

**Buckingham County  
Planning Commission  
August 30, 2021**

At a regular meeting of the Buckingham County Planning Commission held on Monday, August 30, 2021 at 7:00 p.m. in the Peter Francisco meeting room, located within the Buckingham County Administration Complex, the following members were present: Ashley Shumaker; John Bickford; Patrick Bowe; Steve Dorrier; Joyce Gooden Also present were Nicci Edmondston, Zoning Administrator, and E.M. Wright, Jr., County Attorney. and Board of Supervisors' representative Danny Allen. James D. Crews were absent.

**Re: Call to Order, Quorum Present, Invocation, and Pledge of Allegiance**

Chairman Patrick Bowe called the meeting to order. Ashley Shumaker gave the invocation, Steve Dorrier led the Pledge of Allegiance and it was said by all who were in attendance. Patrick Bowe certified there was a quorum- fix of seven members were present. The meeting could continue.

**Bowe:** Items of business for the Planning Commission. Solar farms. We'd like to clarify a couple things before we start the program per se. The last time y'all were here. You made the comment. The way I heard it anyway, that all construction traffic would be used on Payne's Pond road. Is that correct? Yes, please.

**Merrick:** So, in our application, we included a transportation statement. And then within that transportation statement, we articulate the roads that are going to be used during construction. And then also in operations and maintenance, we see that as two separate phases. And there's a there's a map that sort of articulate those readings as well. It shows them to your, to your point, as far as roads use, specifically during construction. It's going to be primarily Bridgeport Road and Payne's Pond road, that road the divides, basically, the center of the project is going to be the two primary roads for construction. And then Payne's pond road continues north, but beyond our project area, but we're committed to not using Payne's Pond road or Payne road further north of where our property basically ends. It primarily be just Bridgeport road and Payne's Pond in that section.

**Bowe:** And y'all will be building a few buildings with substations or whatever they are, that are closer to the road?

**Merrick:** Yes, the Northeast portion of the project site we would propose three things that would be a collection station, a substation, and then container for landscaping.

**Bowe:** But they will be constructed from Payne's Pond road as well?

**Merrick:** That will be accessed from Payne's pond road. Yes. That's correct.

**Bowe:** Okie dokie.

**Bickford:** You perceive your traffic primarily coming from route 20? Or 15? That's a busy corridor at Bridgeport rd.

**Merrick:** It would be a combination of those primary roads. But it would, it would avoid taking Payne's Pond road from that 20 entrance we would come down to Bridgeport road and then come up from the bottom.

**Bickford:** \*Inaudible\*

**Bowe:** Why don't you sit down right there for just a second? I'd like to turn to the commission. And let's talk about a buffer. What do we want in a buffer? Amongst ourselves.

**Shumaker:** As far as setbacks or vegetation?

**Bowe:** Well, I think 50 feet a good setback.

**Shumaker:** I looked at a few other ordinances in Virginia, Halifax adopted like 75 feet, so even more than what we have discussed.

**Bowe:** Okay, give me some more thinking about the buffer itself. What we want? we want so you cannot see through it correct?

**Gooden:** Is there a buffer on 60? I just am new to this.

**Bowe:** That's why we will make sure there's a buffer on this project from now on.

**Gooden:** That's my question. Because I looked at it and didn't see one.

**Bowe:** Its supposed to be two roads there but it they actually tore down an awful lot of vegetation that was along in front of their property between the solar panels and 60. But that's water over the dam right at this point down. First of all, I talked to Weyerhaeuser today, and I think these guys pretty much understood now that they can in fact buy all the timber that's in that 50 foot standing at this point. Now, and I assume that's what you'll do, but if not, we will have to work on establishing a buffer that cannot be seen through during the first five years while a buffer is growing. So let's talk about that. What are we? What are some thoughts on how we accomplish that one.

**Bickford:** Well in the case of the Weyerhaeuser track as well as CNCT track down on 20 they have plantations established already? So I guess the question is, what is the height you want and the density of the trees as far as MCT the one on 20 that pine is established enough just looking at it. I said 12-13 years old, \*Inaudible\* that's pretty much outside as well as Weyerhaeuser track I did go in, and opportunity to come through there and look at some of that, and they've got the same situation and some of their pines establish plan in place, and it's sizable enough that you're able to see over and nor going to be able to see through that. So I guess my question is, if you go with the 50, or even if you go to 70 or something in between whatever you want to start with the height, and the density will probably help you a little bit. Most panels are what 8-10 feet?

**Merrick:** 6-16 feet.

**Shumaker:** That's another question do we want to stipulate how high they could be I don't know if you guys looked at some of the other ordinances but I chose Halifax just because they were the Gold Rush pretty much of the solar farms here but they have 20-foot maximum height of their panels at the lowest grade. So you would think that 15-foot vegetation you know will give you something.

**Bowe:** You know; I don't think that we need to worry about... what am I trying to say here? I think that there's ways of achieving this without making somebody go out and spend a million dollars landscaping I think we can the way I understand when I personally road the thing I saw a few areas that needed attention and they were along. Is it taggers? No, that's not the name what's the name of the road this was I was on? There was a part of Bridgewater, it had been pretty much cut clear. And all of a Payne Creek Road had been cut clear on the right hand side. So those

are the two areas that have no need attention My thinking was we're going to take a 50 foot buffer. So let's just take the 10 feet closest to the road in skip it and talk about the next 40 feet. These were planted by Weyerhaeuser. So it's what are they at 10 foot eight foot apart?

**Bickford:** Eight by 10.

**Bowe:** So we got 80 square feet. Each 80 square foot block should be supplemented with three or four additional three sealants of two or three years old is set to match those kind that are in there now. Then we jump up to the front 10 feet. And that's going to be an annual process until the buffer is tall enough that we cant see over which should take five, six years Johnny. So we're talking about an annual process for maybe five years on 10 feet of land border in every place that has been cut clean. And what do you plant that 10 feet I don't care just something tall. It grows quick. sorghum, for example. And I'm not saying you got a plan store. I'm just saying I know that works. And I know if you take a 10-foot swath of soil, you're not going to see anything through it is relatively cheap. And it's not something that requires a lot of attention. You can play a corn there, but corn is going to quickly come apart once the winner is in you're going to see through so I'm not sure corn does the job. But there's something that you can get that'll account accomplish the goal that we have of not making people look at this thing for five years before maybe they get a break. Anybody else got any thoughts on this? Have we said enough on buffers? You got any better ideas? Anybody? In which subjects when you come back up here next time, if you've got a better idea, you know, I'm not telling You got to do that. I'm just trying to think of some ways that we can accomplish our goal. We should keep our citiznes from having to look at these things for five years minimum. Okay. Now Nicci, I can turn it over to you, whatever it is you want to do here,

**Edmondston:** Mr. Chairman, based upon last week's meeting, and before our work session, I took the three things that were discussed, were most questions were raised. And that was in relation to the consideration of the size of solar farms, whether it be the acreage or the megawatt to the economic benefits to the county. There were lots of questions surrounding that. And then, of course, exactly what you're discussing now, especially use permit conditions. This is where the questions in regard to your buffers whether it's setback or vegetation, they'd be addressed. If there's anything that you want to add, change, delete, modify, conditions, 10 11 and 12. deals specifically with what you were just discussing.

Ashley number 23, actually addresses the maximum height of the panel. So it is it is saying yes, Halifax does offer information, too. So as we are as you move forward and determine better ways to address this project will dive deep into those conditions. But I laid this here for groundwork for tonight. So what questions do you have in regard to that or? So those three items, or did I miss anything?

**Bowe:** Let's start with the first consideration of size and acreage of the solar farms. I think what you're getting at here is how do we want a whole bunch of little ones or more a few big ones, or a few big ones and a few small ones or what exactly are we looking for? What's our goal?

**Edmondston:** Just to offer what's existing in the county right now. As you know, Buckingham solar one is a 19.8 megawatt that's the first one's probably referred to as the Firestone solar project. And its inception on Route 60. That is currently operating. The second 20 megawatt solar farm is Buckingham two solar that's also located on Route 60 in the same area that's under construction now. So you can see those are 20 megawatt, they're side by side because of their location to transmission lines. And we also have approved black bear solar, which is a 1.6 megawatt a smaller solar farm last summer on the bill branch road. current projects are of course, Riverstone solar, which you've heard a presentation from last week, and Jimmy Merrick is here to contribute to answer any questions that are posed. And of course, this is a proposed 149.5 megawatt solar farm located on Bridgeport. And we also have before us two community solar projects. Those were IPS solar, both were two megawatts, one located on gravel Hill Road and the other on Route 20. In the next four to six, possibly eight months, you will probably be faced with other applications that will be much larger than two megawatts, possibly not the size of Riverstone solar, but very large in and of itself. So it gives me a great thought in regard to what you address last week, and that would be the size of these solar farms, you must remember that where they're located, is where the transmission line exists. So you will see projects of this nature, the desirability of the project's size, just as chairman Bowe mentioned just a few minutes ago, do you want to see many smaller sites or a few larger sites and remember, based upon the size that's where the positive economic benefit to the county would lie.

**Dorrier:** Did you say that the size would benefit more from them larger than small.

**Edmondston:** Yes, a larger solar farm would provide more economic benefit to the county. If you were to look at this in multiple buckets for the county. There are

ways for a stream of revenue to come in the larger the megawatt and the solar farm, there's legislation for a revenue sharing ordinance which has not been adopted here, Buckingham, but that would provide 1400 per megawatt, which is also introduced in river stones application for a total of approximately \$14 million over the lifespan of the farm, which is 40 years. So that would be the revenue stream from a revenue share ordinance. There's also a sighting agreement in which negotiations can be made for economic impacts. And then of course, the tax base for the land within the solar compound, where it may be valued at once \$2,000 an acre in its agricultural determination, once it moves forward with a solar farm if it were to be approved, your tax value would increase significantly 10 to 12 14,000, whatever that determination is made at that time. So there are real economic benefits to a solar farm of this size under two megawatt at this time, there's no revenue share available, no signing the agreement, and 1400 times \$2800. In comparison,

**Bowe:** What you think Steve?

**Dorrier:** I'm just not up on this large of a solar farm. I know Buckingham is, is looking at different solar farms. Were right in the beginning, we don't know a lot about it. You don't know how to consider what's going to happen? What would how are we going to manage it? Or how they will manage it. I just don't know what to expect. Maybe a small one would be easier to smaller, smaller one would be easier to manage. We can have a handle on but this is a big one.

**Bickford:** What limited information ive gathered? I recall require that it be larger is the substation if I'm correct on that, right. Are you referring to some of the ones I read, it's up to \$10 million for the substation to be constructed? So that's, that's why you need more acreage to justify an expansion. That's alao a risk let's take these indicators for the benefit coming into the County with the revenue. These are going to small. And apparently there's something there's a breaking point where you got to stay out a certain amount acers to justify the expense. If you drop below that to drop down to the smaller ones, they can hook off the existing line, you know, doesn't require substations. But it doesn't produce electricity generation and generate enough and of course you don't have the economic benefit.

**Bowe:** Probably got to put three phase in there, don't you?

**Edmondston:** Smaller farms can operate off the three phase.

**Bowe:** Yep, what I'm saying is you probably got to put that in in addition to the substation, don't you?

**Bickford:** Well, I don't think so on the main transition line because these larger and I'm sure that's what I'm looking at unlocking the lower transmission lines working with a sub site to make a direct match. So that that's sort of the position or the history of where we're at right now with lack of a better way of describing either got to be small or large not because of the logistics it dosent allow you to be in between.

**Dorrier:** Question How will this impact land? And the things on demand? People around? You know, I know a lot of people who live in this area? How is this going to affect the environment? It being so large, just things in the back of my mind? How can we make this suitable for people living around there?

**Bowe:** I'd like to think getting this thing to where they won't have to look at it is a good first step. It won't make it go away, but you at least not going to have to look at it every day.

**Edmondston:** The applicant has included Property Valuation reports, I'm not sure if we've been able to get to those parks yet. As mentioned, since this is the project of apex, if there are specific questions related to those buffers, or the property values or the impact on wildlife Jimmy Merrick is available to answer those as those studies have been conducted, as indicated in this application.

**Bowe:** Anybody else have any thoughts on how we can make it more livable for the people in the area? Lets try it that way.

**Gooden:** In this presentation I thought they said that they look at the waterways and the animal travel ways, all of that was to be maintained. And that the vegetation, it's so that the soil will not be lost. And so that another huge impact, so it would be established, and it would not be a huge impact to the wildlife. And that that the waterways would not be affected. So you wouldn't be affecting in the water, or the hunters in the area.

**Bowe:** Other than the land being taken out.

**Gooden:** Other than the land being taken out. But still with the and I'm looking at this picture that I'm looking at, it's like we're going to establish make sure we have the animal trends that travel ways with how the animals travel through the areas that would not be disrupted. Although if you fence this puppy, I don't know how...the animals that are just going to leap over and keep going.

**Bowe:** Well, now, the areas that... they use the term perimeter fence, and that's not a good term is a perimeter fence per parcel for collection of solar panels. And then the roof. Let's say it's right here on top of the land falls off down the Creek back up into the wildlife corridor that will be finished. This will be fenced...

**Gooden:** But not the whole area.

**Bowe:** Exactly.

**Gooden:** Okay.

**Bowe:** Am I right?

**Merrick:** That's correct.

**Bowe:** Okay.

**Gooden:** Now, is this what you were showing, as with regard to preserving the layout and the animal pathways?

**Merrick:** Correct. that's a that's a map indicating wildlife corridors. So that's, that's areas where we're proposing leading, continuous paths of natural vegetation where wildlife would be able to travel to the project once it's constructed.

**Bowe:** And if I might interrupt for just a minute in its narrower portions its still a quite a wide area. I'm just guessing on this scale is probably two or 300 feet wide?

**Merrick:** Yeah, it's one of the major federal wildlife corridors.

**Bowe:** Do you see a scale?



**Gooden:** Yes right down here? mean, yeah, okay. Look at this. This is a mile and a quarter. Am I reading that right? I forgot my glasses. What is this?

**Gooden:** No, that's .125 no .4 tenths kilometer long. This is a quarter mile.

**Bowe:** Okay, so quarter mile, that's at least an eighth of a mile Would you agree? And the eighth of a mile wide, which will be up at 600 some fee? 300. So the point is that these are not just 45-50 foot on either side. These are actual areas. Maybe because of topography, maybe because of good planning. I don't know that they're considerably wider. Now. Some of them I mean, when you go from there to here is a half a mile wide? Yes. On some of these so that pretty much answers that question, doesn't it Joyce?

**Gooden:** The light green are the corridors? Okay. I'm sure.

**Merrick:** That's correct.

**Gooden:** All right. That's what I'm looking at. No, these are the pathways. Okay, no. So this is relatively why this is really differently now. So these are narrow. Right? And so all of this, I'm assuming will be the panels?

**Bowe:** \*inaudible\* It's not just the 25ft that's required by forestry.

**Bickford:** Inaudible\* also in your new narrative you said you followed the natural terrain and when it became too steep you back off.

**Bowe:** What was your cut off slope?

**Merrick:** Generally greater than 15%. As a rule of thumb, we can we can talk very easily up to 15%. But beyond that... We've delineated all the existing wetlands throughout the entire project area. So it's the existing streams and then also the wetland areas. And outside of this process, there's federal regulation where we're required to impact as well as we would actually be held to a much higher standard than it was typically for forestry operations. Because we're not protected under this exemption that most foresters operate under and so your forester review can be taken 50 feet off the stream centerline, and then and then you can clear 25 feet of that as long as you maintain 50% of the canopy. They go against delineated wetlands, basically, they just have to go to the stream center, we're typically back

hundreds of feet beyond that even further wherever you have streams or wetlands. And that's indicated on our site plan, all the delineated wetlands, anything like that. So as a result of the changes in land use, as silviculture exemption no longer apply. We have to, we have to cooperate. Very important years, instead, we're just say that just to say that we're hoping to serve a higher standard, some will be set back even more. So what the county may be used to, from one perspective and impact the existing wetlands to the extent we can, in some instances, we may require a stream crossing for road, but for the most part, has to be preserved.

**Dorrier:** On this. On this for the access here, down on the other side of I guess it would be the West. What will that consist of? What do you need? Will you need a right away from the people from they have to go through the line.

**Merrick:** So there's a there's an existing route their existing route to their quail run lane and Weyerhaeuser actually has easements already in place. So when they logged that, that part of the property, they come after us, both the pros, with their logging trucks, and aggregate and things that they need to conduct their operations. So there'll be no additional easements or anything that will be required. That would probably be a different story than if we were proposing to use them for construction. But we're not. We're proposing to only use those Western roads for operations and maintenance. And that's just one to two pickup trucks a week. So it'd be very minimal. We actually probably wouldn't be reduction of heavy traffic because warehousing will no longer be using it. But there's logging trucks, pickup trucks in lieu of those. But to answer your point, no. Right away would not have to be expanded no additional reason it would be necessary

**Dorrier:** State Road 672 is Bridgeport road,

**Gooden:** 652.

**Dorrier:** No I'm talking about Hummingbird runs out down it does not join through I know it turns into a private is private lane. It goes into a cul de sac. And then it's dead right there. The state doesn't maintain that anymore, you'd have to get some type of right away, or half a mile through there to get to them.

\*Inaudible\*

**Dorrier:** you'd have to access his private property That's not a state maintained road. You'd have to get a right away.

**Merrick:** \*inaudible\* Weyerhaeuser we have a lease with them. So we're essentially renting the property for the duration of the project. And we would be able, just like if you're a hunter, and you lease a property to hunt on it, similar to that, but we 'releasing it from our solar project. And as a result of that weeks, we have the ability to construct roads, solar panels, screening, substation, etc. Wherever is essentially necessary for the construction and operation of the solar project. We have been graced with the land activity.

**Dorrier:** You may have a little opposition when you go through that I mean, Weyerhaeuser might have a right way. But I think you may have a problem with landowners. You might want to investigate that a little bit more.

**Merrick:** Sure. Yeah. And that's, that's part of the reason and we talked about this a little bit last Monday. So that's part of the reason why we're committed to not utilizing those roads during construction. So that's a commitment that we made in our in our application. It's an additional expense to the project, but we're happy to make that to keep it keep the peace in the neighborhood.

**Edmondston:** Steve, you may want to look at the 3.6 easements and encumbrances, because it shows it a little bit easier to read when State Route 762 and Hummingbird road where it comes to an end.

**Dorrier:** You don't have another packet do you? I don't have one.

**Edmondston:** I do I have a few in the back as well.

**Merrick:** So that is an alternative on the red says we're not going to utilize those red, red red on there or we're limited from construction and traffic. So that gives you an indication of whether that's what....

\*Inaudible too many people talking\*

**Dorrier:** So there's just one small stretch that wont be involved that just threw me off. I thought that was gonna be an access, but it won't be an access. The small box the red box.

\*Inaudible\*

**Dorrier:** I thought it was going to be an access into the property as a problem.

**Shumaker:** I'll jump back to the question you're talking about if we prefer the big ones or small ones, and I know this one's probably outside our comfort zone because it's like six times bigger than the ones are 20. But if you guys involved with the clean Economy Act kind of job was probably more familiar with that than any of us but through 2035 this is kind of the future they promise big things for renewables. So, while this might be your first one, I don't think it's going to be your last as Nicci maybe indicated. So I think we need to take some time to get our ordinances around comfort level up as a planning commission. But I also think it will be fiscally remiss if we didn't consider these big projects where the county had \$14 million in 40 years. And it should have said last week being the number one taxpayer just during the construction here. So I think those are big things if we can all get our ducks in a row. So I don't know how we go about taking a step back other than a moratorium on any new solar applications. I don't know I need to make a motion to do that.

**Bowe:** I don't know if we do that or not? EM?

**Wright:** What are you asking? I want to make sure I'm answering the question that you're asking.

**Shumaker:** Our ordinances and our comp plan, since we don't have enough about solar, but since we seem to be moving fast pace, but just by this month, having three on the agenda, is there a way to take a pause to get our ordinances up to snuff before we keep accepting more applications.

**Wright:** Locality's go about solar in different ways the preferred way, we call it another preferred way. As you move citing Halifax, Halifax has adopted an ordinance that sets forth a lot of criteria that they want to apply Chesapeake is another one that comes to mind is going to refer to the same thing. The other way that we're managing it, historically would be these projects based by the use of the special use permit. In other words, the conditions that may be found in Halifax's ordinance, saying these are the things we want to happen. Wherever that's possible that now you can put those as conditions in the special use permit, they can choose

to re up if you're brand new to the finish line for the provinces that are wrong. It doesn't necessarily require service, the province or the planning commission or board even run parallel tracks already, we've acknowledged some discussions of your body, there are some things that need to be adjusted in terms of application, there needs to be some discussion of really whether you want to adopt a ordinance approach or whether you want to continue control, the control by special use privilege and putting conditions in the special use permit. So that really becomes a preference because you had before you three applications currently,

**Bickford:** I think what Ashley was saying is any new ones. The three before us would be decided on we wouldn't entertain any others until we actually got our ordinance straight.

**Wright:** If you want to do that I think you should in coordination with the board because the to go work together, the two boards work together to express to you what you want to happen. And before ask for the formation of the study group, I asked him to task this group with what are the work involved in terms of revisions of ordinances, what you might want included? I mean, that's certainly a weight of perceived value very valid questions as to whether we want to incorporate in other words instead of having a discussion about what the conditions are. But conditions already spelled out to whoever comes behind saying Well, we've got this ordinance we hear the things that need to be entered founded and how it actually affects all of us when we started talking about lawyers are very good at borrowing other people's decorations, looking at some things and conditions and make sure to check for project launches and discussion. You can proceed on these in the same time again, we're going to watch changes you may want to wait for doable answers.

**Bickford:** While we're making our changes do we have to if another application comes in front of us do we have to we have work on that. We've got three now we have to decide on when we're talking about that. And say on 30 days now we haven't finished our changes or whatever we want to do for for our zoning ordinance do we have to accept...

**Wright:** in other words can you stop taking applications. We cant stop that will create some difficulty for you now how quickly you act on them to be another understanding.

**Bowe:** So getting back to her motion, is that something we can vote on or not. if we vote on it what would that mean?

**Wright:** The motion is what?

**Shumaker:** I don't know if that would be plausible. Well maybe the position of getting us to not accept any new ones. And so we had some sort of ordinance and we're verbiage and special use permit that if we can't stop taking applications, legally,

**Wright:** I guess what I would ask you to do is not to act on that motion tonight, I will have to look at a little bit more carefully in terms of a moratorium on that and y'all will come back, you have a meeting. Right now, three weeks before the patient should be considered. I don't think we will get any new applications of any kind. I don't want to sit here and give you bad advice. You said that you can and can't. And are we're getting rid of folks in ways that would be more from I think that's a very complicated question. And I have somewhere where I can find a way to do it.

**Bowe:** So your withdrawing.

**Shumaker:** It wasn't an official motion. Just discussion...

**Bowe:** So it was dropped. Any other thoughts?

**Shumaker:** That'll do for now.

**Bowe:** Anybody else have any thoughts on that subject?

**Bickford:** Im in agreement with Ashley that will give us time to see if it's a doable thing. For any new applications, it's a chance to decide on the conditions that nicci has given us here size and things like that. So we can make that decision. We know that we know when something comes upon us we've already got the basic structure we want. Right now we don't.

**Bowe:** So we've got to just reach out and look at what we've got. And say, how did we screw up there? I mean, that's, that's what that's what we got to look at.

**Dorrier:** We improve.

**Bowe:** Yeah. And the only thing that I really see this a problem with me is the lack of a buffer. Lack of a legitimate buffer. If you went a little bit far down 60, and look to the right, that was not anywhere near as bad as the one on the left. And if you turn right there on was a Payne Creek Road. The one down there is even better than one on 60. So, you know, I think we're heading in the right direction. But all we could do is look at what we've done and say, hey, what could we have done better?

**Gooden:** Is it only the buffer that concerns?

**Bowe:** No, no, that's not the intent. I don't know if it's just the buffers. That's what I'm asking y'all. I mean, that when I look, that's what I see.

**Gooden:** And I agree.

**Bowe:** But what else is in there that shouldn't have been? I mean, obviously, some loads are way too close to those houses along 60. I'll grant you that. But once again, it was our first one. That's right. And we had no drag nothing to go on. So, you know, mistakes we've made. We'll try not to re remake in the future. But as far as, you know, how can they get the more panels in there? I don't know. Don't let me like no one will fit anywhere. And they all seem to be working. I mean, they move they drag the sun, so nothing's hitting each other. So spacing must be adequate.

**Dorrier:** Is this the time to ask any more questions?

**Bowe:** Sure.

**Dorrier:** I'd like to ask one of the decommissioning, how many have you decommissioned since you've been doing this? I don't understand I mean I know its in all these pages but how do you go about doing that?

**Merrick:** Decommissioning the solar project is is pretty straightforward. But we address it from the onset. Before construction, the project starts, what we'll do is we'll create what's called a decommissioning and rehabilitation plan. And we'll provide that to the county. And so the county will want to do that. And before we

start construction, we'll make sure that we're on the same page and agreements with the decommissioning and rehabilitation plan. And then the cost of decommissioning the project is estimated by a third party engineering firm, and then the gross value of that cost and sort of secure, reforming, Share, and place with a third party. And so the county has that money, it's up to be a bond, where if we were ever to go bankrupt or the county and stop returning your calls, the project, you know, is no longer operational, the county would have the money reserved, through a bond that they could use that money to fully decommission the project. And so there's financial security, that will be set up for that an extremely unlikely scenario. More than likely, the scenario would be that the project are operated for 40 years. And then once the useful life of the project is over, we would initiate the decommissioning and rehabilitation process. And it would, the entire project would be deconstructed, the panels would be removed from the racking system, electrical wires would be disconnected, the steel racking would be removed from the pile folding it up, the piles would be pulled out of the ground, we would pull everything out of the ground that's 36 inches below the soil, we would even remove all the access roads if Weyerhaeuser wanted us to do that, we would remove everything except for the AEP substation, that would likely remain because it would be owned by AEP. And it's a benefit to the citizens to have had that substation remain there. So all of the infrastructure that was placed there would be removed, if Weyerhaeuser would like we could leave the access roads. But then from that point on, moving on, and it would be up to the landowner or the Weyerhaeuser or at the time or another landowner to use that land for another, another lane, whether it's commercial time, or corn, or any anything else like that. Available to use it for something else, because the short term was probably prepared as it would be completed and still have that land.

**Dorrier:** Have you decommmised any that you know of yet?

**Merrick:** our company was formed in 2009. We're about 11 years old. And our company has never been commissioned to a solar project because of their operational life span is greater than the age of our company. Now, with that being said, there are solar projects and wind projects, but solar projects that have been decommissioned. And there are also case studies that have reviewed that decommissioning process to understand the costs of it and the timing and things like that information is available the project are decommissioned. So while we haven't specifically done it, there are construction and engineering firms that are have done it and are capable of doing it. And then you know, there's a there's a



home for all the materials when it comes time to do that. solar panels are either reused or recycled, the raw materials and aggregate is taken the various floors and salvage scrap there's value in that and that material for highly valuable materials steel and copper brass and things like that.

**Dorrier:** So they do use that? I understand there is a certain amount of toxic waste I understand on some panels, some type of panels. But I just wonder, you know, what do you do with that toxic waste? I mean wouldn't want it to dumped in Buckingham County. You take something as large as you have, and I know its 40 years down the road. But what's going to happen to that? You were explaining that he would dismantle it and use recycle and everything, but we're just concerned about toxic waste and things being dumped back into the soil.

**Merrick:** Sure. So there are decommissioning groups that they can recycle these, they pulled the aluminum off the glass off. First Solar is one of them. They're US based manufacturers. To your point about chemicals. This is the solar panel is the same thing you see on homes. This technology isn't new. It's been around for 40-50 years. It's not It's not. It's a toxic waste. It's not uranium or anything like that that's dangerous is really just chemical chemicals, solid state chemical liquid is it's mainly the number of materials, mainly glass, wrapped in aluminum, and it has a silicon membrane in the center. And the top layer is negatively charged at the bottom, they're positively charged, harvests a photon from the sun, and then it basically that will transfer through the silicon. And then that creates not only an electron, like an electron is positively charged begins to occur. And so that transfer through the silicone will then allow it to transfer through the collection and then up into the substation. So I can give you a breakdown of what's in the panels. I can even try to get my hands on a panel to show to see you can look at it but there's no toxic chemicals in the panels. And I can I can send you some literature that goes that goes into that and you can review yourself.

**Bickford:** The substation you're building that's specifically for this site correct?

**Merrick:** That's correct.

**Bickford:** Is there any capacity for someone else to hook up in the future?

**Merrick:** Based on our analysis, we would be really using up the remaining capacity right there on that line. It is it is possible down the road, as transmission is

upgraded across the Commonwealth. Every time you make an upgrade to something, it may open up additional capacity. And so I can't speak to the future capacity and 50 years from now we could live in a very different state. And a lot of different upgrades could be made. And there may be areas of open capacity in the Commonwealth that haven't taken up yet. But we will be responsible for building the substation, we will be responsible for the cost associated with that. And so we're doing we're going to be the ones responsible for that. And so more than likely, this wouldn't be used for another solar project down the road if it was used for another solar project down the road. And they would have to do the shared facilities agreement which gets really complicated. So more than likely the answers.

**Bickford:** But the reason I asked is I have some timberland up to the east that actually joins. So just questioning for that.

**Shumaker:** Quick question. I guess this is probably for EM for solar. What are the benefits or drawbacks compared to local ordinance or a special use permit?

**Wright:** I was sitting here thinking about your question. When you get to good stopping point I was going to say to you that actually not to you, to the whole group, and that it will be very helpful to whoever's going to create what you want in that new ordinance listen to the discussion and the conditions that you place on the solar farms that are currently in front of me. Because I'm assuming you were all will work pretty hard to get those conditions, right. And so you're almost the lifting whatever these types of conditions are, and just dropping them over into your ordinance. There is some advantage to the orders that you don't have to have the detailed discussion, every time you get a project before you to narrow the discussion to make it a little bit more narrow. For the ordinance you need to consider. And then I am saying the thinking how we will vote this and I don't know what do you feel any obligation to make sure that was okay with it, because they ultimately are the ones that have to raise their hand and there have been some of us that originated that didn't make it across the finish line. But its not hard to start that part but it's not hard to say it's not for he is ad is as we listen to the discussion, and you put these conditions in place to create the framework that you just began to drop conditions and make it a point to your audience when they need to be viewed. So that puts them in the Halifax deal. And you're basically saying conditions.

**Shumaker:** And the ordinance will apply to all of our current zoning, as opposed to a special use permit in a1 or m1...

**Wright:** You'd have to make a choice. Do you want to fill up special use permit a composite of those terms so it still gives you some ability to say we want another little tweak right here? I mean, that really gets to be up to the Planning Commission and board in terms of all of this, but there are some jurisdictions that have given it as a matter of right? In other words, you would not be having a discussion about whether the solar farm might be in some places maybe with this size, you might know some places they've been building before don't come talk to us, I'm not sure we ready to go there.

**Bickford:** Do we have to have specific dimensions' size of solar farms at that point?

**Wright:** in terms of what? in terms of size or how much acreage. Which?

**Bickford:** Ether.

**Wright:** Going back to the Halifax and Halifax situation. categorizes according to size of the application. We have to pay for small applications or larger applications that pay off the notion to have prime farmland with some definitions, prime farmland has certain percentages, they get mixed... Chesapeake follows somewhat that same pattern with large and small solar farm. So again, the tough part most we hear the discussion, you're not moderators. And we really don't know what details and what items you want us to emphasize if we create that type of ordinance, so we will need or need some guidance on that. And it would not take too long to put together a draft and have somebody look at it and say I know this is what we want. But the same questions you're asking the chairman refer to we want to get it right. You got to look at your ordinance to you know saying Well, we'll see how close you can get quickly to it. if you look in the conditions, they talk about setbacks, they talk about it here we join them land over here on the side, we have a certain setback and you hear how she got a different setback. And in that setback, you got to have a certain amount of buffer I think they probably 15 feet for. Some of the questions you're asking and the answers you're trying to find will be what will actually drop them to the soul once you create that there are some that take a different approach in Halifax Chesapeake is not quite that large. So I mean we

can... Again, those decisions of what you want in the program be the same types of discussions you're having

**Bickford:** In you're reading on the Halifax ordinance did they put a small solar farm so they have an economic requirement threshold, I guess is a better way to describe it that they had to generate a certain amount for the county before justify allowing it.

**Wright:** No they talk about with large scale solar energy facilities they talk about those and small scale solar energy facilities and the solo small scale or project area one acer or less has some has a relative capacity of 200 kilowatts or less than is mounted on or over a building progress on the previously disturbed area utilizing integrated PBL. And the large ones. renewable energy project that either generates electricity from sunlight consistent with one or more PV systems and other averment structures and facilities within the boundaries of the site utilizes sunlight as a resource to heat and cool buildings who want are produced mechanical power by means of any combination of collecting transferring around the project, that array was to less than one acre has a rated capacity equal to or less than or equal to our callbox., I'm sorry, I went to the wrong place excludes those. So anything is not excluded. People are saying no; they don't have an economic requirement really started putting the conditions of what they have to do.

**Bickford:** Chairman, I would suggest this is a course of action we've talked So far a lot of the Riverstone property rightly so because that it's such a large project we do have these other two smaller communities that might do us some good to talk about that. And say, we got to make a decision either move on the public hearing, we don't have to make that decision tonight we do have another work session set up, if we choose to go that direction. I know both sites and the NCT the one beside the school is going to be out of sight between the vegetation that they got in the way that's moving the power off the road. You're not going to see that the one over on the gravel hill road by Larry Davis they took all his property. But it's off the road over 100 feet, we could require as if passed it would require some buffer be put up there. Right at facility within the first 25 feet outside the perimeter. But you're not going to see it from any other direction other than gravel hill.

**Bowe:** I thought when we looked at the pictures of we never got a package on the two smaller ones did with nicci they were all on the computer weren't they? I thought when I looked at the one over by the schools, the two panels were actually

front end route 20 instead of being behind the school. Maybe? I thought does anybody else recall?

**Bickford:** Should be behind straight street if I recall. If I read correctly, went in behind the ridge at straight street so you don't see it. They have own property and all of the timber and that too. I don't know which page that would be in the packet. Nicci do you know which page?

**Edmondston:** I don't know which page it is.

**Bowe:** If I recall it was on 20 I mean I might have looked at it wrong.

**Edmondston:** It is located behind the straight street building.

**Bickford:** The Entrance is off 20. if I remember correctly, it was situated where we went and it was behind straight street between the narrow property and the creek buffer to the east.

**Bowe:** That one should have a 50 foot buffer as well. Because it's a smaller one, I'm sorry, you know.

**Bickford:** And if I read the math correctly, they already they've got more

**Bowe:** Well, that's fine. They've not affecte then

**Bickford:** Ill have to look at the map again.

**Shumaker:** On the two smaller projects did a clarification on who their buyer would be? Those are called community Solar gardens are they the first applications we've had of that nature without a definitive...

**Bowe:** To my knowledge it is.

**Edmondston:** They don't indicate...They'll be generating power to the grid. The intentions running so solar gardens would and did not have IPS. Eric Carlson and Scott Aaronson on tonight, they'd be able to speak a bit more to the subscribers that are needed to that community, solar garden and those type of things. But that power will be generated to the grid.

**Shumaker:** That's what I read that it was a subscription based service.

**Edmondston:** I don't think that they mentioned in their application if they were, if they received final approval for their project, or if they would be able if and when to move forward for a building permit.

**Bowe:** It's just another reason why we need a package from people. Well, while she's looking for that, well, we'll turn to page 11. Or the what the conditions and let's look at conditions 11 and 12 they're the ones basically, they're talking about buffers and so forth. Yeah, I'm in the river stone. In the attachments, it's in the first few pages of attachments from that where it says attachments are called the pages of the attachments is where it is placed. Start on page 23. Okay, now conditions 11 and 12 supposedly addressed buffers prior to us talking so keeping in mind what we've talked about tonight. Let's just look at it and see if it fits. Okay, where it starts This requirement may be reduced away from the life of the solar energy facility if agreed to in writing. I don't think we need that. Yall?

**Bickford:** I assume your concern is if this land owner decides to cut timber. And he sold the property five years later. And the next landowner said what and the world happened. I could see that being the issue. So what you're saying is its permeant.

**Bowe:** What I'm saying is, I don't think this says what we want it to say. And it talks about...It confuse it to me try and keep up with who owns it when, where and why. You know, I don't think we need to go into it, I think we need to say there should be a 50-foot buffer around this project. And it must be to the point where you cannot see through it. Now, how you achieve that, you know, we can leave it up to them, or we can dictate I guess. Something we need to think about between now and the next meeting. When we jump down to the next one, number 12. We got to work do a lot of work on that one, too. We've already said 50 feet of native timber, of 15. And we talked about planting two rows of pines on 15 foot centers, you're going to say to them so that's you know, that's not even close to what we want. You know, I think you've got to look at it like each square is eight by eight Is that what you said john was an eight by 10 on a so that's an 80 square foot area? Well, 15 foot on centers would be you'd have two block if I'm looking for the center to the bottom.

**Bickford:** he's going to get to try to get hold of the warehouse and the plan on their silvicultural plan, they have a planning date. And right. Now, a lot you can see when you got over 500 trees to the acre planed, its going to be thick and that is going to be a close they plan on enough space apart. And as I go up and push out and close in and that's one of the courses when we grow up.

**Bowe:** Well, that's right. And bottom branches fall out and you can see right through we're talking about a 40-year project, and t

**Wright:** Think of it two ways, think of the setback. setback is how close they can get to you the road or adjoining property or on the land. That setback is is a certain number, then think and the way they do what they call a vegetative buffer. In other words, because you can get a vegetative buffer or 15 feet and it's 10 feet high in a you aren't going to see through it. So if you know well the trees may have some advantage, but they are the board you said it may get to a certain point in your seat through the other board. But if you talk about the setback, and then talk about that vegetative buffer, and I don't think you need 50 feet of vegetative buffer to prevent people from saying I think thing they have proposed 18 feet. The notion being first of all, stop people from saying that all you're doing is being redundant. Keep adding to it so you can control whether you can see if you put a 15-foot vegetative cover 10-12 feet high in here and you showed on outside I've never even seen whether it was 15 feet apart or more. So think about it I would suggest today but in two ways won't be the setback. Make sure we don't have things constructed to close and then think about the vegetative buffer path taking reasonable path so you don't see.

**Bowe:** All I know is if people can see through, they are going to be just as mad as I get every time I come up 60 and look to my right. But at any rate.

**Wright:** I think they were willing to control that they think you can make conditions and they've already got startup that you can control whether you're secure and it may not be day one but within certain number of years already would have to be a certain height to which you could do repetitive process and back into that state.

**Shumaker:** Right I think that's an important thing I might be missing from here is the maintenance of these over the life of the project and making sure that during disease or damage that these things are replanted

**Dorrier:** What's a buyer spruce?

**Bowe:** I noticed when I was talking to Weyerhaeuser, today, one of the requests they had was that we don't demand certain types of trees. In the reason they say that some of them don't go good with pines. I don't know why. For what you know more about that to me, Johnny, you want to speak to that for a second. We don't need a lecture just verification.

**Bickford:** \*Inaudible\*

**Edmondston:** Part Two, online is on page 25 of 797. I can get more information on NCN.

**Bowe:** Thank you. I would think we need to take each one of these conditions talk about them and get them to where we agree with them. Before we try to do anything else, and I don't think we got time at this point to do it tonight.

**Bickford:** We have a work session scheduled tentatively for the 14<sup>th</sup> of September

**Bowe:** Why was that on Tuesday night rather than a Monday?

**Bickford:** Board of Supervisors.

**Bowe:** Oh for the supervisors on Monday.

**Bickford:** Do I need that as a formal motion? we're just going to recess again.

**Gooden:** One more question will we be provided the links for Halifax ordinance?

**Edmondston:** And we can we can provide a link for that.

**Wright:** So are we having a meeting to work on all the conditions before we allow the public to comment on it?

**Bickford:** Yeah that's what we plan on doing.



**Wright:** So in other words, the process we've always used before was we have applications that allow the public to comment on and then y'all have time to massage your conditions as you need to.

**Bowe:** I don't think they needed massaging like these are going to need massaging. I think there's a difference here.

**Shumaker:** Should we use these as a draft or is there something that Mr. Wright would like to assist with that we would like his assistance with between now and then?

**Wright:** Sorry say that again.

**Shumaker:** I was asking the other commission members if we wanted to work with what we have here, or if we would like your assistance, and another draft between now and then.

**Wright:** Draft of what?

**Edmondston:** The conditions.

**Wright:** Those are not my conditions.

**Bowe:** But I definitely think we need to work on them. And I don't think this meeting is the place to do it. So maybe we ought to have another work session the 14.

**Wright:** You've got 27 conditions, you spend five minutes on each one, and that's 135 minutes or less a little bit over two hours and conditions that we only spend five minutes on each one.

**Bowe:** Some of them won't require any time but others might require more than five minutes.

**Wright:** Is there any advantage to each of the commission members sending in their comments on each one of the conditions and then maybe we can disseminate what we receive?

**Bowe:** Is that before the meeting or at the meeting?

**Edmondston:** Before the meeting and above the bad meeting, we were there saying here are the views

**Bickford:** That may streamline the process. I have to agree with that.

**Bowe:** We can do that.

**Wright:** When do we want them in by? Monday is the 6<sup>th</sup> labor day I don't think you want to work intentionally that day.

**Edmondston:** Tonight's Monday the 30th would you have a chance to get them to me by this Friday, the third or maybe no later than Wednesday, September 8. So the consensus is emails to me or some form of communication drop off to the office by Wednesday, September 8 close business.

**Wright:** In regard to sending you a link that we send you a link to it would be the benefit if we just cut out the appropriate section relating to solar, and just send that to you as a PDF will then be easier than ever.

**Bickford:** Okay. So we are just reconvened?

**Bowe:** Correct. We're going to reconvene if we do that, can we reconvene twice?

**Wright:** Yes, of the things you want to do last time when you get ready to go to the next meeting. If there is anything else, we'll send a PDF with the Halifax information Chesapeake information. If i see something else \*Inaudible\*

**Bickford:** If no more questions I make a motion to recess.

**Dorrier:** Second.

**Bowe:** All in favor, indicate by raising your right hand, unanimous.

**Commissioner Bickford moved, Commissioner Dorrier seconded, and was unanimously carried by the Commission to recess the meeting.**

There being no further business, Chairman Bowe declared the meeting adjourned.

ATTEST:

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Nicci Edmondston  
Zoning Administrator

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Patrick Bowe  
Chairman