

**Buckingham County
Planning Commission
September 27, 2021**

At a regular meeting of the Buckingham County Planning Commission held on Monday, September 27, 2021 at 7:00 p.m. in the Peter Francisco meeting room, located within the Buckingham County Administration Complex, the following members were present: Board of Supervisors' representative Danny Allen. Ashley Shumaker; John Bickford; Patrick Bowe; Steve Dorrier; Joyce Gooden Also present were Nicci Edmondston, Zoning Administrator, and E.M. Wright, Jr., County Attorney. 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- six of seven members were present. The meeting could continue.

Bowe: Adoption of agenda.

Allen: So moved.

Bickford: Second.

Bowe: All in favor raise your right hand. Approved.

Supervisor Allen moved, Commissioner Bickford seconded, and was unanimously carried by the Commission to approve the agenda as presented.

Bowe: Approval of minutes August 23rd.

Allen: So moved.

Bickford: Second.

Bowe: Have a first and second all approve are in favor raise your right hand. Unanimous. August 30 work session.

Supervisor Allen moved, Commissioner Bickford seconded, and was unanimously carried by the Commission to approve minutes as presented.

Bickford: Moved to approve as presented.

Allen: Second.

Bowe: We have a first a second All in favor raise your right hand approved unanimous. Public comment?

Commissioner Bickford moved, Supervisor Allen seconded, and was unanimously carried by the Commission to approve the minutes as presented.

Edmondston: Mr. Chairman, we do have three public comments a phone message and two that were emailed in. I apologize. Mr. Chairman, I'm sorry the comments that I was looking at was actually for the public hearing there are no public comments this evening.

Bowe: Close the public comments Old business.

Edmondston: Yes, sir. The first case this evening for all business is going to be for case 21 SUP 290. This is for Apex clean energy and Riverstone was presented to you as an introduction in August and there were two work sessions held on this case. The applicant Apex clean energy is here with us this evening. The property information for this case is tax map 17 parcel eight contains 520.185 acres' tax map 17 parcel nine containing 97.4 tax map 17 parcel 13 containing approximately 59.5 acres and tax map 18 parcel two containing approximately 1286.43 parcels are north of Bridgeport road east of Route 20 west of hardware road and the slate river magisterial district. It's currently zoned a one. The request is that the applicant wishes to obtain a special use permit for a solar generating facility for the purpose of constructing and operating a solar photovoltaic module to produce up to 149.5 megawatts. The power generated will be linked to the electrical transmission grid via the existing 138 kilovolt overhead high voltage transmission line adjacent to the property. The applicant Jimmy Merrick, with Apex clean energy is with us this evening. If you'd like for him to come to the podium, I believe he may have a presentation.

Merrick: Good evening, nice to see you all again. I put together a brief presentation just to introduce some new information and for the sake that it's a it's a public hearing tonight. If you could go to the next slide, please. My name is Jimmy Merrick. I'm a development manager with Apex clean energy. And today I'll talk to you a little bit more about just an overview of the Riverstone solar project for those of you that are dialing in today or joining us in person that are just now coming tonight. I'll keep that brief. I went into very much detail on the August Planning Commission meeting. And so encourage folks to look at that recording of if they'd like to see more as far as a presentation perspective from apex. But mainly what I would like to talk to you all about today is that since we last spoke, it's clear that view shed was an issue and that the county wanted to make sure that the rural character of the community is maintained in the vicinity of the project. And so we've what we've done is we've done a view sheds simulation analysis and it's so it shows in detail you know, before and after pictures along major right always are areas that you know, Pastor buyers will be able to see the project and really show you

kind of what it looks like now. And then we're going to look like in five to seven years, and then in five to 10 years as well. And so what I've done is, Steve, I don't think you have a copy, but I had three copies. They're out there with Pat, I think he's passed them around. So I have some physical copies. But I've also included some slides in the presentation. So if you look at your screen, you'll also be able to see it. So just to recap for the folks that are just joining us that Apex clean energy is proposing 150 megawatt solar project in northern Buckingham County. The project will be bordered by the south by bridge for road and is divided through the center by paynes Pond road, and so it'll be on either side of paynes Pond road. The projects will be like I said, 150 megawatts. And so that's enough to power about 30,000 homes annually. This is a utility scale projects, and we'll be generating quite a bit of power. But with that, the county will see quite a bit of benefits from it. It represents about \$190 million investment to the county. And as far as direct revenues, we worked with a third party economist to look at the project and understanding the value of the materials that are going to be on the real estate there. And then also the power that's going to be generated from the project, we estimate that the county received \$14.8 million in revenues over the life of the project. in year one, actually the Riverstone projects would be the largest taxpayer in Buckingham County. And then as far as an environmental perspective, the project offers quite a few benefits from an environmental perspective, just the fact that it's a clean energy project. It works to decarbonize the grid, and allows not just Buckingham, but the rest of the Commonwealth to transition to a cleaner transmission grid. And so this power does not require fuel. It does not require, it doesn't require anything to operate, there's very little moving parts, there's no off gassing or anything like that. And so from like an air perspective, air will be clean around the project. And it'll decarbonize the grid, it'll offset about 277,000 tons of co2 every single year. And to put that in perspective, that's the same amount of carbon that's actually sequestered by 308,000 acres of forests every single year. So this project has a significant impact, positive impact on the environment being that it's clean energy. And again, I encourage folks to revisit the August meeting if you'd like to see more information I presented in the past. But in light of the agenda today, I'll continue to move on. This is just another slide reflecting the left column is the current agricultural use, that's that the property is in for the project area. It's a 2000-acre project areas wyerhauser property, and over the 40 year life of the project. That property, if it stays in its current agricultural use would be about \$303,000 to the county. But with the proposed use, you see in the right column there, we would anticipate that the county received 14.8, approximately a million dollars in direct revenues from the project. And so it's a significant uptick in county revenues that the county can use for capital improvements or just to keep taxes low. Also, during construction, there's going to be a one point there flux like during construction or be almost 500 jobs about 480 jobs as we anticipate a lot of those we think about 400 can come locally. construction sector is one of the largest sectors in Buckingham County. And it's a pretty simple technology. And you know, we'll be trying to source aggregate locally and excavation locally and installing racking and things like that. It's a pretty simple process and a lot of those jobs can come from Buckingham County. And with that, so we have about 482 jobs that's that reflects about 24 million in wages just during that one year construction period. And then you'll have folks you know, buying food and McDonald's staying at hotels, you know, when you have that many people sort of coming in the area that has an additional influx of revenues that the county can enjoy. And then just in state and local taxes, we anticipate that the project to generate almost 2 million in state and local taxes and then the

next slide so this will basically be The conclusion of my PowerPoint is just walking through the view shed analysis that we've done. So, given that view shed has been discussed in depth, what we did is we worked with stantec, which is an engineering firm working with their Williamsburg office, we had some folks out and we went out to the site. And we took photos. So each one of these dots represents a photo that was taken. And each one of them has a unique identifier one through six. And then the arrows you see is the direction that the photo was taken. And so you know, it was taken from a photographer, so it's about head level, from that point, looking in that direction. And so you can reference back to this map is sort of we walked through as we walk through it, but what we've done is we've modeled it based on conditions 11 and 12, that we've drafted is, you know that we will leave existing vegetation along, right, always along Bridgeport road, and then along Payne's pond road, and then also along the perimeter of the project. And so we took into account, all the current site conditions, these photos were taken, basically a week and a half ago. And then what we did is we simulated what it would look like in five to seven years, and then on the , seven to 10, or 10 to 15 years. And so we'll go the next slide here, but keep in mind, sort of where these are located. So here's the location of photo one. This is right where Payne's pond intersects with Payne's road. This is the most northern part of the project site. And it's looking to the southwest, mainly last though, and so you can see there where what we've done is we've tried to choose locations like where you actually have decent vantage points over the project, we chose higher elevations in areas where you had lower growth and tried to be really conservative as far as like, what folks would actually see during construction and then into operations. And so we tried to locate and mostly the intersection points, so they're easy to identify with this is looking west, from pain pond road and pains intersection point. And then, so this is the before and then you go to the next photo, you see the trees will grow up to an extent there right on the west side of Payne's pond road where we estimate that you would not be able to see the panels that those trees were planted in 2015. And, and, you know, this is five to seven years from today's date. So we're talking 2026 to 2027, those trees would grow up even more, and you wouldn't be able to see the project look into the last as you're driving down Payne's pond road, and then if you go, the next slide, continues to grow. And then you know, the trees right in front of where we're took that photo will grow and get taller and taller. And then if you go to the next slide. So here's the intersection of Bridgeport road and Paynes Pond road, this is the very southern portion of the project looking to the northwest. As you can see, there's already quite a bit of existing vegetation there. And we plan to leave 50 feet of existing vegetation just as we've committed to and our conditions. And said before picture I think is pretty clear with the next picture is going to look like you can go to the next one. Not going to see anything there and grow the next one, even more so continues to grow up. Next slide please. So this is location three. This is the very south east corner of the site. And this is a I actually forget the name of the road. If you're looking at the map, some of you have the physical copies of it, and you can refer to the front page to see where it is. But this is photo three. Looking to the northwest there's actually a few houses in the middle. Yeah, Dianna Mill Road and Bridgeport road on the very southeast pocket of the site. So again, there's a lot of existing vegetation already here. There's actually most of the houses that are surrounding the project area are sort of located right in this area, there's about three or four houses here. And the project really only has maybe five or six houses in the entire project area. And so most of the houses This is their current view across the street, you go the next slide, we'll leave that existing vegetation and some of that is actually hardwoods that'll

continue to grow up and vegetate and then the next slide. And the 15 years slow growing hardwoods will continue to vegetate there, and then if you go to so photo for photo four is like right in the middle of Payne's pond road looking west. And you can see here this is similar to photo one this stuff is about five or six years old. If you go to the next photo continues to grow up you won't see it next photo continues to grow up. And then like we said, what we've been talking about is that we would manage the buffer in a way where we would do selective thinning and maintenance to make sure that we would have undergrowth growing up In a way that would always screen the project over the life of the project, even though loblolly Pines by nature over time would lose their branches and grow taller, what we would do is we would thin that out, and we would allow the underbrush to continue to grow up and then selectively rotate trees within there, and thinning it to make sure that it's maintained with the intent to visually obscure the project from folks that are driving by. So that's a good representation of that where you would have some tall trees, but you'd also have some younger trees that are really thick there, and blocking the projects view shed. Next slide. So this is the youngest stand of trees in the project area, this is on Bridgeport road looking east. And you can see that like they've literally just planted some pines there, you almost can't even see them. This was cleared in 2020. And so they would have just planted pines here, if you go to the next slide, five to seven years, it's going to look exactly like what the west side looks like. And so we use that as our indicator because that was a very good rule of thumb. So if you're looking behind, if you're at the site, looking at this, standing at this location, the trees behind you would be exactly what this looks like in four to five years. And so that's what we've done here is we've visually represented this in five to seven years, this is what the site would look like. And then you go one more, and it will continue to thicken and grow taller. Now we can keep going location six. Going back to my comment where we wanted to try to be as conservative as we could, we took this photo from the highest elevation that was available to us, this is right on Bridgeport road and the very southern corner of the project. And so you're basically standing on the property line here, just off the road looking out over you can actually even see the Blue Ridge Mountains from here, this area was recently clear cut it in 2020. Maybe a little bit longer ago actually? And so you know, you can see some pines, there rebadging, some native grasses, and where you see in the distance, sort of them, you know, plain out there, there would be solar panel infrastructure located in that area. And so you can imagine, if you go to the next photo, trying to be as conservative as possible, even from that highest elevation with that area revegetating, in the next five to seven years, it would be practically invisible, there is a chance where you would see tips of the solar panels, you know, maybe for jumping up and down or in a tall truck, you know, you might see a little bit more, but we would have that 50 foot vegetative buffer there. And we tried to be really conservative as far as the growth rates that we assumed with wyerhauser vegetation here. And then really conservative, like we went with sort of like the tallest height that the panels could be in this visual representation just to because we you know, we're not in the business of making false promises, it's you know, we wanted to make it clear that there is a chance where from some parts of the project, you may be able to see portions of the project and but as that vegetation grows out, you know, we can't control the rate at which trees grow, those trees will eventually grow up and it will screen the project very well. And so then if you go to the next photo 10 to 15 years, that buffer will grow up quite a bit. And you would not be able to see, certainly in 10 to 15 years off of Bridgeport road, you would not be able to see any solar panels when you're driving

through there. Unless of course, you're passing by an access road which would be fenced, and screening would go right out to where that access gate was, and then sort of stop is for an entrance there for a driveway entrance. But that's basically the conclusion of my presentation. I'll be available for questions for the rest of the night. And for the folks that are here in person or dialing in by phone. Here's my contact information, feel free to give me a call any constituents or neighboring landowners or folks that are active in the community. I'd be happy to take your call and answer any questions you may have and, and, you know, walk you through the project, but that's all I have for tonight.

Bowe: I guess we're going to call you back after the public hearing.

Merrick: That'd be fine. Thank you. Appreciate your time.

Bowe: Im going to open it up for the public hearing. Do we have anyone signed up?

Edmondston: Yes, Mr. Chairman, we do. We have five individuals here signed up in person. We have one voicemail and two emails. Start with a voicemail and emails and then we'll move forward.

Bowe: Yeah, that'd be fine.

Catherine Thimnakis: Thank you. Today, Monday evening, 6pm. Catherine Thimnakis. Glenmore district Riverstone solar public hearing. First, we are quite enthusiastic that our new neighbors plan building innovation for clean energy products. We are appreciative that you at the county administration are welcoming solar farms, which is of great benefit for the local economy. Riverstone solar projects employment in the coming year for more than 200 jobs, clean, safe jobs. Yes, Riverstone solar being a profit oriented Corporation must be monitored by the county. strict guidelines are needed for the two year building of the site, especially for environmental safety. Please approve the permit to establish this innovative clean energy industry. Thank you.

Edmondston: Next comment is from Kenda Hanuman district five and she says thank you for considering 21st century energy you can make history by bringing Buckingham into a new clean error. As you attempt this transition please do the investigation as well as the investment and new proposals. Have you taken the time to research the cost or benefit to the county of large solar fields here? have you examined the reports on cadmium telluride panels? Are these being suggested? Are you aware of the damage tornados caused to solar panel fields? Do you understand the threat to our firefighters if a wildfire occurs in a solar field? with so little knowledge about this relatively new technology, aren't we virtual lab rats much the same as the over 50% of the county who are skeptical about COVID vaccines. Please take the time to learn about the consequences of approving and SUP for the 2000 acre Riverstone solar project. Do not approve an SUP at this time. Thank you. The next email comes from Rebecca Cobb she resides at 234 quail run lane one property over from the proposed project. I wish I could be in person tonight but had other obligations. For the past two years I've worked as a consultant for local

governments. Many of my projects have been advising localities on solar applications on a state and national level. First, I'd like to commend staff on the conditions they touch on the major impacts soil disturbance, noise, visibility, setbacks, road degradation and decommissioning. There are a few ways these conditions can be strengthened to ensure protection for the county and neighborhood. I've seen too many localities disappointed after the conditions did not achieve what they thought they would. My suggestions for existing conditions are number 11 instead of with intent to visually obscure change to that shall substantially obscure 11 b add but in all instances shall maintain obscuring effect 12 A add minimum height at planting shall be four feet and planted buffers must contain a minimum of three staggered rows 12 a change to that shall substantially obscure, be add, but in all instances shall maintain obscuring effect 13 add and located interior to the vegetative buffer so that it is not visible with the exception of access roads and transmission lines. 16 do not accept salvage value for the decommissioning bond it is to the industry's benefit to subtract salvage value, but this leaves the county very vulnerable. Accepting salvage value was a mistake I made early on if the project fails or ends before its intended in life, the county will not have any money to decommission the project. salvage value is seen only if and when panels are recycled, but the county will have upfront cost for decommissioning for the first piece of equipment can be moved. Most localities are requiring a bond to cover 100% of the estimated cost without any salvage value are urged this as well. 24 add including but not limited to land and building inspectors. It is also important to add the following as new conditions or as a sub items as new sub items to existing conditions. A performance bond reflecting the cost of anticipated fence maintenance and landscaping maintenance shall be posted. B all seeding and planning must be completed prior to receiving a certificate of occupancy. If planting season has passed the applicant may post a bond to cover the cost of all anticipated planting. C, the erosion and sediment control plan shall be prepared and implemented as a sequential progression. Demonstrating than not more than 25% of the site be disturbed and unstabilized at any one time during construction, the erosion and sediment control plan will provide the means and measures to achieve stabilization of the disturbed areas to comply with this condition. While I suggest these for this project they can or should be used for any projects, thank you Planning Commission for considering these very important conditions and ensuring protections for the county and neighborhood. Rebecca s. Cobb. The first individual signed up to speak in person tonight is Marie flowers, followed by Laurie Collins.

Marie Flowers: Marie flowers, the third district, this project sounds good. I have one problem with the literature that they passed out. They say there's going to be over 400 jobs. That's during construction. permanent jobs are six. But it was a very nice presentation at the VFW. And after having been to all of the hearings for the pipeline and the compressor station, my recommendation would be to get the opinion of somebody that's not involved with this. We have a cup of colleges. And it sounds really good. I just suggest I think you should have verification of somebody that's not interested. But he has the qualifications to be able to really speak about it. And maybe give some suggestions. The I feel like they're willing to work. If there are reasonable suggestions for the benefit of the people of Buckingham, I think your job is first of all, the safety of the people of Buckingham and I haven't heard a lot of really bad stuff about solar. I just have never seen such a big project. And I think you want to get a disinterested opinion. Before you say yes. It sounds real good though. Thank you. Thank you. Thank you.

Edmondston: Laurie Collins be followed by Martha France.

Laurie Collins: I'm Laurie Collins. I live at 511 in blue heron lane

Inaudible

Allen: You talk on speaker because it's recording

Bowe: I think it would help if you would remove the mask while you're talking anyway. Thank you

Collins: never know when you're supposed to wear him or not. I'm from the state of Vermont originally. very much a very green state. The solar panels you can see them from the highway. They have come leaps and bounds you know further than the state of Virginia because this has been a priority of theirs for years. Oh yes, we need clean energy. But this picture here. I don't want to cry. I live here y'all can see that. That's my backyard, my side yard and my front yard. Okay, to grow the trees up, yes, absolutely would have to happen. But we can't just put a blanket over a pile of crap. Okay, we can't just hide it there. We have to be stewards of our land. We have to be making choices that are good for the land, not just for energy. Yeah, so it's going to reduce our energy costs. Have any of you ever gotten a lower electric bill? no, no, and this is all going to go into a grid. It doesn't go right to Buckingham; it's going to go to the electric company who can then sell their power at a reduced cost for them. And I don't know if anyone's ever traveled down Payne's pond road, but just to get from route 20 to Blue Heron lane, about two miles of, of dirt road. very rural. That's why we're here. The road needs to be graded on a monthly basis or we washboard to the point of almost coming off, there is a one lane bridge, I mean, a one car bridge, not made for heavy vehicles. I don't know where the 200 employees are going to be coming in and out of on that road. I'm okay. I am all for green energy. I think there's a lot of questions here that need to be answered prior to accept.

Bowe: Okay, thank you.

Collins: Thank you.

Bowe: I'll answer one of your questions right now you go ahead and be seated. You didn't know where the construction traffic was going to come in. All the construction traffic will be on entering and exit in the project of Payne Pond Creek Road. That's one of the conditions we've already imposed upon them. So they won't even be coming up toward you. From Bridgeport, yes. Okay, Was there another

Edmondston: Yes Martha Franz.

Martha Franz: You might notice the resemblance to Lori's my sister. I also just found about this meeting yesterday, we were up in Vermont, and got a message from our neighbor who owns the

200 acres around us. My issue as I, as my sister said, feel blindsided and no, we don't come to the meetings. Don't know my neighbors. I spent 35 years working for the Army and Air Force exchange service. The last eight of which was in the Middle East. This, this was my happy spot as mortars and rockets zoomed over. I was in Baghdad for five and a half years this is my forever home. I drove 14 hours to get here to be to this meeting I'm certainly not against solar. As my sister said, you see them everywhere up in New England. So far, much further than we are here in Virginia. You see them on the cloverleaf so the freeways, what else can you do with that property? You can you know, people are getting on people are getting off and that's where they put their solar panels. But again, you know, I would be surrounded by the solar panels. And what about the security lights? I mean, there must be some security lights at night. I mean, one of the reasons I picked that property is because it's just pitch black at night. The stars are wonderful. The sound is nonexistent. I had a list that I gave to my sister. As I was looking for properties. I want to be on a dirt road. I wanted that dirt road small enough to have one lane bridge. I wanted if somebody came to my property, that's all I'm going to hear I didn't want to hear road noise. I wanted water around my property. And I wanted a lighthouse. Well I got everything but my lighthouse I just think the light the security lights, you know the towers. I What is it going to do to my property value? And what is it going to do for my slice to heaven? Clean Energy, absolutely. All in favor. We had green up day in remark when I was still in, in middle school grade school, you know, just a few years ago we went out and we picked up garbage on green up day and we learned you don't throw stuff out of the car. If you're going to go pick it up you know, I just think there's my biggest concern is I feel like it was underhanded and I feel blindsided

Bowe: Thank you ma'am Thank you I'll tell you we're going to try to do a little bit better than even Vermont does. We've already put in there a 50-foot buffer so you will never be able to see once that buffer is established you will never see this project is not going to be something that anybody wants to look at

Inaudible

Bowe: And there will be a 50-foot buffer all three places Okay, is there anybody else Nicci?

Edmondston: Yes, sir. We have Reinhard Rieder I apologize if I...followed by Ronald Dorrier.

Rienhard Rieder: My name is Ryan hug Rita. My wife Andrea and I are on the property on the 2737 Bridgeport road and we have one major concern that is some of the runoff from the property that is in consideration goes into our property and we have some now some erosion problems on our old logging road that goes on the border of our property or close to the border of our property but then we also have a creek forming from the run off going through our property and actually feeding into our lake and what I want to know is if there was any kind of evaluation done if there's any change in the runoff, runoff configuration and in the amount of runoff so which would be very important for you know, the continuation of life of the of the lake that we have you know, and so it would be most interesting if there was any such evaluation was done for the runoff from other projects that there was a problem with the runoff that was not the first

consideration and so we shouldn't make the same mistake here then. that's basically what we have our concern is just wildlife and things but I think there's plenty of unfortunately there's too much land here still available so if we can waste it on solar panels and don't have to worry about windmills and stuff like that. Otherwise you know, we're in favor of green energy. Thank you.

Edmondston: Ronald Dorrier.

Ronald Dorrier: Afternoon, clean energy and millions of dollars for the county sounds like Christmas everybody's a winner right? I just got a couple questions and what I want to find out I don't care about the buffer it's behind the bar for the concerns me the land has it going to be cleared off are chemicals going to be used to kill the vegetation? That's my first question because if it is I'm adjoining I've got groundwater well water that's a concern to me plus you've got to James river close that can be of be affected by any kind of a chemical used to kill the vegetation. The second thing is, like I said, I don't care about the buffer it's behind the buffer. That's an ugly mess. And the second thing is how much money how much electricity is Buckingham County going to use is my electric bill going to decrease because of this great project? Not going to decrease a dime is But it will affect somebody in another county. But I want to ugly up my County. So somebody else can have electricity. That's all I got to say. Thank you.

Edmondston: Mr. Chairman, we do not have anyone else signed up to speak during the hearing.

Bowe: And I will close the public hearing. You want to come back up to the podium? Okay, commissioners, anybody got any questions?

Bickford: I just would like for Mr. Merrick to address the couple questions that I feel like I probably be worthwhile discussing. Could you address some of the comments?

Merrick: Sure, yeah, I'd be happy to. Appreciate everyone coming to speak about the project, try to read through my notes and hit it all, I wasn't able to catch everything. But for those of you that if I miss your comment, just got out to the meeting and be happy to speak with you afterwards or at another time, sit down with you at that project, and we can help get some of your input about it. First comment was from Martha Franz and her sister at least the one in person here that they do live nearby the project, we are setting back quite a bit from residential houses. And 200 feet, in fact, is what we're committing to the ordinance. And the benefit to them is that they do have a lot of existing vegetation already around their property. And then, of course, we're going to leave the 50-foot buffer Pat that you refer to around their property. As far as the blindsided comment, I hate to hear that, you know, we always try to be really involved in the community. Well, before we get to this process, I've been pretty active going back since March, we did a community meeting actually where I sent letters to all the neighboring landowners and their mailing addresses. So it didn't just go to their homes, wherever they were paying their taxes from. We also put it in the paper too, that we were doing the community meeting, been pretty involved in these hearings as well and speaking with organizations that have been active in the community. But you know, my numbers, my door's always open, so I'd be happy to speak with you both. Now to discuss the project and more detailed comments that they raised were security, sound,

and noise. So the project will have security fencing where the solar project is going to be located in the vicinity of their home and that's really a ferq regulation. But there's no anticipated jump in security or anything like that these things operate passively. And you all have project already located on 60 and I spoke with fire and EMS. The other day I sat down with them to discuss an emergency action plan for when the project is operating. And then they said that they didn't have any calls on the project to date. In fact, the only call that they had was during construction worker had a heart attack. So it's really introduces very little to no like security issue in the neighborhood. And that's just a good it's just a good example. Sound we're going to have very minimal lighting at this at the project it's operates passively, we might have some lights at the access gates. And in our conditions, we committed to making sure that those lights are pointed downwards. But those gates are necessary for ens for operating the project and maintaining it. But you know, we can work with you to just make sure that I'm pointing right at your house or anything like that. It won't be there are no access points located in the vicinity of your house. And so yalls will be well set back off of that as well. And then sound so the only thing that really generates sound within the project are the inverters. It's what converts DC to AC electricity before it goes on to the grid. The inverters do provide a slight harm. But those inverters are going to be located to the interior of the project and so I encourage you to drive by the solar project on Route 60 you can stand at the fence line it doesn't make any noise then our project will be the same our inverters will be located internally to the project and we've committed in our conditions that from the property line it will be below 50 decibels and so that's basically ambient noise. You know birds and wind and things like that and so you won't hear anything beyond that and you know will be required to meet those requirements. And so you'll still be able to see the stars. You're not going to hear it all the time. And then as far as the fact that like your home is, you know, it is very close to the project and but the fencing isn't going to be around the entire perimeter of the project area, it's actually will only be fencing specific arrays. And so it'll be sort of, kind of a bunch of mini projects, almost, if you think about it like that. And so we've delineated all the wetlands and streams in the vicinity of the area. And I was just looking at the site plan and with regards to the location of your house, and the location of where you all are located, you do have the benefit of being right directly near multiple wildlife corridors that we have located in the project area. And so you're still going to have wildlife, you're going to have some probably really good deer hunting back there, this good wildlife corridors there where, you know, animals will still be able to pass through the project and, you know, right to where they have their house, and you can reference the site plan that's in the application as well. And so, I count 1-2-3 3 wild three primary wildlife corridors out of the seven that we have that are all feeding to the general location where their home is, and so I would hope that that would help ease some of their concerns with regards to that. Thats most of what I was able to write down in regards to their comment,

Bickford: There was a concern about one of the land owners on regards to water quality runoff?

Merrick: Yes, water quality. That was my next one, Mr. Rinehart. So ENS and storm water, it's a very lengthy process for these projects, takes about six to nine months to get an erosion and sediment control permit through DEQ and the county and then storm water as well we're going to if you look at our site plan, we have retention basins, located throughout the project area. And

the main point of all of that is to catch storm water slow down its velocity and buffer those areas to prevent, you know, erosion, and sediment to getting into the streams. Something I personally care a lot about being an outdoorsman, and there's a full guidebook that we have to follow to make sure that all the storm water calculations, ENS stuff is to spec to deq. And so I understand that like erosion and sediment is a concern, but the project will be engineered to make sure that that's handled, and that, you know, he won't have any water quality issues in his pond or in his stream or by his house. And, in fact, it might even improve the water quality, where he's located with the with the addition of all this, you know, new sort of erosion control measures that currently are not there. And so, you know, when wyerhauser logs it, there's really not much from a ENS perspective. As far as like infrastructure or anything like that there's no rocks or storm water retention ponds or anything like that, like we'll have that. And so for the next 40 years, you know, he actually might benefit from superior ENS.

Bowe: While your on that one Jimmy you might want to talk about what you're going to do with the bare ground and how soon you're going to do it.

Merrick: Sure, yeah, so I'm not in construction. And so I'll speak at a high level, I'm not an engineer or in construction. But form a basic perspective, what we look to do is, we try to locate infrastructure, where the ground like where the slope presents itself, right, so I like on the top and rounded knolls and things like that, sure, there's going to be some grading. Certainly this is going to be grading on any construction project, but where there is grading, our goal is to do everything that we can to stabilize that ground immediately. We'll use the turf grass blend or a fescue blend to throw that seed down and it'll be the quick growing stuff that will start to stabilize within seven to 10 days you're seeing green, we'll use all this measures that we sort of have in the handbook and we'll be abiding by DEQ and I'd be happy to have somebody you know there's more qualified than myself to speak to the ENS protocols that will be required to do for this project and I'd be happy to have them speak with you individually or even at the supervisor hearing if this project progresses to that point. And we can get into the weeds about erosion and sediment for sure. That's most of what I was able to write down.

Allen: There was a question about chemicals to, what kind of chemicals you use.

Merrick: Chemicals. Yep. So we don't use chemicals for site prep. You know, we'll have to remove stumps were necessary which is throughout the project area, but we don't need chemicals for that. There's no reason to use her herbicides, you know, I'll have to bring in our pre construction side to confirm, but it won't be too if we do use chemicals is not going to be to a large extent, you know, we're not going to be dumping chemicals in the whole thing, you know, and we'll plant, you know native grasses that won't require chemicals. And then as far as like the panel's go, there was a comment with regards to chemicals in the panels. This is a proven technology; this stuff has been around for 40 years or so. It's solid state materials in the in the panels, 90% of it is glass, aluminum, copper, very safe. There's no liquids in there, there's study after study has been done shows that there are no chemicals that get released into the ground from that. So they are safe from that perspective, too. If you think about, like the actual equipment that the panels are made out of and the materials are safe.

Bickford: You have an estimate of the permanent employees after the completion of the solar farm, if its approved.

Merrick: Yes, sir. So during construction, we estimate about 480 jobs during construction, there will be a huge influx of jobs during construction. Now, we're not hiding from the fact that during operations, there's only about six full time equivalent jobs. Most of that's going to be landscaping, cutting the grass around the panels, maintaining the storm water features, keeping sticks and branches and stuff out of them making sure that they're clean. We also have a remote operation center based in Charlottesville, Virginia, where we would have some higher paid staff promoting the facility or operating the facility remotely from Charlottesville. But we would have six full time equivalent jobs. And so some might think, Okay, well, you only have six full time jobs for the 40 year life of the project. But this project is also going to generate substantial tax benefits, and it's going to put no additional strain on county infrastructure. There'll be 14 point 8 million over the 40 year life for the project that the county can use to invest in capital expenditures or just keeping taxes low. And we don't need water, we don't need, you know, miles of water miles of sewer that the county would have to invest in, we don't need any money from the county to bring this project forward. We're not introducing, you know, residential, you know, 40 to 50 residential homes in this area that, you know, we're going to have 100 kids being introduced into the school system that taxpayers would then have to pay for those kids. This is really money for the county, with no additional strain on county infrastructure, really little strain on fire and ems and anything like that. And so it's little that the county has to do and sure there's not a lot of full time equivalent jobs once the project is operating. But the county still benefits tremendously from it. As I previously said, You're one of operations. Riverstone solar will be the number one largest taxpayer in the county, about four times larger than Kyanite mining. Basically the only thing, I don't

Bowe: Ashley?

Shumaker: I don't have anything for Jimmy

Bowe: Jimmy, I'd like to throw out one thing here in 11 and 12. Both, we refer to native vegetation. I think it in the interest of everybody, we should probably drop the word native. It's just we're not saying you can't use them. But what is native? You know, is it native to that site? Is it native to Virginia? Is it native to North America? Let's just drop native. And then, you know, we don't want to say we can't use something that we need there. If there's a particular bush or shrub that works, just because it's not native, we should not preclude it to start with. I'm going to recommend that we drop the word native throughout the text.

Merrick: That would be fine.

Bowe: Thank you.

Edmondston: Mr. Chairman? When we met last on September 14 for the work session, the conditions were something that the Planning Commission had been working on for a couple of weeks. Would Mr. Merrick have our most recent copy of conditions resulting from those conversations on August 30 and September 14, to present to the commission?

Merrick: Yeah, I do have the latest set that I have been communicating with Pat on I believe the mission has conditions from the last meeting correct

Edmondston: From the last meeting, but any revisions that have resulted from...

Merrick: Yeah, so in discussions with Pat and other members of the Commission.

Bowe: I've got so many sets of conditions, I don't know which one I'm supposed to be looking at, is this one with the yellow lines in it, or the one before or after that one.

Edmondston: The yellow lines are the last most updated that were presented in a public forum on September 14. And I believe after that, most of the discussions that were held on September 14, we're asking for other changes and revisions, one being the traffic plan, which I think we had set in highlight for 29. I'm just wondering what Apex is offering since.

Merrick: Since the last meeting, if you have a copy with changes that are highlighted in yellow, that's the most recent publicly discussed copy. Since then, Pat you and I have had many conversations. And I believe Joyce and Ashley also weighed in specifically on a few conditions. So I think constituents will probably be happy to hear that we've been busy trying to get this thing right, making sure that we're accounting for everyone that's in the vicinity of the project. But for I can't, what I can do is walk through, I have a red line version of the latest set. I'm not sure if you have printed copies of them, but I can at least walk through the red lines and make sure that we're all on the same page.

Edmondston: I think the issues revolved around the 11-12 the traffic plan, and possibly pollinator additives twist 27 or 28.

Merrick: So I can hit those. So the condition 11 is probably 11 and 12 are the ones that directly relate to view shed and buffering. And so we've been focusing on those quite a bit in the latest set here. We removed applicant will use best efforts and replaced with shall ,the applicant shall retain at least a 50 foot buffer of existing native vegetation and timber with the intent to visually obscure the project from the property line. with the understanding that like we would be managing that buffer with the intent to visually obscure the project right and not with the intent to just grow those pines really tall, right it like it's it provides an intent to like managing that buffer. So that's understood. And then B we added an event. Another sentence in this last sentence of B where in the event that health of the vegetative vegetation within the buffer area is compromised and no longer visually obscures the project, the applicant will plant a new buffer, including native timber, evergreen cedars, or other native vegetation as determined by the applicant with the advice of professional arborist or Forester, Commissioner Bowe recommended

that just now that we remove native, but basically what this does is it covers us where we've sort of covered all bases right, where we're saying we're going to leave the existing vegetation. In areas where there's not existing vegetation will plant new vegetation. And then in the event, we're five to 10 years from now we suffer from a drought or disease or something happens that vegetative buffer where it dies, and is no longer visually obscuring the project will replace that vegetative buffer so that, you know, we can make sure that it continues to screen the project for the life of the project. And so we're sort of covering all our bases, and keeping things flexible from sort of all scenarios based on sort of what the existing vegetation presents to us at the time of construction and then we can make that decision based at that time. And 12 basically just includes the same exact comments because 12 more talks about screening as well but specifically to along right always 13 we added that the fence just must be installed on the interior, the vegetated buffer, just making it clear that the not just blocked the solar equipment but also the security fence that will be installed. So is that one clarification? access condition 19 the signage for each access gate must be there, so we had committed to have in signs around the perimeter of the project, but just a clarification here that we're putting signage along like right on the access points. For folks that are driving by that want to contact us there's going to be 24 seven contact information and also for fire and EMS you know, we'll know exactly how to access the site and be able to address any emergencies project and then condition 24 the applicant will be held financially responsible for county contracts and inspectors during The construction phase of the project. So this was removed and actually included in our in a sighting agreement that we're working with the county on. The signing agreement is a contractual agreement between Apex in the county where we'll cover compensation for various things. And so we thought it would actually be better to remove that condition from here as far as the conditions and then include them in the signing agreement, which we will still be vided will still be required to meet anything within the signing agreement. It allows us to compensate the county for third party inspectors, understanding you have limited staff and limited staff of building and zoning will compensate the county, you know, for third party inspectors for plan reviews and to make sure that all the ENS and storm water features are up to spec throughout the duration of the construction of the project. And then for the long term operation of the project. You know, it'll be much less maintenance and so it's our hope that county staff can keep up with it from there. And then in our last meeting, we did commit to restricting the use of Paynes road, Georgia Creek Road and quail run lane for access to the project area during the construction phase of the project. This was actually already addressed in our application, and it just didn't make it in the conditions and so we thought it was prudent to include that in the conditions and so we've committed to during construction only accessing the interior the project from Bridgeport road, but also from Payne's pond road, and then not exceeding Payne's pond road to the north where the project ends. And so that'll prevent any and all construction traffic from north of fanes Vaughn road from the 20 entrance that that concrete bridge there nobody no construction traffic on there, no construction traffic near were y'all will come in on your driveway. You know, along Georgia Creek Road and quail run lane to the west where Mr. Dorrier is located, there'll be no construction traffic coming in on those roads. And you know, during construction so we added that that condition in there to make sure that sort of their way of life is maintained during the construction of this project. And then during operations, very little traffic one to two pickup trucks a week, maybe just for landscaping activities. Like I said the project will operate passively and then the last condition is

there was a condition of condition that was in there to address let me pull it up. I'm with you Pat we have quite a few copies here. Don't want to get this one wrong. There it is. Sorry. Bear with me. In order to prevent sediment and erosion and manage runoff and provide ecological benefit the facility shall plant native pollinator friendly native plants, shrubs, trees, grasses and wildflowers. We sorted just discussed that earlier on in this meeting, but also we as the applicant would recommend removal of that condition just because we understand that the intent is good there and we get it but there's a really thorough and in depth manual for ENS protocols with the DEQ and it's really important that we stabilize that ground as quickly as possible. And we're not sort of using a specific type of species or something like that, you know, it's really important that we use like a turf grass or a fescue blend something that's going to start growing really fast and not be sort of finicky. You know, based on the type of year or the soil conditions, you know, make sure that you know we can we can keep up with the construction of the project and abide by all the DEQ protocols. And so that's really the only condition every other condition introduced by the Commission were perfectly fine with accepting all of those. And then we've even added a few more, you know, sessions so that I think that pretty much covers it. To be honest, I'm not completely sure if all of you have the exact copy that we're working off of, but be happy to email it out to all of you and I'm sure Nicci has it as well. So we can all be on the same page.

Bowe: Think it would be helpful if he just emailed it to the other members of the Commission. I finally remembered that I had it on my phone.

Merrick: All right. Good. Yeah, and I've been discussing the project with the Board of Supervisors as well. And there's a mutual understanding that we'll continue to refine these conditions. We're happy to continue to work with the county on all the conditions. And that's, that's the latest, as far as all the discussions that we've had.

Allen: Are you saying you want to remove 28? condition number 28? That the part on sediment erosion management?

Merrick: Yes, that's correct.

Allen: But it also says at the end that the project will be seeded with the trees and everything within three months.

Merrick: It'll be seeded well, well, before that, well, before then.

Bowe: 90 days is too long.

Merrick: It will be seeded during construction, almost immediately.

Allen: So for homes like these young ladies were talking a while ago, is there a way you can take care of those first and make sure that it's substantially covered around the homes? If you have to do any planting, if you do anything extra.

Merrick: As far as screening for the buffer and the view shed? The benefit that they have in the location that they're in is, there's mature trees already in that vicinity I have all the trees there that's on the Wyerhauser property was planted in 2015 or back in 1999 And 1997. I have some Stan data there was it looks like you're a recent clearing in 2020 and a very small corner sort of near the vicinity of their project where you know, we can we can certainly look into that. But most for the things which are vegetation, and then there is there is property as well wooded areas. You know, we can try to work something out. So you got three sides. I'm looking at it though,

Allen: If you could take care of it. Make sure they are the first. That's one home but I mean, there's a probably other home too. You could check on that I know it's a lot to do but to help the people in the area.

Bowe: Do I have any more questions from anyone?

Bickford: Well, I'd like to... mister chairman i would like take just a minute and open up for some of the recommendations or suggested recommendation from Mrs. Cobb. Most of them seem to be cleaning house or word cleaning up. I did want to talk specifically about salvage value. I think It might be beneficial to have just a quick discussion on that. And then the other three A, B and C that he put down at the bottom id like see what the opinions on the planning commission is.

Bowe: Think it's really more of a legal question, then something that we should decide here.,

Bickford: I agree with you on the salvage question.

Wright: Mr. Chairman, in regard to the to the salvage value. The decommissioning agreement would address that is a very prevalent trend in the state now that you do not calculate salvage value when you calculate the decommissioning that what Mrs. Cobb is suggesting is what is being done in most jurisdictions. In the decommission agreement that would clearly come into play at that time. One other comment while I happen to be at the mic. Since we are talking about a sighting agreement board does this some consideration of whether you should need to make a what's called a 2232 decision in conjunction with a comprehensive plan we anticipate that signing agreement being completed fairly quickly, and in the event that you send us on an even if signing agreement, discussion should fall apart, then we'll come back and ask you to make a determination on 2032 finding.

Bowe: Thank you, sir. Any other?

Bickford; Just the last three points here a A B and C, A being performance bond reflecting the cause where they anticipate a fence maintenance and landscaping maintenance shall be posted. And then we sort of discussed this just a while ago, the seeding all seeding and planting must be

completed prior to receiving a certificate of occupancy. The applicant may post a bond to cover the cost of the anticipated planting,

Bowe: I don't ever recall is requiring of our bond of anybody on their fencing or maintenance. I don't know that that's something we want to get into. How do the the rest of y'all feel about it?

Bickford: I'm just bringing it up for discussion,

Bowe: I understand I'm just telling you how I feel. I think it's to their best interest to make sure their fencing is at adequate. They got an awful lot of liability if the fencing...

Bickford: I don't disagree with that.

Bowe: And I don't know that we've ever required anybody to post bonds on planting. It's certainly something we can start, but it's never been required to my knowledge. I don't know, you know you. You can cover every base. Remember the when this thing goes back to about three weeks ago? And we got 1400 pages to read in the next three days? If that's what you want to do, I mean, just keep adding stuff here.

Dorrier: Mr. Chairman I have a question.

Bowe: yes.

Dorrier: You were speaking a while ago on the buffer, it doesn't seem like you have anything planned to do, you're not going to plant anything else other than what's native there? Am I correct on that, you just kind of use the vegetation there, I was under the impression that you will be planning buffers and doing things, I don't quite understand it. In the permit conditions, I thought you would be planting things to take care of that.

Merrick: Yes, sir. So what the intent of those conditions are, is to we have a 50-foot setback from property lines. And in that 50-foot setback, we are planning to just leaving that existing vegetation there. Because it is all you know, evergreen trees, right. And there's a lot of well-established existing vegetation that does a really good job already of screening the property. You know, the alternative to that is if you look at like the project on Route 60, that project also had a lot of existing vegetation. But then they removed all of that during construction. And you can see right through it, right, you know, another thing that you can do is just remove all that existing vegetation, and then plant you know, three to four foot evergreens spaced 15 feet out, and they're going to need 15 years to fill out to provide like a good, you know, vegetative screen. And so we're lucky with this project that we already have substantial vegetative screening as a buffer in existence, where all we have to do is sort of just leave that and not remove it, and it will it will work to shield the project very well. But in the conditions, what we did say is if there are areas where there's just you know, inadequate existing vegetation and existence and now part of the project that we are committing to replanting new buffer there, you know, it would be smaller trees, you know, 15 foot centers the language in condition dictates, you know, what we would

have to plant there, and then again, if anything dies down the road, you know, we would have to replace that as well. And so, you know, that's basically you know, what we've committed to for the for the project,

Bowe: Steve if I might make a suggestion, on Paynes Pond road everything on the right as you go in off Bridgeport is the area that we're concerned with. On the left. If you've been down that road lately, you'll notice you can't see anything. Those are five-year-old pines. They were planted five years ago.

Dorrier: They're going to grow quite a bit and you know, you can see right through them.

Bowe: Well, that's why we're allowing them to trim and maintain the buffer. You go in there, you can trim you can thin. The reason they do that is because there's not enough sunlight getting down to the understory. And when you thin and so forth, you get the sunlight down in the jungle keeps growing.

Merrick: Pat your right, so we're working on a maintenance plan, in discussions with wyerhauser, it doesn't have to be wyerhauser. That helps us with it, it can be any professional forester or arborist. But like Pat said, as those trees grow up, naturally, they would lose their branches and they would be thinned out. And they wouldn't act to visually obscure the project. But that's because most of those properties that you see there being managed to improve the growth rates for those trees. But what we can do is we can thin them out and manage them in a way where when you selectively thin trees in there, once they've reached like, you know, 10 years old or something, you go in and you selectively manage a few trees and mechanically remove those than the trees that remain there in existence, they're going to start seeding like crazy. And then you're going to get more sunlight, like Pat said, introduced into that area, and then you're going to get more young saplings growing up. And so we would manage it with the intent to basically always maintain sort of young pines within there. And so you would basically have staggered, different staggered ages of pine, and you'd just be you know, there's four to five rows of tines in that 50-foot buffer where we can quite easily you know, manage that just make sure that there's always some young stuff in there that's going to be you know, visually obscuring it at head level there. And we can do that with very little effort. Honestly, about every five years we'd go in.

Shumaker: I think this is where we should probably heed some of this cubs, what seemed like clerical changes, because we know what we're trying to say in our conditions. But as she alludes to in her email, our conditions maybe strengthen so that they achieve what we want. I think some of the ambiguity that there may be, will also create loopholes. So like her first one, changing it clerically, to just say substantially obscure, I think would make our residents that seems to be the sticking point most people just don't want to look at it. So some of those clerical things might clear up some of the some of the ambiguity that people are having concerns about.

Bowe: Anybody have any further thoughts or questions.

Allen: Well do you want to change what she was saying or not? 12A 11A might be some more here.

Bowe: Fine. I can tell you the buffer that they have planned. What we'll do a whole lot thicker than the three rows that is being suggested in this group of things here.

Allen: Be quicker too.

Bowe: Exactly. You know, the, the whole thing is we don't want to look at it. We don't want any of y'all to have to look at it. So we're trying to get a buffer there. Ride down route 60. You see how we screwed up down there? There's your rows of pines in front of it. That tall.

Allen: Or none at all.

Inaudible comment from crowd

Bowe: If you want... I don't think you can talk right now. No suggestions.

Allen: What do you think about them wanting to take away 28?

Bowe: I'm telling you there's conditions everywhere on my desk here. Give me just a moment. I'll show you 28. Johnny, when I get it.

Allen: It'd be on the second set of conditions in yellow.

Bowe: Condition 28. You're talking about?

Allen: Yes, he asked for it to be removed.

Bowe: I don't think so.

Allen: That's one we haven't been long added.

Bowe: The applicant will be restricted from using Payne's road?

Allen: That's 29. 28 is the one with the erosion and sediment.

Bowe: Number 28 on the one that he's working from, is the one I just read you about the restricting Paynes road, Georgia Creek Road, and Quail run road for any access.

Allen: Yeah, I think we'll leave that on it. But I mean, I thought he wanted the one that said the prevention of sediment and erosion management.

Bowe: Oh, no, they're not trying to get out of that. I don't think, if I heard him right.

Allen: He was just saying that he's got all those things is making him do it. If you want to take out, I guess you want speak on it again, number 28?

Bowe: It's the one about planting flowers and stuff and he was saying was fescue is much more efficient. I don't see any point in not removing it, it's going to be covered in the erosion and sediment control that they have to submit. In fact, the people are going to be a whole lot better off protected from this project than they are with it the way it is right now. Under the timber growing. I mean, I know what you're talking about with the pond getting sediment in. I've got a pond on my own place. It's eight acres. It was 30 feet deep when I dug it, and I dug it about 40 years ago. In in the last 30 years. It's been filling in with the sediment coming off of a cut over directly above my property. Deepest point my barn is now 14 feet. So there's 16 feet of silt in there someplace. But I know exactly what you're talking about. But there is no protection for that from agriculture. But there is from this project, there will be sediment ponds and so forth. So you will have protection a whole lot more than you have right now. Well, we've been doing this case now for about five weeks, every Monday night. Have we pretty much answered everybody's questions?

Allen: Seems like it.

Bowe: Then do we want to make a motion, do something here.

Bickford: Mr. Chairman, I will make a motion and move it forward to the Board of Supervisors with the conditions change that you took out native, and would like it understood that they, which it does in protocol, but the Board of Supervisors has the right to review. All the minutes. All the conditions, excuse me, and some of the suggestions that have been provided tonight.

Allen: You're going to remove 28 Are you going to add the two?

Bickford: That's right. Well, mine didn't have but 27.

Allen: Okay. It will be 11A, which says a substantially obscure and be 12A and 11A ride. Change it from visually obscured to substantially.

Bickford: So you got 11A added?

Allen: Yeah, just change the verbiage on 11A and 12A.

Bickford: That really ought to be 12B chained to that substantially and eliminate condition 28. About the flowers and take out native species.

Allen: Correct.

Bickford: Right.

Bowe: Native take out native

Allen: Okay.

Bickford: Nicci Did you get all that?

Edmondston: Yes, sir.

Bickford: You're very good.

Bowe: Can somebody second his motion?

Allen: Second.

Bowe: We have a first and a second floor. All in favor, forward it to the Board of Supervisors, raise your hand right hand. 5 of 6. See if I can dig through these conditions and find the next item here. Want to call it Nicci?

Commissioner Bickford moved, Supervisor Allen seconded, and was carried 5-1-1 by the Commission to move 21-SUP290 on to the Board of Supervisors with changes.

Edmondston: Yes, sir. Mr. Chairman, the next item that's under old business and up for more discussion is 21SUP 285. applicant is impact power. And the landowner is Larry and Deborah Davis. property information that we have is taxed at 114. parcel two, it contains approximately 36.42 acres. It's located on Gravel Hill Road State Route 617 currently zoned a one. The request tonight or the request originally in August is to obtain a special use permit for our solar generating facility for the purpose of constructing and operating solar and energy generating facility for up to two megawatts photovoltaic community solar garden. This was introduced in August and there were two other work sessions and Carlson is joining us via zoom. Scott Aaronson is here with us tonight to discuss this project and answer any questions and concerns from the commission.

Scott Aaronson: Hello, how are you?

Bowe: Fine thank you.

Aaronson: So a lot of the questions that they brought up, or a lot of the questions about solar, some of them were brought up by the previous company that just came here. Our project is a little bit different. And you know, I'll try to keep it brief. Obviously, you guys have already had a long night and try to explain some of the differences and then go from there. So the next slide, please. IPS has been around since 91. Our bread and butter in 91, obviously is a very long time

for solar company to be around. Our bread and butter is something called community solar. Now, community solar is just that it's solar for the community. It's different than utility scale solar in both how it's constructed, and the purpose. Go to the next slide, please. Now, the best way to describe what community solar is, is think of net metering. It works off the principle of something called net metering. The traditional model of net metering, you think of rooftop solar, somebody buys panels puts them on the roof, they pay for the panels, they put them on the roof. And then they get a bill credit for the amount of electricity that they produce. Now, community solar works in a similar way. And it's designed for people that want to take part in solar, that either don't have space to put their panels on the roof of their house, or don't want or don't have the money or the ability to pay for solar panels. So how it works is it's done through legislation in Virginia, in the legislation in Virginia is new. And this legislation says that companies like IPS can build these projects. Now, you heard from the previous group about a project that was huge, these aren't that big. These the maximum size that it will allow us to build are about five megawatts. It's a good example of what a five megawatt project looks like. The projects that we have, and we have two of them are significantly less than that. So they allow people like IPS to build these projects. And then essentially what they do is they get subscribers, subscribers are members of the community, oftentimes their municipal buildings, their immunity, their government, their age, their people who subscribe for the period of the of the contract, and essentially what they do with in exchange for subscribing. We use their bill credits, and they get a bill rebate. So IPS is happy, because instead of paying the wholesale rate of electricity, or getting paid the wholesale rate of electricity, which is what you get paid for the utility scale projects, we're getting the retail rate of electricity, or near the retail rate, minus whatever they give as a rebate, which might be five or 10% of a discount on their electric bill. Though, yeah, so that so that's kind of, you know, it's a community thing. It's designed for folks in the community to take part and save on their electric bill. There's also a lot of actual physical differences in the panels, the biggest one that you're going to notice is that most of the time, and sometimes this isn't true, and I don't know specifically about the large utility scale projects I drove by the one on 60. And I couldn't find the point of interconnection. But most of the time, when you get these really, really large projects, they go into the high transmission lines, those big, humongous transmission line networks, with these, this power actually goes directly into the distribution lines, meaning those 12 kV line power that that's going right up to you know, that's going in feeding into many of the different buildings. So it goes right into the power it's even though you know, you can be you don't necessarily have to be on the lines in order to subscribe, the actual power that's being generated is going directly into the local community. And local community can subscribe even if it's not on the same feeder and actually save so it's really designed for the community to save electricity. And, you know, and also be a good program. So there's two videos that kind of show a little bit about what we have. One of them is talking about a farmer, or that talk gives it from a farmer's perspective. The other one has more information about the specifics about how we build these projects. The big things that we you should know is that we don't use cement for anything except for a small equipment meter pad that's I think about 12 by 12. On the corner, we don't use cement for the footings essentially it's I beams that are pounded into the ground and we use a vegetative seed mix that goes underneath the panels and we'll get more to that later. I'll show you the two videos. It's got some very inspirational music. You can

ignore that and we could go ahead so the next the next one should be the first video talking from the farmer perspective.

Video played for Planning Commission

Aaronson: A couple of other things to note that kind of differentiate this. And these are just smaller points, they don't use the same type of inverters. Generally speaking, in this again, I'm speaking also from a higher level, I'm not an engineer. But generally speaking, with these utility scale projects, you have large inverters, they go kind of on the center. With these type of community. The inverters are smaller and they go behind the panels. I'm certainly not saying that even the large projects make a lot of noise, because I don't believe that they do. But these will make these make even less noise than that. So rather than me trying to explain kind of the process of developing, we have a really cool time lapse video that shows that actual project being developed, and that's the next one.

Video played for Planning Commission

Aaronson: Now, generally speaking, when, first of all the sites that we picked were really I think we're really good sites. But generally speaking, when people have issues it kind of is you could see it kind of goes into four categories. The main one are concerns about what's in the panels in and issues with toxicity about the panels. Second is property values, what happens to property values around the parcel. The third is wildlife, vegetation and erosion. And then of course, the fourth is the benefits to the county. And yeah, and the county residents. So firstly, there's two types of panels and sometimes you hear people and I heard someone that had an issue with this before that we're talking about cadmium in some stuff along those lines. Those are mostly in something called poly crystalline panels. They're from my understanding, they're very rarely used anymore. Certainly, we've never used them in any of our projects, nor will we ever use them we use something called monocrystalline panels. And this is kind of a good example of what the actual panels consist of. aluminum frame tempered glass with tempered glass in a capsule and solar cells which are made out for merely of silicon like 90%, silicon and silver with your actually, those lines that you see those are silver, followed by a back sheet of aluminum and then a junction box underneath. Yep, and like I said, so there, those are the majority of the of the what the panels are made of. They're also warranted for a period of 25 years, which means that if a panel breaks, the panels will be replaced in by a manufacturer warranty so that it also means that at the end of the 25 years when we remove the panels, they're going to have some value they're going to be worth I think they're rated to something about 90% of the of the original, they produce no glare. We often put these right Next to runways, in fact, that's a really ideal spot for solar, mainly because of the limitations of what you could build right next to runways. When we put them right next to runways, they require an FAA glare study. And we that's very common to do. And we've never had any problem with glare. And when you think about it makes sense. Because panels are designed to absorb light, and that's where they get energy. So the more glare that comes out of the panels, the less of a job, the less efficient that they're doing. And the less of a job that they're getting. They're doing actually, with they're also designed to melt at around 1000 degrees Celsius, a much higher melting point than grassfire, or residential fire. There was a good example of this when there was a there was a fire on property, I think it was an Essex

County. And there were, you know, I discussed some of the concerns with the Essex County Fire Chief. And the interesting thing about it is, this was just it turned out it was just a grass fire. And the interesting thing about it was that the panels even though the grass fire continued for a while underneath that the panels were actually fine and didn't melt, which shows that they're generally made. Now that was a different project that wasn't a project related to us. But that shows kind of the strength of some of these things. And they have little to no effect on solar and property values. And what we've done is I've provided several different reports, most of the some of the report shows that a 2% increase in projects near or in home values near solar projects. Now, I don't necessarily know I think 2% is a very low number. But the point is that we have about three or four studies that we provided to you that show that there's there hasn't been very much of a relation, property values in solar projects, and wildlife vegetation. So the big thing that we do is we replace, we put underneath that we use the Virginia pollinator pledge, which uses a friendly native seed mix that goes underneath it. It allows things like butterflies and bees in nature to grow, or Yeah, and it's approximately, I think around two or three times a year or as needed so that it doesn't go over the panel. So this is one of my favorite slides, it shows the difference. That picture kind of shows the difference between a deep seated root mix and what current farmland is, obviously, we need farmland, I'm certainly not making any digs at farmland, because we all need to eat. But this shows kind of some of the additional benefits of putting a solar project there. Mainly, if you look at the left of that picture, it shows what the deep seated group mix does, as compared to what here's what corn and wheat does to the grass in terms of water retention. Some of them some more of the benefits are, are listed. Also have benefits to local residents. You know, we increase it increases the power lines between the substation and the project. Oftentimes, that's required in order to build these. No chemicals used on the land, unlike with farming. And of course, the economic advantages give you an idea of how much the project costs about \$2 million a megawatt. And as you've heard previously, and I'm sure you've heard from everyone that comes up here, there's a tremendous benefit for having this economic development, I'd say somewhere between 20 and 30 part time jobs per project and about two full time jobs per project. So we have two projects. And the best part about both of these projects is that they're very, they're already very, they're screened very, very, very well. The first one is NCN what we call internally ncn. Three, you could get a idea of the size it's about is about in the reason it is about 13.5 acres. And it's our like I said no one's going to I don't believe that anybody is going to be able to see it based off of the location that it's at. And then we get to show the other one. The other one is Larry Davis project which is also as you can see, it's very well screened even from the start on all sides. The only place that you know, there's some road frontage, which of course, as your plans and conditions talk about would be well screened and even from the beginning. It's very little bit of road for I think it's about 140 feet of road frontage that would even be able to be seen from the beginning. So that's pretty much it. You know, I'm like I said, I'm here for any questions. I'm sure if there's any public comments, or I'm here to answer any questions in support, so we've looked over the conditions in for the most part, we actually we don't have any issues with any of the conditions with the exception of there's one point in it where instead of IPS, solar, I think it's in condition six, it says a different solar company's name. But outside of that we agree to all the conditions.

Bowe: They have seen all the conditions in there basically agreeing to them all.

Aaronson: Yes.

Bowe: Anybody have any questions of it?

Allen: Yeah, I got question. I'm still... In paperwork on 125 43, which is 75 acres. And then we talk about it's more and went back and looked at the other proposal. And I think you're looking at 125 42. I just want to make sure you know which one you're doing?

Aaronson: Yes. So just to clarify, because I don't have the parcel numbers memorized by heart where we're looking at the Larry Davis project right now

Allen: No, I'm looking at the one on 20. I know, we got the one at Larry Davis' straight, because that was an issue to. We straightened that out.

Aaronson: So we I do believe we've double checked it. We've made some revisions, which is, which is if you notice the amount that I said was inside the panels was different than actually that's another revision that we would need to make to the, to the total conditions list. I do believe it's actually the actual solar federal and the fence for that ncn project is 13.5 acres. And I do believe that I think it says 18 point something on the conditions.

Allen: Yeah it was 18.

Aaronson: Yeah. So that would be a change we need. You know, I assume that the conditions for NCN. Three, match the conditions for Larry Davis, I did not look at the specific conditions for Larry Davis, to check specifically about the about those particular numbers, although I do believe Evan did and Evans actually here I'm sorry, I forgot to introduce him. Evan Carlson is also here by zoom.

Evan Carlson: Hi Im here on your computer, and couldn't be there in person. But yes, the parcel ID numbers are 114 dash two and 125 dash four dash two. And I have reviewed the conditions. And we have no objections to the conditions as proposed, other than changing the name, our name. And we have no objections to the conditions as proposed by the prior project either. So we're going to try and make this as easy as we can for you.

Edmondston: Oh, Mr. Carlson, just to interject the tax map for ncn is definitely 125 4 2 and also, if we get backtrack to the narrative, because you had in the narrative, and the application originally, that it was going to have 18 of the... 18 acres of the 21.09. But that's not correct. It needs to be 13 acres of the 21.09.

Carlson: Yes, as we have, we revise the site plan through the development process. And through the course of those revisions, we have arrived at a more detailed plan, and the size of the system is labeled on the most current site plans. And that that label is accurate. One of the projects I believe is 14.5 the other is 13.5.

Edmondston: Okay, if you could for both cases, 21 SUP 285 and 21 SUP 286. Please send with your application all revisions to me tomorrow. So that we can have that on file because your original application, the introductions and where we are today. We need to make sure that we have this correctly in a public format.

Carlson: Sure we can do that yes, they we did submit a revised narrative to correct those issues as well as revised site plans so I can send some sort of confirmation that of these series of events and which version is the most current

Edmondston: I do not have anything from you for the revisions on both of these, if you could send both of those, to me showing the new site plan and the acreage on that request, I'll be great.

Carlson: I certainly can. And I can, I can forward you that. We can certainly do that for you.

Edmondston: Thank you.

Allen: So you're not connecting to the main lines. You say you connecting into the residential lines, when is the electric company going to start operation for that?

Aaronson: A lot depends. And there's a lot depends on when they're going to be done studying the program, I believe opens in part in October. But it's, it's possible that it can either go through the community solar program, or do what's called an RFP directly through the electric company. And based off that the timeline might be a little bit different, Evan if it's community solar, do you want to talk a little bit more about specifically when?

Carlson: Yes, so the community solar program is new. Again, community solar, it's exactly what it sounds like. It's a bunch of people grouping together, putting their solar panels on this site, and being treated as though it's up on their roofs, it's about people. Well, that's why we're plugging

Aaronson: when will, when will it be built if it goes to community solar route and not the RFP route,

Carlson: So that the community solar program opens up the opportunity to apply to the state program opens up this fall, October 1. And in order to be eligible for that application, you need to have your land use permits in place completed, and you need to have your interconnection application completed from the utility, these projects have been studied by the utility. And that process is nearly complete. However, there's a limited amount of projects that will be approved, and they happen on a first come first serve basis. We don't know how quickly, it'll fill up. So if there are a lot of projects, it's possible that the allotment of community solar gardens for this year will already have will be too late because we're going to miss the October 1 deadline, However, we don't know that it might take a while to fill up. And so we don't know it's a new program. And we're certainly going to try and get it done as quickly as we can. And then the alternative is that sometimes the utility is just stepping in and buying these projects without them going to the

state program. And if the utility decides that they want to step in and do that, and all of a sudden, now you're done, you're ready to go again on your shovel ready. So to answer your question anywhere from a groundbreaking would be anywhere from a year to three years from now.

Aaronson: You know; I guess it's something that I should have emphasized that I didn't emphasize before. These projects are very, very, very important to us. And obviously that goes with big probably goes without saying. But to give you an idea, if we sign up maybe 100 or 110 program projects in the in the entire Virginia area, just to get past the study meaning that Dominion says that we're able to build that the area's good that they have capacity on the substation, all those things that might bring those 110 projects down to maybe eight to 10. So these projects are very special in that we're able to build and we're super excited about building them. And, you know, obviously it might seem a little bit smaller than the previous projects that you've seen before, but they're very, very, very important to us. Obviously, it's just why we're here.

Bowe: Any commissioners got any questions? Next step would be a motion for moving forward a public hearing that motion.

Shumaker: Ill make that motion.

Allen: Second.

Bowe: Motion first and seconded. All in favor, raise your right hand. passes unanimously, six out of six see you next month.

Allen: That's for both projects,

Bowe: Yes both projects.

Aaronson: Thank you very much, very much. Appreciate it.

Carlson: I'm sorry, I couldn't hear that. Where did they both get?

Bowe: Yes, they just got passed on for next month for public hearing next month.

Carlson: Excellent. Thank you.

Commissioner Shumaker moved, Supervisor Allen seconded, and was unanimously carried by the Commission to move 21-SUP285 on to Public Hearing.

Commissioner Shumaker moved, Supervisor Allen seconded, and was unanimously carried by the Commission to move 21-SUP286 on to Public Hearing.

Bowe: Yes, sir. You going to call next case Nicci.

Edmondston: Yes, sir. Mr. Chairman, the next case that we're discussing under old business is actually 21 ZTA/SUP287. landowner, James Burmaster and Carl Burmaster the applicant James Burmaster and Michelle Soltesz is tonight with us we have Carl Burmaster, who's going to speak along with James Burmaster standing in the back and Michelle has joined us via zoom and I'm trying to pull up their introduction from last month. What we did last month, Mr. Burmaster on tax map 158 parcel 11, which has about 104.7 acres at 5481 Mount rush highway. He would his request is to add a zoning text amendment for an outdoor event venue in agriculturally one zoning district and obtain a special use permit for that purpose. Presented in August of last month was this introduction along with multiple conditions. What Mr. Burmaster has done, there were 16 conditions and you have each of you have at your workstations, on his rebuttals, if you will to some of the conditions. He's also with us tonight to discuss his application and his intent with the special use permit the nature of the events that he'd like to hold the number of events. I know that we put in here up to 5000. He'd like to hold events with crowds much smaller. He does have a statement from the health department in regard to bathroom facilities and health facilities. And I believe he may have a statement from Peter Francisco Soil and Water discussing the lake and the dam on the property. So Mr. Burmaster.

Bickford: Before you start, Mr. Burmaster Let me reiterate that I will abstain from this application because I do assist him in his timber management. I did that with the introduction. I just want to make sure put it back on the record.

Bowe: Noted.

Edmondston: To the Planning Commission. I have also included what we had discussed in August was to take a look at some neighboring counties, their zoning ordinances and other outdoor event venues that are held. A county most close to us is Nelson county and they hold a music festival every year possibly twice a year it's called lock in. They also have many different examples of this type of tourism industry. I have included Appendix A form their zoning ordinance this for us to have a point of reference as we further this discussion with Mr. Burmaster. Mr. Chairman, in regard to condition number five for his development process Carl does have a rebuttal for number five 9 10 and 13 can we let him discuss those a little bit and maybe tell you a little bit more about the types of events he wants to hold here.

Burmaster. Afternoon how y'all doing? As far as talking numbers that way down you know, I know he was concerned about that you know, my intentions are for this I have a lot of family also a lot of niece's nephews and all people that try to get married and I've went to these venues

16,000 12,000 8000 \$6,000 for the person to get married and most of your average households can't afford stuff like that. And as far as it's like a two-part thing for me the wedding venue, I want to build like a 3000 square foot barn frame style building for people with average incomes below incomes can come and get married in a beautiful place. They don't have to spend a lot of money to do it. And even I don't know how I would have to work some type of sliding scale I have no clue yet because this is new to me but I want people that can't afford stuff like this and Buckingham County and even surrounding counties people come here and afford to do that you know because there's a lot of people that can't and I know many of you can't. I'm not allowed to make some rich get rich off of this stuff I'm out to help people and to let people enjoy what we have over there. As far as the number of people in the outdoor venue I would much rather have a pavilion and have a weekly you know local band come out with blankets and people who come out with their families and spend time out there with you know, have vendors out there serving food whatever where people can hang out have a good time Buckingham County because I know I've been here 17 years and I don't know any place like that where people can go to enjoy with their families or anything and that backfield back there is fairly large you know any music being played on your concerns and Lyn and David would be pointing towards the east, okay, most bands decibel levels of 95 96 you know, which means you can sit and have a conversation and still listen to music. You don't want that loud music beating you to death or anything like that. You know what I mean? I just think it's a great opportunity for Buckingham County to have a place to go kick back relax with their families with their children put their blankets out and chairs and just have a good time you know do I want to have a large event maybe one day not right away you know I mean it but if I did I've already talked to Billy kid you know about how much it would cost to have certain cars out there with every make sure this coming out the driveway everybody was checked nobody was leaving there in an unsafe manner because I don't want anybody to get hurt at all. You know I'm really doing this for the county i mean I'm I'm not a rich guy y'all see me out there working I'll get in the ditch with the best of you and dig all day long you know me I mean I'm doing me my son and doing this on our own you know; I mean we're not... hopefully the banks will help us out a little bit later if it gets approved but we're basically doing this on our own right now. As far as the conditions I mean, I don't have them in front of me. Either one of them was the erosion sediment. Miss Snoddy and her engineer came out to the property. I showed him where I was going to put everything was fine it wouldn't affect the spillway it wouldn't affect the water he wouldn't do anything. I had Paul come out from the county for the septic system and I'm tensions were and he drew me out a piece of paper right in front of me is do you mean this what you got to do right here and so he was all on board with that. The advertising part is my most difficult part because if I'm going to have local bands come out here for people come each weekend, I'm going to have to advertise. And in the language last time they said a major event. You could only advertise with a major event and this wouldn't be classified as a major event. So how are you going to get somebody to come out there? hang out and whoever's out there if you can't advertise at all. I guess I guess what I'm trying to say is I'm trying to make this really as for Buckingham County, am I trying to make a little money I want to? yes because I like to pay off my place, whatever. But these 15,000 \$16,000 wedding day uses is I'd rather make it to where average family should come out, get married, not spend a fortune and have great time simply.

Allen: So would you want to start off with is a wedding venue more or less?

Burmester: Yes. So I'm going to start with the wedding venue. Because Reason being because the wedding venue if I build a three to 4000 square foot pavilion, you got to have bathrooms, okay? Because, you know, brides got to have your own bathrooms. I get all printed up and all that stuff. But then even the weather inclement weather, I can still have line dancing, square dancing, have a friend of mine that teaches line dancing and country dancing. innsbrook Alta they call it dancing cat she's I'll be more than glad to come up there and get people on the ball up here and I think would be a great opportunity for Buckingham County even like I said I've been here 17 years there's nothing to do here. It's nothing to do. So if you get somebody that's valid and isn't much there to do that, you know what I mean? So at 17 years pizza, other stuff gets a little bit old. With other conditions I have some conditions in front of me.

Edmondston: There were 16 of them I'll be happy to...

Burmester: No just the ones the three.

Edmondston: So the site plan talking about the 4000 square foot wedding venue the cabin on the property will be refurbished and inspected per initial setup large pavilion you talked about

Burmester: The original site plans that y'all have up there the red is where the if y'all are new probably still pull it up but the red building going out. let me look at it because I haven't touched anything only thing like I said the thing is now on the site plan is that is the pavilion. I had Tommy come from the county there's two big long turkey barns out there it's got a bunch of old school rough cut lumber and I won't show I was going to build us that but it's in really good shape and he told me that I could use that for the pavilions but not for the building. There is right there so let me look. Okay, yeah, you see the little red the red building right there and the light would be on the left correct

Edmondston: The one you drew?

Burmester: I drew up the one that drew up oh no no, I'll go back to though I'll show him that when I do a little scared did I give you a different one I gave you a number yeah that's a different I gave you one from my email the one that we use last time I read block on it. We had up last time and we talked about this one.

Gooden: Is this the one?

Burmester: Yes ma'am. You see the red block on your is where the pavilion we go. Okay. So if we go to big white turkey barns there would be would be taken down it wouldn't be destroyed because there's a lot of really good lumber inside that can be used to build pavilions with and which would really be good. All the all the buildings put back there, it's only going to be probably two pavilions and one wedding venue. The first red blocks to the left of the second white building is an old log cabin. I've already got all the trees around that taken down they

actually lifted up the building started to refurbish that the blocks to the left is an old cemetery. Back from the 1800s I'm going to refurbish that make sure it's I went down to the museum actually found a plat that where all the stones went. And I'm going to put it back just like it's supposed to be which is great. And then there is another graveyard that's on top of the hill down there across the spillway, but it's not marked but it is a graveyard so I'm just going to you know I'm going to make everything look really good I'm going to try to keep everything rustic all bone style framing and that one red bin will be the only wedding venue right there septic field will come back towards the road not towards the water okay that's the way that he told me that had to be done Paul did and just to the left of that will be where you know the power goes down so nothing's going to affect the spillway nothing's going to affect anything to do with the lake there's no runoff there's no anything it's actually pretty simple the front field will be parking the patch of trees right there when she was concerned about you know the cars parking and that patch of trees I'm going to take out invite you buy the road and so I can dead center to pull in for parking that's the optimal spot to where it's best and I did have a traffic impact study done and he came out looked at the site he said everything was good if I had to put it in turn lanes I could do it in gravel so but that'd be down the road that'd be your conditions if i have to do that.

Bowe: What other condition were you concerned with?

Burmaster: Just the advertising condition the one that we could be able to let people know we're having a you know if it's a weekly just a little local band come out put a blanket on the floor have some peace I thought about putting like a you know a little pizza or something on the ends of the volume because I know you can't do it in a building but you can do it at the pavilion or around back correct?

Edmondston: We talked about a food truck or...

Burmaster: Food truck well then whatever we got to do whatever we need to do first. Flip pizzas or something that we'll see but we'll see how it goes. But you know I just think it's a great opportunity for Buckingham I really didn't forget I mean almost start small and try let it grow but I just want people to come out and have fun

Edmondston: Well Mr. Burmaster if you're going to start small then that's different than what was presented in your application.

Burmaster: Oh no, I mean we can drop the 5000 number.

Edmondston: Do you want to okay the 5000 number did you want to scale this back? I think Mr. Allen asked about a wedding venue first and then

Burmaster: Yes, wedding venue first. But you know, but that was still I mean, if you had a wedding venue first Couldn't you still have a local band in there like you know for

Allen: Sure most venues do at least all of mine did. I just finished five girls getting married.

Burmester: The only thing I didn't put on that that sitemap was a pavilion open air pavilion not closed in open air.

Dorrier: What about a number?

Burmester: What number would you all recommend? How's that?

Allen: I mean, most of the time with a wedding over 200 250 be a big wedding you know.

Burmester: What about on the music side?

Allen: Music side it depends on what the name of the band is.

Burmester: Carl Burmaster.

Allen: I don't know depends on what weekend it is.

Burmester: How about 1000. That I'm just saying if we have a band there, and whatever, you know, that's, I mean, I don't have to come back if it ever goes up at that. But I say when usually right two 300 people, I couldn't see more than that many people come in and sit in on blankets from Buckingham, you know, honestly. And I know I'd have to come back in front of y'all if I wanted to go up more. And the only other condition that y'all put in the condition was now thinking that it was I had to give a 90-day notice to a band. And that's almost impossible for if you have, if you have a band come out each week, a local band or open mic or dance, whatever, is almost hard to 90 days in advance is a stretch.

Edmondston: Now, Mr. Burmaster. So what you're asking is actually a little different from your narrative, which is okay, that's what the Planning Commission wanted to do is have this discussion with you to find out the nature of what you wanted to do. So we have a couple of things right now, a wedding venue, which would be one SUP, and then we're still at Music Festival, even though it's less than 5000. But there is an sup that could in an A one for a Music Festival. And that's in essence, what you're asking for in the second part of this right now smaller, not 5000. But 1000.

Burmester: I thought I thought I'd say I said events, music.

Edmondston: There's a lot of things in your application a lot, a lot, a lot.

Burmester: I Try to put everything in there. So because you know, I was told I had to come back and resubmit everything. So I was trying to throw it all in there. You know, just in case,

Bowe: It's your wish list.

Burmester: It was my wish list. Yes, sir. Absolutely.

Edmondston: And that's what we discussed, initially, because you were going to start off, you know, very strong and you still are but just a little bit smaller than where you are to kind of you know, just everything in order so that you can do that. Well. And then if you have to come back for an SUP or something,

Burmester: if everything goes well, and everything's working out, right, I don't think I'd have a problem with any Commission or the board.

Edmondston: Okay, then to the commission, I would ask, maybe it would be better from an administration standpoint for Mr. Burmaster to take a look have him maybe amend revise his application to include wedding event venue and music festival for those under 1000 and bring back similar conditions for other cases that have had those kind of scale back maybe his plan at this time just to include those two activities and bring this...

Burmester: Yeah, or like church groups of church groups something calm or first responders wanting to come nonprofits wanting to come You know, stuff like that, you know, I mean, there's really no way to...

Edmondston: Okay, so how does the commission feel about having administration work a little bit more closely with Mr. Burmaster to get his venue truly representative of the events that he wants to have right now at this point., and if it changes to the full intent of his original application, he could come back to the county at that time

Allen: Id put it at 2500 instead of 1000 myself.

Burmester: I like that number. I was trying to keep everybody happy. Because I really want this to go through I'm being honest.

Allen: I mean we had the tractor pull up there that's what three to 4000 people. Id put at least 2500 myself.

Burmester: You said 35?

Shumaker: I would think there would be a way to word Smith it a little bit to use buzzwords like private non commercial functions like we see in Nelson so that we can encompass everything you're trying to do in one application

Burmester: as I know Nelson pre COVID pre COVID Nelson had a lock in event is three days many many bands camping. I want zero camping no overnight stuff like that at all. You don't really want to go there and they have one event in the year in September so their events they got

350 acre farm. Tons of people wild you know I don't want crazy crazy crazy wild. little crazy wild but not too bad. You know I'm saying

Dorrier: Be good if you all got together, I would think

Bowe: We will just let this go for the night. If you get with Nicci. Yall come back next month. Maybe we can get somewhere.

Burmester: Thatd be great.

Bowe: Thank you sir.

Allen: Mainly you will talk about those two things a wedding venue and a festival.

Burmester: Thank you, Nicci Thank all y'all. 35 numbers sounded good.

Edmondston: Thank you

Bowe: Next case I guess.

Unanimously carried by the Commission to hold case 21-ZTA/SUP287.

Edmondston: Mr. Chairman, members of the Commission under new business tonight we have introduction of case 21 SUP 291. This would be John Yoder, landowner and applicant is John Yoder, located at 541 Allens Lake Road. This tax map is 113 parcel 10. It contains approximately 9.48 acres. It's an A one agricultural zoning district and the applicant wishes to obtain a special use permit for the purpose of operating a commercial sawmill. The zoning ordinance does not permit a commercial sawmill as permitted by right use in an agriculturally one zoning district. However, within the a one district a commercial sawmill may be permitted by Buckingham County Board of Supervisors by special use permit following recommendation by the Planning Commission. In accordance with this ordinance and the Code of Virginia Planning Commission may recommend and the board may impose conditions to ensure protection of the district if the special use permit is approved. This case came to the attention of the zoning administrator by way of a complaint after investigation and meeting with the landowner was discovered that a sawmill was operating in violation of the zoning ordinance. Initial complaint was made in early July 2021. And the building was discovered but no sound of a saw operating at that time. However, the sawmill was operating when another complaint was made in late July 2021. After discussion with Mr. Yoder it was discovered he was purchasing logs, timbered off side and operating a commercial sawmill. At this time Mr. Yoder was informed that he was not operating in compliance with the zoning ordinance and was instructed to cease operations immediately. After further review of permit records Mr. Yoder obtain a building permit in June 2021 for a 40 by 60 Building for the purpose of farm use, as indicated on the zoning building permit application the saw mill was operating in this 40 by 60 Building. Mr.

Yoder does need to provide information to the Planning Commission and Board of Supervisors explaining the intent and nature of the request for the permit in June of 2021. I have listed 10 conditions. Mr. Yoder is here with us in the audience. I will ask him if he would step forward to the podium to assist in this discussion for his request.

Allen: What is the footage your counting on? How feet do you plan on cutting up? 1000 feet? 10,000 feet? Weekly? Daily?

John Yoder; I don't have a footage there. My goal is just to have work for me, my family. I might have an employee or two. At this point maybe 5 10 1000 feet four feet a week.

Allen: That's the other thing I've heard that you can only increase and that doesn't bother me What does bother me is the road Allen's Lake road we got a lot of older folks and young children on it road a lot and I just hate to see the amount of trucks coming back for on that road hauling to it. I've got another location that I would love to see you move to and haven't got it done but I haven't got anybody to properly say it's okay yet. I'm not against you cutting wood. My family's been in the wood business all their life. I have no problem with that. Is this just the amount of traveling on that road id rather not see. But I'm hoping to get you another place. And maybe we can work it a little quicker. You probably talked to him about it. But we'll talk more later because I hadn't gotten an answer on it yet. But that's just my thoughts right now because it's a dead end road and a smaller road. And you get a lot tractor trailers coming down and road its going to tear it all to pieces. Plus, people that have to travels that road. That wouldn't be a good thing, in my opinion.

Bickford: Mr. Yoder, Do you have plans to expand a sawmill to make it larger?

Yoder: I don't really, like I said, I just want work for me and my family. I have no intention of expanding, but never know.

Bickford: How many tractor trailers Do you anticipate a day?

Yoder: Like I have in my narrative I wrote down about up to three a day,

Bickford: Three a day. Yeah, I'm familiar with the area and I do agree with Mr. Allen. It's not the best location for a saw mill because of the fact of getting in and out with the logistics of the trucks and all. But it is nice to know that you're looking for another site for them. I to am in the timber business. I don't want to stop anyone from making a living .

Allen: I don't want to stop you but I want to get a better location for you and the people around you.

Bowe: You understand what the problem is, don't you?

Yoder: I'm just trying to find out.

Bowe: Well, if you were operating this saw mill out of the trees growing on your property, and you were cutting them for boards, for a shed you were going to build, you wouldn't be up here. But you are buying logs that have been commercially cut someplace else, bringing them to your shop, cutting them into boards or as you say railroad ties, whatever and selling them back. So you've really got a commercial operation going in the middle of an agricultural residential area. That in fact is the problem. I don't know if it's your problem, or it's our problem but it's somebody's problem. I would assume if it's our problem, it's got to be your problem. You going to inherit it. Any other commissioners have any other questions or thoughts or?

Shumaker: I'm just catching up on this case, but was the purpose of the 40 by 60 building initially to house this operation of the sawmill?

Yoder: It was.

Bowe: When you initially applied, what was your intention there? For the building permit? Was your intention that you were going to be buying logs from other people and cutting it for them?

Yoder: Yes, it was.

Bowe: Was that indicated to anybody when you were in the building permit process?

Yoder: No.

Bowe: Danny does Mr. Yoder have any knowledge of who you're talking to and so forth about a place for him to operate?

Allen: He was asked about it in the beginning but they told him no so because of zoning processes, but we're trying to figure that out now and get that right. It be a good place for you. I don't feel right about mentioning the name right now because I don't have a proper yes yet but I will notify you as soon as I get the answer.

Bowe: Supposing he can find a place for you to go would that be something you would consider doing?

Yoder: I'm not sure I might think of relocating I just prefer to always have my work at home with my family.

Bowe: Well maybe this isn't the right work for that particular place. Relocations is a distinct possibility possibly.

Allen: Its close by. You know where im talking about? I think you'd like it. If everything works.

Bowe: Want to make a motion on something to do that while you're doing all this?

Allen: I like put it on hold right now. Until we..

Bowe: Okay so your suggesting we..

Allen: Maybe we can have a special meeting with them to come back and get it straight. Once we figured out something.

Bowe: You want to make a motion for something. Make it.

Allen: I make a motion to put this on hold until I figure out another deal and we can talk to him more about it.

Bowe: Do I have a second?

Dorrier: I second.

Bowe: Have a first and a second. All in favor of Danny's motion. Raise your right hand. Unanimous okay. We'll be put on hold until something is worked out one way or the other.

Supervisor Allen moved, Commissioner Dorrier seconded, and was unanimously carried by the Commission to hold case 21-SUP291.

Allen: Hopefully that will be shortly.

Edmondston: Next case under new business is the introduction of case 21 ZTA/SUP292. landowner and applicant is historic Buckingham Incorporated. Martha Louis is as president is here with us tonight. The tax map is 124 parcel 90 contains approximately 40 acres and it's located at 84 Lee wayside road Buckingham in the Maysville district. Current zoning is VC one village center. The applicant wishes to obtain a special use permit for the purpose of holding public events at the historic village location to include but not limited to Indian relic show for farm fest spooky hollow drive thru village Christmas market vino in the village. primitive technology day and may fast at this time there is there is not a use provided for this request. The zoning administrator is asking the Planning Commission to add a zoning text amendment to add community service organization programs to a list of special uses in a village center VC one zoning district. By nature, the public events listed by the applicant will be defined as programs held by a community service organization. The applicant is asking the Planning Commission to recommend a public hearing date to hear this request. Let's see the zoning ordinance does not permit public events as listed by the applicant as a by right use or permitted by special use in a VC zoning district and an effort to encompass historic Buckingham, Incorporated and other similar type groups and activities related The public events the request to community service organization programs zoning text amendment to the list of special of uses permitted by special use permit and VC one is requested and an application for special use permit for that purpose as

well. Historic Buckingham incorporated has held many events over the past years and only recently was it discovered that the additional documentation was needed for the variety of community events held. The property was rezoned from AC one from a one excuse me to VC one in 1999 historic Buckingham Inc has been gracious to work with the zoning administrator to ensure compliance for all public events held. I've listed just a suggestion of 10 conditions that may be considered not only is Martha Louis president with us but Bobby Snoddy board member is with us as well to discuss any questions or concerns.

Allen: Think about a text amendment I'm not liking to add another text amendment but if you read on a VC one special use permit, it uses everything on a one and everything on b1. And I know it doesn't have a specific what they were saying. But I mean it's got down to fairgrounds and music festivals or similar large events. We got all that? Why do we need to change? I think it will take care of everything that you do. If you all would look at and be satisfied yourself first. I don't know if you have or not. But

Inaudible

Allen: Go ahead.

Inaudible

Allen: Who did?

Inaudible

Bowe: What kind of event is it that's causing all this ruckus.

Inaudible

Bowe: You got a regular mess going on.

Inaudible

Martha Louis: Saturday and you're all invited.

Edmondston: Yes. Probably ever going to do the events, we will not be canceled. We've worked closely myself, our county attorney and our county administrator to ensure that the events that have been scheduled will continue.

Inaudible

Edmondston: I'm going to inject events that you hold are definitely community oriented. I think I have talked to Martha Louis, there's no one that would be more upset with not having these events than my own youngest child. What we truly want to do with the event, yes, it wasn't that

you were called into the mat onto the mat for the intent of the programs that you hold, it was just that the other organizations wanted to utilize this space. That is this is why I don't compare the activities and the events that are held at historic Buckingham as something that's akin to a fair or some type of festival. This is truly an organization that has the community at the heart of it's every single event and intention. That is why I was asking for the zoning text amendment of a community service organization.

Inaudible

Edmondston: Yes, sir.

Inaudible

Bowe: Is such a text amendment been written or proposed yet?

Edmondston: My proposal in the request when the application came through to hold the public events, when we look through the VC one which yes does allow for the bar ride and special use permits in mini one and I believe a B one. There are certain events held that are music festivals and fairgrounds and things of that nature. If you've been to an event at historic Buckingham, it is not like a fairground, or a music festival. This is truly things that are at the heart of showing the young and the middle aged and those that are older in age, things that have happened in this county. Why the importance of the history, the buildings that have been put there. If you ever go to Indian relic day and you see Spencer Adams and the all of the individuals who come with arrowheads to teach the children and myself as well, as going back to the children, there are field trips from the middle school I know and probably the primary and elementary as well that attend to see why these buildings were moved. What happened originally in these buildings, there are pictures they are individuals who tell the story of historic Buckingham So to me, it was not a fairground, or some type of festival certainly it's a celebration of sorts of historic Buckingham and the things that brought us to where we are today

Inaudible

Bowe: You have some words that you could eloquently tell us that would satisfy this young lady.

Edmondston: It's not that I don't have any satisfaction I've written on Bud Witten's mule cart not with a grandchild yet but if I live long enough I hope that I will. And I've eaten all of the organic food that has been grown here in the area I buy from the Boy Scouts when I go I mean there's no place I mean I really do enjoy attending these events I won't be able to nail obviously I'll be the one person on the list not to let it.

Inaudible

Bowe: Bureaucracy at its finest.

Inaudible

Bowe: Would it solve anything if you went back to the organization that requested this and say no we can't do that?

Inaudible

Edmondston: I will add that in the past few months, while historic Buckingham and many other organizations very similar have been long standing in our county, we do have new organizations with that same community intent we are contacted I say we myself and our county administrator, Mr. Carter, we were contacted on a very regular basis with organizations that want to hold something very similar to a community service organization program on property in which the zoning does not allow so even if they were able to hold those, we haven't had a use provided for that. So adding a community service organization program and allowing these other groups that are interested in reaching out to the community as well by way of children and backpacks and different events that will pull the people of this county wonderful county together they'd be able to apply for special use permits in different districts possibly as well but the real intent of this is just for everyone to realize the number of organizations that either call us to hold events or that don't call us to hold the events and then the event is held and then were questioned as to how and why and how did this person do it. It's really to even the playing field we want to make sure that the organizations that are holding these that it is everything is proper and those next organizations that come through which we want new organizations to come through and continue to support this community but we want to make sure that we have a use that's provided for and we can explain that.

Inaudible

Louis: Were having events that we don't charge for there's no admission fee because we want families to come in and whatever you...

Bowe: Anybody up here got any thoughts on and we go ahead and list one

Bickford: I think the most important thing is let them be operational till we do come up with something.

Bowe: Absolutely.

Allen: I don't think we're stopping nothing right now.

Inaudible

Louis: Spooky Hollow.

Inaudible

Bowe: They do very much

Inaudible

Louis: We have the fire department helping us every year. Nope. Never an accident.

Bowe: It's never been a problem.

Louis: We have four events left this year. And I'm assuming that we can probably go ahead and complete those up through Christmas. Yep. love to see some of y'all there.

Bowe: Do we need a motion in the vote on whether or not they can continue?

Edmondston: No, I'm going to defer to Mr. Wright for this part.

Bowe: Would you feel better if we did?

Inaudible

Shumaker: While we wait for Mr. Wright, I know this is a mess enough with the special events but with zoning does this anyway have to be Messier like for Boy Scouts camp outs and stuff? Because my own kid will be very disappointed. I didn't know with the special events, we're obviously addressing.. Nicci, do you have...?

Inaudible

Louis: Our events are 300. And under probably

Edmondston: The applicant did state that they were going to hold the events listed. But to include but not limited to. So if there were other events of like nature, or to hear the public hearing, and to add the zoning text amendment to include a community service organization program, that they will limit themselves.

Inaudible

Edmondston: We're here with this introduction because after legal review and administration and legal review working together that's going to be the best way to do it. Yes, sir.

Inaudible

Bowe: We want to make a motion to send them on?

Allen: Ill go ahead and make a motion, but make a motion to go ahead and add the text amendment is that what we want?

Edmondston: You'll want to add a text amendment and they would want to obtain a special use permit for that purpose.

Shumaker: So a motion for public hearing.

Allen: Right. But I'm just wanting to make sure what we should do. Okay. Motion made.

Bowe: Anybody a second?

Bickford: I second that but can you move to public hearing without having it already written?

Edmondston: Without having what Mr. Bickford?

Bickford: Your text amendment? Right now we got ideas but nothing on paper. How are you going to advertise to the public?

Edmondston: For community service organization? For the definition? Would you like a definition prior to the public hearing?

Bickford: Well, you can get it written.

Edmondston: Yes. I will take care of that.

Inaudible

Bickford: I just want to expedite it if possible. Don't want to snag. That's the only reason I'm asking. But yes. Second to move this forward.

Bowe: Y'all can continue all everything you've got scheduled, right? That's not a hang up.

Edmondston: Yes.

Inaudible

Bowe: Do we have a first and a second? All in favor of approving what we just talked about? Raise your right unanimous, y'all are approved for public hearing next time. It'll bring us up to reports Nicci.

Supervisor Allen moved, Commissioner Bickford seconded, and was unanimously carried by the Commission to move 21-SUP/ZTA292 on to Public Hearing.

Inaudible side conversation

Edmondston: Mr. Chairman under zoning administrator and reports, I don't necessarily have anything. I may ask our county attorney if he has anything you'd like to discuss this evening. All right, and the only other thing the building reports were included for informational purposes. I have nothing further.

Bowe: Anybody want to make a motion.

Allen: Motion to adjourn.

Bickford: Second.

Bowe: First and Second is all in favor Raise your right as it is official we are out this before 10 o'clock.

Supervisor Allen moved, Commissioner Bickford seconded, and was unanimously carried by the Commission to adjourn the meeting.

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

ATTEST:

Nicci Edmondston
Zoning Administrator

Patrick Bowe
Chairman