, Mr. Kindrick, has turned this simple operation, into a profitable business, that he is making money from. Has this dirt been tested by EPA, for contamination? This is totally, unacceptable. Thank you

Bart Svoboda

From: Greg Salberg <salberggreg@yahoo.com>
Sent: Friday, December 9, 2022 7:07 PM
To: Bart Svoboda
Subject: Kindrick extension

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Please do not allow the "Kindrick" application an extension to run his commercial vehicles thru our streets. His usage goes FAR beyond the intended waiver.

Greg Salberg

Sent from Yahoo Mail on Android

Bart Svoboda

From: W Stewart <waddill.stewart@gmail.com>
Sent: Friday, December 9, 2022 3:19 PM
To: Bart Svoboda; Ann Mallek
Cc: Bob Crickenberger
Subject: Kindrick farm runoff entering Chris Greene Lake
Attachments: IMG_0559.JPG; IMG_0557.JPG; IMG_0558.JPG

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Ms Mallek, Mr. Svoboda and Mr. Crickenberger,

Last week I hiked on Chris Greene Lake nature trails and observed a heavy amount of silt entering the lake following a recent rain. This silt is quite possibly caused by the significant amount of fill dirt being dumped onto Kindrick Farm.

The attached pictures do not show it as well as it appeared in person with a long column of muddy colored water entering from a creek adjacent to their property.

I hike these trails frequently and also paddle my kayak on the lake and assure you I have never noticed runoff like this before they started dumping hundreds of truckloads of fill dirt. I encourage you to consider this impact to Chris Greene Lake in your review of the situation.

Waddill Stewart
Earlysville, VA

Bart Svoboda

From: Samantha Giannangeli <sgiannangeli14@gmail.com>
Sent: Friday, December 9, 2022 2:41 PM
To: Bart Svoboda; Brent Nelson; Ann Mallek
Subject: Re: Zoning Violation Complaint

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Good afternoon,

I'm just following up on this email, as I learned today that Mr. Kindrick has applied for an extension of his exception permit. I would like to register my concern about this potential extension, as the nuisance traffic has not been addressed and our neighborhood HOA's requests for an on-site inspection have been denied. Please oppose any extension of this exception for the sake of the health and safety of our neighborhood.

Thank you.

On Fri, Dec 2, 2022 at 9:08 AM Samantha Giannangeli <sgiannangeli14@gmail.com> wrote:
Good morning Ms. Mallek, Mr. Nelson, Mr. Svoboda,

I wanted to reach out to express my concern with what appears to be an ongoing zoning violation. I'm not sure if I'm in the right place to share this, and I'd appreciate your guidance to report this appropriately.

There is a property here in Earlysville, 4394 Carriage Hill Drive, that is subject to a conservation easement. The landowner received permission to obtain a few shipments of dirt to recontour his pasture, but over the past several weeks, the truck traffic through our residential road, Earlysville Forest Road, has been consistent and substantial. Sometimes the traffic is as high as a loaded dump truck every five minutes, and it is constant during the week between 7:30am and 4:30pm. Whatever is happening appears to go beyond a simple pasture alteration and has become a dangerous nuisance on what is otherwise a residential street. Is there anything that can be done here?

Thank you,
Sam Giannangeli

Bart Svoboda

From: Ann Mallek
Sent: Friday, December 2, 2022 10:04 AM
To: Bart Svoboda
Cc: Jeff Richardson
Subject: Fwd: Large dump trucks using Earlysville Forest drive

More from Earlysville Forest about Kindrick fill operation.

Ann
[Get Outlook for iOS](#)

From: edmortlock01@gmail.com <edmortlock01@gmail.com>
Sent: Friday, December 2, 2022 8:50:13 AM
To: Ann Mallek <amallek@albemarle.org>
Subject: Large dump trucks using Earlysville Forest drive

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I live at 855 Buckhorn Trail, Earlysville VA 22936 and write in complaint about frequent operation of dump trucks using Earlysville Forest Drive and Carriage Hill Drive to access a property on the latter. This has been going on for several months from typically 8 AM to 6PM on weekdays. It is unclear what the purpose of this operation is but they are obviously moving tons of spoil. These trucks are heavy, noisy, emit thick diesel fumes on the uphill sections. They also are potentially hazardous to other users who do not expect this narrow residential road to be turned into an industrial street for so long.

Those affected include car drivers, cyclists, pedestrians, and dog owners. The truck size and noise has scared my dog many times that I now consider it hazardous to walk on this street. Can this activity be stopped or at least severely limited so road users can know when it is safe to go out?

Ed Mortlock

Sent from my iPhone