



Buckingham County Planning Commission Agenda
Monday, October 24, 2022 7:00PM
County Administration Building
Peter Francisco Meeting Room
www.buckinghamcountyva.org

You may view the meeting by logging on to <https://youtu.be/ZTgtMVmDJWI>

1. Call to Order by Chairman

Invocation

Pledge of Allegiance

Establishment of Quorums

2. Adoption of Agenda

3. Approval of Minutes

A. September 26, 2022 Regular Meeting

4. Public Comment

5. Old Business

A. Public Hearing Case 22-SUP319 Rosney Creek Solar –
CANCELLED. Applicant has request to delay.

7. New Business

A. Introduction Case 22-SUP320 Chris Hucks

B. Introduction Case 22-ZMA321 Olympia Moore

8. Reports

A. Building Permits Report

B. Zoning Administrator Report

9. Commission Matters and Concerns

10. Adjournment

**Buckingham County
Planning Commission
September 26, 2022**

At a regular scheduled meeting of the Buckingham County Planning Commission held on Monday, September 26, 2022 at 7:00 p.m. in the Peter Francisco meeting room, located within the Buckingham County Administration Complex, the following members were present: John Bickford; James D. Crews III; Stephen Taylor; Steve Dorrier; Ashley Shumaker; Joyce Gooden, Pete Kapuscinski, and Board of Supervisors' representative Danny Allen. Also present were Nicci Edmondston, Zoning Administrator, and E.M. Wright, Jr., County Attorney.

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

Chairman Bickford 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. Chairman Bickford certified there was a quorum- six of eight members were present. The meeting could continue.

Bickford: Adoption of agenda. Nicci we have some changes, correct?

Edmondston: There are some changes regarding the public hearing.

Bickford: The Atlantic Cooperation that has been put on hold by his request. Correct?

Edmondston: I will actually read you an email that was received Friday, September 23. From Ted Lloyd with Atlantic Corporation and it states could you please notify the members of the planning commission...Could you please notify the members of the planning commission that for the time being I am withdrawing Atlantic investments application for an SU P regarding tax map parcel 138 Dash 15. Thank you, Ted Lloyd. With that action, it would cancel the public hearing. But there would need to be a motion to accept his withdrawal request.

Bickford: I guess we'll hold that until we get to that. How about the presentation by Farm Bureau They're not going to go through with that now?

Edmondston: I have not been notified otherwise.

Bickford: They're still doing it?

Edmondston: They're still on the agenda.

Bickford: Okay. All right. So we do have the one change to the agenda. We will not have the public hearing on that. So do I have a motion to approve with that change?

Allen: So moved with change.

Gooden: Second.

Bickford: All in favor, raise your right hand. All right. That brings us to approval of minutes. We have minutes from the regular meeting August 22 2022. Do we have a motion to approve as presented?

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

Allen: So moved with the change that I wasn't here but my name is and Stephen. We had the Covid.

Bickford: Any other alter alterations or changes? Do I have a motion to approve with that change?

Gooden: So moved.

Dorrier: Second.

Bickford: Motion and second any discussion? All in favor, raise your right hand, passes. Okay, that bring us to Farm Bureau's agency presentation.

Commissioner Gooden moved, Commissioner Dorrier seconded, and was unanimously carried by the Commission to approve minutes with changes

Sarah Large: Good evening. My name is Sarah large and my husband and I are land owners in districts, 1 4 5 and seven. Tonight I'm here to speak on behalf of Buckingham Farm Bureau. Buckingham Farm Bureau has 684 Total member families and 294 producer member families, a producer member being someone who actively engages in farming or owns farmland. Not only is Buckingham Farm Bureau the largest Agriculture Organization in the county, it's also the largest membership organization of any kind. According to the 2017 Ag Census, there are 408 Farms in Buckingham County and 79,245 acres in farmland. Our vision statement reads as this the vision of Virginia Farm Bureau is to create an environment where agriculture can prosper in order to improve the lives of Virginians. Our mission is that we will enhance primarily through advocacy, education and communication. The agricultural interests of Farm Bureau members through economic, political and social programs. Each year, we host our annual membership meeting, where our producer members have the opportunity to bring forth resolutions to be voted on by the producer member body. This year our meeting was held on September the eighth the following resolutions were presented voted on and passed unanimously. The first one is we believe that the remainder of Buckingham County's Industrial Park should be preserved for potential commercial or industrial development that will provide much needed jobs for our

citizens. We oppose the sale of our industrial park for residential development. The second being agriculture and forestry are vital parts of our local economy. We support efforts to attract industry and commercial development that will help increase income within the agricultural and forestry sectors. Resolutions are a way for our members to voice their opinions as one collective body, a way for our members to bring forth concerns about local state and federal issues. Our members spend time all throughout the year visiting with elected officials to bring forth issues that can have a positive or negative effect on agriculture. As I'm doing here tonight. I appreciate your time and letting Buckingham Farm Bureau and their members force their opinion. Thank you.

Bickford: Thank you Mrs. Large. That brings us to a public comment period. Do we have anyone signed up?

Edmondston: The first individual signed up is Eddie Slagle followed by Diane McClain.

Eddie Slagle: Mr. Chairman, commissioners, supervisor Allen, Miss Edmondson, my name is Eddie Slagle district two couple of concerns tonight, everything pretty much has to do with signs. There has been some talk about posting property where these SUP are coming out. And I thought that the county was actually going to put signs are letting them the public, that's not the adjoining property owners know that there is something going on that property. I know they're supposed to let the adjoining property owners know. But if you're outside of that, you have no knowledge of it unless you read it somewhere or hear about it. And so it would be nice if they would make zoning amendment signs, like similar to ones you see in Powhatan and other places to let people know what's going on with their neighbors in the county. The other thing is some sort of sign and I don't know if it starts here with it starts with the Board of Supervisors. I don't know if it's a planning thing where y'all have to get permission or not. But if we had a sign similar to what they've got at the library, that right in front of the Admin Building, people don't seem to be getting the Farmville Herald like they used to. And the last thing I saw on the Farmville Herald was this issue up was still going on tonight. It's only through the grapevine and then going on the county website this afternoon, that I saw that this issue had been canceled for this evening. So if there was some sort of sign out front like they've got at the library that you know, Jamie could put notices on this has been canceled, this has been going on, meeting tonight at six o'clock, at least the people that come by here could be a little bit more informed as to what's going on in a county. Communication seems to be a big problem out here. And if we had something like that I had no idea what something like that would cost but I think then people couldn't say, Well, I didn't know. Well. It's a big sign in front of the admin building. It says, board of supervisors meeting tonight at six. Or were talking about this. Or this SUP has been canceled, you know, something, give them a little bit more information. So, I'd like to recommend that, you know, somebody look into it to see about maybe going forward with some sort of sign informational sign in front of the Admin Building. Thank you, sir.

Edmondston: Diane McClain, followed by David Ball.

Diane McClain: Good evening. You guys know me by Diane Gilliland, not McClain. Anyway, long story. I'm married Any who. Wasn't planning on speaking didn't really know what to say. Again, the housing development you're going to ruin Buckingham, if you have any respect at all for the citizens of Buckingham and Buckingham itself. Just don't do it. The solar crap that's going up. It's going to hurt a lot of farmland. It's going to hurt a lot of people. It's going to hurt our water. The Goldmine Oh my god. I'd like to keep my animals. I would like to keep our water clean. I would like to keep the air pure that we breathe each and every day. Y'all can stop this. You can stop all three. All you have to do is say the word and you can stop it.

Bickford: Would you state your name and address please.

McClain: Diane Gilliland McClain, three nine two Quarter lane, Buckingham, Virginia.

Bickford: Thank you, ma'am.

Edmondston: David Ball.

David Ball: Good evening, David ball district three. How are you folks this evening? Good. Well, I want to say kudos to Pete, for his appearance at the Board of Supervisors meeting and apologizing for an action that he did at the board here the previous month. I think that takes a great deal of courage and fortitude to stand up and say you made the wrong decision. So thank you, Pete. Also, the key issue, let's see a key issue. Well, you know, we hear about the solar farms, still, we haven't got a policy in place that actually limits stuff. So that really is something that needs to be done. But what the gentleman before me said, I want to, I want to stand by and say kudos to him. Because really, there needs to be more notice to the county members about what's going on. You can't count on everything being in the paper, I don't get the local paper. So if I'm going to find out, I have to go online and look to see what's online, at the county web page. And knowing that it's something that was on for tonight, it changed that quickly. Well, that's, that's a significant thing. And, you know, from that point, you also want to look at, you know, having a sign, electronic sign, they're not that expensive to put an electronic sign out there in front of this building to the curb, or close enough to the curb, that it can be seen by the public. I know because I looked at this years ago for communities, those signs are very inexpensive relative to what they can do for you. So if other organizations, if the public library can do it, then I'd say it's something that really shouldn't be done. Thank you.

Bickford: Give your full name address. I know we have it.

Ball: Yeah. David Ball District Three. 398 Perkins Mill Road. Thank you.

Edmondston: Teresa McManus.

Teresa McManus: Teresa McManus Scotts bottom road district two. Thank you, Mr. Allen. Thank you, Mr. Kapuscinski for earlier today telling me you don't carry a telephone. Thank you also for being the only planning commissioner that showed up at the goldmine meeting. And I

appreciate the fact that you're there. I'd like to know the qualifications of everybody else on this board. How do you I know how you pick you get appointed. But what are your qualifications to sit on this board and to rule over me? And over my property and the property of Buckingham, do you know contracts? Have you ever run a business? Do you know anything about how things are done? Do you know anything about geology? Do you know anything about farming? What do you actually know that gives you the right to sit up there? There should be applications. There should be resumes, and we should see it. That's how it should be done. Secondly, politics makes really wonderful bedfellows. As we can see, yes, the housing development has been put on hold. It's on hold. You know what that means he's going to rape the land, he's taking the wood, which belonged to us. All that money could have been in the community's money, but you're allowing him to take the wood. All right, what he's going to do, it's common sense. He's a businessman, I'm a businesswoman. I do the same thing. If I was in his boat, I'd wait till the next election, I'd make sure I went out and lobbied to get the people I want off the board of supervisors that are voting against me. And I'd make sure I get people on there that are going to vote the way I want, so I can get my housing development in. Been to the gold mine today? Boy, you know what, you and the board of supervisors have the power to stop the gold mine with a signature. That's it. And you have no problems and no worries about being sued. Because if you sign that ordinance, it's over, no matter what the state says it's finished. We had people in who spoke to that, who put it right out there and then said, when asked what would happen if we get sued, he'd said, it's an ordinance. Let him sue you, you have nothing to worry about. So gentlemen, and ladies, learn the law. Learn that you guys have screwed up enough. Let's fix the problems you're putting on us because it's been your mistakes and your inadequacy to look at the law and to read contracts properly, except for maybe one or two of you to understand what you have done to the people of Buckingham County.

Bickford: Okay, anyone else signed up? Okay, I'm gonna close the public comment period. And we'll move on to our old business which first is the Atlantic Investment Corporation we know about that it has been withdrawn. So we'll need to move to new business introduction of Rosney Creek solar.

Allen: You wanted to have a motion?

Bickford: We do I'm sorry.

Allen: I'll make a motion to agree with the cancellation on that.

Edmondston: Actually his request is to withdraw.

Bickford: We need to accept it correct? you want to accept it is what you're asking.

Allen: Not a hold its a withdrawal.

Edmondston: I'll read it again. At this time being I am withdrawing Atlantic investments application for an SUP.

Allen: So he would have to start all over again with a withdrawal if he put it on hold he just have to wait till he come back.

Edmondston: It was not a request for suspension of consideration of the case like Dominion recently did with their SUP application this states says for the time being but it said I am withdrawing Atlantic investments application for an SUP.

Bickford: So we have a motion to accept the withdrawal. Do i have a second?

Kapuscinski: Second.

Bickford: Any further discussion? All in favor, raise your right hand. It is passed and approved. Alright, I'll bring us to new business. Rosney Creek Solar.

Supervisor Allen made a motion, Commissioner Kapuscinski seconded and it was carried unanimously to accept the withdraw of case 22-SUP318

Edmondston: Yes, sir. We have an introduction for case 22 SUP 319. The landowner is Ivan Davis at 106 Whetstone lane, Dillwyn, Virginia 23936 and the applicant is Rosney Creek solar LLC, located at 120 Garrett Street Suite 700 Charlottesville Virginia tax map 151 parcel 21. It does contain approximately 439 acres and it's located at 19691 East James Anderson highway. It's currently zoned a one. The request before you this evening is to obtain a special use permit to allow for the construction and operation of a five megawatt utility scale solar facility on approximately 439 acres you'll see the actual preliminary site plan and the applications as submitted by Rosney Creek. There is one error the applicant is asking the Planning Commission to hold a public hearing not to hold a joint public hearing with Board of Supervisors the request is not a joint public hearing at our next regularly scheduled meeting, which I believe is October 24 2022. At 7pm. I do have the landowner available along with the applicant. But if it would be the wishes of the planning commission to hold that public hearing on October 24, at 7pm.

Kapuscinski: Chairman to clarify that's not a joint.

Bickford: Correct. That will only be with us if we move this forward to public hearing. I ask the applicant to come forward and give a quick summary what they want to do here.

Mary Margaret Hertz: Mary Margaret Hertz, I'm here representing Apex clean energy in Charlottesville. Can you hear me? Okay, good. So, I know you're very familiar with Apex clean energy based in Charlottesville founded in 2009. Our primary focus and goal is to accelerate the shift to clean energy. And the Rosney Creek solar project that I'm introducing to you today. The it differs a little bit from maybe what you have seen, I know there has been some like it recently, but our goal for this project is actually going to be a community solar approach to it. So if you would Next slide, please. We can skip over that one, you know who apex is so. So I'm on the distributed energy team at Apex, which is a little different from the utility scale solar team, our

primary focus are projects that connect to the distribution level electric lines. So that's the lower voltage lines that directly feed residences and businesses and that sort of thing. And so our projects will connect directly to the distribution lines and power homes locally, in a sense, instead of sending that power elsewhere. Next slide, please. So the reason we're here is the Virginia clean Economy Act, it established a requirement to create a Virginia shared solar program. And this program would include several requirements that, especially for stipulating that the maximum project size would be five megawatts to participate in the program, there is a capacity limit. So only approximately 55 megawatt project so to speak, could participate in this program. The emphasis is on providing electricity to Dominion Energy customers. And there is a carve out in that shared solar program that a certain percentage of your subscribership must come from low and moderate income subscribers. Next slide, please. Oh, just a little bit about community solar, I'm sure you're familiar. But essentially, how it operates is that is a solar owner, you own the community solar project, and you sell that power to Dominion energy. And independently of Dominion, you acquire subscribers to that project. What's nice about the program is that the subscribers to the project will only see one utility bill from Dominion energy, it's almost as if nothing has changed, except that they'll see a credit on that bill for the solar energy that they've subscribed to. You're not able to subscribe to more energy than you consume on average, per month. But you do get that credit. And research has shown that people can save up to 10% on their annual electric bill from the subscribership. And, again, to participate in this program, there are a few key characteristics for the projects that you have to meet can't exceed that five megawatt project size, which amounts to usually about 50 acres in size. You have to have that low and moderate income subscribership you have to be located on a single parcel of land, and you have to only subscribe Dominion Energy customers. So yeah. And so why are we here tonight? There are a combination of factors that make this particular project really viable, honestly. So the first is the Virginia shared solar program. That one there is a limited capacity and since it opened in October of 2020. There are it's subscribed to about 25% of capacity so far. Our estimations, it's really hard to gauge when it might fill up but it is slowly gaining capacity. And so we'd like to it's a first come first share kind of program. So we'd like to get into that ASAP. And there are certain requirements to getting into it. You have to have an executed interconnection agreement with Dominion energy Do you have to have a local permit, and just a few other minor things that go into it? Right now with Rosney Creek, we've been sitting in the Dominion energy interconnection queue for almost two years now. And we have just been notified that we are now in the B study position. So we are next in line to be studied. Which means that we could have results on this interconnection studies, and as soon as six months or so, so we're at a really, really good point in time for this project. And then another thing that we look for as a developer also is just, you know, what is the land look like and how unobtrusive is this project going to be in this project is well sited on a piece of land that is over 400 acres, but the project itself will not exceed 50 of those acres, it's set far back from the road. And I'll go into more detail about it. I've got that site plan in the slides for you. But it's just it's a great piece of property. So next slide, please. From the beginning, we've tried to factor in these particular considerations, you know, we want to have as little impact on the community as possible. As far as like adverse impacts, we want to comply with the comprehensive plan, we want to protect the forest and conservation areas. And then we know that solar is a well worn path in this county. And we recognize and appreciate all the time that's gone into, in particular river stones, approved

permit conditions, and we're just out of the gate offering to follow those to a tee pretty much, even though this is a much smaller project. Next slide, please. So on the left, you have a map of just where it is in the county. And on the right is the parcel boundary. And the yellow area is the proposed solar project. So again, 50 acres on a parcel, that's over 400 acres. And I believe it's over 600 feet setback from the road, and over 600 feet from the nearest residence. So next slide, please. Here's our site plan. This was informed again by the Riverstone conditions. So you'll see that we followed minimum setbacks of 500 feet from the nearest residences, 75 feet from the right away, which we far exceed 75 feet from non-participating property lines, and 50 feet from perennial streams and wetlands. There are two project areas sort of it's there, there's two fenced areas, I should say, divided by an access road. And this was at the request of the landowner. It provides the benefit of allowing Mr. Davis to continue grazing that back pasture that's to the east of the parcel, or east of the project, as you can see, and then also it can provide a wildlife corridor to it's a smaller project anyway, but it does have that added benefit. The yellow rectangles on that site plan are our storm water basins, these were these are preliminary, but we are anticipating to have at least three and those were placed thoughtfully by one of our civil engineers taking into consideration the topographic conditions of the site. So and also worth noting, our point of interconnection is going to be along the existing distribution level lines on route 60. Those are on the north side of Route 60 on the same side as our project. And we don't need to build a new substation or new lines or anything, the most that you'll see if you're driving down the road are a few electric poles that house our equipment, no different from the smaller residential area electric poles that you see. So thank you, we want to absolutely adhere to the guidance of the comprehensive plan. And like I said, create as little impact as possible on the community that that from a negative standpoint. So solar itself has a very low impact land use. And I will mention that this area was forested before and has been forested as recently as 2010, I want to say, but we so it's a very low impact land use, there will be very little visibility for the community. It's not loud. The loudest component of a solar energy system is the inverter. And if you go back to that site plan, you'll see that it's this tiny little pink box in the middle of the solar solar field and it's very, very quiet about sounds kind of like a refrigerator so no one will hear it, no one will see it. There's existing vegetation and we'll maintain that 50 foot buffer, again, shielding it from the community. You. We've done some cultural resource desktop surveys and consulted with the Buckingham County Historical Society. And we know that we're not interrupting any, any cultural resources, no impact to the housing, no impact to libraries, open spaces, sewage or telecommunication, we won't need anything from the county as far as support for this other than really passing the permit. And then the added benefit of community solar is that any local business and this can even include a school can subscribe to a project and utilize some of the energy that's being produced. Some other benefits initial capital investment of over \$7 million. Were in about 25 full time equivalent construction jobs will be created during the 46-month construction process, brief construction period. A five megawatt solar project like this can electrify approximately 1000 homes per year. So and because people can participate locally, that's, you know, 1000 local homes potentially. And then we are in discussions with the county about how we will kind of share in the revenue, but our initial estimation from the revenue share and from the increased property taxes where the solar will be located is about \$575,000, over the life of the project. And then, like I said, were paying close attention to river stones, conditions, you know, those were carefully deliberated by the county. And to be completely, completely

honest, they're very thorough, and they're very strict as they stand as far as what I've seen in my career so far. And I would say that they're very well set up to protect the county. So we'll be aligning closely with those. And among some of the ways that we're planning to aligning with those are construction hours, so no pile driving after 6pm Or on the week, or on Sundays, we'll have a decommissioning plan and decommissioning bond, the solar panels will be nontoxic and will not exceed 17 feet in height. And we will another requirement will consult with a professional arborist in developing and managing our landscape plan. So there are a few plans that we will develop prior to our next permitting application. That includes a construction manager traffic management plan with the Virginia Department of Transportation, which includes pre and post construction, road surveys, we will do an erosion and sediment control plan that will be approved by the county and the Soil and Water Conservation District, a storm water pollution prevention plan, I obviously there's a big pond right there, we are very aware of that. And we want to make sure that we are protected by oak at all, by all means. So there will be a storm water pollution prevention plan that's approved by the Virginia Department of quality, environmental quality. And then a wetland delineation is kind of the first step before all of that can even begin and we've already kicked off the process with that and are in the process of acquiring a contractor to begin those studies in the next month or so. And then a decommissioning plan prepared by a Virginia Certified Professional Engineer with financial survey posted so then here's our proposed schedule. As Miss Edmondston said, we are hoping to have a public hearing just with the planning commission at the next scheduled meeting at the end of October. And then move on as the county's normal process allows with the Board of Supervisors. We are planning to have a community meeting for the project prior to that public hearing in October date to be announced. But we'll make sure that we announce it via all their appropriate channels including the paper and the county website. So and then if everything goes according to plan, we would begin construction in q1 of 2024 and be operational four to six months later. So about the end of 2024. And that's all I have for you tonight.

Bickford: Thank you for the presentation any of the commissioner have any questions for the applicant?

Kapuscinski: Chairman I'm interested you said 50 acres I was on that property Sunday Mr. Davis was kind enough to drive me around and explain the project. I mean, I couldn't pick a more suitable piece of land that was wasted any other way. I mean, it was all bush and brush and I mean I thought it was well land, but I thought it was more than 50 acres.

Hertz: So I think our plan before we submit it for permitting, it was looking at about 54 acres.

Kapuscinski: So it's not the whole 459?

Hertz: No we can only, for one megawatt a nice formula for you. It's about 10 acres per megawatt, as a typical development and construction kind of size. So now we're looking at 50 acres. That's the site plan that we submitted...

Kapuscinski: Your not leasing the full 489 Acres?

Hertz: No just the project area.

Kapuscinski: Okay. I mean, did you do that because you intend to expand? Are there any possibility expansions?

Hertz: No, so this project will be participating, ideally in the Virginia shared solar program, and there is that size cap on that a five megawatt so we cannot exceed that we won't build more than that.

Kapuscinski: Okay. And then I also notice that I remember Mr. Davis telling me that whole pond area that that's actually a running stream, and apparently has been already silted in used to be about six foot deep, if I'm not mistaken, is about three foot deep anymore. So I would imagine that one of the conditions is that you're going to make sure that you're not going to spill any more silt into that creek. And you're bringing the engineers into ensure that I mean, look at those three ponds that you're intending to put in, it didn't seem to me like that it was protecting that creek very well.

Hertz: Yeah. So that's a very preliminary plan. Those are sediment basins. We've got other conditions in our proposed permit conditions that include construction phasing. So you go through and you get out all of the timber that you can sell, and then you start implementing perimeter control measures. And then the, the civil engineers and the Soil and Water Conservation District approve the phasing conditions that you've offered. So right now in our conditions, we have 25% phasing, so we can't clear more than 25% of the project area at a time. So that will all be considered and negotiated and not negotiated, approved and designed very thoughtfully and intentionally as before we even get a construction permit to build.

Kapuscinski: I understand Mr. Davis has contacted his neighbors already.

Hertz: He has he told me that he's contacted everyone that lives locally, I think there are only a couple two that are out of state, they will when we hold our community meeting, they'll get a mailer about it at least but yeah, everyone local knows about it.

Kapuscinski: Those are my questions.

Bickford: I do have a couple questions, the connection to route 60 is going to be above ground? Or are you planning on having it underground?

Hertz: It'll be above ground, for the most part where possible, it'll be underground. But it's going to look mostly just like utility poles with a little bit of equipment on top of it. And it doesn't cross route 60. It's on that same side.

Bickford: If this goes forward to construction access. Where would it be? I did, I may have missed it. It may have been in there.

Hertz: Yeah, I didn't call it out. But were on that site plan where the point of interconnection is there is an existing road. So that's what we would use as access that would honestly very likely be fortified and maintained for the life of the project in good working condition.

Bickford: That was the main two questions I had. Any other questions?

Allen: I was going on what Pete said to the 439 acres, you're not going to use but like 50, maybe 60 acres. I was wondering if there's any way you could survey, like 100 acres or whatever, just to make it look better on paperwork, because we have a agreement now that 4500 Acres is all we're going to have for solar panels in the county. So if you could bring less right now, even though you're not going to use but 50 acres or 60 acres 439 is what's on paper for solar.

Hertz: Oh, so you count the entire parcel acreage not just the project area?

Allen: It's nothing written down that it's only 50 acres unless you survey it and say that.

Hertz: So I don't know if how it would fall completely into line with what you're saying. But we do a professional like an alto survey post construction that delineates the exact project boundaries and acreage if that's recorded, maybe does that comply with what you're saying?

Allen: Like Dominion was going to do 2200 acres, but they won't going to use but like 900 but on paper is 2200 acres that was going to be written down is used use for a solar power even though they don't use but 900. To me it would help us if you if you could cut the acreage down, that you're not using. And I know maybe you want to do that, leave it up here because of the percentage that you can clear at a time. That a cut that back to.

Hertz: Yeah. Sounds like a conversation worth continuing with the county staff to make sure.

Bickford: Mr. Davis do you want to?

comments from crowd

Allen: Think it says 439 on paper.

Hertz: That's correct.

comments from crowd

Allen: I understand that but im saying that all that paperwork is for 439.

Kapuscinski: I think and I take your point, that was what I was considering, I know that we're going to have a limitation on the number of acres that we're going to allow in this county for

solar operation. If you take up 400. And if your paperwork says that you've got 480 or 500 acres, and you're only using 50, there's 450 acres that we can't share with some other company that wants to do the same thing. I think that's the point. Am I right?

Allen: Sure. It's going to cut it out quicker.

Kapuscinski: So the question is, are you leasing 50 acres? Are you leasing? 459 acres or 489 acres?

Hertz: I see I understand. Yeah. So um, the 439 Acres is on the lease, but we are paying for the lease for the project area. Sorry, I understand the point, I think that is worth revisiting. On our end.

Kapuscinski: It's on the lease. So that takes up 439.

Hertz: We definitely don't want to tie up, you know, any, any room for anyone else to come in, I understand the limitation on the county. So that's something that we will revisit, I'll get an answer for you by the next meeting to figure out our game plan. Thank you.

Allen: Thank you appreciate it. The only thing I had was; I know that in paperwork. And I won't show Nicci can I bother you for a second. The actual paperwork on the megawatts for \$1400 a megawatt is that? Does it cover the five? I know they said that they would do that. But I didn't I didn't catch up with the paperwork.

Edmondston: In the conditions it tells that the payments can be made in three different ways. 1400 per megawatt or machinery and tools with a substantial payment to the county and then there's a third option as well. Is that what you're asking me?

Allen: I was thinking that anything above five megawatts was \$1400

Edmondston: though there's not a policy that has been adopted as of yet. And you know, the board has been actively working on reviewing all aspects of working policy for Buckingham at this time, anything above three megawatts is considered industrial solar now 20 megawatt and above you can execute or negotiate a signing agreement. Anything below that you have the ability the Board of Supervisors does to add conditions along with the planning commission for financial conditions to add substantial cash payments back to the county.

Allen: Thank you. I just want to try to figure out what I missed.

Bickford: Did you know how many acres are the 50 are actually in panels?

Hertz: I do not the fenced areas is the 50 acres I can find out for you, for sure.

Bickford: I didn't see it. That's why I asked. It be nice to know what the actual acreage of the 50 that has panels on it.

Hertz: That's just the fenced area included the two separate fenced areas together is 50, but I will find out.

Gooden: I had a question about the public notifications. Are you intending on county wide notifications or just the adjacent land owners? How are you planning on doing that? Because as you might have heard, even in this area, it was on the website and the local paper, we have people who... there are people who get information from Charlottesville and I don't need to drive by the courthouse to get to Dillwyn. And actually, I went all the way down to another end of the county and never came through this area. So a sign out here would not necessarily make a difference to me, because I can get anywhere without coming through the courthouse. So if and what I'm looking at is your timeframe, because our next meeting is in October, you've got a small paper, what means are you going to notify the people if you don't have a location already? That puts you back. I didn't know if you're just going to do just the people in a neighborhood. What kind of community meeting? Are you speaking what kind of community notification are you speaking of?

Hertz: Yeah. So typically, we do. We enroll our GIS team, but we do about a, like anywhere from a quarter of a mile to a half acre buffer around the project zone. Anyone within that will get a direct mailer. And then we do just publish in the paper. And it's announced on the county website, as you say, and there will usually be a sign on the property itself two weeks ahead of time. So as far as the community meeting it's just an invitation for people to come and learn about the project, if they have any interest.

Gooden: Oh, I agree. But what I'm saying is that we've had public meetings. And because I don't live in this district where we are, the things may concern me, and I'm just saying, How are you notifying people? And do you really think you have given yourself enough time since we are a rural community?

Hertz: And that's a great question for considering I was planning on a two week notice. So hosting a meeting two weeks before the week prior to the public hearing, for our project. And just following typical notification procedures, anyone who's immediately in the area that could potentially be impacted would receive that mailer.

Gooden: It's not going to work. That's not going to work rurally.

Edmondston: Miss Gooden and I apologize. Are you speaking in regards to the community meetings and sending out the notifications for those separate community meetings and how that will happen?

Gooden: My idea is what I heard her say she's going to have the community meeting before she anticipates coming back to the board. Im just looking at the time and how things move. And if she doesn't have a location for community meeting...

Edmondston: Mary Margaret, did you have a timeline? A date at anywhere for the location of a community meeting to be?

Hertz: Not a date, but just a week. Yes. And as far as announcing it, it would be a week or two weeks prior? So it would be very soon. To your point. Yes. But I have, yes,

Edmondston: Which avenues would you be using to advertise that community meeting?

Hertz: Yes. So the direct mailer, and there's a paper that we'd be using as well.

Gooden: The direct mailer may work locally, but I guarantee you people are going to show up, and from all areas of the county. And so we have people who address issues in other districts that not even in their district. So they have comments. And we do have a public comment. So you're going to end up with this kind of, I didn't get my voice. And so it's not only the voice of those locally, that you have to hear you have to hear the voices of those within the whole county. I just didn't think October our next meeting, to move it to our next hearing public hearing at our next meeting. And you getting a public venue. I don't think it's enough lead time.

Hertz: Thank you for that yes.

Gooden: Just think about that.

Hertz: I appreciate your guidance. Yes. Thank you.

Bickford: If I understood you correctly, you said you're going to try to have it two weeks before the if this were to move forward to public hearing, you would have your community meeting two weeks prior to that.

Hertz: One or two weeks prior? Yes. As long as the venue could be reserved.

Bickford: You have four weeks. Which you can do. Its just....

Hertz: I believe we can.

Gooden: I have internet so I read the notices.

Hertz: I think with this project being of the size that it is, we don't typically. And the impact being fairly minimal, we just typically do a smaller, direct notification. But I understand that it is a very tricky issue in the county. So we will consider a larger, a larger buffer area larger notification area.

Gooden: I would say considered a sensitive issue within the county. That people are going to show up. And I would say even outside of that, not that you need to notify somebody outside of the county. But just be aware, when you plan something.

Bickford: I'll make a quick suggestion. You could have it at the library and they do have a sign advertising.

Hertz: Yes, I am. I've been in touch. Yeah, I've been in touch. We haven't officially reserved this space yet. But they're the library area that's been recently renovated. I have the forms. We're working on a date.

Bickford: Any other questions.

Dorrier: I like the idea of the profit sharing. Could you elaborate a little bit on that? And will only Dominion people be able to have that or is Central Virginia Electric Company, Will they be involved in that also or not?

Hertz: Right. So for the Virginia shared solar program, only Dominion Energy customers are eligible to participate and subscribe to a project. That's just how the legislation currently stands. They're working on a cooperative involvement. But right now, it's just Dominion energy.

Dorrier: How many people would be available in this area that are through dominion? Do you know?

Hertz: That's a great question.

Dorrier: Everybody I know is on Central Virginia, I don't know about the other end.

Hertz: I will find out. That's a great question.

Shumaker: Just one question. So all this is community solar. It is over three megawatts and it goes back on the main power grid just as the Riverstone project does, right. I mean, there's no separate transmission lines, it just because I'm a subscriber, I'm getting solar energy just gets transferred right back onto the main grid set? Correct.

Hertz: Right. It's not directed straight to the subscribers. No, but really, since it's on the distribution level lines, it's flowing locally, instead of getting sent elsewhere. And yeah, because you're a subscriber, you'll just is just on paper. It's all it would look like.

Shumaker: It just enhances dominions energy storage offerings.

Hertz: Yeah and their portfolio and it does have the potential to offer a stable energy rate and like I said, it can it can save people 10% on their electricity bills.

Bickford: Any other questions from commissioners? Thank you for your presentation and answering the questions. You can go ahead and have a seat. Thank you. Commission do we want to move this forward to public hearing, or do we want to study for 30 days?

Kapuscinski: I think we ought to move it forward.

Allen: That a motion?

Kapuscinski: Yes, I make a motion we move forward.

Allen: Second. All right.

Bickford: Any further discussion? All in favor, raise your right hand. It was unanimous and we'll move forward to October 24th for the public hearing. All right. Okay, I believe that brings us to your reports.

Commissioner Kapuscinski made a motion, Supervisor Allen seconded and it was carried unanimously by the commission to move case 22-SUP319 on to public hearing.

Edmondston: Yes, sir. Mr. Chairman, so the building permit report is in the packet for your review and then under zoning administrator in the last couple of months. I have been asked by a number of you for training sessions and I wanted you to know that I have reached out to Weldon Cooper Center at UVA also the VCU program and to our very own CRC for assistance. Number one in the last three weeks, I've received no response from Weldon Cooper to email and phone call and no response from VCU training. So I'm sure they're inundated with lots of requests, I will continue to attempt to get in touch with them and Todd fortune with CRC has been quite helpful. There was a group called plan Virginia he believes it's disbanded but there may have been another group appointed or in its place so I am working with them as well to try to bring together A bit more training for you to feel more comfortable in your position. Okay, I can continue to keep you posted.

Bickford: Very good. Okay. That brings us to commission matters, I believe, Joyce you have some things you want to voice?

Gooden: Yes, a couple of things at the Board of Supervisors meeting, one of the I think his name is Whyko the Board of Supervisors meeting on Patty Road, that's in my district. And there was a comment about the campsite him having campsites. And the board of supervisors were concerned that we're having a plethora of campsites and dry campsites and were concerned. And actually he removed the campsite from his application. He said then take the campsite off my view of the campsite, and what we're approving is like when I go to a hotel, do I want to stay at Hilton? Or do I have Super Eight money or Motel Six? I choose. So do I want this campsite? I don't envision all of a sudden, every campsite that's available in Buckingham being suddenly filled as their there's a plethora. That's something that we need to think about in the future,

because there was a concern by the Board of Supervisors. And I don't know, and so I was trying to find research on campers and campsites and what you could have and what was, but I didn't see. So I wasn't sure where that was in our information about where you can put a campsite. And where you can put a camper as opposed to a campsite. Because, see, I know Yogaville has campsites. I don't know how they got approved or when they were approved. So they're paid campsites out there. There are campsites in my area. And I was just trying to figure out where do I go to get information on that? That's one concern.

Edmondston: Are you referring to the zoning ordinance and that it's allowed, it would be appointed as a campground and with campsites and the campsites that have been requested in the most recent applications are dry campsites, which means you'd bring a tent, you know, there's no hookup for anything. So if you bring a camper, you'd have to adhere to the state guideline for an RV or camper and it would be contained because there is nothing more than a dry campsite. Some of I don't think any of them had electrical hookup either for anything,

Gooden: I don't know; I was just trying to find it. So that is in our zoning?

Edmondston: Zoning ordinance under special use permits because campgrounds and campsites are not permitted by right.

Gooden: By right. So if I pull my camper on my yard and put my cousin in it, I need a SUP?

Edmondston: Zoning ordinance states it could be parked for six months, but it is not the intention for an RV to be utilized as a dwelling.

Gooden: Oh, okay. I missed that. Thank you. Okay, that's one and then the other issue that I have questioned and it's for the commission because first I need to give you the background on what happened at the Buckingham County Board of Supervisors meeting on the 12th September, fellow Planning Commission member Mr. Pete Kapuscinski addressed the board regarding SUP case. 22 SUP304. And this was the Yoder sawmill. And he did it in the public hearing portion of the the case. He stated that he was on the planning commission and believed that the planning commission had made a mistake and moving this case forward. mistake was the words that he used. And regarding our decision, and he asked the board of supervisors to reject this Commission's decision on this case, in fact, he said that he believed that we had made a mistake and that he didn't want the board of supervisors to make the same mistake. And instead, Mr. Kapuscinski wanted the board to accept his views and vote against case 22SUP304. Mr. Kapuscinski comments also seem to me to advocate for the applicant's neighbors and ignore the assessment by VDOT which is our state regulating agency. Mr. Kapuscinski statements were shocking to me as it felt it gave the impression that I had not done my due diligence as a planning commission member. I feel there is already a segment of Buckingham County's population that believes I ignore their comments because I may not vote as they desire on a particular issue. Mr. Kapuscinski actions and statements led me to believe that because he was out voted, that he could take a second bite at the apple, by going to the Board of Supervisors meeting in the public comment phase as a commission member. Haven't gotten to my question

yet. My question is, are we as commission members allowed to present to the board of supervisors in this manner? I have spoken to individual supervisors on commission topics. I've been asked about from supervisors about commission topics, I often discuss my decisions with my supervisor, the person who appointed me to this commission. So I feel that I need to let my supervisor know this is going on. This is why I did not vote for something. This is why I voted for something. And my second question, is the second bite at that apple approach. Is that what we can start doing now doing a second bite at the apple? If we as a commission, make a decision I think that's the end of it. But I just let them know why I voted certain ways yes or no. And also, if we, if this particular SUP said that we abide by federal, state and local laws, VDOT is our state agency that we're supposed to abide by, we've had VDOT come in and talk to us. It's not whether I think the driveway, the sight distance, or the road width is appropriate. And all of these issues have been addressed since I've been on the board. It's what v dot says that is appropriate, and we accept their ruling. So my question, are we allowed to go to the board as a, are we allowed to go to the board as a commission member and say, I'm a commission? I can go as a private citizen; I've been to the board of supervisors as a private citizen. That's true. But I have not been representing the board and just say, Oh, we just made a mistake. I do think that's inappropriate. And, like I said, so we get a second bite at that apple? You know, because I have voted no. And I had the opportunity to do to abstain, if that's what I want to do. So I don't know who's going to answer that question.

Kapuscinski: Chairman, do you want me to answer those questions? I mean, seems to me there's accusations here. I mean, first of all, I think I think if you wanted to discuss that, I'd have been happy to do that in private. That's number one. Number two, it was my opinion as an individual, not as a commission member. And if you read the notes carefully, you'll understand that. I did say I was a commission member. And I still hold that my opinion is that the board made a mistake. And I'll say that I'll say it to the end, those people that lived across the street, from their driveway live less than 100 feet from those trucks that are going to be turning in and out. That was my complaint. All right. And by the way, Mr. Chambers, and every and every other Commissioner, or every other supervisor on the Board, who didn't take into consideration the complaints of those older people who would have to live with that problem for the rest of their lives. I think that's the mistake, as an individual, I think it's a mistake. That's all I have to say. You want to carry on id appreciate if we do it in private.

Gooden: Mr. Chairman. Okay. May I respond? Mr. Kapuscinski. Your comments were made in public. And that's why we don't need to discuss it in private because it was made in public and its on video, and will be in the minutes as this will be. I'm asking for my information. Because some of us do not attend the Board of Supervisors meeting. I happen to be one that does, and I just happened to see that I was there for a tuple full purpose, because I normally attend the Board of Supervisors meeting, but also I did a presentation that night. So to hear that come up that we had made mistakes and it seemed that you are representing the commission...

Kapuscinski: I wasn't.

Gooden: And that it seemed that you were....

Kapuscinski: I wasn't.

Gooden: It seemed that you were representing the commission and was speaking on sort of our behalf. If and it's like you were not speaking on my behalf. And that's why I'm bringing it back...

Kapuscinski: Well read it more carefully.

Gooden: I read it. You got up to speak at about 2 hours and 17 minutes, I went through the video, and when the minutes come up, I will see that but I listened to the video. Okay, so to be sure that it wasn't just what I heard in person, but also went back to the video to see what I was doing. Okay, so you said that we had made a mistake, I do not feel that we made a mistake. And I feel as a commission, when we vote on something here, we can let our supervisors know we can let...

Kapuscinski: You and I don't have to agree. And if I feel we made a mistake, I'll say I feel it's my opinion that we made a mistake. I won't change that. We don't have to agree. We can agree not to agree. And I'd suggest we leave it there.

Gooden: Oh, I did not agree. And I do not agree with you. I do not agree with your actions. And no, I do not agree with you. But my question to the board. Is this acceptable? Is that something we can do? Because you said you were a commissioner, you were on the planning commission, and presented yourself as a commissioner, not as a private citizen,

Kapuscinski: Just for your information. I did talk to the chairman before I went to the board. As you recall, John, I did get permission. I also talked to my supervisor, and I said, Look, am I overstepping my bounds? I am a commissioner. But do I have the right to speak? The answer was absolutely. Alright. So it's not like I did this on my own. All right. So I don't think that I'm, I'm being a renegade here. I do try to follow whatever the protocol is, but I would be happy to discuss more about this with you in private, I think this is not the forum. So let's just agree not to agree.

Gooden: I agree but we're not going to do a private conversation, because everything was done in public, and I want it to stay in public. Alright, those are my questions. Thank you.

Bickford: Very valid questions. Not being in there and privy to the conversation.

Comments from crowd

Bickford: Okay, that's fine. The record will show that I don't need y'all to tell me that, the record will show that please. Thank you. Anyway, what will happen is I will take this up with Mr. Wright. And I'll have an answer for the next meeting. But as an individual, you can speak. But if there was... Just let me get some clarification. I'll see what happened and find out and I will give you an answer at the next meeting.

Gooden: Okay. Thank you very much. Appreciate it.

Bickford: Anybody else have any other comment?

Allen: I get one thing. At the Board of Supervisors meeting we did, we did start up a new group to work on the zoning, and ordinances and stuff. But I was hoping that we as a planning commission, could work on our work session nights, and work on this zoning, plan, Comp Plan and county ordinance to help fix it all up. And to me, I just think it's in this group, we could do it. And it's a lot that needs to be worked on. And it'd be nice if we could starting working on it during work sessions.

Bickford: The group that was formed was going to work on it and then bringing it back to the planning commission. That's was my understanding.

Edmondston: It was voted on by the Board of Supervisors, to have this zoning committee. So before we'd be able to do anything, we'd have to take a recommendation back from the planning commission to the Board of Supervisors, again, to make a final decision on whether or not the committee would stay.

Shumaker: That include updates to the comprehensive plan as well?

Edmondston: The updates for the comprehensive plan where that that would be carried out by an outside agency. The other things that the committee would work on would be site plans and requiring formal site plans, possibly privies. I believe that was turned over to the zoning committee and Bed and Breakfast Airbnbs and the structures that are utilized for those that was also something brought up by two commission members to be added to that. So those were the three things that the committee would have been working on now.

Allen: I thought it'd be a good idea for all us to work on.

Bickford: I understand what you're saying there's going to be a work session versus a group. The way I understood it was set up was that group would make referrals or provide information to the Planning Commission, which still would probably have work sessions to make sure the details are worked out. Am I saying that correctly? Or is that my assumption correct?

Edmondston: Correct. I think since the Board of Supervisors, supervisors asked for it, it would come before the Planning Commission for any amendments, changes, additions, deletions, and then from that point...

Bickford: It would go through the regular process planning commission back to the board.

Edmondston: Yes, sir.

Bickford: The board did that choice.

Allen: That's for a few things. I think we need to work on a whole lot of things.

Gooden: Chairman. Having been appointed to that committee, we have a meeting on the fourth at nine o'clock in the morning. So the committee will meet before the board of supervisors meet. And definitely before we meet again, just to let you know that that's already at motion.

Bickford: All right. Any other commissioners have anything they need to voice? Seeing none. Do I have a motion to adjourn?

Allen: So moved.

Dorrier: Second.

Bickford: I got a motion and a second. All in favor, raise your right hand. Okay.

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

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

ATTEST:

Nicci Edmondston
Zoning Administrator

John Bickford
Chairman



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apexcleanenergy.com

To: Buckingham County Administration
ATTN: Nicci Edmonston
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From: Mary-Margaret Hertz
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Charlottesville, VA 22902

Request to Delay Public Hearing for Case 22-SUP319 Rosney Creek Solar

Ms. Edmonston and members of the Planning Commission,

We are grateful for the thoughtful questions and feedback we received from the members of the Planning Commission during the introduction of our proposed 5MW Rosney Creek Community Solar project on September 26th. One of the chief points raised was the suggestion to allow more time to notify and inform the community of our intentions with this community solar project. As stated during the introduction of our project, it is of the utmost importance that we, Apex Clean Energy, be a courteous partner to the Buckingham County community throughout all phases of our proposed project, from development through operations, so we value the insight this suggestion offered.

We are hosting a community meeting in October at the Buckingham County Community Center prior to the Planning Commission's October 24th meeting. To allow additional time for the community to become acquainted with our project, as well as to allow us to efficiently and attentively respond to any comments and questions that arise from our community meeting, we respectfully request the permission of the Planning Commission to delay the public hearing for our project until the November 28th Planning Commission Meeting. This delay will also allow us to post the appropriate signage at the property more than three weeks in advance of the hearing, which will exceed the zoning ordinance requirement.

Thank you for your time and consideration.

Regards,

Mary-Margaret Hertz
Development Manager, Distributed Energy Resources
Apex Clean Energy
434.282.3230 | mary-margaret.hertz@apexcleanenergy.com

Buckingham County Planning Commission
October 24, 2022
Administration Building
7:00 PM
Case 22-SUP319

Owner/Applicant:

Landowner	Ivan P Davis 106 Whetstone Lane Dillwyn VA 23936
Applicant	Rosney Creek Solar LLC 120 Garrett St, Suite 700 Charlottesville VA 22902

Property Information: Tax Map 151 Parcel 21 containing approximately 439 acres, located at 19691 E James Anderson Hwy Dillwyn VA 23936, Curdsville Magisterial District.

Zoning District: Agricultural District (A-1)

Request: The Applicant wishes to Obtain a Special Use Permit to allow for the construction and operation of a 5 MWac utility scale solar facility on approximately 439 acres in Buckingham County. The Applicant has respectfully requested the Public Hearing, to be held October 24, 2022 cancelled and delayed until November 28th, if the Planning Commission finds suitable.

Background/Zoning Information: The property is located as following; Tax Map 151 Parcel 21 containing approximately 439 acres, Curdsville Magisterial District. The landowner is Ivan P Davis and the applicant is Rosney Creek Solar LLC. This property is zoned Agriculture (A-1). The Zoning Ordinance does not permit a Public Utility Generating Plant as a Permitted Use. However, Within the A-1 Agricultural District, Public utility generating plants, public utility booster or relay stations, transformer substations, meters and other facilities, including railroads and facilities, and water and sewage facilities may be permitted by the Buckingham County Board of Supervisors by a Special Use Permit following recommendation by the Planning Commission in accordance with this ordinance and the Code of Virginia. The Planning Commission may recommend and the Board may impose conditions to ensure protection of the district if the Special Use Permit is approved. Rosney Creek Solar LLC requests a Special Use Permit ("SUP") to allow for the construction and operation of a 5 MWac utility-scale solar facility on approximately 439 acres of private land in Buckingham County, Virginia.

Below are conditions that have been offered by the Applicant. Please review and consider amendments and adjustments to ensure the protection of the integrity of the Zoning District:

1. Inspections. Rosney Creek Solar, LLC or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy facility (the "Applicant") consent to annual administrative

inspections by Planning Department Staff for verification of compliance with the requirements for this SUP after the completion of the construction of the Project. During construction of the Project, the county and its assigns and designees shall have access to the site for inspections and to assure compliance with the conditions of the SUP.

2. Compliance with Conditions. The Applicant shall sign the list of the adopted conditions for this SUP signifying acceptance and intent to comply with these conditions.

3. Compliance with Laws; Erosion and Sediment Control and Stormwater. That all federal, state, and local laws, regulations, permit requirements and ordinances will be adhered to including but not limited to: a. All active solar systems and solar equipment used in this Project shall meet the requirements of the National Electrical Code (NEC), National Electrical Safety Code (NESC), American Society of Civil Engineers (ASCE), American National Standards Institute (ANSI), Institute of Electrical and Electronics Engineers (IEEE), Underwriters Laboratories (UL), or International Electrotechnical Commission (IEC) as applicable and comply with state building code and shall be inspected by a county building inspector through the building permit process.

b. An Erosion and Sediment Control Plan must be submitted to the County and approved by the Soil and Water Conservation District prior to any land disturbance. Prior to Applicant's submission of the Erosion and Sediment Control Plan, the Applicant will contact the County's erosion and sediment control reviewer and use reasonable efforts to arrange a meeting on the Property with the Applicant's engineer. The County may obtain an independent third party review of the Erosion and Sediment Control Plan at the expense of the Applicant.

c. The erosion and sediment control plan shall be prepared in accordance with the Virginia Erosion and Sediment Control Handbook. As an additional precaution, the erosion and sediment control plan will be implemented as a sequential progression, demonstrating that not more than 25% of the Project Area be disturbed at any one time during construction without temporary seeding or other stabilization in accordance with the Virginia Erosion and Sediment Control Handbook. Nothing in this condition shall prevent continued construction activities after areas have been stabilized in accordance with the Virginia Erosion and Sediment Control Handbook, and such stabilized areas will not be subject to the 25% limitation in sentence 2 of this condition; however continued construction activities, excluding maintenance of erosion and sediment control and stormwater management features or associated activities, shall not be re-initiated in a previous Phase until at least 50% vegetative cover (as determined by an independent inspector) has been established in that Phase or 60 days after a Phase has been temporarily stabilized, whichever is sooner. During this period, The applicant shall take continued action implementing best management practices to promote successful establishment of vegetative cover in a Phase. The erosion and sediment control plan will provide the means and measures in accordance with the Virginia Erosion and Sediment Control Handbook to achieve stabilization of the disturbed areas and to comply with this condition.

d. During the construction of the Project, the Applicant shall require the following:

i. All Erosion and Sediment control facilities will be inspected by a qualified third party inspector: (i) at least every four calendar days; or (ii) at least once every five calendar days and within 24 hours following any runoff producing storm event. Any discrepancies should be noted and corrective action should be taken to ensure facilities are operating properly. Corrective measures include regularly cleaning out sediment basins and traps, stabilizing eroded banks or spillway structures, cleaning inlets and outlets and repairing damaged silt fence shall be prioritized.

ii. Runoff at stormwater outfalls will also be observed just as often for characteristic land disturbance permit (clarity, solids, etc.)

- iii. A record of the amount of rainfall at the Project during land disturbing activities.
- iv. A record of major land disturbing activities, including dates when clearing, grading and excavating occurred in each Phase. Dates when construction activities are either temporarily or permanently ceased in the Phase should be recorded along with stabilization areas.
- e. The County may inspect the Project during construction as determined by the County and shall retain all enforcement rights under applicable law.
- f. A Stormwater Management Plan must be submitted to the Virginia Department of Environmental Quality (VDEQ) and approved by VDEQ prior to any land disturbance. The Applicant will obtain approval of a Stormwater Pollution Prevention Plan ("SWPPP"). The Applicant and its contractor will have operational day-to-day control of the Project and must implement the SWPPP measures. The Applicant and its contractors will ensure that the applicable subcontractors are trained on appropriate best management practices and requirements in the SWPPP.
- g. The Project shall fully comply with all applicable provisions of the Buckingham County Zoning Ordinance, to the extent not modified herein, throughout the life of this SUP.

4. **Expiration.** The building permit application must be submitted within 2 years of obtaining the Special Use Permit and the commercial generation of solar electricity shall begin within 24 months of the approval of the building permit or this SUP shall be null and void. The building permit deadline will be extended for 12 months (3 years total), and the construction time period extended by 12 months (30 months total) by administrative approval of the County Administrator after consultation with the Board of Supervisors due to delays in state permits, interconnection approval, or other good cause demonstrated by the Applicant. Any timeframe under which the Commonwealth is under an Executive Order of the Governor declaring a statewide emergency will toll the timeframe specified in this condition.

5. **Definitions.** All racking, solar modules, inverters, breakers, switches, cabling, communications components, and other ancillary components necessary to convert solar energy to electricity and interconnect to the electrical transmission are considered "Solar Equipment" and subject to the requirements for such, together with setback requirements of that district and other requirements, unless otherwise stated in these conditions. Solar Equipment shall not include access roads and transmission lines and poles. "Project Area" shall include all areas within the Property line boundary that include, but not limited to the following: Solar Equipment, ingress/egress, access roads, fencing, parking, laydown areas, setbacks, buffers, storage area, wetlands, erosion and sediment control features, storm water management features, and other ancillary components. Battery storage and other energy storage methods are not approved as part of this SUP and will require separate special use permitting. The Project will not exceed 5MWac in capacity.

6. **Binding Obligation.** This SUP shall be binding on the Applicant or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy facility.

7. **General Plan.** The construction of the Project shall be in substantial conformance with these conditions and in general conformance with the Special Use Preliminary Site Plan prepared by Apex Clean Energy dated August 31, 2022 (the "General Plan"). Modifications to the General Plan shall be permitted at the time of building permit based on state and federal approvals and final engineering and design requirements that comply with these conditions.

8. **Construction Hours.** All site activity required for the construction and operation of the solar energy facility shall be limited to the following:

a. All pile driving activity shall be limited to the hours from the earlier of sunrise or 8 a.m. to the later of 6 p.m. or sunset, Monday through Saturday. Applicant may request permission from the Zoning Administrator to conduct piling driving activity on Sunday, but such permission will be granted or denied at the sole discretion of the Zoning Administrator; and

b. All other construction activity within the Project Area shall be limited to the hours from the earlier of sunrise or 8 a.m. to the later of 6 p.m. or sunset, Monday through Sunday in accordance with the provisions of the County's Noise Ordinance and shall not be unreasonably loud for a sustained duration of time as monitored at the property line of the Project Area.

9. **Sound.** After completion of construction, the solar energy facility, during normal operation, but excluding maintenance, shall not produce noise that exceeds 50 dbA as measured at the property lines of the project boundary, unless the owner of the adjoining affected property has given written agreement to a higher level.

10. **Setback from Existing Residential Dwellings.** A minimum five hundred (500) foot setback shall be maintained from Solar Equipment to any adjoining or adjacent residential dwellings that exist at the time of the approval by the Board of Supervisors. This requirement may be reduced or waived for the life of the solar energy facility, if agreed to, in writing, by the owner of the residence. Transmission lines and poles, security fence, and project roads may be located within the setbacks only where necessary. During construction, the setback may be used for the staging of materials and parking if the buffer is not disturbed. The Applicant shall retain and maintain existing vegetation and timber in the setback that are under the control of the Applicant and located on the Property.

11. **Setback to Property Lines and Rights of Way.**

a. **Property Line.** A minimum of a fifty (50) foot setback from Solar Equipment to the property line shall be provided around the perimeter of the Solar Equipment where it is adjacent to property not owned by the same property owner as covered in the SUP at the time of the approval by the Board of Supervisors.

b. **Right of Way.** The Applicant shall provide a minimum of a seventy-five (75) foot setback from Solar Equipment to any adjoining public right of way.

c. Transmission lines and poles, security fence, and project roads may be located within the setbacks only where necessary.

12. **Setback to Perennial Streams and Connected Wetlands.** As an additional erosion and sediment control and stormwater management precaution, a minimum fifty (50) foot setback shall be maintained from Solar Equipment to the edge of all perennial streams and connected wetlands located within the Project Area. Transmission lines and poles, project roads, erosion and sediment control and stormwater management features may be located within the setbacks where necessary.

13. **Buffer.**

a. Within the setback, the Applicant shall retain at least a fifty (50) foot buffer of existing vegetation and timber with the intent to substantially obscure from view the Solar Equipment and security fence from the property line. Along the property line if there is no vegetation or timber to retain the Applicant will supplement the buffer with new plantings in the fifty (50) foot buffer.

b. Along existing public right-of-way (ROW) where there is existing timber, the Applicant shall retain at least a fifty (50) foot buffer of existing vegetation and timber with the intent to substantially obscure from view the Solar Equipment and security fence from the public right-of-way. Along existing public rights-of-way where there is not at least 50' of vegetation and timber remaining to substantially obscure from view the Solar Equipment and security fence, the Applicant will create a buffer of at least fifty (50) feet. The new buffer will include timber, evergreens, cedars or other vegetation as determined by the Applicant with the advice of a professional arborist and subject to the prior written approval of the Zoning Administrator prior to the issuance of a building permit. All plantings installed in the buffer shall have an anticipated five-year height of six (6) to eight (8) feet after planting and an anticipated mature height of at least twenty (20) feet. Any new plantings shall be planted during the appropriate time of year after the completion of construction of the Project. The buffer may be included in the setback area.

c. The Applicant will maintain all buffer areas with the advice and support of a professional arborist or forester for the duration of the Project's operational life. Such maintenance may include thinning, trimming, seeding, or other modifications to the buffer to ensure the health of the vegetated buffer areas, public safety, and the energy efficiency of the Project. In the event the health of the vegetation with the buffer area is compromised and no longer substantially obscures the visibility of the Solar Equipment and security fence, the Applicant will plant a new buffer, or supplement the remaining buffer, including timber, evergreens, cedars, or other vegetation as determined by the Applicant with the advice of a professional arborist or forester.

d. A performance bond reflecting the estimated costs of anticipated landscaping maintenance, as determined by the Applicant with the advice of a professional arborist or forester, shall be posted by the Applicant prior to construction. This ensures buffer landscaping is adequately maintained for the life of the Project.

14. Fencing. The Applicant shall install a security fence around the Solar Equipment that is a minimum six (6) feet in height. Fencing must be installed on the interior of the vegetative buffer required in this section so that it is screened from the ground level view of adjacent property owners. The fencing shall be always maintained while the facility is in operation.

15. Lighting. Construction lighting shall be minimized and shall be directed downward. Post-construction lighting shall be limited to security lighting only and shall be full cut-off lighting pointed in a down direction.

16. Interconnection. The Project shall not receive a building permit until evidence has been given to Buckingham County that the electric utility company has a signed an interim interconnection service agreement or interconnection service agreement with the permittee.

17. Payments. The Applicant proposes to offer payments in the amount of \$1,400/MWac over the operational life of the project. There are two avenues by which this may be accomplished at the County's sole discretion:

a. The County may amend its current Revenue Share Ordinance by removing the exemption of solar projects that are 5MW or less to comply with Va. Code § 58.1-2606.1. Local taxation for solar photovoltaic projects five megawatts or less; or

b. The Applicant will make substantial cash payments in accordance with Va. Code 15.2-2288.8 and Exhibit D below, less any Machinery and Tools ("M&T") tax assessed. During any year after

the solar facility commences commercial operations, should the M&T Tax levied against the project amount to a sum less than the substantial cash payment amounts set forth for that year in the Maximum Annual Payment column of Exhibit D, then the Owner shall pay to the County the difference between the Annual Payment in Exhibit D and the amount paid for M&T Tax. In the event the M&T Tax is greater than the Annual Payment, then no Annual Payment shall be owed. Exhibit D attached hereto is incorporated into this condition. In the event that the actual installed MWac capacity of the Project as of the Commercial Operation Date varies from that amount indicated in Exhibit D, then Exhibit D shall be amended and the Annual Payments therein shall be adjusted pro rata.

c. Any payments in excess of the Machinery and Tools Tax are substantial cash payments (2022 Va. Code § 15.2-2288.8. *Special exceptions for solar photovoltaic projects*) made by the Owner to the County and are intended for substantial public improvements, the need for which is not generated solely by the granting of this permit, so long as such conditions are reasonably related to the solar facility that is the subject of this permit. The Owner and the County acknowledge and agree that the county may identify in future budget years qualifying substantial public improvements that will be funded by any annual substantial cash payments in the sole discretion of the County.

18. Decommissioning. If the solar energy facility is inactive completely for a continuous twelve (12) month period it shall be considered abandoned. The Applicant shall provide notice to County Administrator immediately upon the Project becoming abandoned, inactive and/or shutting down operation. The Applicant or its successor and/or assign ("Project Owner") shall decommission the Project within twelve (12) months of abandonment. The decommissioning shall be in accordance with a Decommissioning Agreement between the Applicant, Project Owner and the County. If the Project (or relevant part) is not removed within the specified time, the County may cause the removal of the Project with costs being borne by the Project Owner as will be provided for in the approved Decommissioning Agreement. The costs of decommissioning shall be secured by an adequate surety in a form agreed to by the County Attorney, including but not limited to a bond, letter of credit, cash, or a parent guarantee by an investment grade entity. The Applicant's cost estimate of the decommissioning shall not include the salvage value of the Solar Equipment. If the solar energy facility is sold to any entity that is not a public service corporation, the SUP shall not transfer to the purchaser until such time as the adequate surety is provided. If a surety is required, the cost estimates of the decommissioning shall be updated by the Applicant every five (5) years and be provided to the County. At its option, the County may require the surety amount be increased based on the net cost of decommissioning which includes the estimated salvage value of the equipment. The Decommissioning Agreement shall be agreed upon and the surety shall be provided before the issuance of the building permit.

19. Decommissioning Timeframe. The Project shall be decommissioned within twelve (12) months. The decommissioning shall require (i) the removal of any Project facilities installed or constructed thereupon, (ii) the filling in and compacting of all trenches or other borings or excavations made in association with the Project and (iii) the removal of all debris caused by the Project from the surface and 36" below the surface of the Property.

20. Training of Emergency Services. The Applicant shall coordinate with the County's emergency services staff to provide materials, education, and/or training to the departments serving the solar energy facility regarding how to safely respond to on-site emergencies. Prior to construction, the Applicant shall ensure that emergency services staff has keys and other access to the Property and the

Applicant shall provide the County and emergency services with safety data sheets (SDSs) on the Solar Equipment for the life of the project.

21. Access Roads and Signage. Access roads are to be marked by the Applicant with identifying signage. The manufacturers' or installers' identification and appropriate warning signage shall be posted on or near the panels in a clearly visible manner. The signage must identify the owner and provide a 24-hour emergency contact phone number. Each access gate must also have the signage that identifies the owner and provides a 24-hour emergency contact phone number.

22. Construction Management. The following measures will be taken:

a. A Construction Traffic Management Plan and mitigation measures shall be developed by the Applicant and submitted to the Virginia Department of Transportation (VDOT) and Buckingham County for review. The Plan shall address traffic control measures, an industry standard pre- and post-construction road evaluation, and any necessary localized repairs (i.e., potholes, wash-boarding of gravel, shoulder rutting, culvert crushing, etc.) to the public road that are required as a result of damage from the Project.

b. During construction, each project entrance will have a dedicated wash station to mitigate natural debris from unintentionally leaving the Project Area. The Applicant will take all reasonable precautions to minimize impact and damage to public roads including regular maintenance, washing and sweeping. If a traffic issue arises during the construction of the Project, the Applicant shall immediately develop with input from the County and VDOT and implement appropriate measures to mitigate the issue.

23. Parking. Parking of vehicles or staging of equipment or materials related construction or decommissioning of the Project shall be limited to the Project Area.

24. Glare. All panels will use anti reflective coatings. Exterior surfaces of the collectors and related equipment shall have a non-reflective finish and solar panels shall be designed and installed to limit glare to a degree that no after image would occur, towards vehicular traffic and any adjacent building.

25. Height. No aspect of the Solar Equipment shall exceed 17 feet in height, as measured from grade at the base of the structure to its highest point. Such height restriction shall not apply to electrical distribution facilities, substations, or transmission lines.

26. No County Obligations. Nothing in this SUP shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.

27. Severability of Conditions. If any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable.

28. Enforcement. That any infraction of the above-mentioned conditions could lead to a stop order and discontinuation or revocation of the special use permit in accordance with Virginia law.

29. **Solar Panel Technology.** The Applicant will be restricted from utilizing photovoltaic panels with internal components containing cadmium telluride. Only silicon type panels, or those other panels that have been established as optimal standard best practice shall be utilized by the Applicant.

30. **Ground Cover; Pollinators.** Prior to the start of construction, the Applicant will perform no less than 10 soil tests in areas across the Project Area to achieve an appropriate sample size of Project Area. The soil tests will be used to inform and develop a comprehensive and detailed vegetative management plan with the intended effect to revegetate the Project Area with ground cover. The vegetative management plan may include the optimal seed types, fertilizer rates, and liming rates (if necessary) to be used for temporary and permanent stabilization. Once operational, the Applicant will maintain ground cover in good condition throughout the operation of the Project. Where grubbing is not required for the construction or operation of the solar farm, or for the installation of erosion control and stormwater management features, existing stumps shall remain in place. Applicant will consider implementation of Pollinator Habitats where appropriate and in accordance with applicable laws and regulations.

What are the wishes of the Planning Commission?

Set a Public Hearing?

November 28, 2022 6pm?



Special Use Permit Application

Rosney Creek Solar Farm

Buckingham, VA

Rosney Creek Solar, LLC

September 2, 2022

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1. Project Overview

Rosney Creek Solar, LLC (“the Applicant”), requests a Special Use Permit for the construction and operation of Rosney Creek Solar (the “Project”), an approximately 5 MW alternating current ground-mounted solar facility on private land, spanning one parcel in Buckingham County, Virginia. The Project will be sited on county parcel 151-21 (439.6 acres) (the “Property”). The Property is currently zoned as A-1 Agriculture, as are all surrounding parcels. The Project is being developed by Apex Clean Energy. Apex is a renewable energy company based in Charlottesville, Virginia, with extensive experience developing, constructing and operating utility-scale wind and solar projects nationwide.

The Project is expected to bring significant economic benefits to Buckingham County, and the Applicant has designed the Project with the following considerations:

- The Property is in a remote area, with natural vegetation and topography that minimizes visibility from neighboring parcels and public roads. The Project design exceeds a 500-foot setback from residences, a 75-foot setback from neighboring property lines, and a 50-foot setback from streams and wetlands and proposes maintenance of existing vegetation and timber for sufficient screening.
- The Project has an advantageous interconnection queue position with Dominion Energy (“B” queue position), meaning it is next in line for interconnection study on its circuit and transformer at the Shackleford substation.
- The Property has been historically used for silviculture and the Project will not impact neighboring land uses in the area.
- The Project will produce the equivalent of up to approximately 1,000 homes’ worth of clean solar electricity.
- The Project represents an initial capital investment of over \$7 million and will create approximately 25 full-time-equivalent (FTE) jobs during construction of the Project.

In addition to expected increases in real estate income on the property, the Applicant will adhere to the requirements of the County’s Revenue Share Ordinance with annual, escalating payments based on the final calculated MWac capacity of the Project. These payments will help contribute to the greater economic benefit of hosting the Project and help to offset any public costs related to the Project (of which there should be few). The Applicant anticipates making payments to the County that are approximately \$575,000 more than current taxes collected for the same acreage (see Section 10.2).

At the end of its operational life, the Applicant will decommission the Project in accordance with common industry practice. A sample decommissioning plan is provided in Section 10.7 of this Application as an example of what will be submitted to the County prior to approval of the building

permits. Further, the proposed conditions in Section 15 describe additional decommissioning requirements that will be adhered to, including the provision of a surety to secure the decommissioning costs prior to project construction. The Property will be restored to near original condition once decommissioning is complete and can return to its pre-development uses as desired by the Property Owner.

Project Contacts

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120 Garrett Street Ste 700

Charlottesville, VA 22902

mary-margaret.hertz@apexcleanenergy.com

(434) 282-3230

Charlie Johnson

120 Garrett Street Ste 700

Charlottesville, VA 22902

charlie.johnson@apexcleanenergy.com

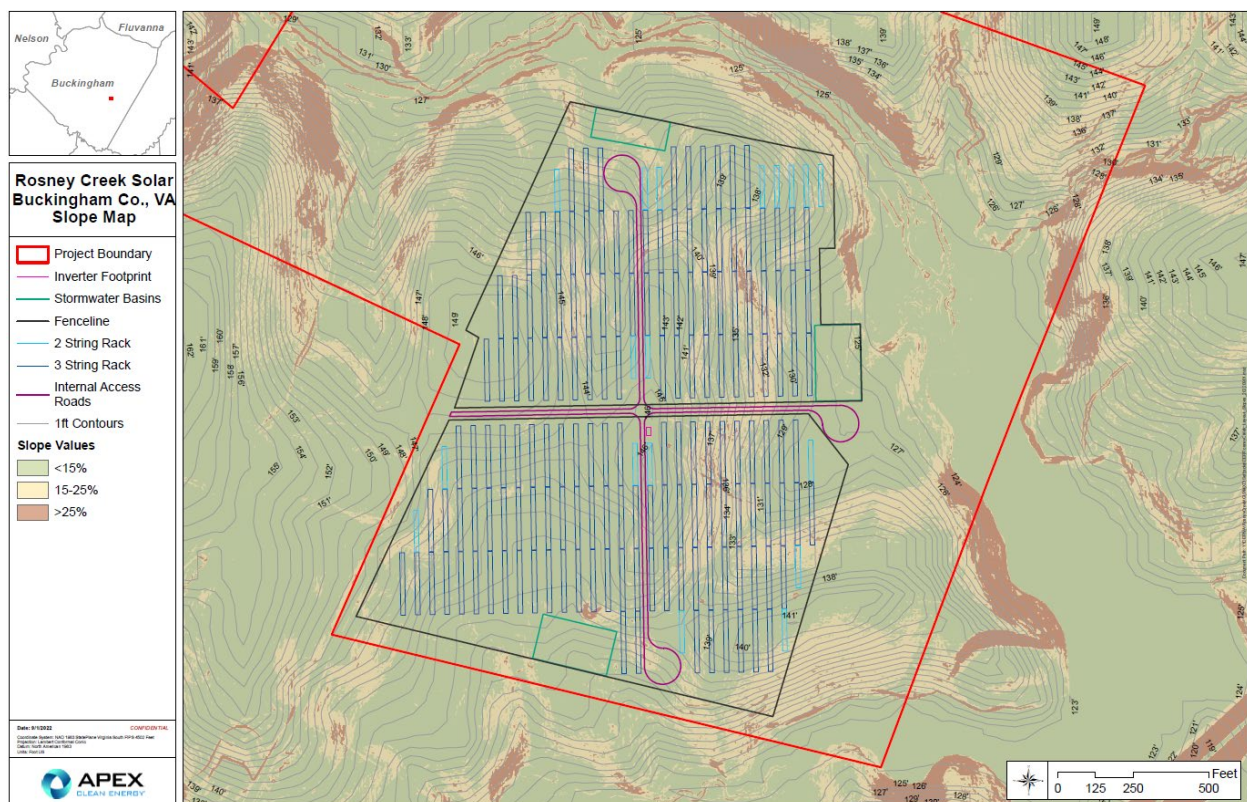
(434) 987-8437

The array layout in the Preliminary Site Plan is correct in its general representation of system size, its general location, its perimeter buffer, and its avoidance of delineated wetlands and RPA areas, and other noted constraints. Although the exact number of panels and locations of Stormwater management features are subject to change, the best estimation of their location is depicted in the Preliminary Site Plan.



As detailed in the Notes section of the above Preliminary Site Plan, setbacks of 500 feet from nearby residences, 75 feet from neighboring property lines and 50 feet from streams and wetlands were applied. However, it is worth noting that, due to the nature of the Property on which the Project is located, these setbacks from residences and public Right of Ways are far exceeded. The Project area shall be enclosed by security fencing installed on the interior of the vegetative buffer that is not less than six feet in height and equipped with an appropriate anti climbing device, which will be maintained through the Project's life. The Project will maintain the vegetation and timber within the setback area to serve as a visual barrier and screening to limit public visibility.

2.1. Slopes (11x17 copy & Digital Copy Provided Separately)



2.2. Special Use General Site Plan Checklist

Item 27 is a separate pdf submitted with this permit application package.

Special Use General Site Plan (15 copies) The General Site Plan must contain the following:

1. Vicinity Map – Please show scale: ☒ YES NO N/A
2. Owner and Project Name: ☒ YES NO N/A
3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: ☒ YES NO N/A
4. Property lines of existing and proposed zoning district lines: YES NO ☒ N/A
5. Area of land proposed for consideration, in square feet or acres: ☒ YES NO N/A
6. Scale and north point: ☒ YES NO N/A
7. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES NO N/A
8. Easements and encumbrances, if present on the property: YES NO ☒ N/A
9. Topography indicated by contour lines: ☒ YES NO N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of "no areas having slopes of 15% to 25% or greater"): ☒ YES NO N/A – attached as separate exhibit
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of "not in floodplain"): YES NO ☒ N/A Not in floodplain
12. Delineation of existing mature tree lines or written indication of "no mature tree lines": YES NO ☒ N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: YES NO ☒ N/A - using existing
14. General locations of major access points to existing streets: ☒ YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: YES NO ☒ N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: ☒ YES NO N/A
17. Location of existing and proposed utilities, above or underground: ☒ YES NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: YES NO ☒ N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: ☒ YES NO N/A
20. Location and design of screening and landscaping: YES NO ☒ N/A - extensive existing veg.
21. Building architecture: YES NO ☒ N/A
22. Site lighting proposed: YES NO ☒ N/A
23. Area of land disturbance in square feet and acres: ☒ YES NO N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more): YES ☒ NO N/A prior to construction
25. Historical sites or gravesites on general site plan: YES NO ☒ N/A NONE
26. Show impact of development of historical or gravesite areas: YES NO ☒ N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: ☒ YES NO N/A

3. Special Use Permit Application Checklist & Form

3.1. Checklist

SPECIAL USE PERMIT APPLICATION CHECKLIST

BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a special use application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 4, 5 & 6 attached). This list can be obtained from the Clerk of Courts Office: ☒ YES ☐ NO

Completed application for special use permit (page 3 attached). If not signed by the owner, a Power of Attorney must accompany the application: ☒ YES ☐ NO

Interest Disclosure Affidavit (page 7 attached). Must be signed by the owner: ☒ YES ☐ NO

Power of Attorney (page 10 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: ☒ YES ☐ NO

Written Narrative (page 11 guidance in preparing the Written Narrative): ☒ YES ☐ NO

Fees: ☒ YES ☐ NO

Deed: ☒ YES ☐ NO

Plat (15 copies). The plat information may be incorporated into the Special Use Permit General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: ☒ YES ☐ NO
- B. Area of land proposed for consideration, in square feet or acres: YES ☒ NO
- C. Scale and north point: ☒ YES ☐ NO
- D. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES ☐ NO

Tax Map (15 copies). Identify property that special use is being considered for and identify by name all adjacent landowners. - site plan identifies all adjacent owners

3.2. Application for Special Use Permit

APPLICATION FOR A SPECIAL USE PERMIT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: 9/2/2022

Special Use Permit Request: Request to develop, construct and operate a 5MWac solar project
on a single parcel in Buckingham County, VA

Purpose of Special Use Permit: Construction and operation of 5MWac ground-mounted solar
facility

Zoning District: A-1 Number of Acres: 439

Tax Map Section: 151 Parcel: 21 Lot: 2 Subdivision: _____ Magisterial Dist.: 2

Street Address: 19691 E James Anderson Hwy, Dillwyn, VA 23936

Directions from the County Administration Building to the Proposed Site: _____

Head W on James Anderson Hwy (hwy 60) and travel 6.2 miles; Admin Building will be
on the left

Name of Applicant: Rosney Creek Solar, LLC

Mailing Address:
120 Garrett St, Suite 700, Charlottesville, VA 22902

Daytime Phone: 434-282-3230 Cell Phone: _____

Email: mary-margaret.hertz@apexcleanenergy.com Fax: 434-220-3712

Name of Property Owner: Ivan P Davis

Mailing Address:
106 Whetstone Ln, Dillwyn, VA 23936

Daytime Phone: 434-315-4212 Cell Phone: _____

Email: ipdavisjr@gmail.com Fax: _____

Signature of Owner:  Date: 8-24-2022

Signature of Applicant:  Date: 9/2/2022

Please indicate to whom correspondence should be sent:

☐ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer
☐ Applicant

4. Adjacent Property Owners List

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: Davis, Ivan P Jr

Mailing Address: 106 Whetstone Ln, Dillwyn, VA 23936

Physical Address: 106 Whetstone Ln, Dillwyn, VA 23936

Tax Map Section: 151, 138, 139 Parcel: 151-23, 151-22, 151-19, 151-17, 151-20, 138-69, 138-67, 138-78, 138-65, 138-66, 139-4

2. Name: Town of Dillwyn

Mailing Address: P.O. Box 249, Dillwyn, VA 23936

Physical Address: Non-carrier (3A-10-16 NC) & Non-carrier (3A-10-15NC)

Tax Map Section: 138 Parcel: 138-78, 138-68

3. Name: Floyd, Melvin E

Mailing Address: c/o Kevin Floyd, P.O. Box 1178, Chesterfield, VA 23832

Physical Address: 1547 Rosney Rd

Tax Map Section: 151 Parcel: 1 Lot: 2 Subdivision: _____

4. Name: Dunkum, Woodrow M Jr & Karen N

Mailing Address: P.O. Box 24, Dillwyn, VA 23936

Physical Address: Rt 629 - 2 1/2 mi SE of Dillwyn, Lots 1, 2 & 4

Tax Map Section: 152 Parcel: 152-2-4, 152-2-2, 152-2-1

5. Name: Patton, Charles W Sr

Mailing Address: 1293 Rosney Rd, Dillwyn, VA 23936

Physical Address: Rte 629 - 2 1/2 mi SE of Dillwyn, Lot 3

Tax Map Section: 152 Parcel: 152-2-3 Lot: _____ Subdivision: _____

6. Name: Hardiman, Lindberg & Evelyn

Mailing Address: 1177 Rosney Rd, Dillwyn, VA 23936

Physical Address: 1177 Rosney Rd

Tax Map Section: 152 Parcel: 152-33 Lot: _____ Subdivision: _____

7. Name: Wingo, Charles M III & Dorothy Beth

Mailing Address: P.O. Box 309, Lakemont, GA 30552

Physical Address: Rt 60 - 4 mi E of Sprouses Corner, Lot A

Tax Map Section: 151 Parcel: 151-30 Lot: _____ Subdivision: _____

8. Name: Moseley Properties, LLC

Mailing Address: P.O. Box 228, Buckingham, VA 23921

Physical Address: Rt 60- 2 mi E of Sprouses Corner

Tax Map Section: 151 Parcel: 151-46 Lot: _____ Subdivision: _____

9. Name: Kyanite Mining Corporation

Mailing Address: 30 Willis Mtn Plant Ln, Dillwyn, VA 23936

Physical Address: Rte 60 - 2 mi E of Sprouses Corner

Tax Map Section: 151 Parcel: 151-45 Lot: _____ Subdivision: _____

10. Name: Weyerhaeuser Company

Mailing Address: 100 Professional Center, Brunswick, GA 31525

Physical Address: Rts 15-60 - 1 mi E of Sprouses Corner

Tax Map Section: 151 Parcel: 151-14 Lot: _____ Subdivision: _____

11. Name: Seay, James L Sr & James L Jr

Mailing Address: 2841 Quarker Rd, Quinton, VA 23141

Physical Address: Off Rte 629 - 1 mi SE of Dillwyn

Tax Map Section: 138 Parcel: 138-71 Lot: _____ Subdivision: _____

12. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

13. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

14. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

15. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

16. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

5. Adjacent Property Owners Affidavit

See next page

6. Interest Disclosure Affidavit

INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this 24 day of AUGUST, of the year 2022,

I IVAN P. DAVIS, JR (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

NONE

Signature of Owner: (to be signed in front of notary public)

Ivan P. Davis, Jr.

NOTARY PUBLIC
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 24th day of August
of the year 2022. My commission expires 12-31-24.

Notary Public Signature: Haley Blackwell

Stamp:



7. Cultural Resources Assessment and Record Check

Results of the Virginia Department of Historic Resources VCRIS databases search are provided in Section 10.1.3 below.

CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR PENDING DEVELOPMENT APPLICATIONS

Case Number / File Name: SUP - Rosney Creek Solar (5MW)

Visual Inspection Findings (describe what is on the property now):

The Property is mostly forested, consisting of timer and hardwoods, with some open fields, a creek (Whispering Creek), and a couple of ponds.

County Records Check (describe the history of this property):

The Property is of important generational significance to the Davis family and contains Whetstone Farm, which is a certified Virginia Century Farm. Historically, forestry has been the main use of the Property.

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No X

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Neither the Virginia Department of Historic Resources VCRIS desktop screening nor the consultation with the Buckingham Historical Society identified any resources of significance.

Will this proposal have any impact on the historical site or gravesite? Yes _____ No _____

If yes, please explain any impact:

N/A

Owner/Applicant Signature:  Date: 9/2/2022

Printed Name: Ken Young Title: COO

8. Application for a Traffic Impact Determination

Per the County's requirement for Special Use Permits, an Application for a Traffic Impact Determination was submitted to VDOT who considers a solar farm entrance a private driveway. VDOT confirmed that the existing driveway location chosen for access is built to the necessary standards. Prior to Construction, a plan for the construction entrance will be submitted to VDOT that shows either adequate site distance or other traffic control and management measures.

7/25/22, 4:09 PM

App for Traffic Impact Determination_Rosney Creek - Google Docs

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT: Case Number / File

Name: _____

Apex Clean Energy (Mary-Margaret Hertz)
Applicant: _____

[19641] E James Anderson Hwy, Dilwyn, VA 23936 37 509722, -78 452038 Location: _____

50-acre Solar Farm
Proposed Use: _____ For

VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

☒ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use? Yes
_____ No _____ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Vdot Lynchburg district considers a solar farm entrance a private driveway since they are low volume in the operating state. The existing driveway location is built to the standards of a low volume private entrance. If the county approves your SUP, please submit a plan for your construction entrance that shows either adequate site distance for the entrance or traffic control for the entrance (flaggers).

Signature of VDOT Resident Engineer: Scott D. Frederick

Printed Name: SCOTT D. FREDERICK Date: 7-25-2022

9. Special Power of Attorney Affidavit

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this 24 day of AUGUST, in the year of 2022

I IVAN P. DAVIS, JR. the owner of 151-21
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint APEX CLEAN ENERGY
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day 24 of the month AUGUST in the year of 2022 and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

I.P. Davis, Jr.

NOTARY PUBLIC

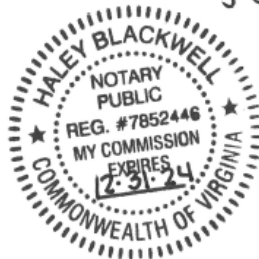
County of Buckingham State of Virginia

Subscribed and sworn before me on the 24th day of August

in the year 2022. My commission expires 12-31-24.

Signature of Notary Public: J. Blackwell

Stamp:



10. Application Narrative

The Applicant requests a Special Use Permit for Rosney Creek Solar for the construction and operation of a 5 MWac Utility Scale solar facility (the Project) on a single, 439-acre parcel with a project area of approximately 54 acres of private land located in Buckingham County, Virginia.

The Property

This Property is zoned A-1, Agricultural, and is mainly used for silviculture and agriculture. The Project access road is located approximately 6 miles southeast of the Buckingham County Administration Building, off East James Anderson Highway, southeast of the Sprouse's Corner intersection. A Preliminary Site Plan along with site specific information can be found in Section 2 (and attached separately as a PDF). Note, the Project's layout will be finalized after field surveys and other permitting requirements are completed and will be submitted to the County along with any required construction, grading and vegetation plans as a part of the full site plan approval process.

The Project

This proposed project has the potential to add 5 MWac of renewable energy to Dominion Energy Virginia's distribution system through anticipated participation in the Virginia Shared Solar Program. In general, this program, commonly known as a Community Solar Program, allows a developer of small-scale utility solar projects (no larger than 5MWac) to subscribe eligible customers to purchase a share of the output of a solar facility. The customer, through virtual net metering, gets a bill credit from their utility company for the energy being supplied by the shared solar program. This program has the potential to be open to local municipalities, schools, and other organizations that do not have the capital budgets to outright purchase and own solar energy systems. Also, this program is open to residential and commercial companies who might be unable to have access to rooftop solar because they rent, live in multitenant buildings, or have inadequate roof conditions such as excessive shading or low structural integrity. Lastly, the program has a Low to Moderate Income (LMI) component that incentivizes projects to seek subscribers that qualify for the LMI metric, thus providing them savings on their electricity bills.

Due to the project's small size, which is not to exceed 5MWac of generating capacity, no substations or ancillary structures will be constructed or permanently installed, with the exception of a few telephone poles that support protection devices, and other small, utility-required equipment. The Project has an active interconnection study agreement with Dominion Energy and is currently in an advantageous "B" queue position. The Applicant is currently awaiting results of the studies and will follow all interconnection permitting requirements/procedures prior to commencing Project operations.

It is expected that construction might start as soon as early 2024, with the Project reaching commercial operation within approximately six months of construction start. The Project is expected to be operating for a minimum of 35 years. The Applicant acknowledges that the 2018 Virginia Uniform Statewide Building Code and 2018 Virginia Statewide Fire Prevention Code is applicable to this project and will conform to meet its requirements. Given the Project's smaller

size, Permit by Rule approval is not applicable (per Virginia Administrative Code 9VAC15-60-30). However, the Project will be reviewed by DEQ for both Stormwater and Erosion and Sediment Control compliance and the Applicant will work extensively with the County to ensure compliance. The Applicant's commitment to Stormwater and Erosion and Control measures is further detailed in Sections 10.1.5, 10.6, and 15 (#3, #12).

10.1. Conformity with the Buckingham County Comprehensive Plan

Section 15.2-2232 of the Code of Virginia provides that any *“public utility facility or public service corporation facility ... whether publicly or privately owned, shall [not] be constructed, established or authorized, unless and until the general location or approximate location, character, and extent thereof has been submitted to and approved by the [applicable Planning Commission] as being substantially in accord with the adopted comprehensive plan or part thereof.”*

The Applicant requests that the Planning Commission determine that the Project is substantially in accordance with the Buckingham County Comprehensive Plan adopted on September 14, 2015 (the “Comprehensive Plan”). The Project supports the County's vision, values, and goals, and endeavors to complement the “desired physical, social and economic development” as outlined in the Comprehensive Plan. The following sections of this narrative explain the Project's relationship to the significant elements of the Comprehensive Plan.

10.1.1. Land Use

The Comprehensive Plan recognizes the need for future commercial development while also balancing the agricultural and rural history of the County. A land use goal of the Comprehensive Plan is to “encourage commercial and industrial development in appropriate areas of the County.” The Comprehensive Plan also recognizes that a significant portion of the County is used as farm and forestry land, the Property included. The Comprehensive Plan states that as of 2012 there were approximately 317,151 acres of commercial forest in the County. The Comprehensive Plan also notes a loss of agricultural land and states that the economic benefits and environmental impacts should be considered to “maintain a balance between development and preservation objectives throughout the County.” Consistent with the Future Land Use Map in the Comprehensive Plan, this Project is located outside of any Village Center/Growth Corridor, High Growth Area, or Recreation, Parks within the County. This Project has been specifically sited in a secluded area of the County on a single parcel. It will not impact adjacent land uses or place demand on public resources. This Project preserves village centers and growth areas for other businesses and residents to locate.

An additional objective of the Project is to minimize the impact of development. Once installed, a solar array can produce energy undisturbed for a minimum of 35 years with minimal upkeep. Native grasses and vegetation are able to thrive within the Project boundary, helping to improve the soil's composition over time. Existing timber and mature vegetation will be allowed to remain and thrive, as the Applicant will keep in place and strive to work around their natural buffering qualities. Furthermore, by taking advantage of natural flow patterns in drainage design and

establishing native ground cover, the Project has the potential to increase water infiltration in the area and boost soil organic matter. Smaller wildlife are able to easily move through the Project area, while the modest acreage of the Project cause minimal impact to the movement patterns of larger wildlife. The aforementioned reasons combined with the non-toxic nature of the equipment and industry-leading decommissioning practices means that the land can return to near original condition at the end of the Project's life. This is vastly different from traditional development.

10.1.2. Community Design

The Applicant has considered the community from the onset of the design process of the Project. As further explained below, the Project will not adversely affect the health, safety, or general welfare of the people residing in the vicinity of the Project, nor impair the character of the district in which it is located or the values of the properties in the surrounding area.

Viewshed

The Project has been sited in a remote area of the County in order to reduce the visual impact of the facility and preserve the rural viewsheds. Due to the natural vegetation and topography of the Property, surrounding roadways and residences will have very limited, if any, views of the equipment associated with the Project. After construction, the Project will be largely invisible from neighboring properties since, from the Project fence line, setbacks of 500 feet from residences, 75 feet from property lines and public rights of way are exceeded. Based on the current Special Use Preliminary Site Plan, the closest neighboring home will be approximately 560 feet from the fence and the solar array will setback approximately 840 feet from E James Anderson Hwy. In addition, solar panels, racking systems, and inverters are generally no greater than seventeen (17) feet in height, and are therefore easily obscured by the existing mature trees on the Property.

A fifty (50) foot buffer of existing landscaping and vegetation and, if needed, newly planted vegetation will be maintained within the setbacks with the intent to further blend the Project to the surrounding natural setting. The Applicant will consult with a professional arborist or forester and leave existing mature vegetation and timber around the perimeter of the Project where possible. Where the existing vegetation is insufficient, additional vegetation will be planted and maintained to minimize the visibility from surrounding parcels and public rights-of-way. Pollinator-friendly and wildlife-friendly native plants, shrubs, trees, grasses, forbs, and wildflowers will be installed and maintained where appropriate and as recommended by a professional arborist or forester.

All adjoining properties are zoned A-1 and are mostly used for forestry or agriculture. Given the current adjoining uses, setbacks, and planned vegetative buffers, the Project will be inconspicuous and have a minimal viewshed impact to the surrounding neighbors, therefore helping to preserve the rural character of the community.

Sound

Once construction is complete, the Project is passive, imposing no impacts on the neighbors and producing no pollutants or other emissions. During operations, sound from this project will be minimal and only during daytime hours when the sun is shining. At night, there will be no audible noise at the property line emanating from the solar facility. The inverters produce a low-level hum

(the Power Electronic model is listed as producing <79 dBA at a 1m distance), only during daylight hours, when the system is generating energy. This noise level has been described as roughly equivalent to that of a dishwasher. Even in idealized sound-travel conditions, the inverse square law shows that, at 100 feet, the sound emitted from this inverter will be reduced to under 50 dBA or the equivalent of a modern refrigerator, thereby in compliance with proposed condition #9 in Section 15 of this application. As seen in the Preliminary Site Plan, the design positions the inverters towards the center of the solar array, which is approximately 900 feet from the nearest non-participating landowner's Property line. The inverters are the only components that produce any noticeable noise.

To further reduce unreasonable sound levels created by the Project, the Applicant has proposed an additional condition regulating and limiting site activity during constructions and operations, as further detailed in Section 15, condition #8.

Glare

The Project will produce no hazardous glare. Solar panels, by design, absorb as much light as possible, and panels reflect/refract very little light – often less than two percent. This is comparable to the reflectivity of water, and significantly less reflective than standard glass. Anti-reflective coatings and anti-glare technology are inherent to solar panel design. This combined with the remote location of the Project will significantly inhibit glare on neighboring properties and public roads.

County Resources

Solar is a low-impact land use, with minimal to no impact on the County's resources. Other forms of development (commercial, residential housing, etc.) would require additional services such as roads, utilities, schools, and law enforcement. This Project will not place any material burden on the County's resources but will increase the County's tax base and associated revenues.

Community Engagement

The Applicant will work diligently to ensure that the public, and in particular, the adjacent property owners, are made aware of the Project and well-informed of the plans. Accompanying this request in Section 4 is a list of adjacent property owners immediately abutting the Property. The Preliminary Site Plan shows the location of each neighbor relative to the Project.

The Applicant plans to hold a community meeting prior to the public hearing with the Planning Commission to present information about the Project and allow opportunities for questions, comments, and other feedback from the community. The Applicant will inform the Zoning Administrator and adjacent property owners in writing of the date, time and location at least seven (7) but no more than fourteen (14) days in advance of the meeting date. At the same time, the Applicant will post an advertisement in the Farmville Herald to inform the broader community of the date, time and location of the meeting. A central, publicly accessible location will be chosen within the county.

Apex Clean Energy is a strong supporter of educators, entrepreneurs, and changemakers in the Buckingham County Community. To show our support and strengthen the positive impacts our projects will have on the surrounding community, we have initiated a Community Grant Program for distribution to support organizations focused on promoting education, conservation and sustainability, and public land access. The first cycle has been completed and local grant winners have already been awarded.

10.1.3. Cultural Resources

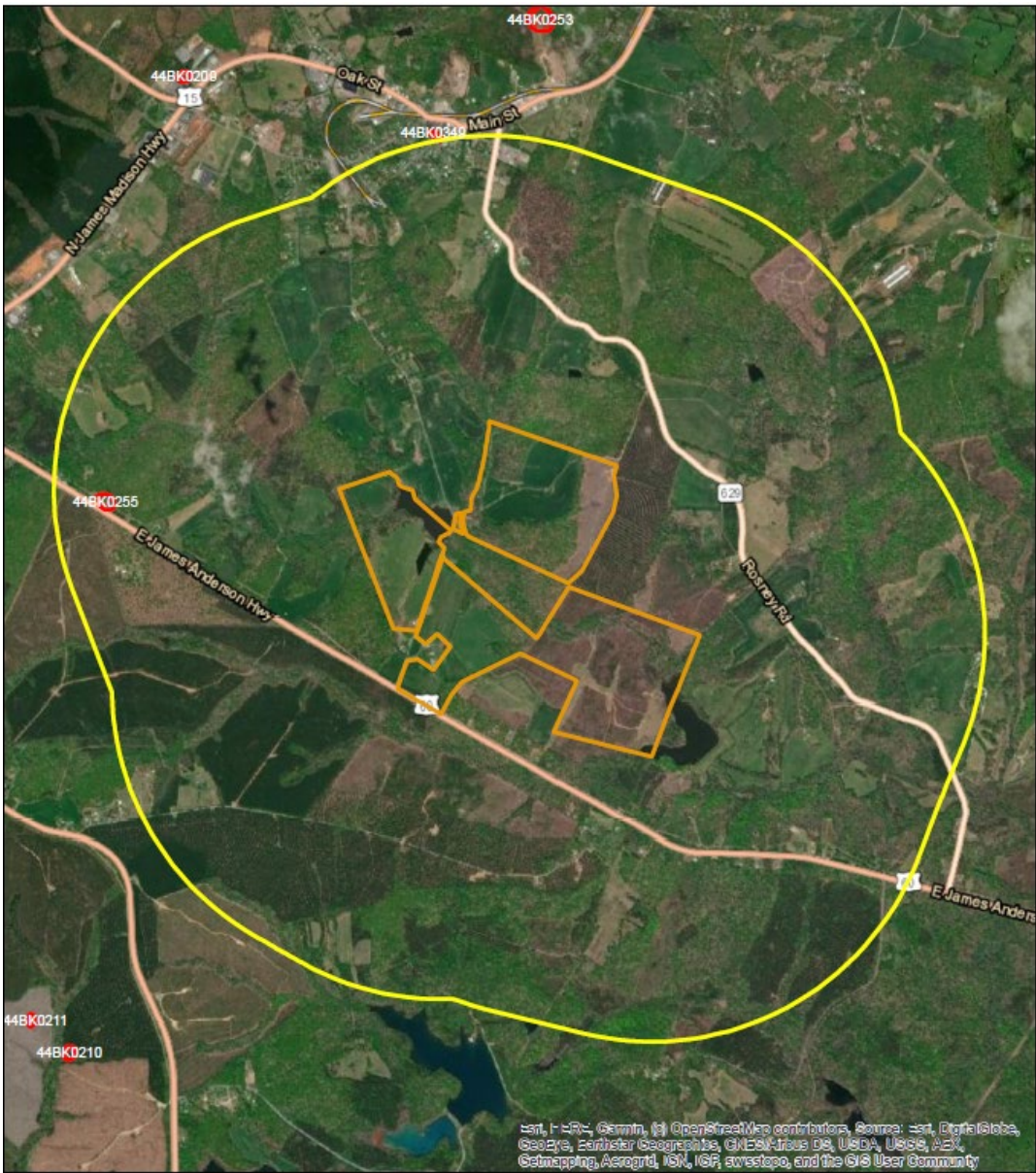
The Comprehensive Plan includes a goal to recognize and preserve the County's historical and cultural resources for future generations. The Comprehensive Plan notes that identification and evaluation are the primary strategies to reaching this goal. In recognition of the importance of these resources, the Applicant has conducted a desktop survey of known cultural and historic resources utilizing the Virginia Department of Historic Resource's (DHR) Virginia Cultural Resource Information System (VCRIS). The results of the desktop screening accompany this application in *Exhibits A-C* below. The primary result of this analysis shows there are no known cultural or historic resources located on the Property.

The Applicant has also conducted visual investigations for cultural resources when visiting the Property and has communicated extensively with the property owner to understand if any known cultural resources, including cemeteries, exist on site. These visual observations and landowner conversations have not resulted in the identification of any cultural or historic resources (including cemeteries) located on the Property other than speculation of a potential railroad segment that does not lie in close proximity of the Project Area.

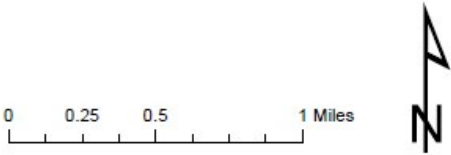
Additionally, the Applicant has initiated coordination with the Buckingham Historical Society by providing the organization with a map of the Property and associated Buckingham County Tax Map Parcel IDs. To date, this coordination has also not resulted in the identification of any cultural or historic resources located within the Property.

The results from the research that has been conducted so far indicate that there is a low likelihood of the Project interfering with any sites of significance and, as stated previously, the Project's size exempts it from further field analysis of archaeological and architectural resources as part of the DEQ's Permit By Rule process (Virginia Administrative Code 9VAC15-60-30).

Exhibit A. Archaeological Resources

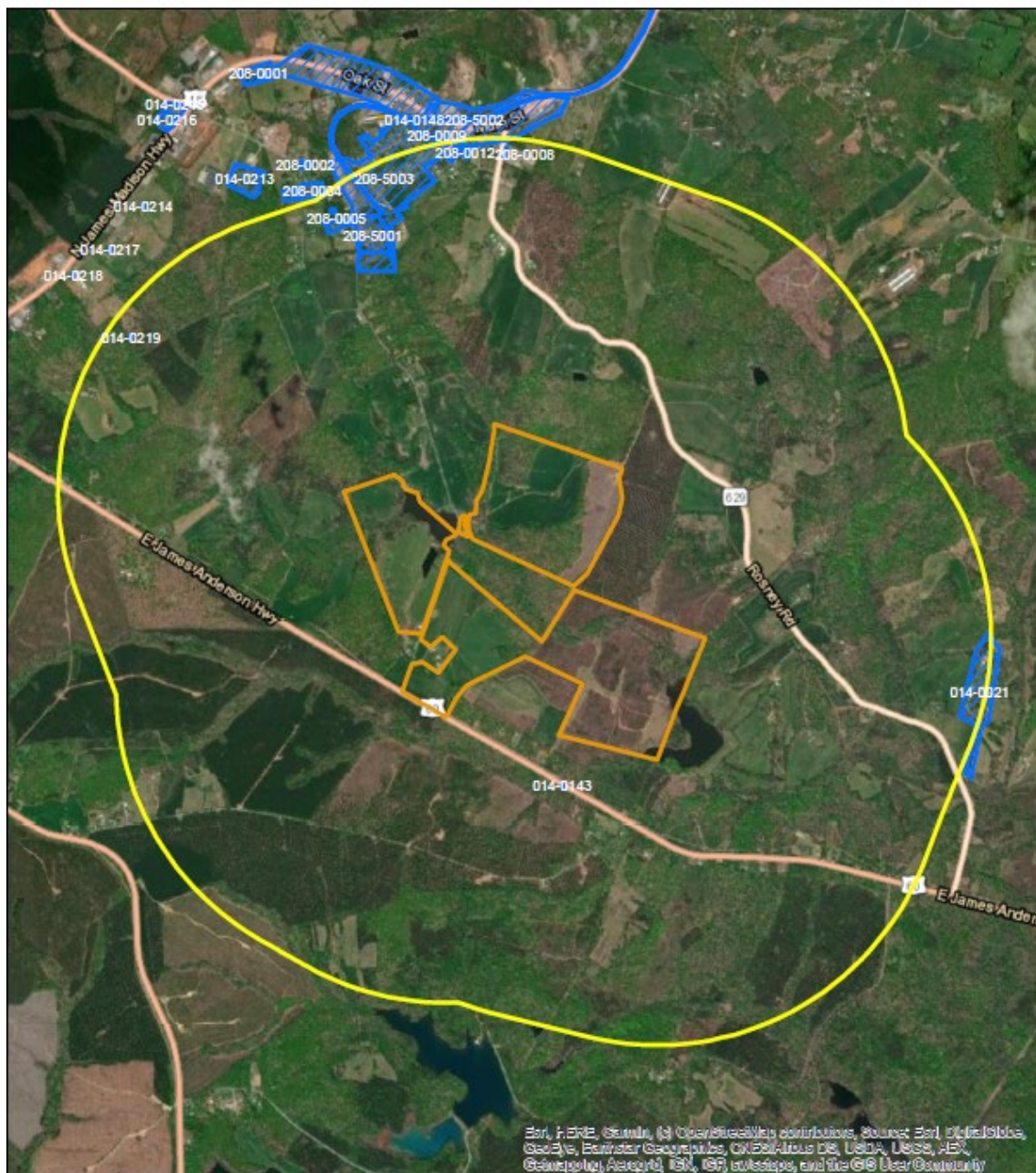


- Project_Area
- One Mile Buffer
- Archaeological Resources



DHR ID	Site Categories	Site Types	Time Periods	Evaluation Status
44BK0255	<Null>	<Null>	Middle Archaic (6500 - 3001 B.C.), Late Archaic (3000 - 1201 B.C.), Early Woodland (1200 B.C. - 299 A.D.)	<Null>
44BK0348	Subsistence/Agriculture	Stable	20th Century (1900 - 1999)	DHR Staff: Not Eligible

Exhibit B. Architecture Resources



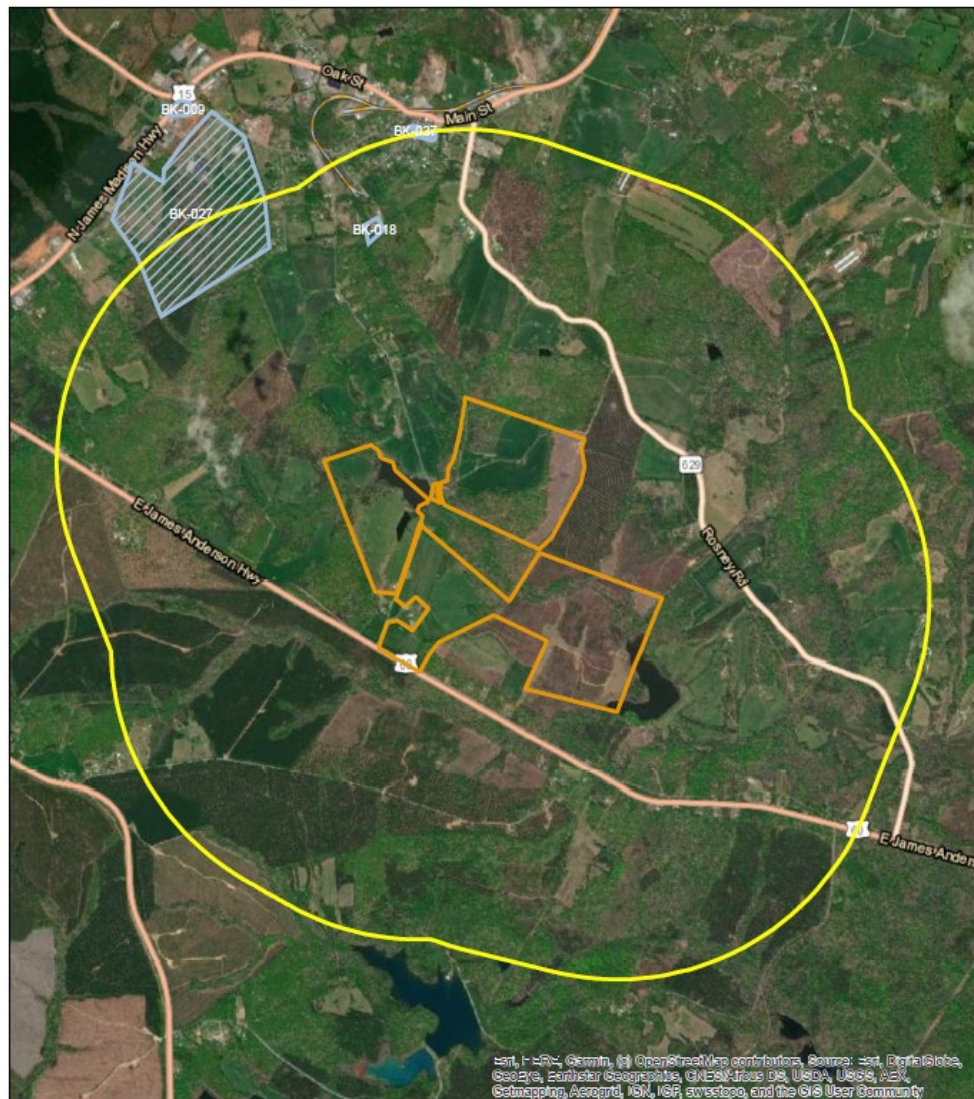
- Project_Area
- One Mile Buffer
- Architecture Resources

0 0.25 0.5 1 Miles



DHR ID	Property Names	Property	Historic District	Evaluation
014-0021	Rosney (Alternate Spelling), Rosny (Historic/Current)	Route 629	<Null>	<Null>
014-0143	Bridge #1020 (Current)	Rt. 60	<Null>	DHR Staff: Not Eligible
014-0148	Bremo-Dillwyn Line (Function/Location), Buckingham Branch Railroad Company (Current), C&O Railroad Abandonment Line (Historic)	<Null>	<Null>	<Null>
014-0219	Mullins House (Historic/Current)	Route 750	<Null>	DHR Staff: Not Eligible
208-0004	House, Lesueur Avenue (Function/Location), Russel Davis House (Historic)	Lesueur Avenue, Route T-1009	<Null>	DHR Staff: Not Eligible
208-0005	House, Route 2 (Function/Location), Woodfin House (Historic/Current)	22 Route 2	<Null>	DHR Staff: Not Eligible
208-0006	Chicken House (Descriptive), House, Route T1001, Dillwyn (Function/Location)	Route T1001	<Null>	DHR Staff: Not Eligible
208-0007	Dillwyn Residency Office (Historic/Current)	P.O. Box 10	<Null>	<Null>
208-0008	Dillwyn Residency (Historic), Timekeeper's Office (Historic/Current)	P.O. Box 10	<Null>	<Null>
208-0010	Single Dwelling, 73 Hancock Street (Function/Location)	73 Hancock Street	Dillwyn Historic District	DHR Staff: Not Eligible
208-0011	Single Dwelling, 74 Conner Street (Function/Location)	74 Conner Street	<Null>	DHR Staff: Not Eligible
208-0012	Single Dwelling, 89 Connor Street (Function/Location)	89 Connor Street	<Null>	DHR Staff: Not Eligible
208-5001	Buckingham Training School (NRHP Listing), Community Center, 245 Camden Street (Function/Location), Ellis Acres Memorial Park (Current), Rosenwald School (Descriptive), Steven J. Ellis Elementary School (Historic)	245 Camden Street	Rosenwald Schools in Virginia MPD	NRHP Listing, VLR Listing
208-5002	Dillwyn Commercial Historic District (Descriptive)	Main Street - Alt Route 15, Oak Street - Alt Route 15, Rosney Road, Route 1003, Route 629	Dillwyn Commercial Historic District	DHR Staff: Potentially Eligible
208-5003	Dillwyn Historic District (Descriptive)	Camden Street, Hancock Street, Main Street, Route 15	Dillwyn Historic District	DHR Board Det. Eligible

Exhibit C. Previous Archaeology Surveys



- Project Area
- One Mile Buffer
- Archaeology Phase 1 Survey

DHR Report Number	DHR Report Title	Author Affiliation	DHR Report Year	DHR Project Review Number
BK-018	A Phase I Investigation of Cultural Resources for the Proposed Dillwyn Wastewater Treatment Plant Site in Buckingham County, Virginia	Calvert McIlhany	1991	1991-1098
BK-027	A Phase I Investigation of Cultural Resources for the Proposed Buckingham Industrial Park at Dillwyn in Buckingham County, Virginia	Calvert McIlhany	1991	1991-1465
BK-037	An Archaeological Survey of the Proposed Routes 1001, 1004, and 1007 Project, Buckingham County, Virginia	(College of) William and Mary Center for Archaeological Research	2008	2008-0351

10.1.4. Economic Development

Rosney Creek Solar Farm is a low-impact land use that will provide a significant boost to the local economy as evidenced by the construction of solar projects in the region including Greenville, Sussex, Mecklenburg, Halifax and Southampton. Specialty Policy Area #7 of the Comprehensive Plan states that “Buckingham County considers ‘economic development’ high on its list of goals” and also notes the importance of a strong tax base. See Chapter IV, Policy Area #7. The Project represents an initial capital investment of more than \$7 million and will create approximately 25 full-time equivalent (FTE) jobs.

Solar energy is among the fastest growing industries in the nation and is especially vibrant in the Commonwealth of Virginia. Recently, demand for renewable energy has grown dramatically, driven in part by companies with sustainability goals. As of today, over 370 companies worldwide have committed to powering their operations with 100% renewable electricity.¹ Access to solar energy has become an important determinant in siting new businesses.

The Community Facilities and Services section of the Comprehensive Plan includes an objective to “provide adequate public utilities to support current and future growth (of all types) in Buckingham County.” This Project will not only supplement the mix of power generated for the residents of the County but it could also provide members of the community with direct access to the energy it produces. What is unique about this Project, is its eligibility to participate in the Virginia Share Solar Program. Should the Project be awarded capacity in the program, members of the community, including local businesses, can subscribe to offset a portion of their energy use with solar from the Project, potentially generating electricity bill savings that can be reinvested in the business. Further detail of the Community Solar Model is provided at the beginning of this Section 10.

10.1.5. Environment

Embracing projects like Rosney Creek Solar Farm over higher-polluting alternatives helps to protect and enhance the natural environment. Transitioning from fossil fuels to renewable energy has overwhelming positive net benefits for air quality, water resources, climate change, and human health. Solar energy generation produces no carbon emissions, releases no heavy metals or acid gases, and emits no small particles that can cause respiratory problems, unlike other forms of energy generation such as conventional fossil fuel generators which pollute heavily.

Solar facilities conform to the physical characteristics (including wetlands and topography) of the land. The streams and associated wetland data have been accounted for in the Special Use Preliminary Site Plan accompanying this application. All streams and wetlands will be avoided to the extent practicable and no stream crossings are anticipated. During the anticipated 4-6 months of construction, soil stabilization measures will be implemented, including topsoil replacement, which fosters the vegetative cover that will be installed between panels. These measures, amongst others, retard runoff and prevent soil displacement. The Applicant will maintain ground cover for the life of the Project.

¹ <https://www.there100.org/re100-members>

State and regional regulations regulate water flow/runoff during both construction and operations. As detailed in Section 15 (#3) of this Application, the Soil and Water Conservation District will review, approve, and oversee the Project's erosion and sediment control plan and the DEQ will review the Project's stormwater management plan. More information is also provided in Section 10.6 below.

10.1.6. Fire and Rescue, Law Enforcement

The Project would not pose increased security or safety risks. Once the Project is constructed, a permanent perimeter/boundary fence will surround the entire Project. The fence will be posted with security signage and will be metal chain-link fence with a minimum height of six (6) feet and topped with one (1) foot of barbed wire, therefore inaccessible to unauthorized personnel. The Project will be monitored remotely on a 24/7 basis to ensure the Project is operating properly. If any emergency arises, it will be noted by the remote operator who will contact and coordinate with the appropriate local emergency and security personnel and will be able to remotely de-energize the Project. Existing County fire fighting services and equipment are suitable to handle any issues that may arise at the Project, and training will be provided to local emergency services on how to access the Project in case of emergency. The Project's access road will be maintained in good condition to continue to allow easy access to the Project through all phases of its life.

Although it is unlikely that emergency services would be needed at this Project, the Applicant has committed to provide, at the Applicant's expense, materials, education, and training on how to respond to an emergency at the Project. See the Applicant's proposed condition #19 included with the application in Section 15 for further information.

10.1.7. Housing

This Project has been sited more than five hundred (500) feet away from the nearest housing and other residential development. This Project is located outside of areas that are designated for residential growth and is not anticipated to have any effect on the housing stock in the County.

10.1.8. Libraries

The Project will not impact established libraries or the County's future plans regarding libraries.

10.1.9. Parks and Open Spaces

Since the Project is located on land used primarily for forestry resources, the Project will not impact established parks or open spaces within Buckingham County. As noted in the environmental section above, all existing streams, wetlands, and setbacks will be preserved as open space. The Comprehensive Plan does not identify this area of the County for recreation or parks.

10.1.10. Potable Water & Sewage

Because this Project is located in a remote area and outside high growth areas, the Comprehensive Plan does not depict plans to extend public water or sewer lines into the proposed

Property. Based on the Future Land Use Map in the Comprehensive Plan, the Property is expected to remain rural and growth is anticipated to be slow. The Project will not require any buildings with associated plumbing or septic fields and therefore sewage was not included as a consideration in this Project.

10.1.11. Schools

The Project will not impact established schools or the County's future plans regarding schools and other educational facilities.

10.1.12. Telecommunications

The expansion of telecommunications services is a key element of the Comprehensive Plan. Broadband deployment is a point of emphasis but also funded largely by state and federal grants. Other Virginia counties have recognized a link between solar development and the deployment of broadband. In those counties, the revenue generated by solar facilities has been used to expand telecommunications and broadband facilities. While the revenues could be used in the County's discretion to support upgrades, this Project is not expected to have an impact on the existing telecommunications infrastructure in the County.

10.1.13. Transportation

The Comprehensive Plan notes that land use and transportation are linked (See Special Policy Area #4). The Project will be developed with close coordination and approvals by the Virginia Department of Transportation (VDOT) to ensure that construction and operations traffic does not negatively impact the safety of adjoining public roads and to make certain that all entrances abide by VDOT standards. As seen on the Preliminary Site Plan, the Applicant currently proposes a single entry and exit for the facility. The Applicant has facilitated the completion of a Traffic Impact Determination Form with the VDOT to accompany this request and will also prepare a Construction Traffic Management Plan prior to the start of construction as recommended by VDOT staff in Section 8 and as further conditioned in Section 15 (#21 & 22).

During the operations phase, the Applicant anticipates a negligible impact consisting of 1-2 trips a month for maintenance, typically with pick-up trucks for landscaping or other equipment upkeep. The Project will be remotely monitored, so will not require regular staff and will only be visited as needed. No impact on local traffic is expected from the day-to-day operations of this Project.

10.1.14. Solid Waste

At the end of its useful life, the Project will be decommissioned in accordance with the County requirements and the sample decommissioning plan included with this narrative (Section 10.7). To the extent possible, the Applicant will use all reasonable efforts to recycle the equipment and materials.

10.2. Potential Fiscal Impacts to Buckingham County

Per Code of Virginia § 58.1-2606.1. *Local taxation for solar photovoltaic projects five megawatts or less*, projects of this scale (5MWac and below) are no longer exempt from a jurisdiction's assessment of a revenue share ordinance and must defer to such revenue share ordinance where such exists. As a result, and at the County's option, the Applicant proposes to provide annual payments to the County in the amount of \$1,400/MWac that are increased by 10% every 5 years, as described in the Buckingham County Revenue Share for Solar Energy Projects and Energy Storage Systems Ordinance effective as of July 1, 2021. Revenue from these payments will total approximately \$430,000 over the life of the project. In addition, the Applicant estimates an increase of about \$145,000 in real estate tax revenue on the property over the current taxes collected for the same parcel acreage. Collectively, the Project will contribute approximately \$575,000 in revenue to the County over its anticipated 40-year life. Further information about the proposed payments, including a table of annual payments, can be found in the Proposed Conditions that accompany this Application (Section 15 # 18).

Furthermore, the Applicant acknowledges that the County may incur additional costs associated with inspections, permitting and other administrative procedures in relation to the Project. As such, the Applicant is willing to discuss offering a reimbursement for such incurred expenses.

10.3. Federal Aviation Administration

To confirm that Rosney Creek Solar Farm will meet the standards and regulations of the Federal Aviation Administration (FAA), the Applicant utilized the FAA's online Notice Criteria Tool, entering in the coordinates for the four corners of the proposed layout, the anticipated maximum height of the panels, and the site elevation. As evidenced below, the project does not exceed Notice Criteria and no further coordination with the FAA is required.

NE Corner

11/17/21, 3:04 PM

Notice Criteria Tool



Federal Aviation
Administration

« OE/AAA

Notice Criteria Tool

[Notice Criteria Tool - Desk Reference Guide V_2018.2.0](#)

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference [CFR Title 14 Part 77.9](#).

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
- your structure will be in proximity to an airport and will exceed the slope ratio
- your structure involves construction of a traverseway (i.e. highway, railroad, waterway etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- your structure will emit frequencies, and does not meet the conditions of the [FAA Co-location Policy](#)
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the [Air Traffic Areas of Responsibility map](#) for Off Airport construction, or contact the [FAA Airports Region / District Office](#) for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

Latitude:	<input type="text" value="37"/>	Deg	<input type="text" value="30"/>	M	<input type="text" value="54.52"/>	S	<input type="button" value="N"/>
Longitude:	<input type="text" value="78"/>	Deg	<input type="text" value="28"/>	M	<input type="text" value="44.07"/>	S	<input type="button" value="W"/>
Horizontal Datum:	<input type="button" value="NAD83"/>						
Site Elevation (SE):	<input type="text" value="450"/>	(nearest foot)					
Structure Height :	<input type="text" value="18"/>	(nearest foot)					
Traverseway:	<input type="button" value="No Traverseway"/>						
<small>(Additional height is added to certain structures under 77.9(c)) User can increase the default height adjustment for Traverseway, Private Roadway and Waterway</small>							
Is structure on airport:	<input checked="" type="radio"/> No <input type="radio"/> Yes						

Results

You do not exceed Notice Criteria.

NW Corner

11/17/21, 3:05 PM

Notice Criteria Tool



Federal Aviation
Administration

« OE/AAA

Notice Criteria Tool

Notice Criteria Tool - Desk Reference Guide V_2018.2.0

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference [CFR Title 14 Part 77.9](#).

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
- your structure will be in proximity to an airport and will exceed the slope ratio
- your structure involves construction of a traverseway (i.e. highway, railroad, waterway etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- your structure will emit frequencies, and does not meet the conditions of the [FAA Co-location Policy](#)
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the [Air Traffic Areas of Responsibility map](#) for Off Airport construction, or contact the [FAA Airports Region / District Office](#) for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

Latitude:	<input type="text" value="37"/>	Deg	<input type="text" value="30"/>	M	<input type="text" value="55.88"/>	S	<input type="text" value="N"/>
Longitude:	<input type="text" value="78"/>	Deg	<input type="text" value="26"/>	M	<input type="text" value="54.41"/>	S	<input type="text" value="W"/>
Horizontal Datum:	<input type="text" value="NAD83"/>						
Site Elevation (SE):	<input type="text" value="450"/>	(nearest foot)					
Structure Height :	<input type="text" value="16"/>	(nearest foot)					
Traverseway:	<input type="text" value="No Traverseway"/>						
(Additional height is added to certain structures under 77.9(c)) User can increase the default height adjustment for Traverseway, Private Roadway and Waterway							
Is structure on airport:	<input checked="" type="radio"/> No <input type="radio"/> Yes						

Results

You do not exceed Notice Criteria.

SE Corner

11/17/21, 3:00 PM

Notice Criteria Tool



Federal Aviation
Administration

« OE/AAA

Notice Criteria Tool

Notice Criteria Tool - Desk Reference Guide V_2018.2.0

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference [CFR Title 14 Part 77.9](#).

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
- your structure will be in proximity to an airport and will exceed the slope ratio
- your structure involves construction of a traverseway (i.e. highway, railroad, waterway etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- your structure will emit frequencies, and does not meet the conditions of the [FAA Co-location Policy](#)
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the [Air Traffic Areas of Responsibility map](#) for Off Airport construction, or contact the [FAA Airports Region / District Office](#) for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

Latitude:	<input type="text" value="37"/>	Deg	<input type="text" value="30"/>	M	<input type="text" value="38.28"/>	S	<input type="text" value="N"/>
Longitude:	<input type="text" value="78"/>	Deg	<input type="text" value="26"/>	M	<input type="text" value="48.63"/>	S	<input type="text" value="W"/>
Horizontal Datum:	<input type="text" value="NAD83"/>						
Site Elevation (SE):	<input type="text" value="450"/>	(nearest foot)					
Structure Height :	<input type="text" value="16"/>	(nearest foot)					
Traverseway:	<input type="text" value="No Traverseway"/>						
(Additional height is added to certain structures under 77.9(c)) User can increase the default height adjustment for Traverseway, Private Roadway and Waterway							
Is structure on airport:	<input checked="" type="radio"/> No <input type="radio"/> Yes						

Results

You do not exceed Notice Criteria.

SW Corner

11/17/21, 3:03 PM

Notice Criteria Tool



Federal Aviation
Administration

[« OE/AAA](#)

Notice Criteria Tool

[Notice Criteria Tool - Desk Reference Guide V_2018.2.0](#)

The requirements for filing with the Federal Aviation Administration for proposed structures vary based on a number of factors: height, proximity to an airport, location, and frequencies emitted from the structure, etc. For more details, please reference [CFR Title 14 Part 77.9](#).

You must file with the FAA at least 45 days prior to construction if:

- your structure will exceed 200ft above ground level
- your structure will be in proximity to an airport and will exceed the slope ratio
- your structure involves construction of a traverseway (i.e. highway, railroad, waterway etc...) and once adjusted upward with the appropriate vertical distance would exceed a standard of 77.9(a) or (b)
- your structure will emit frequencies, and does not meet the conditions of the [FAA Co-location Policy](#)
- your structure will be in an instrument approach area and might exceed part 77 Subpart C
- your proposed structure will be in proximity to a navigation facility and may impact the assurance of navigation signal reception
- your structure will be on an airport or heliport
- filing has been requested by the FAA

If you require additional information regarding the filing requirements for your structure, please identify and contact the appropriate FAA representative using the [Air Traffic Areas of Responsibility map](#) for Off Airport construction, or contact the [FAA Airports Region / District Office](#) for On Airport construction.

The tool below will assist in applying Part 77 Notice Criteria.

Latitude:	<input type="text" value="37"/> Deg <input type="text" value="30"/> M <input type="text" value="41.17"/> S <input type="button" value="N ▼"/>
Longitude:	<input type="text" value="78"/> Deg <input type="text" value="27"/> M <input type="text" value="2.85"/> S <input type="button" value="W ▼"/>
Horizontal Datum:	<input type="button" value="NAD83 ▼"/>
Site Elevation (SE):	<input type="text" value="450"/> (nearest foot)
Structure Height :	<input type="text" value="16"/> (nearest foot)
Traverseway:	<input type="button" value="No Traverseway ▼"/> (Additional height is added to certain structures under 77.9(c)) User can increase the default height adjustment for Traverseway, Private Roadway and Waterway
Is structure on airport:	<input checked="" type="radio"/> No <input type="radio"/> Yes

Results

You do not exceed Notice Criteria.

10.4. Insurance

The Applicant shall maintain a current insurance policy to cover installation and operation of the project beginning with issuance of a Building Permit. The Applicant will maintain and pay for (a) comprehensive commercial general liability insurance with limits of not less than \$5,000,000 per occurrence, and (b) excess liability insurance with a limit of not less than \$10,000,000 in the aggregate, in each case for injury to any person and for damage to property. The Applicant will procure an applicable insurance policy through a reputable insurance carrier who is qualified to do business in Virginia. The Applicant will also ensure that an annual renewal certificate of insurance will be provided to the Town.

10.5. Equipment

Solar photovoltaic (PV) technology will power this electricity generator. The Project plans to utilize either fixed tilt or single-axis tracking panels mounted on a steel racking system that will stand less than 17 feet tall from the natural grade. The included Preliminary Site Plan (Section 2) depicts the more likely scenario of single-axis trackers.

Due to technological improvements and/or material availability, the final equipment selection may change. Notwithstanding, the Project's capacity will not exceed a 5MWac design. The County will be made aware of any changes in equipment selection, which will be denoted in the final Site Plan as part of the building permit application process. The following are examples datasheets for the most likely manufacturer, make and model of solar equipment.

10.5.1. Racking and Panels

The Project is expected use a single-axis tracking system that tracks the sun as it moves through the sky and does not stay in a fixed position throughout the day. This racking system is designed to support panel attachment and withstand wind speeds of 120mph. At maximum height, the racking and solar panels will not exceed 17 feet in height. Measurements for this system type are included on the Preliminary Site Plan, with specifications from a potential product manufacturer included in this section below. A row of PV panels will be attached in a linear fashion to each of these racking systems. Other versions of tracking technology or fixed technology may be considered for the Project.

Based on current technology, the Project's site could contain around 10,000-15,000 photovoltaic solar panels, in total. It is possible that increases in the output per panel may reduce the number of panels needed for the Project, but any changes to the model or manufacturer will be submitted for review to the County prior to construction. The solar panel industry is moving away from toxic panel components, and the Applicant will not use solar panels that contain cadmium telluride, lead, or any other toxic substances. For more details on these types of panels, see an example specification sheet in this section below.

Single Axis Tracker Specification Sheet - Example



GENERAL AND MECHANICAL

Tracking type	Horizontal single-axis, independent row
String voltage	1,500 V _{DC}
Typical row size	112 - 120 modules, depending on module string length
Drive type	NX patent-pending self-locking, distributed drive
Motor type	48 V brushless DC motor
Array height	Rotation axis elevation 1.9 to 2.5 m / 6'2" to 8'2"
Ground coverage ratio (GCR)	Typical range 28-50%
Modules supported	Mounting options available for most utility-scale crystalline modules
Bifacial features	Available with optimized central torque tube gap
Tracking range of motion	±50°
Operating temperature range	Array powered: -20°C to 55°C (-4°F to 131°F) AC powered: -40°C to 55°C (-40°F to 131°F)
Module configuration	2 in portrait, 4 x 1,500 strings per standard tracker. Partial length trackers available.
Module attachment	Self-grounding, electric tool-actuated fasteners standard. Clamping system optional.
Materials	Galvanized steel
Allowable wind speed	Configurable up to 235 kph (145 mph) 3-second gust
Wind protection	Intelligent wind stowing with self-locking, distributed drive system for maximum array stability in all wind conditions
Foundations	Standard W8 section foundation posts. Typically ~160 piers / MW.

ELECTRONICS AND CONTROLS

Solar tracking method	Astronomical algorithm with backtracking. TrueCapture™ upgrades available for terrain adaptive backtracking and diffuse tracking mode
Control electronics	NX tracker controller with inbuilt inclinometer and backup battery
Communications	Zigbee wireless communications to all tracker rows and weather stations via network control units (NCUs)
Nighttime stow	Yes
Power supply	ARRAY POWERED: NX Integrated DC pre-combiner & power supply AC POWERED: Customer-provided AC circuit

INSTALLATION, OPERATIONS AND SERVICE

PE stamped structural calculations and drawings	Included
Onsite training and system commissioning	Included
Installation requirements	Simple assembly using swaged fasteners and bolted connections. No field cutting, drilling or welding.
Monitoring	NX Data Hub™ centralized data aggregation and monitoring
Module cleaning compatibility	Compatible with virtually all standard cleaning systems
DC string monitoring	Available with array-powered option
Warranty	10-year structural, 5-year drive and control components
Codes and standards	UL 3703 / UL 2703 / IEC 62817

Solar Panel Specification Sheet - Example



HiKu

HIGH POWER POLY PERC MODULE
400 W ~ 425 W

CS3W-400 | 405 | 410 | 415 | 420 | 425P

MORE POWER



24 % higher power than
conventional modules



Up to 4.5 % lower LCOE
Up to 2.7 % lower system cost



Low NMOT: 42 ± 3 °C
Low temperature coefficient (Pmax):
-0.36 % / °C



Better shading tolerance

MORE RELIABLE



Lower internal current,
lower hot spot temperature



Minimizes micro-crack impacts



Heavy snow load up to 5400 Pa,
wind load up to 3600 Pa*

12
Years

**Enhanced Product Warranty on Materials
and Workmanship***

25
Years

Linear Power Performance Warranty*

1st year power degradation no more than 2%

Subsequent annual power degradation no more than 0.55%

*According to the applicable Canadian Solar Limited Warranty Statement.

MANAGEMENT SYSTEM CERTIFICATES*

ISO 9001:2015 / Quality management system
ISO 14001:2015 / Standards for environmental management system
ISO 45001: 2018 / International standards for occupational health & safety

PRODUCT CERTIFICATES*

IEC 61215 / IEC 61730 / CE / MCS / INMETRO
CEC listed (US California) / FSEC (US Florida)
UL 61730 / IEC 61701 / IEC 62716
UNI 9177 Reaction to Fire: Class 1 / Take-e-way



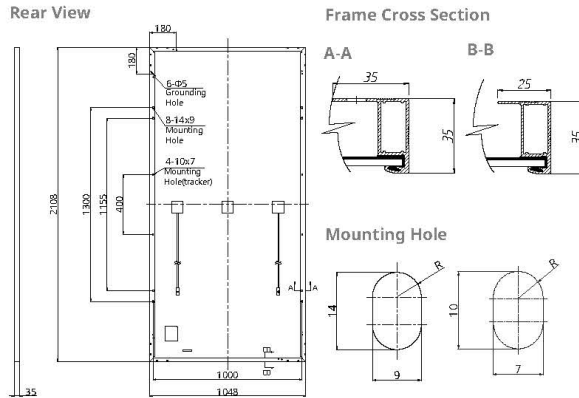
* The specific certificates applicable to different module types and markets will vary, and therefore not all of the certifications listed herein will simultaneously apply to the products you order or use. Please contact your local Canadian Solar sales representative to confirm the specific certificates available for your product and applicable in the regions in which the products will be used.

CSI Solar Co., Ltd. is committed to providing high quality solar products, solar system solutions and services to customers around the world. Canadian Solar was recognized as the No. 1 module supplier for quality and performance/price ratio in the IHS Module Customer Insight Survey, and is a leading PV project developer and manufacturer of solar modules, with over 50 GW deployed around the world since 2001.

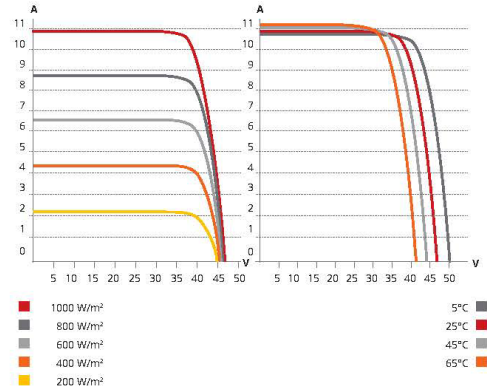
* For detailed information, please refer to Installation Manual.

CSI Solar Co., Ltd.
199 Lushan Road, SND, Suzhou, Jiangsu, China, 215129, www.csisolar.com, support@csisolar.com

ENGINEERING DRAWING (mm)



CS3W-400P / I-V CURVES



ELECTRICAL DATA | STC*

CS3W	400P	405P	410P	415P	420P	425P
Nominal Max. Power (Pmax)	400 W	405 W	410 W	415 W	420 W	425 W
Opt. Operating Voltage (Vmp)	38.7 V	38.9 V	39.1 V	39.3 V	39.5 V	39.7 V
Opt. Operating Current (Imp)	10.34 A	10.42 A	10.49 A	10.56 A	10.64 A	10.71 A
Open Circuit Voltage (Voc)	47.2 V	47.4 V	47.6 V	47.8 V	48.0 V	48.2 V
Short Circuit Current (Isc)	10.90 A	10.98 A	11.06 A	11.14 A	11.26 A	11.29 A
Module Efficiency	18.1%	18.3%	18.6%	18.8%	19.0%	19.2%
Operating Temperature	-40°C ~ +85°C					
Max. System Voltage	1500V (IEC/UL) or 1000V (IEC/UL)					
Module Fire Performance	TYPE 1 (UL 61730 1500V) or TYPE 2 (UL 61730 1000V) or CLASS C (IEC 61730)					
Max. Series Fuse Rating	20 A					
Application Classification	Class A					
Power Tolerance	0 ~ + 10 W					

* Under Standard Test Conditions (STC) of irradiance of 1000 W/m², spectrum AM 1.5 and cell temperature of 25°C.

MECHANICAL DATA

Specification	Data
Cell Type	Poly-crystalline
Cell Arrangement	144 [2 X (12 X 6)]
Dimensions	2108 X 1048 X 35 mm (83.0 X 41.3 X 1.38 in)
Weight	24.3 kg (53.6 lbs)
Front Cover	3.2 mm tempered glass
Frame	Anodized aluminium alloy
J-Box	IP68, 3 bypass diodes
Cable	4 mm² (IEC), 12 AWG (UL)
Cable Length	500 mm (19.7 in) (+) / 350 mm (13.8 in) (-) or customized length*
Connector	T4 series or H4 UTX or MC4-EVO2
Per Pallet	30 pieces
Per Container (40' HQ)	660 pieces

* For detailed information, please contact your local Canadian Solar sales and technical representatives.

ELECTRICAL DATA | NMOT*

CS3W	400P	405P	410P	415P	420P	425P
Nominal Max. Power (Pmax)	298 W	302 W	305 W	309 W	313 W	317 W
Opt. Operating Voltage (Vmp)	36.0 V	36.2 V	36.4 V	36.6 V	36.8 V	36.9 V
Opt. Operating Current (Imp)	8.27 A	8.33 A	8.39 A	8.45 A	8.51 A	8.57 A
Open Circuit Voltage (Voc)	44.3 V	44.5 V	44.7 V	44.9 V	45.1 V	45.3 V
Short Circuit Current (Isc)	8.79 A	8.86 A	8.92 A	8.99 A	9.08 A	9.11 A

* Under Nominal Module Operating Temperature (NMOT), irradiance of 800 W/m² spectrum AM 1.5, ambient temperature 20°C, wind speed 1 m/s.

TEMPERATURE CHARACTERISTICS

Specification	Data
Temperature Coefficient (Pmax)	-0.36 % / °C
Temperature Coefficient (Voc)	-0.28 % / °C
Temperature Coefficient (Isc)	0.05 % / °C
Nominal Module Operating Temperature	42 ± 3°C

PARTNER SECTION



* The specifications and key features contained in this datasheet may deviate slightly from our actual products due to the on-going innovation and product enhancement. CSI Solar Co., Ltd. reserves the right to make necessary adjustment to the information described herein at any time without further notice.
Please be kindly advised that PV modules should be handled and installed by qualified people who have professional skills and please carefully read the safety and installation instructions before using our PV modules.

CSI Solar Co., Ltd.
199 Lushan Road, SND, Suzhou, Jiangsu, China, 215129, www.csisolar.com, support@csisolar.com

Mar. 2021. All rights reserved, PV Module Product Datasheet V5.62_EN

10.5.2. Inverter

Inverters convert the direct-current energy generated by the panels to alternating-current energy that is ready to be transmitted onto the local distribution grid. The Project's preliminary design includes string inverters which typically have the following dimensions (W x H x D): 26.4" x 35.5" x 11.7". These inverters are typically mounted to the racking system, thus eliminating the requirement for inverter pads that are utilized on larger projects that interconnect to transmission networks. That said, there is the potential to switch to a central inverter(s) which typically have the following dimensions (W x H x D): 22' x 13' x 7'. These inverters are typically mounted on a concrete pad that will be strategically placed within the project footprint where the cabling from the modules will be routed underground (where possible) and connected. By design, inverter placement is central to project, and therefore a comfortable distance from property lines.

The final decision on inverter type will be made closer to the start of construction based on the finalized system design and equipment availability. While the exact manufacturer and model may vary as technology improves between now and the commencement of construction, following this section is an example equipment datasheet for one of the options. Again, depending on final engineering, this may be modified slightly, and the final site plan will be provided to the County as part of the building permitting process will reflect the final changes.

Inverter Specification Sheet - Example



SUNNY HIGHPOWER PEAK3 125-US / 150-US



Cost effective

- Modular architecture reduces BOS and maximizes system uptime
- Compact design and high power density maximize transportation and logistical efficiency

Maximum flexibility

- Scalable 1,500 VDC building block with best-in-class performance
- Flexible architecture creates scalability while maximizing land usage

Simple install, commissioning

- Ergonomic handling and simple connections enable quick installation
- Centralized commissioning and control with SMA Data Manager

Highly innovative

- SMA Smart Connected reduces O&M costs and simplifies field service
- Powered by award-winning ennexOS cross sector energy management platform

SUNNY HIGHPOWER PEAK3 125-US / 150-US

A superior modular solution for large-scale power plants

The PEAK3 1,500 VDC inverter offers high power density in a modular architecture that achieves a cost-optimized solution for large-scale PV integrators. With fast, simple installation and commissioning, the Sunny Highpower PEAK3 is accelerating the path to energization. SMA has also brought its field-proven Smart Connected technology to the PEAK3, which simplifies O&M and contributes to lower lifetime service costs. The PEAK3 power plant solution is powered by the ennexOS cross sector energy management platform, 2018 winner of the Intersolar smarter EAWARD.

[illegible]

Toll Free +1 888 4 SMA USA
www.SMA-America.com

SMA America, LLC

10.5.3. Transformer and Interconnection

The Project will be interconnecting with Dominion Energy's existing three-phase distribution system via an electrical line that exists along E James Anderson Highway adjacent to the Property. The interconnection process will not require any new substation equipment to be constructed on-site. Instead, the Project will be connected by increasing the Project voltage with a step-up transformer and other associated equipment mounted on standard distribution poles so that it is compatible with the existing voltage of the distribution system. This project is in an advantageous place in Dominion Energy's interconnection queue (holding a "B" position) and is pending results from the studies. Further information about the Project's interconnection status can be found in Section 14 below, titled "Utility Comments Confirming Line Capacity".

The Applicant acknowledges that an executed Interconnection Agreement with Dominion Energy is a condition of building permit approval. The scope of this project does not include Energy Storage or any equipment and facilities other than those described herein and planned for on the Preliminary Site Plan.

10.6. Stormwater Management & Erosion and Sediment Control Plans

Stormwater and runoff management are regulated at the federal, state, and local level. Prior to construction, the Project's design and engineering must conform to all state laws and regulations. This includes providing appropriate methods to protect nearby waterways and neighboring property. Construction cannot begin until the Virginia Department of Environmental Quality (DEQ) has approved the Stormwater Management Plan and the County Soil and Water Conservation District has approved the Project's soil and erosion control plan.

Prior to construction, the Soil and Water Conservation District will review, approve, and oversee the Project's erosion and sediment (E&S) control plan. E&S designs and calculations are submitted to the County for approval as part of final permitting. In addition to taking natural flow patterns into consideration for drainage design, control devices, designed in accordance with the Virginia E&S Control Handbook, will be implemented to capture and treat runoff during construction phase. Common devices include silt fences, filter socks, check dams, diversion ditches, hay/matting, temporary and permanent seeding, sediment basins and traps (ponds), and construction entrance/exits. Often, the E&S ponds are converted to permanent stormwater detention ponds with onsite ditching directing water to the ponds.

Stormwater plans, designed in accordance with VSMP and the Virginia Runoff Reduction Method, will be implemented to capture and treat runoff during Project operations. The Golden Rule for engineering a stormwater plan is the quality of water leaving the site once the Project is operational will be as good or better than before construction of the Project commenced. Stormwater design and calculations are reviewed and approved by DEQ prior to construction, with an ongoing maintenance agreement required between the Project owner and DEQ. As further detailed in the proposed conditions (Section 15 #3), a sequential progression plan for construction will be implemented to limit the amount of project area that is disturbed at any one time by implementing temporary stabilization measures in accordance with the Virginia Erosion and

Sediment Control Handbook. Permanent stormwater management measures will be designed for conversion from the perimeter erosion and sediment control measures to meet state water Quantity standards. Typically, stormwater management measures consist primarily of permanent perimeter ditches to intercept and convey site runoff to dry detention basins. The detention basins are designed to provide rate control to meet downstream channel and flood protection requirements. The number and size of the detention basins is dependent upon the site topography and pre-development sub-drainage areas, with basin locations selected in an effort for post-development discharge locations to mimic pre-development locations.

Water Quality requirements are determined using the state's Volume Runoff Reduction Method (VRRM) and typically require preservation of undisturbed forested "open space" and/or proposed reforestation of open space that requires remediation from pre-development land management activities (i.e. farming or silviculture). A pre-development analysis is performed as part of the state's VRRM. Pre-development sub-drainage areas are delineated and considered in locating proposed basins, so post-development discharge conditions can mimic pre-development conditions. A post-development runoff analysis is also performed as part of the VRRM. DEQ Piedmont Regional Office (PRO) will perform the VSMP review. The PRO review typically requires a rigorous three to four-month review process with multiple submittals and technical engineering reviews. Virginia's regulations and processes for managing water flow during construction and throughout the operating life are tested by time and achieve the desired outcomes for water management. Furthermore, Virginia's approach to water management apply to all large-scale development with consistent approaches but flexible to address the unique attributes of the particular land use.

10.7. Decommissioning & Sample Decommissioning Plan

At the end of the Project life, the Project will be decommissioned in accordance with a full-detail decommissioning and rehabilitation plan that will be submitted to Buckingham County prior to approval of building permits. As part of the decommissioning, the land will return to forestry, or another use permitted by the Zoning Ordinance and as desired by the property owner. The Applicant has provided a sample decommissioning plan for a similarly sized project located in Halifax County, VA below for the County to use as reference when reviewing the Project's plan to be provided prior to construction. As detailed in the Sample Decommissioning Plan, all of the Project's facilities will be dismantled and removed. During restoration, the Property will be returned to its previous condition. If it is agreed upon with the County, and the landowner, some or all of the Project access roads may be kept in place for continued use.

Prior to issuance of building permit, a bond, letter of credit or other form of surety will be posted to protect the landowner and community against decommissioning costs. The estimated decommissioning cost will be based upon the final site plan, sealed by a professional engineer, and updated every five years. Most of the Project's components will still have significant market value and are able to be reused or recycled. Despite this, the Project's Decommissioning Plan will not include estimated salvage value in the exercise of estimating the decommissioning cost estimate and associated surety that will be placed with Buckingham County prior to the start of construction.



August 2, 2021

Solar Facility Analyzed:

Martin Trail Solar Farm, LLC
Martin Trail, Clover, VA 24534

Project Owner:

ACE VA DER, LLC
310 4th St. NE, Suite 300
Charlottesville, VA 22902
ATTN: Charlie Johnson

Plan Prepared By:

Uneclipsed Energy, PLLC
2250 Lucien Way, Suite 305
Maitland, FL 32751
407.232.7440

Firm Background:

Uneclipsed Energy, PLLC (Uneclipsed) is a licensed engineering firm affiliated with ESA Solar Energy, LLC and Solar Development Group, LLC (SDG) for solar projects in Florida, Michigan, and Virginia among other states. Since 2002, the team behind these three entities has gained expertise through developing, designing, constructing, operating and maintaining solar PV systems of all sizes, from residential, commercial and municipal projects to large ground-mount utility-scale systems in the United States, Spain, and Italy, totaling thousands of megawatts.

Facility Description:

The proposed solar farm is located on Parcel #6790, 6791, 18007, and 18008 in Halifax County, Virginia. The estimated 7 MWdc / 5 MWac solar farm is expected to include the following components:

- Approximately 14,000 PV modules
- Steel structural racking system, supported by driven piles
- Rack-mounted inverters to convert dc power to low-voltage (480 or 600V) ac power
- Concrete pad-mounted transformers and switchgear required to step up the voltage to medium voltage (distribution level, 12kV – 35kV)
- Underground and overhead wiring as appropriate for solar farm interconnection to electric grid



Decommissioning Process:

The system is expected to be capable of operation for at least thirty-five years, with decommissioning at a time to be agreed upon by the system owner and the landowners leasing the land to the system owner. At the end of the project's life, the system owner shall complete the following list of activities to fully decommission the system. This list is prepared based on current procedures and experience, which will likely improve in the coming years as technology, construction processes and recycling infrastructures improve. Decommissioning activities shall be carried out according to applicable regulations and industry best practices, after obtaining any necessary permits for the decommissioning. The decommissioning activities are as follows, and shall be completed in accordance with the industry best practices, OSHA regulations, and state/federal requirements in effect at the time of decommissioning:

- Prepare a safety plan and train all site personnel as to appropriate safeguards and proper work techniques.
- Contact the Utility Company and communicate the cessation of business.
- Disconnect site electric power at the Point of Common Coupling by the site owner or utility. The utility will be responsible for removing all conductors, power poles, and hardware that is under utility ownership.
- Disconnect all dc source circuit wiring from the combiner boxes.
- Disconnect all dc output circuit wiring from any combiner boxes to inverters.
- Unfasten PV modules from the structural racking system and stack in a staging area (this staging area will be used to store all equipment being removed from the site).
- Remove module home run wiring, raceways, and combiner boxes from the racking system.
- Unbolt the racking system components and stack and remove all driven piers.
- Dig up all buried conductors and backfill trenches.
- Coil and stack wire and conduits. Remove wire connectors and splices, disassemble, and sort as required to maximize recycling value.
- Dismantle Inverters, switchgear, and transformers on site when practical, or remove fully intact equipment pads from the site for off-site handling.
- Remove perimeter fencing and pole foundations.
- Sell to a recycling facility any material that can be recycled, unless the original equipment manufacturer or another organization offers a buy-back program for equipment.
- Dispose of all other materials at appropriate handling facilities.
- Dismantle any site roads and restore any compressed soils (under equipment pads, roads) with a subsoiler or flat lifter. Restore any compacted areas to the proper density and depth to remain consistent with the surrounding fields, adding new fill as necessary.
- Re-seed and re-vegetate disturbed areas of the site, ensuring that the land can return to its original state.



Decommissioning Cost Analysis:

The estimated costs or values for scrap material and disposal are provided in Figure 1 following. The projected estimated cost for each line item is rounded to the nearest \$1,000.

Component	Size	Material	Feet	Quantity	Weight/unit	Weight	2019 Scrap Value	Project Value
Array PV Wire	10 AWG	Copper	250,000		0.057	14,250	\$1.60/lb	\$ 23,000
Array Home Runs	250 kcmil	Alu	70,000		0.321	22,470	\$0.60/lb	\$ 13,000
Module Frames				14,000	2	28,000	\$0.59/lb	\$ 17,000
Posts and Rails			15	7,000	130	910,000	\$0.05/lb	\$ 46,000
Modules				14,000	50	700,000	SCRAP VALUE (\$2.00/unit)	\$ 99,000
							NET SCRAP VALUE	\$ 71,000

Figure 1: Decommissioning Costs and Values Breakdown

In 2019, the scrap value of the copper and aluminum wiring, aluminum solar module frames, steel posts and structural members is calculated at 75% of the commodity copper and aluminum pricing. It is conservatively assumed that this value will remain steady over time. Figure 2 and Figure 3 on the following page show Copper Pricing and Aluminum Pricing from 1989 through 2019. Steel is assumed to be valued at \$100 per ton, or otherwise equal to \$0.05 per lb. 2019 numbers are used here as they are considered more stable and consistent than those in 2020-2021, which have been more variable due to worldwide markets disruption from the COVID-19 pandemic. This brings the estimated scrap value of the system to approximately \$101,000.

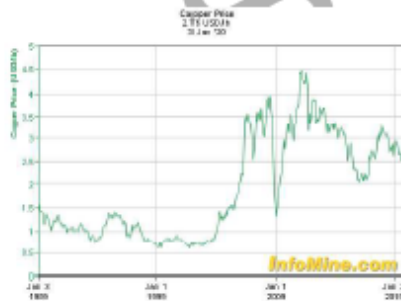


Figure 2: Copper Pricing in USD/lb, 1989-2019

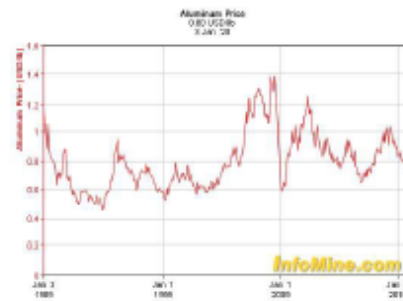


Figure 3: Aluminum Pricing in USD/lb, 1989-2019

The weight of each of the 14,000 solar modules (panels) is due primarily to the top glass within the frame, and we anticipate that the modules will be mostly recyclable during the decommissioning. As



there has been a relatively low number of failed modules worldwide, there has not yet been a high demand for module recycling facilities, however in Europe and in the United States programs have been announced and small facilities exist. We expect that as more solar power is deployed, the recycling opportunities will grow accordingly to meet the demand of equipment disposal. It is estimated that there will be a net cost of \$2.00 per module for disposal, or \$28,000 for this estimate.

Although the bulk of decommissioning tasks are expected to be carried out by laborers, there will also be equipment operators and supervisors. We assume these fully-burdened rates for personnel trained in demolition:

Labor Type	Rate
Supervisor	\$65.00
Equipment Operator	\$55.00
Laborer	\$40.00

In an effort to provide a conservative labor and material cost estimate for the decommissioning of the project, below is a breakdown of the anticipated costs:

Cost Type	Headcount	Hours / Day	Rate	Days	Total Cost
Excavator	1	8	\$ 125.00	20	\$ 20,000
Skid Steer	2	8	\$ 50.00	20	\$ 16,000
Pick-up Trucks	2	8	\$ 14.50	20	\$ 5,000
Supervisor	1	8	\$ 65.00	20	\$ 11,000
Equipment Operator	3	8	\$ 55.00	20	\$ 27,000
Laborer	6	8	\$ 40.00	20	\$ 39,000
Trucking	5	8	\$ 125.00	10	\$ 50,000
Site Restoration					\$ 30,000
Module Disposal					\$ 28,000
Total Expenses					\$ 226,000
Scrap Cost					\$ (99,000)
Net Price					\$ 127,000

Assuming roughly 4 weeks' effort for labor costs, equipment usage, transportation costs, appropriate recycling and disposal costs, and an additional \$30,000 allowance for full site restoration (to include regrading, reseeding, and landscape repair), the costs of the decommissioning would total \$226,000. Subtracting the estimated scrap value of \$99,000, the decommissioning cost would yield a *net* cost of approximately \$127,000.

All estimated costs were calculated using best industry standards and pricing currently available.

Given that 35 years of policy changes, technological improvements, and variable inflation rates have yet to occur, the accuracy of these estimates cannot be guaranteed.



Respectfully submitted by:

A handwritten signature in black ink, appearing to read "DK Click".

David K. Click, PE
President
Uneclipsed Energy, PLLC

David
Click

Digitally signed
by David Click
Date: 2021.08.02
12:23:31 -04'00'



Sample

11. Signage at Property

SIGNAGE AT PROPERTY

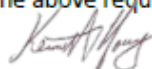
The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

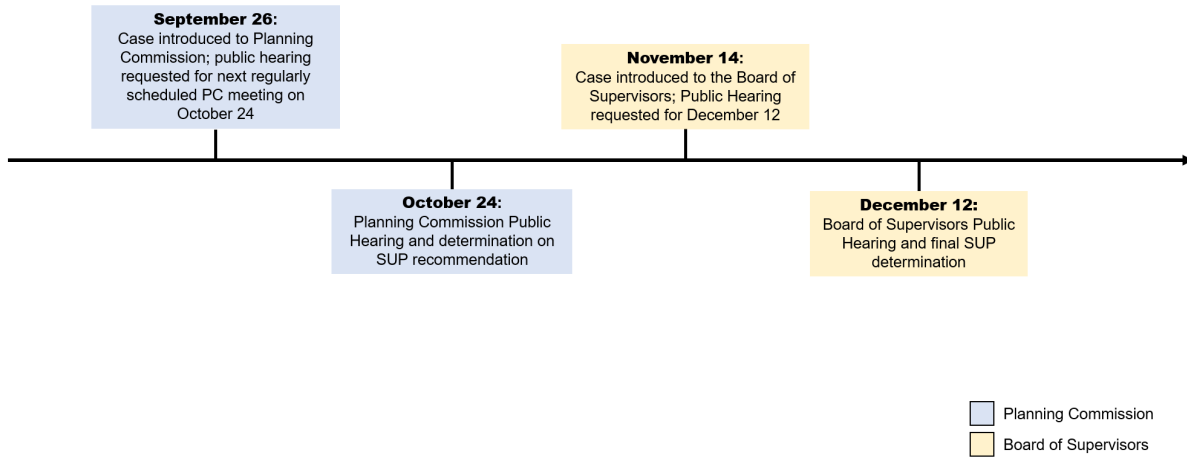
Applicant/Owner: _____



Date: 9/2/2022

12. Tentative Schedule

Tentative Schedule for Rosney Creek Solar SUP



13. Documentation of Right to Use Property for Proposed Facility

Documentation of site control is demonstrated in the following pages with the memorandum of lease. The Applicant's affiliate, ACE VA DER, LLC is currently the lessee under the project lease. The lease will be assigned to the Applicant subsequent to approval of the Special Use request, but before administrative approvals such as the building permit. The memorandum of the lease has been recorded, and the Applicant will record a memorandum of the assignment of the lease. The Applicant can provide supporting documentation in the form of recorded memos when available and as needed. Further, the Applicant will notify the County of any change in ownership of the Project. This document is also included as a separate electronic file.

2021-1031

BOOK 484 PAGE 136

Recording Requested By and
When Recorded Return to:

ACE VA DER, LLC
c/o Apex Clean Energy, Inc.
Attn: Land Manager
Court Square Building
310 4th Street NE, Suite 300
Charlottesville, VA 22902

Tax Map No (s): 151-21

Consideration: \$ 12,500

MEMORANDUM OF GROUND LEASE
FOR SOLAR ENERGY SYSTEM

THIS MEMORANDUM OF GROUND LEASE FOR SOLAR ENERGY SYSTEM ("Memorandum") is made and dated as of December 9, 2020 ("Effective Date") by and between Whetstone Farm Davis Properties, LLC, a Virginia limited liability company ("Landlord") with a tax mailing address of 106 Whetstone Lane, Dillwyn, VA 23936, and ACE VA DER, LLC, a Delaware limited liability company ("Tenant") with a tax mailing address of c/o Apex Clean Energy, Inc., 310 4th Street NE, Suite 300, Charlottesville, Virginia 22902, in light of the following facts and circumstances:

Landlord and Tenant entered in that certain Ground Lease for Solar Energy System, of even date herewith (the "Lease"), pursuant to which Landlord has leased to Tenant certain real property of Landlord ("Property") located in the County of [County], Virginia as more particularly described on the attached Exhibit A and which the Lease and said Exhibit A are hereby incorporated herein as if fully set forth in this Memorandum. Landlord and Tenant have executed and acknowledged this Memorandum for the purpose of providing constructive notice of the Lease. Capitalized terms not otherwise defined in this Memorandum shall have the meanings provided in the Lease.

NOW THEREFORE, Landlord and Tenant hereby agree as follows:

1. **Lease of Property and Easements.** Landlord has leased the Property to Tenant on the terms, covenants and conditions stated in the Lease. The Lease is for the development and operation of a solar energy Project or Projects. As more fully set forth in the Lease, Landlord has granted unto Tenant, and Tenant has accepted from Landlord a ground lease and easements, which include: (i) the sole and exclusive right to use the Property for solar energy conversion purposes, utility-scale energy storage, and other related purposes as set forth herein, and to capture, use and convert unobstructed solar resources over and across the Property, and to install, use, operate, maintain, repair, improve, relocate, replace and remove components of the Solar Energy System and on the Property; (ii) an exclusive lease of the Property and all air rights thereon for solar energy conversion purposes and other related purposes as set forth herein; (iii) an exclusive easement on, over and across the Property for one or more line or lines of poles and/or towers,

with such wires and cables as from time to time are suspended therefrom, and/or overhead and/or underground wires and cables, for the transmission and/or collection of electrical energy and/or for communication purposes (including, without limitation, communications and radio relay systems and telecommunications equipment), and all necessary and proper foundations, footings, towers, poles, crossarms, guy lines and anchors and other appliances and fixtures for use in connection with said towers, wires and cables; (iv) an easement on, over and across the Property for access to any point where any Solar Energy Facilities are or may be located at any time from time to time; (v) an exclusive easement on, over and across the Property for the open and unobstructed access to the solar energy resources found on, below, over and across the Property (such energy resources collectively referred to as the “**Solar Energy Resources**”) to any Improvements on any of the Property and to ensure adequate exposure of the Improvements to the Solar Energy Resources and an easement and right on the Property to prevent measurable diminishment in output due to obstruction or impediment of the sunlight across the Property including but not limited to an easement right to trim, prune, top, cut down, remove or otherwise control all trees (whether natural or cultivated), shrubs, bushes, plants or other vegetation and dismantle, demolish and remove any and all fire and electrical hazards now or hereafter existing on the Property which might impede and/or obstruct receipt of or access to sunlight throughout the Solar Panel Area or interfere with or endanger the Solar Energy System, as determined by Tenant; and (vi) an exclusive easement prohibiting any obstruction to the open and unobstructed access to the Solar Energy Resources throughout the entire Property to and for the benefit of the area existing horizontally three hundred and sixty degrees (360°) from any point where any Solar Energy Facilities are or may be located at any time from time to time (each such point referred to as a “**Site**”) and for a distance from each Site to the boundaries of the Property, together vertically through all space located above the surface of the Property, that is, one hundred eighty degrees (180°) or such greater number or numbers of degrees as may be necessary to extend from each point on and along a line drawn along the surface from each point along the exterior boundary of the Property through each Site to each point and on and along such line to the opposite exterior boundary of the Property; (vii) an easement and right for any audio, visual, view, light, glare, shadow, noise, vibration, electromagnetic or other effect of any kind or nature whatsoever resulting, directly or indirectly, from the Solar Energy System owned, leased, operated or maintained by Tenant, on the Property, including but not limited to rights to cast shadows and reflect glare onto all of Landlord’s property, from the Solar Energy System and/or any and all other related facilities located on the Property, (viii) the right of subjacent and lateral support on the Property to whatever is necessary for the operation and maintenance of the Solar Energy System, including, without limitation, anchors, guy wires and other supports, and (ix) a right to undertake any such purposes or other activities on the Property, whether accomplished by Tenant or a third party authorized by Tenant, that Tenant reasonably determines are required, necessary, useful and/or appropriate, each as applicable, to accomplish any of the purposes or uses set forth in this Lease or that are compatible with such purposes or uses. This Lease and the easements granted herein shall be binding upon Landlord’s heirs, personal representatives, successors and assigns and shall run with the Property for the Term.

2. **Term.** The term of the Lease shall begin on the Effective Date and shall expire five (5) years after the Effective Date, if not extended or sooner terminated as provided in this Lease. Tenant may at its sole discretion extend the term of this Lease for an additional forty (40) year term and followed by (1) additional ten (10) year term.

3. **Ownership.** Landlord shall have no ownership or other interest in any Improvements (as defined in the Lease) installed on the Property.

4. **Assignment.** The Lease provides, among other things, that Tenant and any Transferee shall have the right, subject to certain conditions set forth in the Lease, to sell, convey, lease, assign, mortgage, encumber or transfer to one or more assignees or mortgagees the Lease, or any right or interest in the Lease, or any or all right or interest of Tenant in the Property, or in any or all of the Improvements that Tenant or any other party may now or hereafter install on the Property.

5. **Rights of Mortgagees.** Pursuant to the Lease, any Mortgagee of Tenant or Tenant's assignees has certain rights regarding notice and right to cure any default of Tenant under the Lease, and the right to take possession of the Property and the Project, and to acquire the leasehold estate and the easement interests by foreclosure, as well as other rights as set forth in the Lease.

6. **Purchase Option for Substation Facilities and Operations and Maintenance Facilities.** The Lease provides that Tenant may purchase fee title to a portion of the Property for substation facilities, and operations and maintenance facilities.

7. **Notice.** This Memorandum is prepared for the purpose of giving notice of the Lease and in no way modifies the express provisions of the Lease.

8. **Setback Waiver.** To the extent that any applicable law, ordinance, regulation or permit establishes, or has established, minimum setbacks from the exterior boundaries of the Property, from any structures on the Property (occupied or otherwise) or from any other point of measurement for Improvements constructed on the Property or otherwise within the Project, Landlord hereby waives any and all such setback requirements (the "**Setback Waiver**"). The Setback Waiver is for the benefit of Tenant, the owner(s) of adjacent properties within the Project, and their respective successors and assigns, and shall run with the land. If requested by Tenant, Landlord shall execute and deliver to Tenant one or more separate setback waivers evidencing the intent of this Setback Waiver, in a form provided by Tenant, which Tenant may then record at its expense. This waiver shall survive the termination of this Lease for so long as Improvements exist on real property adjacent to the Property.

9. **Landlord as Tenant's Agent.** Landlord hereby appoints Tenant as Landlord's agent only for the purpose of preparing, executing, applying for, submitting, and/or prosecuting in Landlord's name, any and all Approvals on behalf of Landlord, any environmental impact review, permit, entitlement, approval, authorization or other rights necessary or convenient in connection with Tenant's intended Solar Energy System and Operations from any governmental agency or any other person or entity (collectively "**Approvals**").

10. **Successors and Assigns.** This Memorandum, the Lease and the easements described herein shall burden the Property and shall run with the land. The Lease and this Memorandum shall inure to the benefit of and be binding upon Landlord and Tenant and, to the extent provided in any assignment or other transfer under the Lease, any assignee or Mortgagee, and their respective heirs, transferees, successors and assigns, and all persons claiming under them.

11. **No Conflict.** In the event of any conflict or inconsistency between the provisions of this Memorandum and the provisions of the Lease, the provisions of the Lease shall control. Nothing in this Memorandum shall be deemed to amend, modify, change, alter, amplify, limit, interpret or supersede any provision of the Lease or otherwise limit or expand the rights and obligations of the parties under the Lease and the Lease shall control over this Memorandum in all events.

12. **Multiple Counterparts.** This Memorandum may be executed by different parties on separate counterparts, each of which, when so executed and delivered, shall be an original, but all such counterparts shall constitute one and the same instrument.

[signature page follows]

IN WITNESS WHEREOF, the Parties have executed this Memorandum as of the Effective Date.

LANDLORD:

Whetstone Farm Davis Properties, LLC, a Virginia limited liability company

By: Ivan P. Davis Jr.
Name: Ivan P. Davis Jr.
Title: PRESIDENT

STATE OF Virginia
COUNTY OF Buckingham

ss.

On December 9, 2020 before me, the undersigned, personally appeared Ivan P. Davis Jr., as President, for Whetstone Farm Davis Properties, LLC, a Virginia limited liability company, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Hailey Blackwell
Notary Public



TENANT:

ACE VA DER, LLC,
A Delaware limited liability company

By: Apex Clean Energy Finance, LLC,
a Delaware limited liability company,
its Sole Member

By: Apex GBR, LLC,
a Delaware limited liability company,
its Sole Member

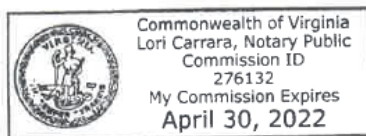
By: Apex Clean Energy Holdings, LLC,
a Delaware limited liability company,
its Manager

By: *Jeanine G. Wolanski*
Name: Jeanine G. Wolanski
Title: Senior Vice President of Land Management

STATE OF VIRGINIA

CITY OF CHARLOTTESVILLE

The foregoing instrument was acknowledged before me this 9 day of December, 2020 by Jeanine G. Wolanski, as the Senior Vice President of Land Management for Apex Clean Energy Holdings, LLC, a Delaware limited liability company, the Manager of Apex GBR, LLC, a Delaware limited liability company, the Sole Member of Apex Clean Energy Finance, LLC, a Delaware limited liability company, the Sole Member of ACE VA DER, LLC, LLC, a Delaware limited liability company, on behalf of the company.



Lori Carrara
Notary Public

My Commission Expires: 4/30/22

This instrument prepared by: Eugene Lerman, Esq.
Apex Clean Energy, Inc.
310 4th Street NE, Suite 300
Charlottesville, Virginia 22902

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

The Property is all of the following tracts or parcels of land, situated in County of Buckingham, Virginia, consisting of 439.6 acres, more particularly described as follows:

Now containing 297.7 acres, more or less, being the residue of a parcel containing 305.2 acres, more or less, shown as parcel No. 2 (the unshaded portion), described by a plat of survey prepared by Carroll Gillispie, CLS/SBC, dated September 23, 1966, and recorded with that certain Deed, dated November 28, 1966, among the Land Records of the COUNTY OF BUCKINGHAM, VIRGINIA, in Deed Book 78, beginning at page 381. This property is also described by metes and bounds in this aforesaid Deed dated November 28, 1966.

Being the same property as that conveyed to IVAN P. DAVIS, SR. and MOLLIE P. DAVIS, husband and wife, as tenants by the entirety by deed dated November 28, 1966, from Gertrude P. Davis, widow, and recorded March 15, 1968 among the Land

Records of the COUNTY OF BUCKINGHAM, VIRGINIA, in Deed Book 78, beginning at page 381.

LESS AND EXCEPTING from the original 305.2 acre tract, a 7.5 acre parcel, more or less, conveyed by IVAN P. DAVIS, SR. and MOLLIE P. DAVIS, husband and wife, to IVAN P. DAVIS, JR. and DEBORAH B. DAVIS, husband and wife, by General Warranty Deed dated October 1, 1980, from IVAN P. DAVIS, SR., and MOLLIE P. DAVIS, husband and wife, and recorded December 14, 1980 in the Land Records of the COUNTY OF BUCKINGHAM, VIRGINIA, in Deed Book 119, beginning at page 562. ✓

Together with all its appurtenances, and subject to all other conveyances, exceptions, easements, rights of way, covenants, conditions, restrictions and other instruments of record, or which may be apparent on the premises, as well as ordinances, codes, and regulations, legally affecting the property.

And:

All that certain tract or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Curdsville Magisterial District of Buckingham County, Virginia, containing One Hundred Eighty-Eight and seventy/hundredths (188.70) acres, more or less, said lands fronting on U. S. Route #60 and being more particularly described as the residue of a 218.59 acre parcel depicted by a plat of survey prepared by Carroll Gillispie, C.L.S., S.B.C., dated January 8 and March 10, 1976 and recorded in the Clerk's Office of the

Circuit Court of Buckingham County in Deed Book 100, at page 5, after deducting therefrom a parcel of 29.89 acres depicted by a plat of survey prepared by William W. Dickerson, Jr., L.S., dated November 16, 2009, which is attached hereto, made a part hereof and recorded simultaneously herewith in the aforesaid Clerk's Office in Plat Cabinet A, at slide 203E, to which plats reference is hereby made for a more complete and accurate description of the lands hereby conveyed; TOGETHER WITH AND SUBJECT TO a non-exclusive, perpetual easement, for the purposes of ingress and egress, over and through a private road running from said Route #60 in a general northeasterly direction along the entirety of the northwestern boundary line of said 29.89 acre parcel, the centerline of said easement (i.e. the northwestern boundary line of said 29.89 acre parcel) being depicted on the aforesaid plat as "along & of joint-use road". Said lands being a portion of the lands conveyed unto H. Curtis Pearson, Jr., as "Tract T-340 (Rixey)" from GIC Virginia Timberlands, LLC, a Delaware limited liability company, by deed dated January 31, 2008 and recorded in the aforesaid Clerk's Office in Deed Book 355, at page 803 et seq.

Less and except:

a triangular parcel of approximately 5.4 acres off the southern part of a 297.7 acre parcel conveyed unto Ivan P. Davis, Sr. and Mollie P. Davis, General Partners of the Ivan and Mollie Davis Limited Partnership from Ivan P. Davis, Sr. et ux by deed dated June 20, 2005 and recorded in the aforesaid Clerk's Office in Deed Book 399, at page 45 et seq.; and, a larger parcel of approximately 41.5 acres off the northern part of a 188.70 acre parcel conveyed unto The Ivan and Mollie Davis Family Limited Partnership from H. Curtis Pearson, Jr. by deed dated November 30, 2009 and recorded in the aforesaid Clerk's Office in Deed Book 376, at page 510 et seq.

In the event of inaccuracies in the foregoing legal description, Landlord and Tenant shall amend this Lease to correct such inaccuracies.

035 Rec Fee	3 00	VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY
St. R. Tax	31 25	
Co. R. Tax	10 42	The foregoing instrument with acknowledgement
Transfer		was admitted to record on 6/1/2021,
Clerk	14 50	at 9:15 AM, in D.B. 484 Page(s) 186 - 192
Lib.(145)	3 50	
T.T.F.	5 00	Teste: JUSTIN D. MIDKIFF, CLERK
Grantor Tax		BY: <u>Sandy R. King-Cullen</u> , DEPUTY CLERK
036 Proc. Fee		
Total \$	67 67	



OFFICIAL RECEIPT
BUCKINGHAM CIRCUIT COURT
DEED RECEIPT

DATE : 06/01/2021 TIME : 09:19:37 CASE # : 029CLR202101031
 RECEIPT # : 21000002569 TRANSACTION # : 21060100006
 CASHIER : SRH REGISTER # : D729
 INSTRUMENT : 202101031 BOOK : 484 PAGE : 186
 GRANTOR : WHETSTONE FARM DAVIS PROPERTIES LLC
 GRANTEE : ACE VA DER LLC
 RECEIVED OF : APEX CLEAN ENERGY HOLDINGS LLC
 ADDRESS : 310 4TH STREET NE STE 300 CHARLOTTEVILLE, VA 22902
 DATE OF DEED : 12/09/2020
 CHECK : \$67.67 CHECK NUMBER : 049847
 DESCRIPTION 1 : 297.7 AC
 NAMES : 0
 CONSIDERATION : \$12,500.00 AVAL : \$0.00

FILING TYPE : OPL
 RECORDED : 06/01/2021
 EX : N
 EX : N
 PCT : 100%
 PAYMENT : FULL PAYMENT
 AT : 09:15
 LOC : CO
 PCT : 100%

PAGES : 007 OP : 0

PIN OR MAP : 151-21

ACCOUNT CODE	DESCRIPTION	PAID	ACCOUNT CODE	DESCRIPTION	PAID
035	VIRGINIA OUTDOOR FOUNDATION	\$3.00	145	VSLF	\$3.50
039	STATE GRANTEE TAX	\$31.25	213	COUNTY GRANTEE TAX	\$10.42
106	TECHNOLOGY TRST FND	\$5.00	301	CLERK RECORDING/INDEXING FEE	\$14.50

TENDERED : \$ 67.67
 AMOUNT PAID : \$ 67.67

PAYOR'S COPY

CLERK OF COURT : JUSTIN D. MIDKIFF

RECEIPT COPY 1 OF 2

14. Utility Comments Confirming Line Capacity

The Applicant has previously submitted a distributed generation interconnection request to the applicable utility, Dominion Energy, and the Project is currently next in line to begin interconnection study. As exhibited below in recent e-mail correspondence with the utility, the Project is now in the B position at the substation.

From: lela.foster@dominionenergy.com <lela.foster@dominionenergy.com>

Sent: Monday, August 29, 2022 11:19 AM

To: Harlan Smouse <harlan.smouse@apexcleanenergy.com>

Cc: Deepesh Rana <deepesh.rana@apexcleanenergy.com>

Subject: VA21025 ACE VA DER, LLC - Rosney Creek - Now in the B position

Good morning,

There has been some queue movement and VA21025 ACE VA DER, LLC - Rosney Creek has now moved into the B position.

If you would like, we can schedule an updated scoping call for this queue number.

You can also wait until you are in the A position. If you decide to wait, I will reach out once you are in the A position.

How would you like to proceed?

Lela Foster

Distributed Generation Contracts Administrator III
Dominion Energy – Power Delivery
Electric Wholesale Interconnection

Dominion Energy
5272 Godwin Blvd
Suffolk, VA 23434

Cell: 757-613-4340

E-mail: lela.foster@dominionenergy.com



*NOTE: The submission of an interconnection request **does not** constitute an indication of a customer's commitment to sell the output of a facility to Dominion. For information on submitting a legally enforceable obligation (LEO) form or requesting a power purchase agreement (PPA), please see the information and links provided on the company's web site at the following location: <https://www.dominionenergy.com/virginia/large-business-services/using-our-facilities/parallel-generation-and-interconnection>*

15. Proposed Project Conditions

1. **Inspections.** Rosney Creek Solar, LLC or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy facility (the “Applicant”) consent to annual administrative inspections by Planning Department Staff for verification of compliance with the requirements for this SUP after the completion of the construction of the Project. During construction of the Project, the county and its assigns and designees shall have access to the site for inspections and to assure compliance with the conditions of the SUP.
2. **Compliance with Conditions.** The Applicant shall sign the list of the adopted conditions for this SUP signifying acceptance and intent to comply with these conditions.
3. **Compliance with Laws; Erosion and Sediment Control and Stormwater.** That all federal, state, and local laws, regulations, permit requirements and ordinances will be adhered to including but not limited to:
 - a. All active solar systems and solar equipment used in this Project shall meet the requirements of the National Electrical Code (NEC), National Electrical Safety Code (NESC), American Society of Civil Engineers (ASCE), American National Standards Institute (ANSI), Institute of Electrical and Electronics Engineers (IEEE), Underwriters Laboratories (UL), or International Electrotechnical Commission (IEC) as applicable and comply with state building code and shall be inspected by a county building inspector through the building permit process.
 - b. An Erosion and Sediment Control Plan must be submitted to the County and approved by the Soil and Water Conservation District prior to any land disturbance. Prior to Applicant’s submission of the Erosion and Sediment Control Plan, the Applicant will contact the County’s erosion and sediment control reviewer and use reasonable efforts to arrange a meeting on the Property with the Applicant’s engineer. The County may obtain an independent third party review of the Erosion and Sediment Control Plan at the expense of the Applicant.
 - c. The erosion and sediment control plan shall be prepared in accordance with the Virginia Erosion and Sediment Control Handbook. As an additional precaution, the erosion and sediment control plan will be implemented as a sequential progression, demonstrating that not more than 25% of the Project Area be disturbed at any one time during construction without temporary seeding or other stabilization in accordance with the Virginia Erosion and Sediment Control Handbook. Nothing in this condition shall prevent continued construction activities after areas have been stabilized in accordance with the Virginia Erosion and Sediment Control Handbook, and such stabilized areas will not be subject to the 25% limitation in sentence 2 of this condition; however continued construction activities, excluding maintenance of erosion and sediment control and stormwater management features or associated activities, shall not be re-initiated in a previous Phase until at least 50% vegetative cover (as determined by an independent inspector) has been established in that Phase or 60 days after a Phase has been temporarily stabilized, whichever is sooner. During this period, The applicant shall take continued action implementing best management practices to promote successful establishment of vegetative cover in a Phase. The erosion and sediment control plan will provide the means and measures in accordance with the Virginia Erosion and Sediment Control Handbook to achieve stabilization of the disturbed areas and to comply with this condition.
 - d. During the construction of the Project, the Applicant shall require the following:

- i. All Erosion and Sediment control facilities will be inspected by a qualified third party inspector: (i) at least every four calendar days; or (ii) at least once every five calendar days and within 24 hours following any runoff producing storm event. Any discrepancies should be noted and corrective action should be taken to ensure facilities are operating properly. Corrective measures include regularly cleaning out sediment basins and traps, stabilizing eroded banks or spillway structures, cleaning inlets and outlets and repairing damaged silt fence shall be prioritized.
 - ii. Runoff at stormwater outfalls will also be observed just as often for characteristic land disturbance permit (clarity, solids, etc.)
 - iii. A record of the amount of rainfall at the Project during land disturbing activities.
 - iv. A record of major land disturbing activities, including dates when clearing, grading and excavating occurred in each Phase. Dates when construction activities are either temporarily or permanently ceased in the Phase should be recorded along with stabilization areas.
 - e. The County may inspect the Project during construction as determined by the County and shall retain all enforcement rights under applicable law.
 - f. A Stormwater Management Plan must be submitted to the Virginia Department of Environmental Quality (VDEQ) and approved by VDEQ prior to any land disturbance. The Applicant will obtain approval of a Stormwater Pollution Prevention Plan ("SWPPP"). The Applicant and its contractor will have operational day-to-day control of the Project and must implement the SWPPP measures. The Applicant and its contractors will ensure that the applicable subcontractors are trained on appropriate best management practices and requirements in the SWPPP.
 - g. The Project shall fully comply with all applicable provisions of the Buckingham County Zoning Ordinance, to the extent not modified herein, throughout the life of this SUP.
4. **Expiration.** The building permit application must be submitted within 2 years of obtaining the Special Use Permit and the commercial generation of solar electricity shall begin within 24 months of the approval of the building permit or this SUP shall be null and void. The building permit deadline will be extended for 12 months (3 years total), and the construction time period extended by 12 months (30 months total) by administrative approval of the County Administrator after consultation with the Board of Supervisors due to delays in state permits, interconnection approval, or other good cause demonstrated by the Applicant. Any timeframe under which the Commonwealth is under an Executive Order of the Governor declaring a statewide emergency will toll the timeframe specified in this condition.
5. **Definitions.** All racking, solar modules, inverters, breakers, switches, cabling, communications components, and other ancillary components necessary to convert solar energy to electricity and interconnect to the electrical transmission are considered "Solar Equipment" and subject to the requirements for such, together with setback requirements of that district and other requirements, unless otherwise stated in these conditions. Solar Equipment shall not include access roads and transmission lines and poles. "Project Area" shall include all areas within the Property line boundary that include, but not limited to the following: Solar Equipment, ingress/egress, access roads, fencing, parking, laydown areas, setbacks, buffers, storage area, wetlands, erosion and sediment control features, storm water management features, and other ancillary components. Battery storage and

other energy storage methods are not approved as part of this SUP and will require separate special use permitting. The Project will not exceed 5MWac in capacity.

6. **Binding Obligation.** This SUP shall be binding on the Applicant or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy facility.
7. **General Plan.** The construction of the Project shall be in substantial conformance with these conditions and in general conformance with the Special Use Preliminary Site Plan prepared by Apex Clean Energy dated August 31, 2022 (the "General Plan"). Modifications to the General Plan shall be permitted at the time of building permit based on state and federal approvals and final engineering and design requirements that comply with these conditions.
8. **Construction Hours.** All site activity required for the construction and operation of the solar energy facility shall be limited to the following:
 - a. All pile driving activity shall be limited to the hours from the earlier of sunrise or 8 a.m. to the later of 6 p.m. or sunset, Monday through Saturday. Applicant may request permission from the Zoning Administrator to conduct piling driving activity on Sunday, but such permission will be granted or denied at the sole discretion of the Zoning Administrator; and
 - b. All other construction activity within the Project Area shall be limited to the hours from the earlier of sunrise or 8 a.m. to the later of 6 p.m. or sunset, Monday through Sunday in accordance with the provisions of the County's Noise Ordinance and shall not be unreasonably loud for a sustained duration of time as monitored at the property line of the Project Area.
9. **Sound.** After completion of construction, the solar energy facility, during normal operation, but excluding maintenance, shall not produce noise that exceeds 50 dbA as measured at the property lines of the project boundary, unless the owner of the adjoining affected property has given written agreement to a higher level.
10. **Setback from Existing Residential Dwellings.** A minimum five hundred (500) foot setback shall be maintained from Solar Equipment to any adjoining or adjacent residential dwellings that exist at the time of the approval by the Board of Supervisors. This requirement may be reduced or waived for the life of the solar energy facility, if agreed to, in writing, by the owner of the residence. Transmission lines and poles, security fence, and project roads may be located within the setbacks only where necessary. During construction, the setback may be used for the staging of materials and parking if the buffer is not disturbed. The Applicant shall retain and maintain existing vegetation and timber in the setback that are under the control of the Applicant and located on the Property.
11. **Setback to Property Lines and Rights of Way.**
 - a. **Property Line.** A minimum of a fifty (50) foot setback from Solar Equipment to the property line shall be provided around the perimeter of the Solar Equipment where it is adjacent to property not owned by the same property owner as covered in the SUP at the time of the approval by the Board of Supervisors.
 - b. **Right of Way.** The Applicant shall provide a minimum of a seventy-five (75) foot setback from Solar Equipment to any adjoining public right of way.

- c. Transmission lines and poles, security fence, and project roads may be located within the setbacks only where necessary.

12. **Setback to Perennial Streams and Connected Wetlands.** As an additional erosion and sediment control and stormwater management precaution, a minimum fifty (50) foot setback shall be maintained from Solar Equipment to the edge of all perennial streams and connected wetlands located within the Project Area. Transmission lines and poles, project roads, erosion and sediment control and stormwater management features may be located within the setbacks where necessary.

13. **Buffer.**

- a. Within the setback, the Applicant shall retain at least a fifty (50) foot buffer of existing vegetation and timber with the intent to substantially obscure from view the Solar Equipment and security fence from the property line. Along the property line if there is no vegetation or timber to retain the Applicant will supplement the buffer with new plantings in the fifty (50) foot buffer.
- b. Along existing public right-of-way (ROW) where there is existing timber, the Applicant shall retain at least a fifty (50) foot buffer of existing vegetation and timber with the intent to substantially obscure from view the Solar Equipment and security fence from the public right-of-way. Along existing public rights-of-way where there is not at least 50' of vegetation and timber remaining to substantially obscure from view the Solar Equipment and security fence, the Applicant will create a buffer of at least fifty (50) feet. The new buffer will include timber, evergreens, cedars or other vegetation as determined by the Applicant with the advice of a professional arborist and subject to the prior written approval of the Zoning Administrator prior to the issuance of a building permit. All plantings installed in the buffer shall have an anticipated five-year height of six (6) to eight (8) feet after planting and an anticipated mature height of at least twenty (20) feet. Any new plantings shall be planted during the appropriate time of year after the completion of construction of the Project. The buffer may be included in the setback area.
- c. The Applicant will maintain all buffer areas with the advice and support of a professional arborist or forester for the duration of the Project's operational life. Such maintenance may include thinning, trimming, seeding, or other modifications to the buffer to ensure the health of the vegetated buffer areas, public safety, and the energy efficiency of the Project. In the event the health of the vegetation with the buffer area is compromised and no longer substantially obscures the visibility of the Solar Equipment and security fence, the Applicant will plant a new buffer, or supplement the remaining buffer, including timber, evergreens, cedars, or other vegetation as determined by the Applicant with the advice of a professional arborist or forester.
- d. A performance bond reflecting the estimated costs of anticipated landscaping maintenance, as determined by the Applicant with the advice of a professional arborist or forester, shall be posted by the Applicant prior to construction. This ensures buffer landscaping is adequately maintained for the life of the Project.

14. **Fencing.** The Applicant shall install a security fence around the Solar Equipment that is a minimum six (6) feet in height. Fencing must be installed on the interior of the vegetative buffer required in this section so that it is screened from the ground level view of adjacent property owners. The fencing shall be always maintained while the facility is in operation.

15. **Lighting.** Construction lighting shall be minimized and shall be directed downward. Post-construction lighting shall be limited to security lighting only and shall be full cut-off lighting pointed in a down direction.
16. **Interconnection.** The Project shall not receive a building permit until evidence has been given to Buckingham County that the electric utility company has a signed an interim interconnection service agreement or interconnection service agreement with the permittee.
17. **Payments.** The Applicant proposes to offer payments in the amount of \$1,400/MWac over the operational life of the project. There are two avenues by which this may be accomplished at the County's sole discretion:
- a. The County may amend its current Revenue Share Ordinance by removing the exemption of solar projects that are 5MW or less to comply with Va. Code § 58.1-2606.1. Local taxation for solar photovoltaic projects five megawatts or less; or
 - b. The Applicant will make substantial cash payments in accordance with Va. Code 15.2-2288.8 and Exhibit D below, less any Machinery and Tools ("M&T") tax assessed. During any year after the solar facility commences commercial operations, should the M&T Tax levied against the project amount to a sum less than the substantial cash payment amounts set forth for that year in the Maximum Annual Payment column of Exhibit D, then the Owner shall pay to the County the difference between the Annual Payment in Exhibit D and the amount paid for M&T Tax. In the event the M&T Tax is greater than the Annual Payment, then no Annual Payment shall be owed. Exhibit D attached hereto is incorporated into this condition. In the event that the actual installed MWac capacity of the Project as of the Commercial Operation Date varies from that amount indicated in Exhibit D, then Exhibit D shall be amended and the Annual Payments therein shall be adjusted pro rata.
 - c. Any payments in excess of the Machinery and Tools Tax are substantial cash payments (2022 Va. Code § 15.2-2288.8. *Special exceptions for solar photovoltaic projects*) made by the Owner to the County and are intended for substantial public improvements, the need for which is not generated solely by the granting of this permit, so long as such conditions are reasonably related to the solar facility that is the subject of this permit. The Owner and the County acknowledge and agree that the county may identify in future budget years qualifying substantial public improvements that will be funded by any annual substantial cash payments in the sole discretion of the County.

Project Size (MWac)	5
Payment (\$/MWac)	\$ 1,400.00
Esc (every 5 years)	10%
Exhibit D	
Operation Year	Maximum Annual Payment
1	\$ 7,000
2	\$ 7,700
3	\$ 7,700
4	\$ 7,700
5	\$ 7,700
6	\$ 7,700
7	\$ 8,470
8	\$ 8,470
9	\$ 8,470
10	\$ 8,470
11	\$ 8,470
12	\$ 9,317
13	\$ 9,317
14	\$ 9,317
15	\$ 9,317
16	\$ 9,317
17	\$ 10,249
18	\$ 10,249
19	\$ 10,249
20	\$ 10,249
21	\$ 10,249
22	\$ 11,274
23	\$ 11,274
24	\$ 11,274
25	\$ 11,274
26	\$ 11,274
27	\$ 12,401
28	\$ 12,401
29	\$ 12,401
30	\$ 12,401
31	\$ 12,401
32	\$ 13,641
33	\$ 13,641
34	\$ 13,641
35	\$ 13,641
36	\$ 13,641
37	\$ 15,005
38	\$ 15,005
39	\$ 15,005
40	\$ 15,005
Total	\$ 432,277

18. **Decommissioning.** If the solar energy facility is inactive completely for a continuous twelve (12) month period it shall be considered abandoned. The Applicant shall provide notice to County Administrator immediately upon the Project becoming abandoned, inactive and/or shutting down operation. The Applicant or its successor and/or assign ("Project Owner") shall decommission the Project within twelve (12) months of abandonment. The decommissioning shall be in accordance with a Decommissioning Agreement between the Applicant, Project Owner and the County. If the Project (or relevant part) is not removed within the specified time, the County may cause the removal of the Project with costs being borne by the Project Owner as will be provided for in the approved Decommissioning Agreement. The costs of decommissioning shall be secured by an adequate surety in a form agreed to by the County Attorney, including but not limited to a bond, letter of credit, cash, or a parent guarantee by an investment grade entity. The Applicant's cost estimate of the decommissioning shall not include the salvage value of the Solar Equipment. If the solar energy facility is sold to any entity that is not a public service corporation, the SUP shall not transfer to the purchaser until such time as the adequate surety is provided. If a surety is required, the cost estimates of the decommissioning shall be updated by the Applicant every five (5) years and be provided to the County. At its option, the County may require the surety amount be increased based on the net cost of decommissioning which includes the estimated salvage value of the equipment. The Decommissioning Agreement shall be agreed upon and the surety shall be provided before the issuance of the building permit.
19. **Decommissioning Timeframe.** The Project shall be decommissioned within twelve (12) months. The decommissioning shall require (i) the removal of any Project facilities installed or constructed thereupon, (ii) the filling in and compacting of all trenches or other borings or excavations made in association with the Project and (iii) the removal of all debris caused by the Project from the surface and 36" below the surface of the Property.
20. **Training of Emergency Services.** The Applicant shall coordinate with the County's emergency services staff to provide materials, education, and/or training to the departments serving the solar energy facility regarding how to safely respond to on-site emergencies. Prior to construction, the Applicant shall ensure that emergency services staff has keys and other access to the Property and the Applicant shall provide the County and emergency services with safety data sheets (SDSs) on the Solar Equipment for the life of the project.
21. **Access Roads and Signage.** Access roads are to be marked by the Applicant with identifying signage. The manufacturers' or installers' identification and appropriate warning signage shall be posted on or near the panels in a clearly visible manner. The signage must identify the owner and provide a 24-hour emergency contact phone number. Each access gate must also have the signage that identifies the owner and provides a 24-hour emergency contact phone number.
22. **Construction Management.** The following measures will be taken:
- a. A Construction Traffic Management Plan and mitigation measures shall be developed by the Applicant and submitted to the Virginia Department of Transportation (VDOT) and Buckingham County for review. The Plan shall address traffic control measures, an industry standard pre- and post-construction road evaluation, and any necessary localized repairs (i.e., potholes, wash-boarding of

gravel, shoulder rutting, culvert crushing, etc.) to the public road that are required as a result of damage from the Project.

- b. During construction, each project entrance will have a dedicated wash station to mitigate natural debris from unintentionally leaving the Project Area. The Applicant will take all reasonable precautions to minimize impact and damage to public roads including regular maintenance, washing and sweeping. If a traffic issue arises during the construction of the Project, the Applicant shall immediately develop with input from the County and VDOT and implement appropriate measures to mitigate the issue.
23. **Parking.** Parking of vehicles or staging of equipment or materials related construction or decommissioning of the Project shall be limited to the Project Area.
24. **Glare.** All panels will use anti reflective coatings. Exterior surfaces of the collectors and related equipment shall have a non-reflective finish and solar panels shall be designed and installed to limit glare to a degree that no after image would occur, towards vehicular traffic and any adjacent building.
25. **Height.** No aspect of the Solar Equipment shall exceed 17 feet in height, as measured from grade at the base of the structure to its highest point. Such height restriction shall not apply to electrical distribution facilities, substations, or transmission lines.
26. **No County Obligations.** Nothing in this SUP shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
27. **Severability of Conditions.** If any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable.
28. **Enforcement.** That any infraction of the above-mentioned conditions could lead to a stop order and discontinuation or revocation of the special use permit in accordance with Virginia law.
29. **Solar Panel Technology.** The Applicant will be restricted from utilizing photovoltaic panels with internal components containing cadmium telluride. Only silicon type panels, or those other panels that have been established as optimal standard best practice shall be utilized by the Applicant.
30. **Ground Cover; Pollinators.** Prior to the start of construction, the Applicant will perform no less than 10 soil tests in areas across the Project Area to achieve an appropriate sample size of Project Area. The soil tests will be used to inform and develop a comprehensive and detailed vegetative management plan with the intended effect to revegetate the Project Area with ground cover. The vegetative management plan may include the optimal seed types, fertilizer rates, and liming rates (if necessary) to be used for temporary and permanent stabilization. Once operational, the Applicant will maintain ground cover in good condition throughout the operation of the Project. Where grubbing is not required for the construction or operation of the solar farm, or for the installation of erosion control and stormwater management features, existing stumps shall remain in

place. Applicant will consider implementation of Pollinator Habitats where appropriate and in accordance with applicable laws and regulations.

SPECIAL USE PERMIT APPLICATION CHECKLIST
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a special use application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 4, 5 & 6 attached). This list can be obtained from the Clerk of Courts Office: ☒ YES ☐ NO

Completed application for special use permit (page 3 attached). If not signed by the owner, a Power of Attorney must accompany the application: ☒ YES ☐ NO

Interest Disclosure Affidavit (page 7 attached). Must be signed by the owner: ☒ YES ☐ NO

Power of Attorney (page 10 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: ☒ YES ☐ NO

Written Narrative (page 11 guidance in preparing the Written Narrative): ☒ YES ☐ NO

Fees: ☒ YES ☐ NO

Deed: ☒ YES ☐ NO

Plat (15 copies). The plat information may be incorporated into the Special Use Permit General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: ☒ YES ☐ NO
- B. Area of land proposed for consideration, in square feet or acres: YES ☒ NO
- C. Scale and north point: ☒ YES ☐ NO
- D. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES ☐ NO

Tax Map (15 copies). Identify property that special use is being considered for and identify by name all adjacent landowners. - site plan identifies all adjacent owners

Special Use General Site Plan (15 copies) The General Site Plan must contain the following:

1. Vicinity Map – Please show scale: ☒ YES NO N/A
2. Owner and Project Name: ☒ YES NO N/A
3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: ☒ YES NO N/A
4. Property lines of existing and proposed zoning district lines: YES NO ☒ N/A
5. Area of land proposed for consideration, in square feet or acres: ☒ YES NO N/A
6. Scale and north point: ☒ YES NO N/A
7. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES NO N/A
8. Easements and encumbrances, if present on the property: YES NO ☒ N/A
9. Topography indicated by contour lines: ☒ YES NO N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of “no areas having slopes of 15% to 25% or greater”): ☒ YES NO N/A – attached as separate exhibit
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of “not in floodplain”): YES NO ☒ N/A Not in floodplain
12. Delineation of existing mature tree lines or written indication of “no mature tree lines”: YES NO ☒ N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: YES NO ☒ N/A - using existing
14. General locations of major access points to existing streets: ☒ YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: YES NO ☒ N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: ☒ YES NO N/A
17. Location of existing and proposed utilities, above or underground: ☒ YES NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: YES NO ☒ N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: ☒ YES NO N/A
20. Location and design of screening and landscaping: YES NO ☒ N/A - extensive existing veg.
21. Building architecture: YES NO ☒ N/A
22. Site lighting proposed: YES NO ☒ N/A
23. Area of land disturbance in square feet and acres: ☒ YES NO N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more): YES ☒ NO N/A prior to construction
25. Historical sites or gravesites on general site plan: YES NO ☒ N/A NONE
26. Show impact of development of historical or gravesite areas: YES NO ☒ N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: ☒ YES NO N/A

APPLICATION FOR A SPECIAL USE PERMIT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: 9/2/22

Special Use Permit Request: Request to develop, construct and operate a 5MWac solar project
on a single parcel in Buckingham County, VA

Purpose of Special Use Permit: Construction and operation of 5MWac ground-mounted solar
facility

Zoning District: A-1 Number of Acres: 439

Tax Map Section: 151 Parcel: 21 Lot: 2 Subdivision: _____ Magisterial Dist.: 2

Street Address: 19691 E James Anderson Hwy, Dillwyn, VA 23936

Directions from the County Administration Building to the Proposed Site: _____

Head W on James Anderson Hwy (hwy 60) and travel 6.2 miles; Admin Building will be
on the left

Name of Applicant: Rosney Creek Solar, LLC

Mailing Address:
120 Garrett St, Suite 700, Charlottesville, VA 22902

Daytime Phone: 434-282-3230 Cell Phone: _____

Email: mary-margaret.hertz@apexcleanenergy.com Fax: 434-220-3712

Name of Property Owner: Ivan P Davis

Mailing Address:
106 Whetstone Ln, Dillwyn, VA 23936

Daytime Phone: 434-315-4212 Cell Phone: _____

Email: ipdavisjr@gmail.com Fax: _____

Signature of Owner:  Date: 8-24-2022

Signature of Applicant:  Date: 9-2-22

Please indicate to whom correspondence should be sent:

☐ Owner of Property ☐ Contractor Purchaser / Lessee ☒ Authorized Agent ☐ Engineer
☒ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: Davis, Ivan P Jr

Mailing Address: 106 Whetstone Ln, Dillwyn, VA 23936

Physical Address: 106 Whetstone Ln, Dillwyn, VA 23936

Tax Map Section: 151, 138, 139 Parcel: 151-23, 151-22, 151-19, 151-17, 151-20, 138-69, 138-67, 138-78, 138-65, 138-66, 139-4

2. Name: Town of Dillwyn

Mailing Address: P.O. Box 249, Dillwyn, VA 23936

Physical Address: Non-carrier (3A-10-16 NC) & Non-carrier (3A-10-15NC)

Tax Map Section: 138 Parcel: 138-78, 138-68

3. Name: Floyd, Melvin E

Mailing Address: c/o Kevin Floyd, P.O. Box 1178, Chesterfield, VA 23832

Physical Address: 1547 Rosney Rd

Tax Map Section: 151 Parcel: 1 Lot: 2 Subdivision:

4. Name: Dunkum, Woodrow M Jr & Karen N

Mailing Address: P.O. Box 24, Dillwyn, VA 23936

Physical Address: Rt 629 - 2 1/2 mi SE of Dillwyn, Lots 1, 2 & 4

Tax Map Section: 152 Parcel: 152-2-4, 152-2-2, 152-2-1

5. Name: Patton, Charles W Sr

Mailing Address: 1293 Rosney Rd, Dillwyn, VA 23936

Physical Address: Rte 629 - 2 1/2 mi SE of Dillwyn, Lot 3

Tax Map Section: 152 Parcel: 152-2-3 Lot: Subdivision:

6. Name: Hardiman, Lindberg & Evelyn

Mailing Address: 1177 Rosney Rd, Dillwyn, VA 23936

Physical Address: 1177 Rosney Rd

Tax Map Section: 152 Parcel: 152-33 Lot: Subdivision:

7. Name: Wingo, Charles M III & Dorothy Beth

Mailing Address: P.O. Box 309, Lakemont, GA 30552

Physical Address: Rt 60 - 4 mi E of Sprouses Corner, Lot A

Tax Map Section: 151 Parcel: 151-30 Lot: Subdivision:

8. Name: Moseley Properties, LLC

Mailing Address: P.O. Box 228, Buckingham, VA 23921

Physical Address: Rt 60- 2 mi E of Sprouses Corner

Tax Map Section: 151 Parcel: 151-46 Lot: Subdivision:

9. Name: Kyanite Mining Corporation

Mailing Address: 30 Willis Mtn Plant Ln, Dillwyn, VA 23936

Physical Address: Rte 60 - 2 mi E of Sprouses Corner

Tax Map Section: 151 Parcel: 151-45 Lot: Subdivision:

10. Name: Weyerhaeuser Company

Mailing Address: 100 Professional Center, Brunswick, GA 31525

Physical Address: Rts 15-60 - 1 mi E of Sprouses Corner

Tax Map Section: 151 Parcel: 151-14 Lot: Subdivision:

11. Name: Seay, James L Sr & James L Jr

Mailing Address: 2841 Quarker Rd, Quinton, VA 23141

Physical Address: Off Rte 629 - 1 mi SE of Dillwyn

Tax Map Section: 138 Parcel: 138-71 Lot: _____ Subdivision: _____

12. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

13. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

14. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

15. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

16. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 2nd day of September, year 2022,

I Ken L Young hereby make oath that
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

[Signature]
(owner / contract purchaser / authorized agent – please circle one)

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Albemarle

STATE OF Virginia

Subscribed and sworn to me on the 2nd day of September,

of the year 2022. My Commission expires on 9-30-2026.

Notary Public Signature: [Signature]
Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, VIRGINIA

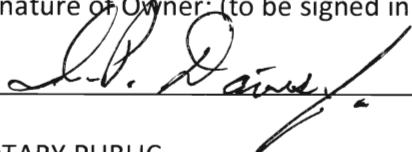
On this 24 day of AUGUST, of the year 2022,

I IVAN P. DAVIS, JR (printed name of owner)

hereby make oath that no member of the Buckingham County Board of Supervisors nor the Buckingham County Planning Commission has interest in such property either individually, or by ownership of stock in a corporation owning such land, or by partnership, or as a holder of ten percent (10%) or more of the outstanding shares of stock in or as a director or officer of any corporation owning such land, directly or indirectly by such members of his/her immediate household, except as follows:

NONE

Signature of Owner: (to be signed in front of notary public)



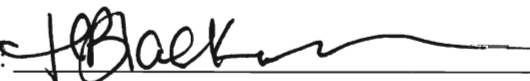
NOTARY PUBLIC

COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 24th day of August,

of the year 2022. My commission expires 12-31-24.

Notary Public Signature:



Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: SUP - Rosney Creek Solar (5MW)

Visual Inspection Findings (describe what is on the property now):

The Property is mostly forested, consisting of timer and hardwoods, with some open fields, a creek (Whispering Creek), and a couple of ponds.

County Records Check (describe the history of this property):

The Property is of important generational significance to the Davis family and contains Whetstone Farm, which is a certified Virginia Century Farm. Historically, forestry has been the main use of the Property.

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No X

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Neither the Virginia Department of Historic Resources VCRIS desktop screening nor the consultation with the Buckingham Historical Society identified any resources of significance.

Will this proposal have any impact on the historical site or gravesite? Yes ____ No ____

If yes, please explain any impact:

N/A

Owner/Applicant Signature:  Date: 9/2/2022

Printed Name: Ken Young Title: COO

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT: Case Number / File

Name: Rosney Creek Solar (5MWac)Applicant: Apex Clean Energy (Mary-Margaret Hertz)[19641] E James Anderson Hwy, Dilwyn, VA 23936 37.509722, -78.452038 Location:Proposed Use: 50-acre Solar Farm For**VDOT use only:** A Traffic Impact Statement is required per 24 VAC 30-155-60. X A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds. The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use? Yes
 No If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Vdot Lynchburg district considers a solar farm entrance a private driveway since they are low volume in the operating state. The existing driveway location is built to the standards of a low volume private entrance. If the county approves your SUP, please submit a plan for your construction entrance that shows either adequate site distance for the entrance or traffic control for the entrance (flaggers).

Signature of VDOT Resident Engineer: Scott D. FrederickPrinted Name: SCOTT D. FREDERICK Date: 7-25-2022

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this 24 day of AUGUST, in the year of 2022

I IVAN P. DAVIS, JR. the owner of 151-21
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint APEX CLEAN ENERGY
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day 24 of the month AUGUST in the year of 2022 and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

I.P. Davis, Jr.

NOTARY PUBLIC

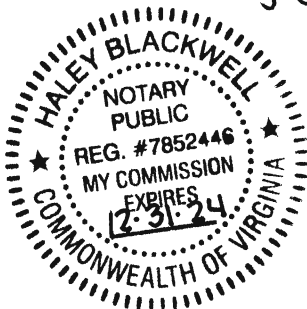
County of Buckingham State of Virginia

Subscribed and sworn before me on the 24th day of August

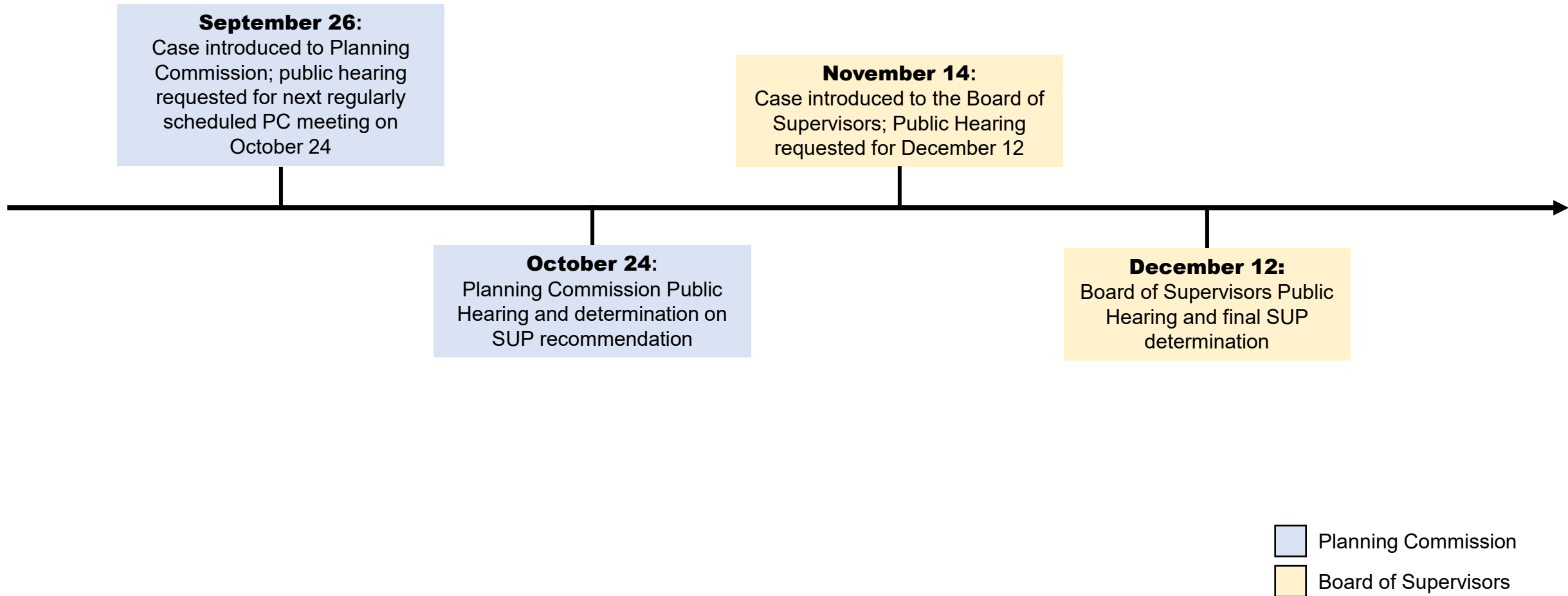
in the year 2022. My commission expires 12-31-24.

Signature of Notary Public: J. Blackwell

Stamp:



Proposed Schedule for Rosney Creek Solar SUP



SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

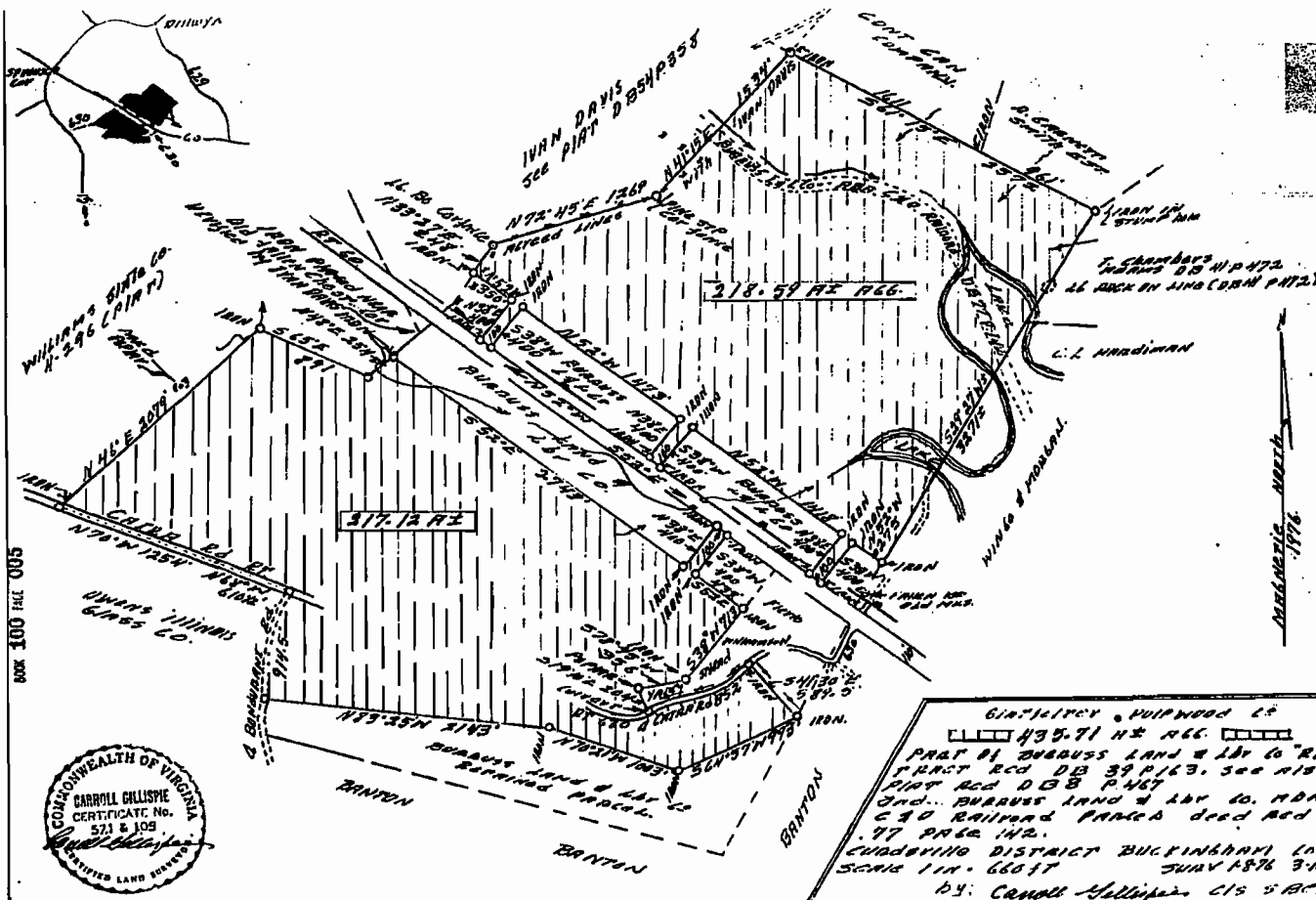
The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner:  _____

Date: 9/2/2022



RECORDED IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY, VIRGINIA, THIS 13th DAY OF JULY, 1876, AT 11:50 A.M. BY THE CLERK.

ATTEST: *[Signature]* CLERK

Recording Requested By and
When Recorded Return to:

ACE VA DER, LLC
c/o Apex Clean Energy, Inc.
Attn: Land Manager
Court Square Building
310 4th Street NE, Suite 300
Charlottesville, VA 22902

Tax Map No (s): 151-21

Consideration: \$ 12,500

MEMORANDUM OF GROUND LEASE
FOR SOLAR ENERGY SYSTEM

THIS MEMORANDUM OF GROUND LEASE FOR SOLAR ENERGY SYSTEM ("Memorandum") is made and dated as of December 9, 2020 ("Effective Date") by and between Whetstone Farm Davis Properties, LLC, a Virginia limited liability company ("Landlord") with a tax mailing address of 106 Whetstone Lane, Dillwyn, VA 23936, and ACE VA DER, LLC, a Delaware limited liability company ("Tenant") with a tax mailing address of c/o Apex Clean Energy, Inc., 310 4th Street NE, Suite 300, Charlottesville, Virginia 22902, in light of the following facts and circumstances:

Landlord and Tenant entered in that certain Ground Lease for Solar Energy System, of even date herewith (the "Lease"), pursuant to which Landlord has leased to Tenant certain real property of Landlord ("Property") located in the County of [County], Virginia as more particularly described on the attached Exhibit A and which the Lease and said Exhibit A are hereby incorporated herein as if fully set forth in this Memorandum. Landlord and Tenant have executed and acknowledged this Memorandum for the purpose of providing constructive notice of the Lease. Capitalized terms not otherwise defined in this Memorandum shall have the meanings provided in the Lease.

NOW THEREFORE, Landlord and Tenant hereby agree as follows:

1. **Lease of Property and Easements.** Landlord has leased the Property to Tenant on the terms, covenants and conditions stated in the Lease. The Lease is for the development and operation of a solar energy Project or Projects. As more fully set forth in the Lease, Landlord has granted unto Tenant, and Tenant has accepted from Landlord a ground lease and easements, which include: (i) the sole and exclusive right to use the Property for solar energy conversion purposes, utility-scale energy storage, and other related purposes as set forth herein, and to capture, use and convert unobstructed solar resources over and across the Property, and to install, use, operate, maintain, repair, improve, relocate, replace and remove components of the Solar Energy System and on the Property; (ii) an exclusive lease of the Property and all air rights thereon for solar energy conversion purposes and other related purposes as set forth herein; (iii) an exclusive easement on, over and across the Property for one or more line or lines of poles and/or towers,

with such wires and cables as from time to time are suspended therefrom, and/or overhead and/or underground wires and cables, for the transmission and/or collection of electrical energy and/or for communication purposes (including, without limitation, communications and radio relay systems and telecommunications equipment), and all necessary and proper foundations, footings, towers, poles, crossarms, guy lines and anchors and other appliances and fixtures for use in connection with said towers, wires and cables; (iv) an easement on, over and across the Property for access to any point where any Solar Energy Facilities are or may be located at any time from time to time; (v) an exclusive easement on, over and across the Property for the open and unobstructed access to the solar energy resources found on, below, over and across the Property (such energy resources collectively referred to as the “**Solar Energy Resources**”) to any Improvements on any of the Property and to ensure adequate exposure of the Improvements to the Solar Energy Resources and an easement and right on the Property to prevent measurable diminishment in output due to obstruction or impediment of the sunlight across the Property including but not limited to an easement right to trim, prune, top, cut down, remove or otherwise control all trees (whether natural or cultivated), shrubs, bushes, plants or other vegetation and dismantle, demolish and remove any and all fire and electrical hazards now or hereafter existing on the Property which might impede and/or obstruct receipt of or access to sunlight throughout the Solar Panel Area or interfere with or endanger the Solar Energy System, as determined by Tenant; and (vi) an exclusive easement prohibiting any obstruction to the open and unobstructed access to the Solar Energy Resources throughout the entire Property to and for the benefit of the area existing horizontally three hundred and sixty degrees (360°) from any point where any Solar Energy Facilities are or may be located at any time from time to time (each such point referred to as a “**Site**”) and for a distance from each Site to the boundaries of the Property, together vertically through all space located above the surface of the Property, that is, one hundred eighty degrees (180°) or such greater number or numbers of degrees as may be necessary to extend from each point on and along a line drawn along the surface from each point along the exterior boundary of the Property through each Site to each point and on and along such line to the opposite exterior boundary of the Property; (vii) an easement and right for any audio, visual, view, light, glare, shadow, noise, vibration, electromagnetic or other effect of any kind or nature whatsoever resulting, directly or indirectly, from the Solar Energy System owned, leased, operated or maintained by Tenant, on the Property, including but not limited to rights to cast shadows and reflect glare onto all of Landlord’s property, from the Solar Energy System and/or any and all other related facilities located on the Property, (viii) the right of subjacent and lateral support on the Property to whatever is necessary for the operation and maintenance of the Solar Energy System, including, without limitation, anchors, guy wires and other supports, and (ix) a right to undertake any such purposes or other activities on the Property, whether accomplished by Tenant or a third party authorized by Tenant, that Tenant reasonably determines are required, necessary, useful and/or appropriate, each as applicable, to accomplish any of the purposes or uses set forth in this Lease or that are compatible with such purposes or uses. This Lease and the easements granted herein shall be binding upon Landlord’s heirs, personal representatives, successors and assigns and shall run with the Property for the Term.

2. **Term.** The term of the Lease shall begin on the Effective Date and shall expire five (5) years after the Effective Date, if not extended or sooner terminated as provided in this Lease. Tenant may at its sole discretion extend the term of this Lease for an additional forty (40) year term and followed by (1) additional ten (10) year term.

3. **Ownership.** Landlord shall have no ownership or other interest in any Improvements (as defined in the Lease) installed on the Property.

4. **Assignment.** The Lease provides, among other things, that Tenant and any Transferee shall have the right, subject to certain conditions set forth in the Lease, to sell, convey, lease, assign, mortgage, encumber or transfer to one or more assignees or mortgagees the Lease, or any right or interest in the Lease, or any or all right or interest of Tenant in the Property, or in any or all of the Improvements that Tenant or any other party may now or hereafter install on the Property.

5. **Rights of Mortgagees.** Pursuant to the Lease, any Mortgagee of Tenant or Tenant's assignees has certain rights regarding notice and right to cure any default of Tenant under the Lease, and the right to take possession of the Property and the Project, and to acquire the leasehold estate and the easement interests by foreclosure, as well as other rights as set forth in the Lease.

6. **Purchase Option for Substation Facilities and Operations and Maintenance Facilities.** The Lease provides that Tenant may purchase fee title to a portion of the Property for substation facilities, and operations and maintenance facilities.

7. **Notice.** This Memorandum is prepared for the purpose of giving notice of the Lease and in no way modifies the express provisions of the Lease.

8. **Setback Waiver.** To the extent that any applicable law, ordinance, regulation or permit establishes, or has established, minimum setbacks from the exterior boundaries of the Property, from any structures on the Property (occupied or otherwise) or from any other point of measurement for Improvements constructed on the Property or otherwise within the Project, Landlord hereby waives any and all such setback requirements (the "**Setback Waiver**"). The Setback Waiver is for the benefit of Tenant, the owner(s) of adjacent properties within the Project, and their respective successors and assigns, and shall run with the land. If requested by Tenant, Landlord shall execute and deliver to Tenant one or more separate setback waivers evidencing the intent of this Setback Waiver, in a form provided by Tenant, which Tenant may then record at its expense. This waiver shall survive the termination of this Lease for so long as Improvements exist on real property adjacent to the Property.

9. **Landlord as Tenant's Agent.** Landlord hereby appoints Tenant as Landlord's agent only for the purpose of preparing, executing, applying for, submitting, and/or prosecuting in Landlord's name, any and all Approvals on behalf of Landlord, any environmental impact review, permit, entitlement, approval, authorization or other rights necessary or convenient in connection with Tenant's intended Solar Energy System and Operations from any governmental agency or any other person or entity (collectively "**Approvals**").

10. **Successors and Assigns.** This Memorandum, the Lease and the easements described herein shall burden the Property and shall run with the land. The Lease and this Memorandum shall inure to the benefit of and be binding upon Landlord and Tenant and, to the extent provided in any assignment or other transfer under the Lease, any assignee or Mortgagee, and their respective heirs, transferees, successors and assigns, and all persons claiming under them.

11. **No Conflict.** In the event of any conflict or inconsistency between the provisions of this Memorandum and the provisions of the Lease, the provisions of the Lease shall control. Nothing in this Memorandum shall be deemed to amend, modify, change, alter, amplify, limit, interpret or supersede any provision of the Lease or otherwise limit or expand the rights and obligations of the parties under the Lease and the Lease shall control over this Memorandum in all events.

12. **Multiple Counterparts.** This Memorandum may be executed by different parties on separate counterparts, each of which, when so executed and delivered, shall be an original, but all such counterparts shall constitute one and the same instrument.

{signature page follows}

IN WITNESS WHEREOF, the Parties have executed this Memorandum as of the Effective Date.

LANDLORD:

Whetstone Farm Davis Properties, LLC, a Virginia limited liability company

By: Ivan P. Davis Jr.
Name: Ivan P. Davis Jr.
Title: PRESIDENT

STATE OF Virginia

ss.

COUNTY OF Buckingham

On December 9, 2020 before me, the undersigned, personally appeared Ivan P. Davis Jr., as President, for Whetstone Farm Davis Properties, LLC, a Virginia limited liability company, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her capacity, and that by his/her signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Haley Blackwell
Notary Public



TENANT:

ACE VA DER, LLC,
A Delaware limited liability company

By: Apex Clean Energy Finance, LLC,
a Delaware limited liability company,
its Sole Member

By: Apex GBR, LLC,
a Delaware limited liability company,
its Sole Member

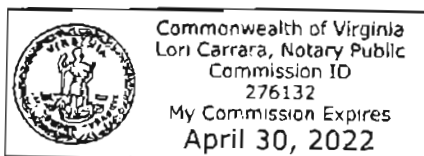
By: Apex Clean Energy Holdings, LLC,
a Delaware limited liability company,
its Manager

By: *Jeanine G. Wolanski*
Name: Jeanine G. Wolanski
Title: Senior Vice President of Land Management

STATE OF VIRGINIA

CITY OF CHARLOTTESVILLE

The foregoing instrument was acknowledged before me this 9 day of December, 2020 by Jeanine G. Wolanski, as the Senior Vice President of Land Management for Apex Clean Energy Holdings, LLC, a Delaware limited liability company, the Manager of Apex GBR, LLC, a Delaware limited liability company, the Sole Member of Apex Clean Energy Finance, LLC, a Delaware limited liability company, the Sole Member of ACE VA DER, LLC, a Delaware limited liability company, on behalf of the company.



Lori Carrara
Notary Public

My Commission Expires: 4/30/22

This instrument prepared by: Eugene Lerman, Esq.
Apex Clean Energy, Inc.
310 4th Street NE, Suite 300
Charlottesville, Virginia 22902

EXHIBIT A

LEGAL DESCRIPTION OF PROPERTY

The Property is all of the following tracts or parcels of land, situated in County of Buckingham, Virginia, consisting of 439.6 acres, more particularly described as follows:

Now containing 297.7 acres, more or less, being the residue of a parcel containing 305.2 acres, more or less, shown as parcel No. 2 (the unshaded portion), described by a plat of survey prepared by Carroll Gillispie, CLS/SBC, dated September 23, 1966, and recorded with that certain Deed, dated November 28, 1966, among the Land Records of the COUNTY OF BUCKINGHAM, VIRGINIA, in Deed Book 78, beginning at page 381. This property is also described by metes and bounds in this aforesaid Deed dated November 28, 1966.

Being the same property as that conveyed to IVAN P. DAVIS, SR. and MOLLIE P. DAVIS, husband and wife, as tenants by the entirety by deed dated November 28, 1966, from Gertrude P. Davis, widow, and recorded March 15, 1968 among the Land

Records of the COUNTY OF BUCKINGHAM, VIRGINIA, in Deed Book 78, beginning at page 381.

LESS AND EXCEPTING from the original 305.2 acre tract, a 7.5 acre parcel, more or less, conveyed by IVAN P. DAVIS, SR. and MOLLIE P. DAVIS, husband and wife, to IVAN P. DAVIS, JR. and DEBORAH B. DAVIS, husband and wife, by General Warranty Deed dated October 1, 1980, from IVAN P. DAVIS, SR., and MOLLIE P. DAVIS, husband and wife, and recorded December 14, 1980 in the Land Records of the COUNTY OF BUCKINGHAM, VIRGINIA, in Deed Book 119, beginning at page 562. ✓

Together with all its appurtenances, and subject to all other conveyances, exceptions, easements, rights of way, covenants, conditions, restrictions and other instruments of record, or which may be apparent on the premises, as well as ordinances, codes, and regulations, legally affecting the property.

And:

All that certain tract or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Curdsville Magisterial District of Buckingham County, Virginia, containing One Hundred Eighty-Eight and seventy/hundredths (188.70) acres, more or less, said lands fronting on U. S. Route #60 and being more particularly described as the residue of a 218.59 acre parcel depicted by a plat of survey prepared by Carroll Gillispie, C.L.S., S.B.C., dated January 8 and March 10, 1976 and recorded in the Clerk's Office of the

Circuit Court of Buckingham County in Deed Book 100, at page 5, after deducting therefrom a parcel of 29.89 acres depicted by a plat of survey prepared by William W. Dickerson, Jr., L.S., dated November 16, 2009, which is attached hereto, made a part hereof and recorded simultaneously herewith in the aforesaid Clerk's Office in Plat Cabinet A, at slide 203E, to which plats reference is hereby made for a more complete and accurate description of the lands hereby conveyed; TOGETHER WITH AND SUBJECT TO a non-exclusive, perpetual easement, for the purposes of ingress and egress, over and through a private road running from said Route #60 in a general northeasterly direction along the entirety of the northwestern boundary line of said 29.89 acre parcel, the centerline of said easement (i.e. the northwestern boundary line of said 29.89 acre parcel) being depicted on the aforesaid plat as "along & of joint-use road". Said lands being a portion of the lands conveyed unto H. Curtis Pearson, Jr., as "Tract T-340 (Rixey)" from GIC Virginia Timberlands, LLC, a Delaware limited liability company, by deed dated January 31, 2008 and recorded in the aforesaid Clerk's Office in Deed Book 355, at page 803 et seq.

Less and except:

a triangular parcel of approximately 5.4 acres off the southern part of a 297.7 acre parcel conveyed unto Ivan P. Davis, Sr. and Mollie P. Davis, General Partners of the Ivan and Mollie Davis Limited Partnership from Ivan P. Davis, Sr. et ux by deed dated June 20, 2005 and recorded in the aforesaid Clerk's Office in Deed Book 399, at page 45 et seq.; and, a larger parcel of approximately 41.5 acres off the northern part of a 188.70 acre parcel conveyed unto The Ivan and Mollie Davis Family Limited Partnership from H. Curtis Pearson, Jr. by deed dated November 30, 2009 and recorded in the aforesaid Clerk's Office in Deed Book 376, at page 510 et seq.

In the event of inaccuracies in the foregoing legal description, Landlord and Tenant shall amend this Lease to correct such inaccuracies.

035 Rec Fee	3	00	VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY
St. R. Tax	31	25	
Co. R. Tax	10	42	
Transfer			
Clerk	14	50	
Lib.(145)	8	50	
T.T.F.	5	00	
Grantor Tax			
036 Proc. Fee			
Total \$	171	67	

The foregoing instrument with acknowledgement was admitted to record on 6/1/2021, at 9:15 A.M. in D.B. 484 Page(s) 186-192
 Teste: JUSTIN D. MIDKIFF, CLERK
 BY: Janet R. Hines-Cullen, DEPUTY CLERK



OFFICIAL RECEIPT
BUCKINGHAM CIRCUIT COURT
DEED RECEIPT

DATE : 06/01/2021 TIME : 09:19:37 CASE # : 029CLR202101031
RECEIPT # : 21000002569 TRANSACTION # : 210601000005
CASHIER : SRH REGISTER # : D729 FILING TYPE : OPL PAYMENT : FULL PAYMENT
INSTRUMENT : 202101031 BOOK : 484 RECORDED : 06/01/2021 AT : 09:15
GRANTOR : WHETSTONE FARM DAVIS PROPERTIES LLC EX : N LOC : CO
GRANTEE : ACE VA DER LLC EX : N PCT : 100%

RECEIVED OF : APEX CLEAN ENERGY HOLDINGS LLC

ADDRESS : 310 4TH STREET NE STE 300 CHARLOTTESVILLE, VA 22902

DATE OF DEED : 12/09/2020

CHECK : \$67.67

DESCRIPTION 1 : 297.7 AC

NAMES : 0

CONSIDERATION : \$12,500.00

AVAIL : \$0.00

CHECK NUMBER : 049847

PAGES : 007

OP : 0

PIN OR MAP : 151-21

ACCOUNT CODE	DESCRIPTION	PAID
035	VIRGINIA OUTDOOR FOUNDATION	\$3.00
039	STATE GRANTEE TAX	\$31.25
106	TECHNOLOGY TRST FND	\$5.00

TENDERED : \$ 67.67
AMOUNT PAID : \$ 67.67



August 2, 2021

Solar Facility Analyzed:

Martin Trail Solar Farm, LLC
Martin Trail, Clover, VA 24534

Project Owner:

ACE VA DER, LLC
310 4th St. NE, Suite 300
Charlottesville, VA 22902
ATTN: Charlie Johnson

Plan Prepared By:

Uneclipsed Energy, PLLC
2250 Lucien Way, Suite 305
Maitland, FL 32751
407.232.7440

Firm Background:

Uneclipsed Energy, PLLC (Uneclipsed) is a licensed engineering firm affiliated with ESA Solar Energy, LLC and Solar Development Group, LLC (SDG) for solar projects in Florida, Michigan, and Virginia among other states. Since 2002, the team behind these three entities has gained expertise through developing, designing, constructing, operating and maintaining solar PV systems of all sizes, from residential, commercial and municipal projects to large ground-mount utility-scale systems in the United States, Spain, and Italy, totaling thousands of megawatts.

Facility Description:

The proposed solar farm is located on Parcel #6790, 6791, 18007, and 18008 in Halifax County, Virginia. The estimated 7 MWdc / 5 MWac solar farm is expected to include the following components:

- Approximately 14,000 PV modules
- Steel structural racking system, supported by driven piles
- Rack-mounted inverters to convert dc power to low-voltage (480 or 600V) ac power
- Concrete pad-mounted transformers and switchgear required to step up the voltage to medium voltage (distribution level, 12kV – 35kV)
- Underground and overhead wiring as appropriate for solar farm interconnection to electric grid



Decommissioning Process:

The system is expected to be capable of operation for at least thirty-five years, with decommissioning at a time to be agreed upon by the system owner and the landowners leasing the land to the system owner. At the end of the project's life, the system owner shall complete the following list of activities to fully decommission the system. This list is prepared based on current procedures and experience, which will likely improve in the coming years as technology, construction processes and recycling infrastructures improve. Decommissioning activities shall be carried out according to applicable regulations and industry best practices, after obtaining any necessary permits for the decommissioning. The decommissioning activities are as follows, and shall be completed in accordance with the industry best practices, OSHA regulations, and state/federal requirements in effect at the time of decommissioning:

- Prepare a safety plan and train all site personnel as to appropriate safeguards and proper work techniques.
- Contact the Utility Company and communicate the cessation of business.
- Disconnect site electric power at the Point of Common Coupling by the site owner or utility. The utility will be responsible for removing all conductors, power poles, and hardware that is under utility ownership.
- Disconnect all dc source circuit wiring from the combiner boxes.
- Disconnect all dc output circuit wiring from any combiner boxes to inverters.
- Unfasten PV modules from the structural racking system and stack in a staging area (this staging area will be used to store all equipment being removed from the site).
- Remove module home run wiring, raceways, and combiner boxes from the racking system.
- Unbolt the racking system components and stack and remove all driven piers.
- Dig up all buried conductors and backfill trenches.
- Coil and stack wire and conduits. Remove wire connectors and splices, disassemble, and sort as required to maximize recycling value.
- Dismantle Inverters, switchgear, and transformers on site when practical, or remove fully intact equipment pads from the site for off-site handling.
- Remove perimeter fencing and pole foundations.
- Sell to a recycling facility any material that can be recycled, unless the original equipment manufacturer or another organization offers a buy-back program for equipment.
- Dispose of all other materials at appropriate handling facilities.
- Dismantle any site roads and restore any compressed soils (under equipment pads, roads) with a subsoiler or flat lifter. Restore any compacted areas to the proper density and depth to remain consistent with the surrounding fields, adding new fill as necessary.
- Re-seed and re-vegetate disturbed areas of the site, ensuring that the land can return to its original state.



Decommissioning Cost Analysis:

The estimated costs or values for scrap material and disposal are provided in Figure 1 following. The projected estimated cost for each line item is rounded to the nearest \$1,000.

Component	Size	Material	Feet	Quantity	Weight/unit	Weight	2019 Scrap Value	Project Value
Array PV Wire	10 AWG	Copper	250,000		0.057	14,250	\$1.60/lb	\$ 23,000
Array Home Runs	250 kcmil	Alu	70,000		0.321	22,470	\$0.60/lb	\$ 13,000
Module Frames				14,000	2	28,000	\$0.59/lb	\$ 17,000
Posts and Rails			15	7,000	130	910,000	\$0.05/lb	\$ 46,000
SCRAP VALUE								\$ 99,000
Modules				14,000	50	700,000	(\$2.00/unit)	(\$28,000)
NET SCRAP VALUE								\$ 71,000

Figure 1: Decommissioning Costs and Values Breakdown

In 2019, the scrap value of the copper and aluminum wiring, aluminum solar module frames, steel posts and structural members is calculated at 75% of the commodity copper and aluminum pricing. It is conservatively assumed that this value will remain steady over time. Figure 2 and Figure 3 on the following page show Copper Pricing and Aluminum Pricing from 1989 through 2019. Steel is assumed to be valued at \$100 per ton, or otherwise equal to \$0.05 per lb. 2019 numbers are used here as they are considered more stable and consistent than those in 2020-2021, which have been more variable due to worldwide markets disruption from the COVID-19 pandemic. This brings the estimated scrap value of the system to approximately \$101,000.

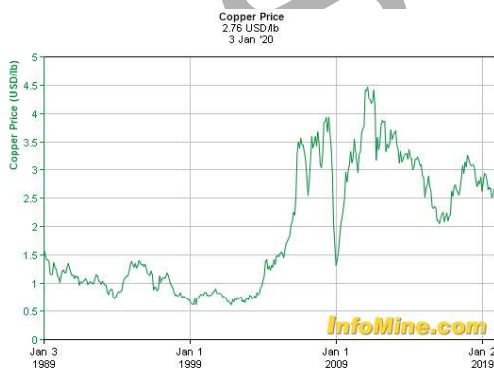


Figure 2: Copper Pricing in USD/lb, 1989-2019

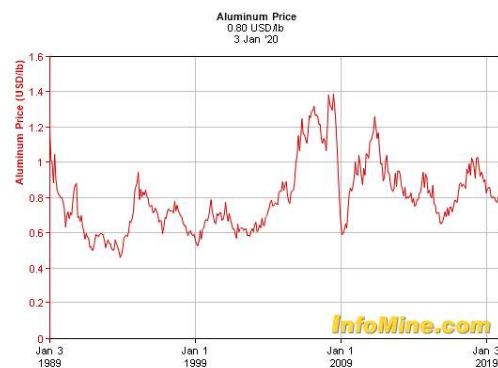


Figure 3: Aluminum Pricing in USD/lb, 1989-2019

The weight of each of the 14,000 solar modules (panels) is due primarily to the top glass within the frame, and we anticipate that the modules will be mostly recyclable during the decommissioning. As



there has been a relatively low number of failed modules worldwide, there has not yet been a high demand for module recycling facilities, however in Europe and in the United States programs have been announced and small facilities exist. We expect that as more solar power is deployed, the recycling opportunities will grow accordingly to meet the demand of equipment disposal. It is estimated that there will be a net cost of \$2.00 per module for disposal, or \$28,000 for this estimate.

Although the bulk of decommissioning tasks are expected to be carried out by laborers, there will also be equipment operators and supervisors. We assume these fully-burdened rates for personnel trained in demolition:

Labor Type	Rate
Supervisor	\$65.00
Equipment Operator	\$55.00
Laborer	\$40.00

In an effort to provide a conservative labor and material cost estimate for the decommissioning of the project, below is a breakdown of the anticipated costs:

Cost Type	Headcount	Hours / Day	Rate	Days	Total Cost
Excavator	1	8	\$ 125.00	20	\$ 20,000
Skid Steer	2	8	\$ 50.00	20	\$ 16,000
Pick-up Trucks	2	8	\$ 14.50	20	\$ 5,000
Supervisor	1	8	\$ 65.00	20	\$ 11,000
Equipment Operator	3	8	\$ 55.00	20	\$ 27,000
Laborer	6	8	\$ 40.00	20	\$ 39,000
Trucking	5	8	\$ 125.00	10	\$ 50,000
Site Restoration					\$ 30,000
Module Disposal					\$ 28,000
Total Expenses					\$ 226,000
Scrap Cost					\$ (99,000)
Net Price					\$ 127,000

Assuming roughly 4 weeks' effort for labor costs, equipment usage, transportation costs, appropriate recycling and disposal costs, and an additional \$30,000 allowance for full site restoration (to include regrading, reseeding, and landscape repair), the costs of the decommissioning would total \$226,000. Subtracting the estimated scrap value of \$99,000, the decommissioning cost would yield a *net cost* of approximately \$127,000.

All estimated costs were calculated using best industry standards and pricing currently available.

Given that 35 years of policy changes, technological improvements, and variable inflation rates have yet to occur, the accuracy of these estimates cannot be guaranteed.



Respectfully submitted by:

A handwritten signature in black ink, appearing to read "DK Click".

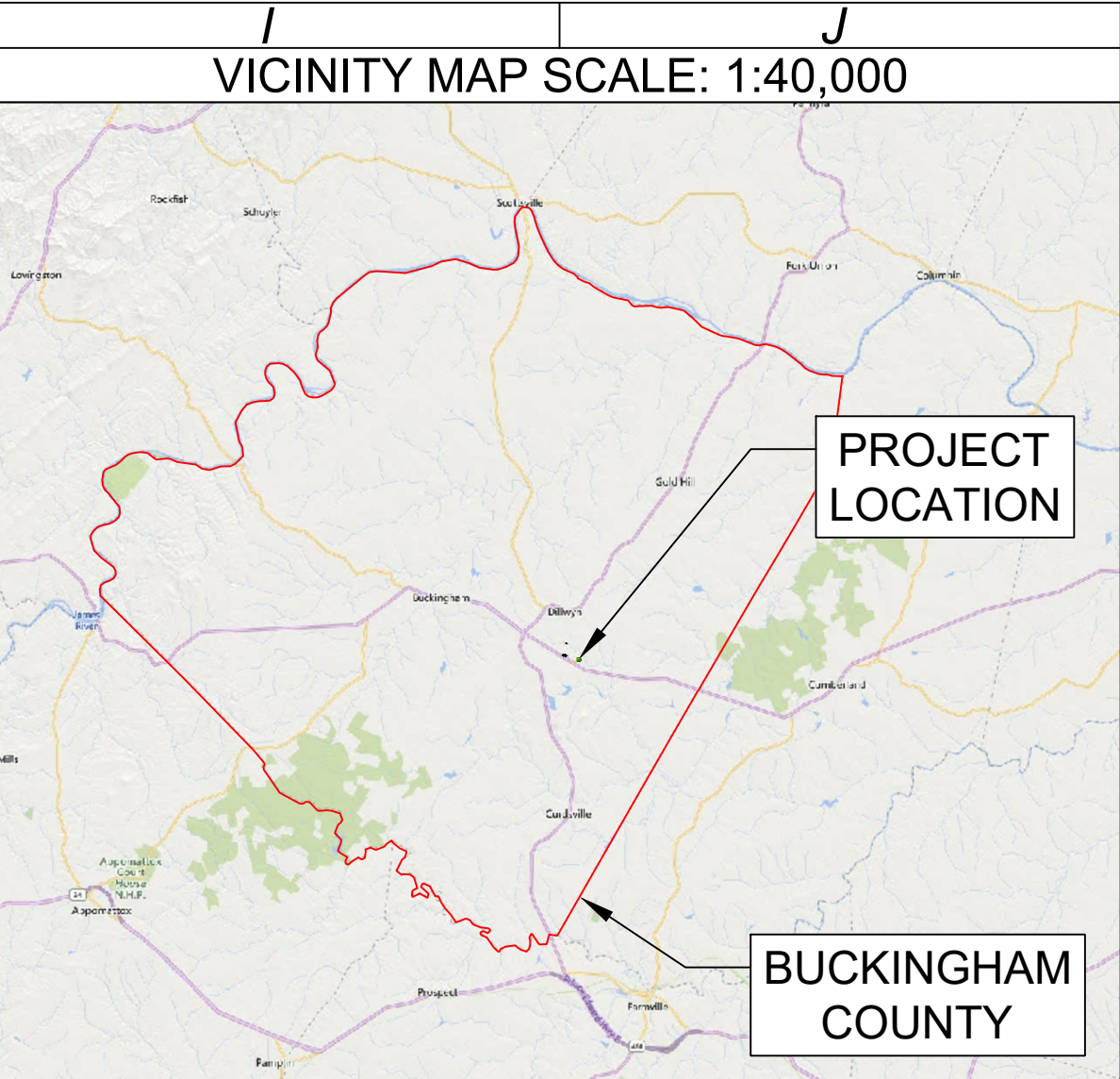
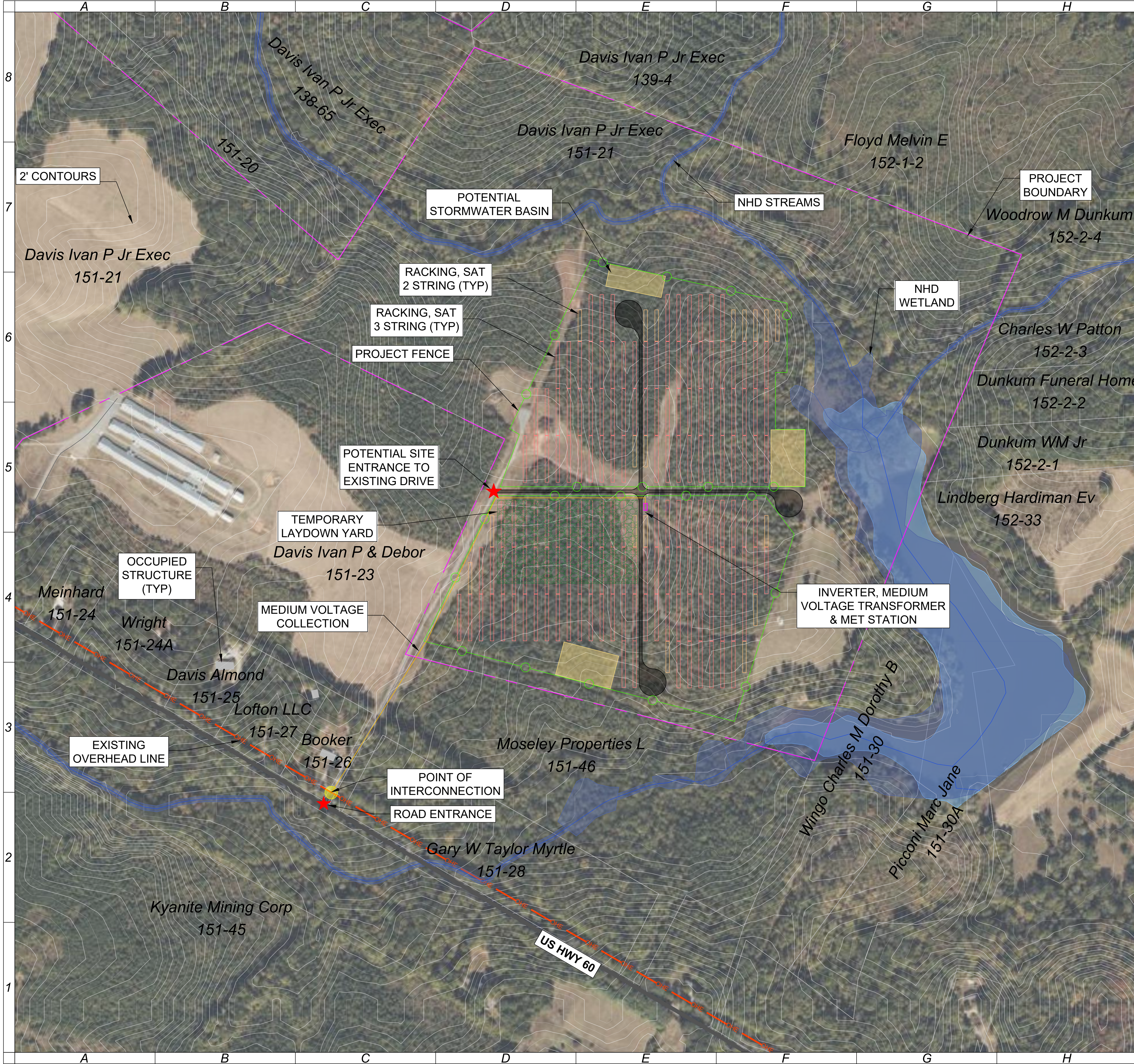
David K. Click, PE
President
Uneclipsed Energy, PLLC

David
Click

Digitally signed
by David Click
Date: 2021.08.02
12:23:31 -04'00'



Sample



NOTES

- APPLIED SETBACKS: 500' FROM RESIDENCES, 75' FROM PROPERTY LINE, 50' FROM STREAMS AND WETLANDS
- ACCESS ROAD WIDTH: 15'
- EXISTING VEGETATION AND TIMBER WILL BE MAINTAINED WITHIN THE BUFFER AREAS SO AS TO SUBSTANTIALLY OBSCURE SOLAR EQUIPMENT FROM PUBLIC VIEW
- SOLAR EQUIPMENT HEIGHT SHALL NOT EXCEED 17'
- A MINIMUM 6' TALL SECURITY FENCE WILL BE INSTALLED AROUND THE SOLAR PANEL AREA

SYSTEM SUMMARY (AS MODELED)		
LATITUDE	°	37.51
LONGITUDE	°	-78.45
DC	kwatts	6,707
AC (GRID LIMIT)	kwatts	5,000
GRID LIMIT ILR	pu	1.34
MODULE MANU.	-	TRINA
MODULE MODEL	-	TSM-DEG19C.20 -540
MODULE QUANTITY	EA	12,420
MODULES PER STRING		36
INVERTER POWER	kva	(4) 1250
ORIENTATION	-	SINGLE AXIS TRACKER
FENCED AREA	acre	50

SYSTEM SUMMARY (AS DRAWN)		
DC (DRAWN)	kwatts	9,798
GCR	%	32
OVERBUILD	%	46.1

#	REVISIONS	DATE	BY
1	Preliminary Layout	12/3/21	RY
2	Stormwater Basins Added	6/13/22	OB
3	Label & Annotations Added	6/28/22	OB
4	Updated Buildable & Road Adjustment	8/31/22	OB

PRELIMINARY NOT FOR CONSTRUCTION

N

W

E

S

0200'400'

SCALE: 1" = 200'

APEX CLEAN ENERGY

120 Garrett St, Suite 700
CHARLOTTESVILLE, VA 22902

ROSNEY CREEK SOLAR LLC

DATE: 8/31/22
DRAWN BY: OB
CHECKED BY: GDAS

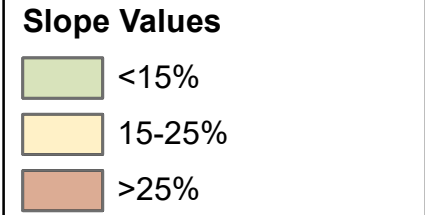
GENERAL ARRAY

E-101

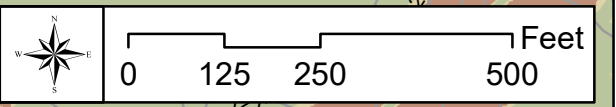
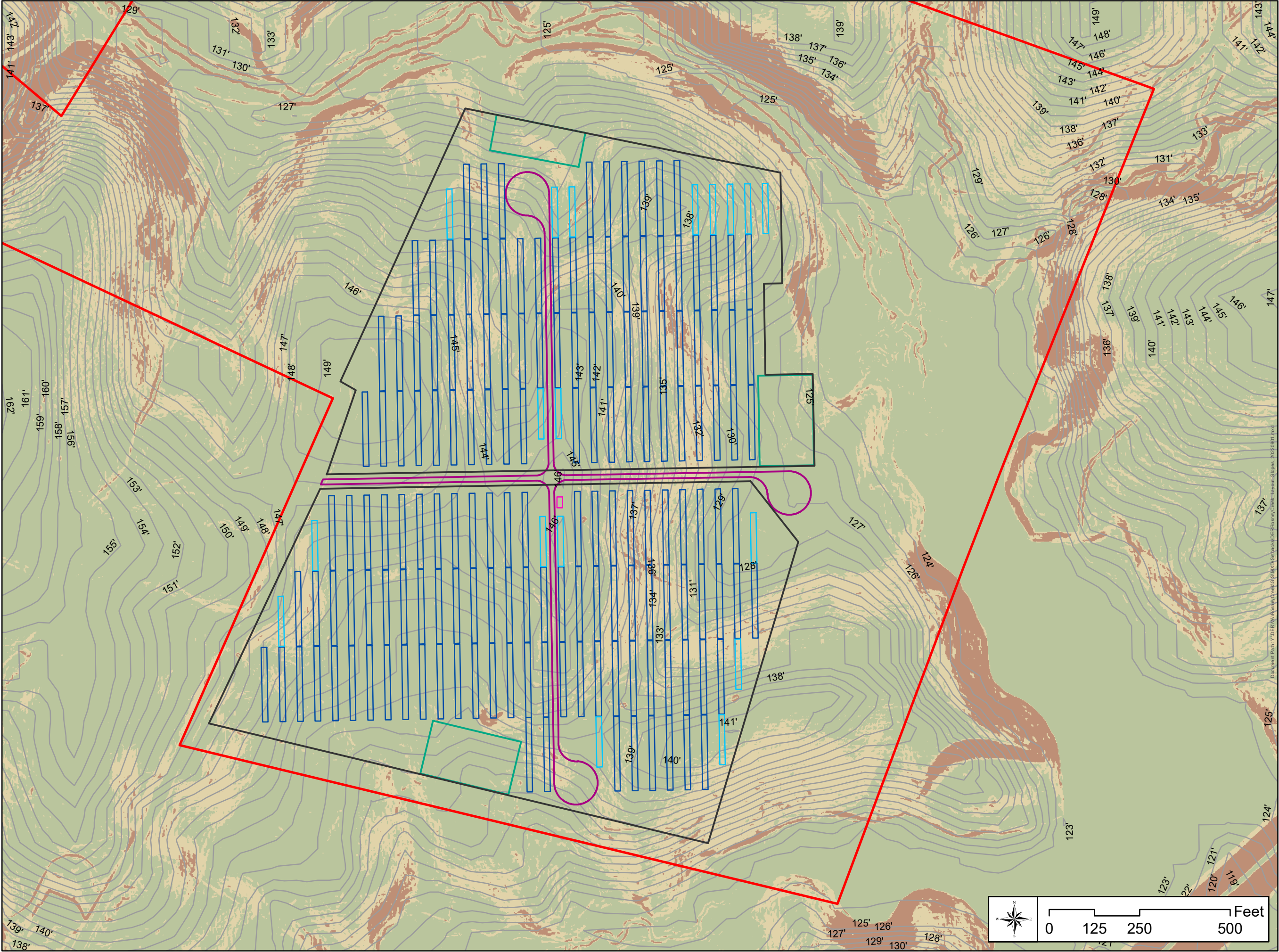


Rosney Creek Solar Buckingham Co., VA Slope Map

- Project Boundary
- Inverter Footprint
- Stormwater Basins
- Fenceline
- 2 String Rack
- 3 String Rack
- Internal Access Roads
- 1ft Contours



Date: 9/1/2022
Coordinate System: NAD 1983 StatePlane Virginia South FIPS 4502 Feet
Projection: Lambert Conformal Conic
Datum: North American 1983
Units: Foot US



Document Path: Y:\DERIVA\Buckingham\Rosney Creek\GIS\MapX\02_SlopeMap\DERIVA_Rosney_Creek_Layout_Slope_20220901.mxd

Return recorded deed to:
 James P. Seidl, Esquire
 James P. Seidl Law Offices, PC
 5672 Flintstone Drive, Suite 100
 Barboursville, Virginia 22923-2810

The Code of Virginia §58.1-811(A)(12) and (D) exempts this conveyance by deed from recordation taxes, including those imposed by §§58.1-801, 58.1-802 and 58.1-814.

**COMMONWEALTH OF VIRGINIA
 COUNTY OF BUCKINGHAM
 GENERAL WARRANTY DEED OF GIFT**

GRANTOR**IVAN P. DAVIS, SR. and MOLLIE P.****DAVIS**, Husband and Wife as Tenants by the Entirety

P.O. BOX 144, STATE RT. 629

DILLWYN, VIRGINIA 23936

GRANTEE**IVAN P. DAVIS, SR. and MOLLIE P.****DAVIS**, General Partners of the **IVAN AND MOLLIE DAVIS FAMILY LIMITED PARTNERSHIP**, a Virginia Limited Partnership

P.O. BOX 144, STATE RT. 629

DILLWYN, VIRGINIA 23936

Date of this Deed: **JUNE 20, 2005**

Consideration: \$0

Tax Map Number: **#151-21**Property Address: **Route 60; 2 miles east of Sprouses Corner, Virginia**WITNESS:

That for estate planning purposes, and for no monetary consideration, the Grantor does hereby give, grant and convey with General Warranty of Title, to the Grantee, and Successors in Trust and Assigns, the following described property, lot, tract, or parcel of land, together with improvements thereon, situate, lying and being in the **CURDSVILLE MAGISTERIAL DISTRICT, COUNTY OF BUCKINGHAM, COMMONWEALTH OF VIRGINIA:**

Now containing 297.7 acres, more or less, being the residue of a parcel containing 305.2 acres, more or less, shown as parcel No. 2 (the unshaded portion), described by a plat of survey prepared by Carroll Gillispie, CLS/SBC, dated September 23, 1966, and recorded with that certain Deed, dated November 28, 1966, among the Land Records of the COUNTY OF BUCKINGHAM, VIRGINIA, in Deed Book 78, beginning at page 381. This property is also described by metes and bounds in this aforesaid Deed dated November 28, 1966.

Being the same property as that conveyed to IVAN P. DAVIS, SR. and MOLLIE P. DAVIS, husband and wife, as tenants by the entirety by deed dated November 28, 1966, from Gertrude P. Davis, widow, and recorded March 15, 1968 among the Land

GENERAL WARRANTY DEED OF GIFT
IVAN P. DAVIS, SR. AND MOLLIE P. DAVIS, GRANTORS

Records of the COUNTY OF BUCKINGHAM, VIRGINIA, in Deed Book 78, beginning at page 381.

LESS AND EXCEPTING from the original 305.2 acre tract, a 7.5 acre parcel, more or less, conveyed by IVAN P. DAVIS, SR. and MOLLIE P. DAVIS, husband and wife, to IVAN P. DAVIS, JR. and DEBORAH B. DAVIS, husband and wife, by General Warranty Deed dated October 1, 1980, from IVAN P. DAVIS, SR., and MOLLIE P. DAVIS, husband and wife, and recorded December 14, 1980 in the Land Records of the COUNTY OF BUCKINGHAM, VIRGINIA, in Deed Book 119, beginning at page 562.

Together with all its appurtenances, and subject to all other conveyances, exceptions, easements, rights of way, covenants, conditions, restrictions and other instruments of record, or which may be apparent on the premises, as well as ordinances, codes, and regulations, legally affecting the property.

TO HAVE AND TO HOLD SAID PROPERTY IN FEE SIMPLE UNDER THE TERMS OF THE **IVAN AND MOLLIE DAVIS FAMILY LIMITED PARTNERSHIP**, A VIRGINIA LIMITED PARTNERSHIP, AS MAY BE AMENDED FROM TIME TO TIME, HEREAFTER THE PARTNERSHIP.

TO FURTHER HAVE AND TO HOLD the property with full power and authority given to the Grantee, and Successor Partners and Assigns, subject to the terms of the Partnership to protect, conserve and manage; to sell, convey, exchange or otherwise dispose; to lease, and to extend, terminate or modify a lease; to pledge, assign, encumber, mortgage, or subdivide; and to grant options, licenses and easements for utility or other purposes across, over and under the property.

All of these foregoing powers may be exercised by the Grantee from time to time, for any period of time, under such terms and conditions, with or without consideration, pertaining to the property either in whole or in part, including any improvements, in the sole discretion of the Grantee.

The Grantee is hereby empowered to execute, acknowledge and deliver such deeds, deeds of trust, leases and other instruments necessary to carry out the foregoing powers.

No party, including any purchaser, lessee or lender, dealing with the Grantee or Successor in Interest will be obligated or liable: (i) to see to the application of the proceeds from any transaction involving the property; (ii) to see that the terms of the Partnership have been complied with; (iii) to inquire into the authority, necessity or expediency of any act of the Grantee or Successor in

**GENERAL WARRANTY DEED OF GIFT
IVAN P. DAVIS, SR. AND MOLLIE P. DAVIS, GRANTORS**

1 Interest; or (iv) be privileged to inquire into, review or examine any of the terms
2 of the Partnership without the permission of the Grantee or Successor in Inter-
3 est.

4 Every deed, deed of trust, mortgage, lease or other instrument executed
5 by the Grantee will be conclusive evidence in favor of every person claiming any
6 right, title or interest there under that: (i) at the time of the delivery of such in-
7 strument, the Partnership was in full force and effect; (ii) such instrument was
8 executed in accordance with the terms and conditions of such Partnership,
9 however amended, and is binding upon all beneficiaries of the Partnership; (iii)
10 the Grantee was duly authorized and empowered to execute and deliver every
11 such instrument; and (iv) if such instrument is executed by, or such transac-
12 tion involves, a Successor Partner or Assign, that such Successor or Assign has
13 been properly appointed and fully vested with all of the title, estate, rights,
14 powers, duties and obligations of the Initial Grantee.

15 The Grantee will have no individual liability or obligation whatsoever
16 arising from their ownership as Partner of the legal title of said property or with
17 respect to any act done or contract entered into or indebtedness incurred by
18 them, or either of them, in dealing with said property or in otherwise acting as
19 such Partner except only as far as the property and any Partnership funds in
20 actual possession of the Partner will be applicable to the payment and dis-
21 charge thereof.

22 The Grantor covenants that Grantor has the right to convey the property
23 to Grantee, that Grantee will have quiet possession of the property, that Gran-
24 tor has done no undisclosed act to encumber the property, and that Grantor
25 will execute such further assurances of the property as may be required.

26 The designation of Grantor and Grantee includes their heirs, successors
27 and assigns, and includes the singular, plural, masculine, feminine or neuter
28 as required by the context.

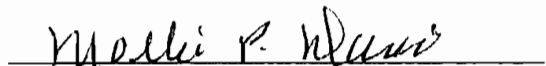
29 [Signature page follows.]

GENERAL WARRANTY DEED OF GIFT
IVAN P. DAVIS, SR. AND MOLLIE P. DAVIS, GRANTORS

SIGNATURE PAGE

WITNESS the following signatures and seals:


 [Seal]
IVAN P. DAVIS, SR., Grantor

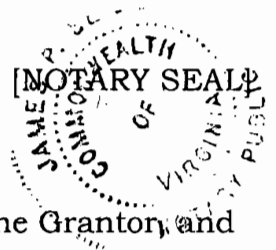
 [Seal]
MOLLIE P. DAVIS, Grantor

ACKNOWLEDGMENT

COMMONWEALTH OF VIRGINIA
COUNTY OF BUCKINGHAM

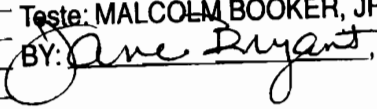
The foregoing Deed, consisting of **FOUR** pages, including this signature page, was acknowledged before me on **JUNE 20, 2005**, by the Grantors, **IVAN P. DAVIS, SR. and MOLLIE P. DAVIS**.


James P. Seidl, Esq., Notary Public
My Commission expires: December 31, 2006



This document prepared solely from information provided by the Grantors, and without title examination by:

James P. Seidl, Esquire
James P. Seidl Law Offices, PC
5672 Flintstone Drive, Suite 100
Barboursville, Virginia 22923-2810

035 Rec Fee	11.00	VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY
St. R. Tax		
Co. R. Tax		The foregoing instrument with acknowledgement
Transfer	1.00	
Clerk	19.50	was admitted to record on 12/6/2006
Lib. (145)	1.50	at 2:45 P.M. in D.B. 339 Page(s) 45-48
T.T.F.	5.00	
Grantor Tax		Teste: MALCOLM BOOKER, JR., CLERK
036 Proc.Fee		BY:  DEPUTY CLERK
Total \$	23.00	

#09-242

THIS DEED, made this 30th day of November, 2009, by and between H. CURTIS PEARSON, JR., party of the first part (grantor), and THE IVAN AND MOLLIE DAVIS FAMILY LIMITED PARTNERSHIP, a Virginia limited partnership, party of the second part (grantee).

WITNESSETH, that for and in consideration of the sum of \$20.00 and other valuable consideration paid by the party of the second part to the party of the first part, the receipt of which is hereby acknowledged, the party of the first part does hereby bargain, sell, grant and convey, with General Warranty and, except as hereinafter set forth, English Covenants of Title, unto the party of the second part all the following described real estate, to-wit:

All that certain tract or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Curdsville Magisterial District of Buckingham County, Virginia, containing One Hundred Eighty-Eight and seventy/hundredths (188.70) acres, more or less, said lands fronting on U. S. Route #60 and being more particularly described as the residue of a 218.59 acre parcel depicted by a plat of survey prepared by Carroll Gillispie, C.L.S., S.B.C., dated January 8 and March 10, 1976 and recorded in the Clerk's Office of the Circuit Court of Buckingham County in Deed Book 100, at page 5, after deducting therefrom a parcel of 29.89 acres depicted by a plat of survey prepared by William W. Dickerson, Jr., L.S., dated November 16, 2009, which is attached hereto, made a part hereof and recorded simultaneously herewith in the aforesaid Clerk's Office in Plat Cabinet A, at slide 203E, to which plats reference is hereby made for a more complete and accurate description of the lands hereby conveyed; TOGETHER WITH AND SUBJECT TO a non-exclusive, perpetual easement, for the purposes of ingress and egress, over and through a private road running from said Route #60 in a general northeasterly direction along the entirety of the northwestern boundary line of said 29.89 acre parcel, the centerline of said easement (i.e. the northwestern boundary line of said 29.89 acre parcel) being depicted on the aforesaid plat as "along & of joint-use road". Said lands being a portion of the lands conveyed unto H. Curtis Pearson, Jr., as "Tract T-340 (Rixey)" from GIC Virginia Timberlands, LLC, a Delaware limited liability company, by deed dated January 31, 2008 and recorded in the aforesaid Clerk's Office in Deed Book 355, at page 803 et seq.

To have and to hold said property in fee simple under the terms of The Ivan and Mollie Davis Family Limited Partnership, a Virginia limited partnership, as the same may be amended from time to time (hereinafter "The Partnership").

To further have and to hold the property with full power and authority given to the Grantee, and Successor Partners and Assigns, subject to the terms of The Partnership, to: protect, conserve and manage; to sell, convey, exchange or otherwise dispose; lease, and extend, terminate or modify a lease; pledge, assign, encumber, mortgage, or subdivide; and, grant options, licenses and easements for utility or other purposes across, over and under the property.

All of these foregoing powers may be exercised by the Grantee from time to time, for any period of time, under such terms and conditions, with or without consideration, pertaining to the property either in whole or in part, including any improvements, in the sole discretion of the Grantee.

The Grantee is hereby empowered to execute, acknowledge and deliver such deeds, deeds of trust, leases and other instruments necessary to carry out the foregoing powers.

No party, including any purchaser, lessee or lender, dealing with the Grantee or any successor in interest will be obligated or liable to: (i) see to the application of the proceeds from any transaction involving the property; (ii) see that the terms of the Partnership have been complied with; (iii) inquire into the authority, necessity or expediency of any act of the Grantee or successor in interest; or (iv) be privileged to inquire into, review or examine any of the terms of The Partnership without the permission of the Grantee or successor in interest.

Every deed, deed of trust, mortgage, lease or other instrument executed by the Grantee will be conclusive evidence in favor of every person claiming any right, title or interest thereunder that: (i) at the time of the delivery of such instrument, The Partnership was in full force and effect; (ii) such instrument was executed in accordance with the terms and conditions of The Partnership, however, amended, and is binding upon all beneficiaries of The Partnership; (iii) the Grantee was duly authorized and empowered to execute and deliver every such instrument; and (iv) if such instrument is executed by, or such transaction involves, a Successor Partner or Assign, that such Successor or Assign has been properly appointed and fully vested with all of the title, estate, rights, powers, duties and obligations of the Initial Grantee.

The Partners, both general and limited, will have no individual liability or obligation whatsoever arising from their ownership as Partner of the legal title of said property or with respect to any act done or contract entered into or indebtedness incurred by them, or either of them, in dealing with said property or in otherwise acting as such Partner except only as far as the property and any of The Partnership's funds in actual possession of the Partner will be applicable to the payment and discharge thereof.

This conveyance is made expressly subject to any and all easements, restrictions, conditions and reservations which are: contained in duly recorded deeds, plats, and other instruments constituting constructive notice in the chain of title to the property hereby conveyed that have not expired by limitation of time contained therein or have not otherwise become ineffective; or, apparent upon inspection of the premises.

WITNESS the following signature and seal.

H. Curtis Pearson, Jr. (SEAL)
H. CURTIS PEARSON, JR.

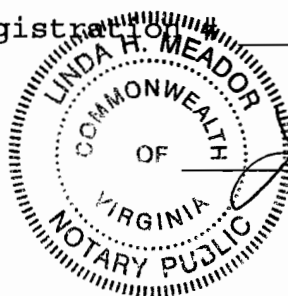
STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, to-wit:

I, Linda H Meador, a notary public in and for the county aforesaid, State of Virginia, do hereby certify that H. CURTIS PEARSON, JR., whose name is signed to the writing above, has acknowledged the same before me in my county aforesaid.

Given under my hand this 30th day of November, 2009.

My commission expires 8-31-10.

Notary registration 110434.



Linda H Meador
NOTARY PUBLIC

Grantee address:

035 Rec Fee	1.00
St. R. Tax	492.75
Co. R. Tax	164.25
Transfer	1.00
Clerk	1.50
Lib.(145)	1.50
T.T.F.	5.00
Grantor Tax	197.50
036 Proc. Fee	10.00
Total \$	887.50

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY

The foregoing instrument with acknowledgement was admitted to record on 11/30/2009 at 3:05 P.M. in D.B. 376 Page(s) 510-513

Teste: MALCOLM BOOKER, JR., CLERK
BY: Jane Bryant, DEPUTY CLERK

15-138

THIS DEED OF GIFT, made this 26th day of January, 2015, by and between IVAN P. DAVIS, JR. and DEBORAH B. DAVIS, INITIAL CO-TRUSTEES OF THE IVAN AND DEBORAH DAVIS LIVING TRUST DATED NOVEMBER 11 2005, parties of the first part (grantors), THE IVAN AND MOLLIE DAVIS FAMILY LIMITED PARTNERSHIP, a Virginia limited partnership, party of the second part (grantor), and IVAN P. DAVIS, JR. and IVAN P. DAVIS, III, parties of the third part (grantees).

WITNESSETH: that for and in consideration of the premises and no monetary consideration whatsoever, the parties of the first and second parts do hereby give, grant, and convey, with Special Warranty of Title but subject to the matters hereinafter set forth, unto the parties of the third part, as tenants in common in equal shares, all the following described real estate, to-wit:

All that certain tract or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Curdsville Magisterial District of Buckingham County, Virginia, containing Fifty (50.00) acres, more or less, said lands fronting on U. S. Route #60 (E. James Anderson Highway) and being more particularly described by a plat of survey prepared by Robert S. Maxey, Jr., L.S., dated October 8, 2014, which is attached hereto, made a part hereof and recorded simultaneously herewith in the Clerk's Office of the Circuit Court of Buckingham County in Plat Cabinet A, at slide 245D, to which plat reference is hereby made for a more complete and accurate description of said lands. TOGETHER WITH AND SUBJECT TO a non-exclusive, perpetual easement for the purposes of ingress and egress over and through a private roadway running from said Route #60 in a general northeasterly direction along the entirety of the southeastern boundary line of said 50.00 acre parcel, the centerline of said private roadway being depicted on the aforesaid plat as lines L1 through L6, inclusive, said centerline of said roadway being the southeastern boundary line of said 50.00 acre parcel. Said lands

TM # 151-23 & Part
of TM # 151 - 21

Return to:
J. Robert Snoddy, III

Title Ins. None

being the aggregate of: a parcel of approximately 3.1 acres conveyed (as 3.2 acres) unto Ivan P. Davis, Jr. and Deborah B. Davis, Initial Co-Trustees of the Ivan and Deborah Davis Living Trust dated November 11, 2005 from Ivan P. Davis, Jr. et ux by deed dated November 11, 2005 and recorded in the aforesaid Clerk's Office in Deed Book 323, at page 396 et seq.; a triangular parcel of approximately 5.4 acres off the southern part of a 297.7 acre parcel conveyed unto Ivan P. Davis, Sr. and Mollie P. Davis, General Partners of the Ivan and Mollie Davis Limited Partnership from Ivan P. Davis, Sr. et ux by deed dated June 20, 2005 and recorded in the aforesaid Clerk's Office in Deed Book 399, at page 45 et seq.; and, a larger parcel of approximately 41.5 acres off the northern part of a 188.70 acre parcel conveyed unto The Ivan and Mollie Davis Family Limited Partnership from H. Curtis Pearson, Jr. by deed dated November 30, 2009 and recorded in the aforesaid Clerk's Office in Deed Book 376, at page 510 et seq.

This conveyance is made expressly subject to any and all easements, restrictions, conditions and reservations which are: contained in duly recorded deeds, plats, and other instruments constituting constructive notice in the chain of title to the property hereby conveyed that have not expired by limitation of time contained therein or have not otherwise become ineffective; or, apparent upon inspection of the premises.

This instrument is exempt from recording taxes pursuant to Virginia Code §58.1-811-D.

IN TESTIMONY WHEREOF, the party of the second part has caused this instrument to be executed on its behalf by Ivan P. Davis, Sr., Sole Trustee of the Ivan Davis Marital Trust U/A dated 06/20/05, General Partner, said trustee being authorized to so act by the terms and provisions of the aforesaid trust agreement. WITNESS the following signatures and seals of Ivan P. Davis, Jr. and Deborah B. Davis, Initial Co-Trustees of the Ivan and Deborah Davis Living Trust dated November 11, 2005.

I. P. Davis, Jr. (SEAL)
IVAN P. DAVIS, JR., Initial Co-
Trustee of the Ivan and Deborah
Davis Living Trust dated November
11, 2005

Deborah B. Davis (SEAL)
DEBORAH B. DAVIS, Initial Co-
Trustee of the Ivan and Deborah
Davis Living Trust dated November
11, 2005

THE IVAN AND MOLLIE DAVIS FAMILY
LIMITED PARTNERSHIP

By Ivan P. Davis
IVAN P. DAVIS, SR., Sole Trustee
Of The Ivan Davis Marital Trust,
General Partner

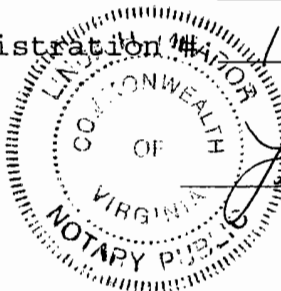
STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, to-wit:

I, Linda H Meador, a notary public in and
for the county aforesaid, State of Virginia, do hereby certify
that IVAN P. DAVIS, JR. and DEBORAH B. DAVIS, Initial Co-Trustees
of the Ivan and Deborah Davis Living Trust dated November 11,
2005, whose names are signed to the writing above, have
acknowledged the same before me in my county aforesaid.

Given under my hand this 3rd day of February, 2015.

My commission expires 8-31-2018.

Notary registration # 110434.



Linda H Meador
NOTARY PUBLIC

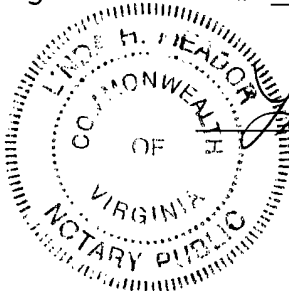
STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, to-wit:

I, Linda H Meador, a notary public in and for the county aforesaid, State of Virginia, do hereby certify that IVAN P. DAVIS, SR., Sole Trustee of the Ivan Davis Marital Trust, General Partner of The Ivan And Mollie Davis Family Limited Partnership, whose name is signed to the writing above, has acknowledged the same before me in my county aforesaid.

Given under my hand this 3rd day of February, 2015.

My commission expires 8-31-2018.

Notary registration # 110434.



Linda H Meador
NOTARY PUBLIC

035 Rec Fee	<u>1.00</u>
St. R. Tax	
Co. R. Tax	
Transfer	<u>1.00</u>
Clerk	<u>28.00</u>
Lib.(145)	<u>3.00</u>
T.T.F.	<u>10.00</u>
Grantor Tax	
036 Proc. Fee	<u>43.00</u>
Total \$	

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY

The foregoing instrument with acknowledgement was admitted to record on 2/3 20 15, at 1:30 P M. in D.B. 421 Page(s) 904-907

Teste: MALCOLM BOOKER, JR., CLERK

BY: Ane Bryant, DEPUTY CLERK



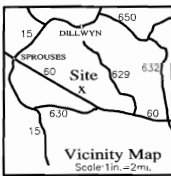
LINE	BEARING	DISTANCE
L1	S37°47'36"W	103.49'
L2	S34°17'27"W	149.15'
L3	S40°59'08"W	207.08'
L4	S35°01'58"W	158.35'
L5	S35°01'13"W	399.99'
L6	S40°01'27"W	398.82'
L7	N49°58'41"W	28.86'
L8	N49°58'41"W	99.77'
L9	N50°08'19"E	76.69'



Instr # 15-138

2/3/15
MALCOLM BOOKER JR. CLERK
See DB 421 Page 901

Legend:
—E—Overhead Electric line(s)



- Notes:
1. Part of Tax Parcel No.151-21 and all of Tax Parcel No.151-23.
 2. This plat has been done without the benefit of a title examination and therefore does not necessarily indicate all encumbrances on the property.
 3. This plat agrees with found plots, deed descriptions, ground evidence and local witnesses as near as possible.
 4. This plat is based on a current field survey.
 5. This land is not situated in a special flood hazard area as shown on Buckingham County, Virginia Flood Insurance Rate Map No. 51029C03003. Effective date June 17, 2008.

Plat Cab A Slide 245.D



Source of Title:

Part TM151-21
Ivan P. Davis, Sr. and Mollie P. Davis
Family Limited Partnership
D.B.339 p.45 & D.B.376 p.510

Approved for recordation only

Buckingham County Zoning Agent

Survey for
Whetstone Farm Poultry Division, LLC
Curdsville District, Buckingham County, Virginia

October 8, 2014
Scale: 1in.=200ft.

200' 0' 100' 200' 400' 800'

Maxey & Associates, P.C.
Land Surveyors • Engineers • Planners • Consultants
P.O. Box 90 • Farmville • Virginia • 23901 • Tel:434-392-8827

T A X R E C E I P T - Y E A R 2 0 2 2 - 1st H A Ticket #:00032030001 @@

BUCKINGHAM COUNTY	Date	:	5/23/2022
CHRISTY L CHRISTIAN	Register:	:	TC4/TC1
(434) 969-4744	Trans. #:	:	13017
POST OFFICE BOX 106	Dept #	:	RE202201
BUCKINGHAM VA 23921	ACCT#	:	7830

REAL ESTATE 2022	Previous	
OFF RT 60 - 1 1/2 MI E OF138	Balance	\$ 126.62
SPROUSES CORNER		
28.62 AC	Acres:	28.620
Land:	48700	Imp: 0
		Principal Being Paid \$ 126.62
		Penalty \$.00
		Interest \$.00
DAVIS IVAN P JR & DEBORAH B DAVIS	Amount Paid	\$ 126.62
106 WHETSTONE LN	*Balance Due	
DILLWYN VA 23936	as of 5/23/2022	\$.00

Check# FRSTBNK 1243 \$ 1529.58

Pd by DAVIS IVAN P JR & DEBORAH B DAVIS

ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST. (DUPLICATE)

T A X R E C E I P T - Y E A R 2 0 2 2 - 1st H A Ticket #:00032100001 @@

BUCKINGHAM COUNTY	Date	:	5/23/2022
CHRISTY L CHRISTIAN	Register:	:	TC4/TC1
(434) 969-4744	Trans. #:	:	13018
POST OFFICE BOX 106	Dept #	:	RE202201
BUCKINGHAM VA 23921	ACCT#	:	7842

REAL ESTATE 2022	Previous	
OFF RT 60 - 2 MI E OF 138	Balance	\$ 151.06
SPROUSES CORNER 44 AC Acres: 44.000		
Land: 58100 Imp: 0	Principal Being Paid	\$ 151.06
	Penalty	\$.00
	Interest	\$.00
DAVIS IVAN P JR EXEC	Amount Paid	\$ 151.06
106 WHETSTONE LN	*Balance Due	
DILLWYN VA 23936	as of 5/23/2022	\$.00

Check# FARMERS 3895 \$ 3448.64

Pd by WHETSTONE FARM LLC

ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST. (DUPLICATE)

T A X R E C E I P T - Y E A R 2 0 2 2 - 1st H A Ticket #:00032130001 @@

BUCKINGHAM COUNTY	Date	:	5/23/2022
CHRISTY L CHRISTIAN	Register:	:	TC4/TC1
(434) 969-4744	Trans. #:	:	13018
POST OFFICE BOX 106	Dept #	:	RE202201
BUCKINGHAM VA 23921	ACCT#	:	7846

REAL ESTATE 2022	Previous	
OFF RT 15 - 1 MI SE OF 138 69	Balance	\$ 823.68
DILLWYN 97 AC Acres: 97.000		
Land: 156900 Imp: 159900	Principal Being Paid	\$ 823.68
	Penalty	\$.00
	Interest	\$.00
DAVIS IVAN P JR EXEC	Amount Paid	\$ 823.68
106 WHETSTONE LN	*Balance Due	
DILLWYN VA 23936	as of 5/23/2022	\$.00

Check# FARMERS 3895 \$ 3448.64

Pd by WHETSTONE FARM LLC

ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST. (DUPLICATE)

T A X R E C E I P T - Y E A R 2 0 2 2 - 1st H A Ticket #:00032140001 @@

BUCKINGHAM COUNTY	Date	:	5/23/2022
CHRISTY L CHRISTIAN	Register:	:	TC4/TC1
(434) 969-4744	Trans. #:	:	13018
POST OFFICE BOX 106	Dept #	:	RE202201
BUCKINGHAM VA 23921	ACCT#	:	7849

REAL ESTATE 2022	Previous	
OFF RT 15 - 1 MI SE OF 138	Balance	\$ 3.38
DILLWYN 1.07 AC	Acres:	1.070
Land: 1300	Imp: 0	Principal Being Paid \$ 3.38
		Penalty \$.00
		Interest \$.00
DAVIS IVAN P JR EXEC		Amount Paid \$ 3.38
106 WHETSTONE LN		*Balance Due
DILLWYN VA 23936		as of 5/23/2022 \$.00

Pd by WHETSTONE FARM LLC	Check# FARMERS 3895	\$ 3448.64
ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST.	(DUPLICATE)	

T A X R E C E I P T - Y E A R 2 0 2 2 - 1st H A Ticket #:00032040001 @@

BUCKINGHAM COUNTY	Date	:	5/23/2022
CHRISTY L CHRISTIAN	Register:	:	TC4/TC1
(434) 969-4744	Trans. #:	:	13017
POST OFFICE BOX 106	Dept #	:	RE202201
BUCKINGHAM VA 23921	ACCT#	:	7857

REAL ESTATE 2022	Previous	
RT T1001 - 1 MI S E OF 138 80	Balance	\$ 93.60
DILLWYN 18.312 AC Acres: 18.312		
Land: 36000 Imp: 0	Principal Being Paid	\$ 93.60
	Penalty	\$.00
	Interest	\$.00
DAVIS IVAN P JR & DEBORAH B DAVIS	Amount Paid	\$ 93.60
CO TRUSTEES OF IVAN & DEBORAH	*Balance Due	
LIVING TRUST	as of 5/23/2022	\$.00
106 WHETSTONE LN		
DILLWYN VA 23936	Check# FRSTBNK 1243	\$ 1529.58
Pd by DAVIS IVAN P JR & DEBORAH B DAVIS		
ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST.	(DUPLICATE)	

T A X R E C E I P T - Y E A R 2 0 2 2 - 1st H A Ticket #:00032150001 @@

BUCKINGHAM COUNTY	Date	:	5/23/2022
CHRISTY L CHRISTIAN	Register:	:	TC4/TC1
(434) 969-4744	Trans. #:	:	13018
POST OFFICE BOX 106	Dept #	:	RE202201
BUCKINGHAM VA 23921	ACCT#	:	8077

REAL ESTATE 2022		Previous	
RT 629 - 2 MI SE OF	139	Balance	\$ 585.26
DILLWYN 97.2 AC	Acres: 97.200		
Land: 225100	Imp: 0	Principal Being Paid	\$ 585.26
		Penalty	\$.00
		Interest	\$.00
DAVIS IVAN P JR EXEC		Amount Paid	\$ 585.26
106 WHETSTONE LN		*Balance Due	
DILLWYN VA 23936		as of 5/23/2022	\$.00

Pd by WHETSTONE FARM LLC	Check# FARMERS 3895	\$ 3448.64
ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST.	(DUPLICATE)	

T A X R E C E I P T - Y E A R 2 0 2 2 - 1st H A Ticket #:00032160001 @@

BUCKINGHAM COUNTY	Date	:	5/23/2022
CHRISTY L CHRISTIAN	Register:	:	TC4/TC1
(434) 969-4744	Trans. #:	:	13018
POST OFFICE BOX 106	Dept #	:	RE202201
BUCKINGHAM VA 23921	ACCT#	:	8159

REAL ESTATE 2022		Previous	
RT 629 - 2 MI SE OF	139 7 5	Balance	\$ 100.62
DILLWYN 15.02 AC	Acres: 15.020		
Land: 38700	Imp: 0	Principal Being Paid	\$ 100.62
		Penalty	\$.00
		Interest	\$.00
DAVIS IVAN P JR EXEC		Amount Paid	\$ 100.62
106 WHETSTONE LN		*Balance Due	
DILLWYN VA 23936		as of 5/23/2022	\$.00

Pd by WHETSTONE FARM LLC	Check# FARMERS 3895	\$ 3448.64
ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST.	(DUPLICATE)	

T A X R E C E I P T - Y E A R 2 0 2 2 - 1st H A Ticket #:00032170001 @@

BUCKINGHAM COUNTY	Date	:	5/23/2022
CHRISTY L CHRISTIAN	Register:	:	TC4/TC1
(434) 969-4744	Trans. #:	:	13018
POST OFFICE BOX 106	Dept #	:	RE202201
BUCKINGHAM VA 23921	ACCT#	:	8627

REAL ESTATE 2022	Previous	
RT 60 - 1/2 MI E OF	Balance	\$ 763.36
SPROUSES CORNER	Acres:	166.620
166.62 AC	Principal Being Paid	\$ 763.36
Land: 293600	Penalty	\$.00
	Interest	\$.00
DAVIS IVAN P JR EXEC	Amount Paid	\$ 763.36
106 WHETSTONE LN	*Balance Due	
DILLWYN VA 23936	as of 5/23/2022	\$.00

Check# FARMERS 3895 \$ 3448.64

Pd by WHETSTONE FARM LLC

ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST. (DUPLICATE)

T A X R E C E I P T - Y E A R 2 0 2 2 - 1st H A Ticket #:00032050001 @@

BUCKINGHAM COUNTY	Date	:	5/23/2022
CHRISTY L CHRISTIAN	Register:	:	TC4/TC1
(434) 969-4744	Trans. #:	:	13017
POST OFFICE BOX 106	Dept #	:	RE202201
BUCKINGHAM VA 23921	ACCT#	:	8628

REAL ESTATE 2022	Previous	
RT 60 - 2 MI E OF	Balance	\$ 131.82
SPROUSES CORNER 1.42 AC	Acres:	1.420
Land: 20200	Imp: 30500	Principal Being Paid \$ 131.82
		Penalty \$.00
		Interest \$.00
DAVIS IVAN P JR & DEBORAH B DAVIS	Amount Paid	\$ 131.82
TR IVAN & DEBORAH DAVIS LIV TR	*Balance Due	
106 WHETSTONE LN	as of 5/23/2022	\$.00
DILLWYN VA 23936		
	Check# FRSTBNK 1243	\$ 1529.58

Pd by DAVIS IVAN P JR & DEBORAH B DAVIS
ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST. (DUPLICATE)

T A X R E C E I P T - Y E A R 2 0 2 2 - 1st H A Ticket #:00032060001 @@

BUCKINGHAM COUNTY	Date :	5/23/2022
CHRISTY L CHRISTIAN	Register:	TC4/TC1
(434) 969-4744	Trans. #:	13017
POST OFFICE BOX 106	Dept # :	RE202201
BUCKINGHAM VA 23921	ACCT# :	8629

REAL ESTATE 2022	Previous	
RT 60 - 2 MI E OF	Balance \$	325.00
SPROUSES CORNER LOT 1		
27.28 AC		
Land: 70300	Imp: 54700	
	Principal Being Paid \$	325.00
	Penalty \$.00
	Interest \$.00
DAVIS IVAN P JR & DEBORAH B DAVIS	Amount Paid \$	325.00
CO TRUSTEES OF IVAN & DEBORAH	*Balance Due	
LIVING TRUST	as of 5/23/2022 \$.00
106 WHETSTONE LN		
DILLWYN VA 23936	Check# FRSTBNK 1243	\$ 1529.58
Pd by DAVIS IVAN P JR & DEBORAH B DAVIS		
ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST.	(DUPLICATE)	

T A X R E C E I P T - Y E A R 2 0 2 2 - 1st H A Ticket #:00032180001 @@

BUCKINGHAM COUNTY	Date	:	5/23/2022
CHRISTY L CHRISTIAN	Register:	:	TC4/TC1
(434) 969-4744	Trans. #:	:	13018
POST OFFICE BOX 106	Dept #	:	RE202201
BUCKINGHAM VA 23921	ACCT#	:	8630

REAL ESTATE 2022	Previous	
OFF RT 60 - 2 MI E OF 151	Balance	\$ 17.94
SPROUSES CORNER LOT 3 Acres: 6.300		
6.3 AC	Principal Being Paid	\$ 17.94
Land: 6900 Imp: 0	Penalty	\$.00
	Interest	\$.00
DAVIS IVAN P JR EXEC	Amount Paid	\$ 17.94
106 WHETSTONE LN	*Balance Due	
DILLWYN VA 23936	as of 5/23/2022	\$.00

Pd by WHETSTONE FARM LLC	Check# FARMERS 3895	\$ 3448.64
ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST.	(DUPLICATE)	

T A X R E C E I P T - Y E A R 2 0 2 2 - 1st H A Ticket #:00032190001 @@

BUCKINGHAM COUNTY	Date	:	5/26/2022
CHRISTY L CHRISTIAN	Register:	:	RR1/RR1
(434) 969-4744	Trans. #:	:	35363
POST OFFICE BOX 106	Dept #	:	RE202201
BUCKINGHAM VA 23921	ACCT#	:	8631

REAL ESTATE 2022	Previous	
RT 60 - 2 MI E OF	Balance	\$ 1465.62
SPROUSES CORNER LOT 2		
439.6 AC	Acres:	439.600
Land: 556700	Imp:	7000
	Principal Being Paid	\$ 1465.62
	Penalty	\$.00
	Interest	\$.00
DAVIS IVAN P JR EXEC	Amount Paid	\$ 1465.62
106 WHETSTONE LN	*Balance Due	
DILLWYN VA 23936	as of 5/26/2022	\$.00

Check# 1STFIN 5982285 \$ 1465.62

Pd by FIRST FINANCIAL BANK

ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST. (DUPLICATE)

T A X R E C E I P T - Y E A R 2 0 2 2 - 1st H A Ticket #:00032070001 @@

BUCKINGHAM COUNTY	Date :	5/23/2022
CHRISTY L CHRISTIAN	Register:	TC4/TC1
(434) 969-4744	Trans. #:	13017
POST OFFICE BOX 106	Dept # :	RE202201
BUCKINGHAM VA 23921	ACCT# :	8632

REAL ESTATE 2022	Previous	
OFF RT 60 - 2 MI E OF 151 22	Balance \$	852.54
SPROUSES CORNER 7.5 AC Acres: 7.500		
Land: 43800 Imp: 284100	Principal Being Paid \$	852.54
	Penalty \$.00
	Interest \$.00
DAVIS IVAN P JR & DEBORAH B DAVIS	Amount Paid \$	852.54
CO TRUSTEES OF IVAN & DEBORAH	*Balance Due	
LIVING TRUST	as of 5/23/2022 \$.00
106 WHETSTONE LN		
DILLWYN VA 23936	Check# FRSTBNK 1243 \$	1529.58
Pd by DAVIS IVAN P JR & DEBORAH B DAVIS		
ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST.	(DUPLICATE)	

REAL ESTATE 2022				Previous	
RT 60 - 2 MIE OF	151	23	Balance	\$	1056.38
SPOUSES CORNER	50 AC	Acres:	50.000		
			Principal Being Paid	\$	1056.38
Land:	82300	Imp:	324000	Penalty	\$.00
			Interest	\$.00
DAVIS IVAN P JR & DEBORAH B CO TR			Amount Paid	\$	1056.38
OF IVAN & DEBORAH DAVIS LIV TR			*Balance Due		
WHETSTONE FARM POULTRY DIV LLC			as of 5/26/2022	\$.00
903 CAMDEN ST					
DILLWYN VA 23936			Check# 1STFIN 5982286	\$	1056.38
Pd by FIRST FINANCIAL BANK					
ANY BALANCE DUE DOES NOT INCLUDE PENALTY AND INTEREST.					
(DUPLICATE)					

Buckingham County Planning Commission
October 24, 2022
Administration Building
7:00 PM
Introduction Case 22-SUP320

Owner/Applicant:

Landowner	Terry Huskey 799 Troublesome Creek Road Dillwyn VA 23936
Applicant	Chris Hucks 799 Troublesome Creek Road Dillwyn VA 23936

Property Information: Tax Map 123 Parcel 48 containing approximately 13 acres, located at 799 Troublesome Creek Road Dillwyn VA 23936, Maysville Magisterial District.

Zoning District: Agricultural District (A-1)

Request: The Applicant wishes to Obtain a Special Use Permit to Operate a Professional Services Office/Medical Office at the home located at 799 Troublesome Creek Road Dillwyn VA 23936. The Applicant is asking the Planning Commission to hold a public hearing for this request.

Background/Zoning Information: The property is located as following; Tax Map 123 Parcel 48 containing approximately 13 acres, Maysville Magisterial District. The landowner is Terry Huskey and the applicant is Chris Hucks. This property is zoned Agriculture (A-1). The Zoning Ordinance does not permit a Professional Services Office as a Permitted Use. However, Within the A-1 Agricultural District, Professional Services Offices may be permitted by the Buckingham County Board of Supervisors by a Special Use Permit following recommendation by the Planning Commission in accordance with this ordinance and the Code of Virginia. The Planning Commission may recommend and the Board may impose conditions to ensure protection of the district if the Special Use Permit is approved. The applicant requests a Special Use Permit to operate a professional office to provide primary medical care to family members of all ages Buckingham County, Virginia.

Below are conditions that you may consider attaching to the request, if approved. Please review and consider amendments and adjustments to ensure the protection of the integrity of the Zoning District:

1. That all federal, state and local regulations, ordinances and laws be strictly adhered to.
2. Right of ways and roadway shoulders shall not be used for parking.
3. The property shall be kept neat and orderly.

4. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.
5. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.
6. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
7. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.
8. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable.
9. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.
10. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

What are the wishes of the Planning Commission?

Set a public hearing?

November 28, 2022 6pm?

SPECIAL USE PERMIT APPLICATION CHECKLIST
BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION
REQUIREMENTS

The following table lists the information necessary to review a special use application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 4, 5 & 6 attached). This list can be obtained from the Clerk of Courts Office: ☒ YES ☐ NO

Completed application for special use permit (page 3 attached). If not signed by the owner, a Power of Attorney must accompany the application: ☒ YES ☐ NO

Interest Disclosure Affidavit (page 7 attached). Must be signed by the owner: ☒ YES ☐ NO

Power of Attorney (page 10 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: YES ☒ NO

Written Narrative (page 11 guidance in preparing the Written Narrative): ☒ YES ☐ NO

Fees: ☒ YES ☐ NO

Deed: ☒ YES ☐ NO

Plat (15 copies). The plat information may be incorporated into the Special Use Permit General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: YES ☐ NO ☐
- B. Area of land proposed for consideration, in square feet or acres: YES ☐ NO ☐
- C. Scale and north point: YES ☐ NO ☐
- D. Names of boundary roads or streets and widths of existing right-of-ways: YES ☐ NO ☐

Tax Map (15 copies). Identify property that special use is being considered for and identify by name all adjacent landowners.

Special Use General Site Plan (15 copies) The General Site Plan must contain the following:

1. Vicinity Map – Please show scale: YES NO N/A
2. Owner and Project Name: YES NO N/A
3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: YES NO N/A
4. Property lines of existing and proposed zoning district lines: YES NO N/A
5. Area of land proposed for consideration, in square feet or acres: YES NO N/A
6. Scale and north point: YES NO N/A
7. Names of boundary roads or streets and widths of existing right-of-ways: YES NO N/A
8. Easements and encumbrances, if present on the property: YES NO N/A
9. Topography indicated by contour lines: YES NO N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of "no areas having slopes of 15% to 25% or greater"): YES NO N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of "not in floodplain"): YES NO N/A
12. Delineation of existing mature tree lines or written indication of "no mature tree lines": YES NO N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: YES NO N/A
14. General locations of major access points to existing streets: YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: YES NO N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: YES NO N/A
17. Location of existing and proposed utilities, above or underground: YES NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: YES NO N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: YES NO N/A
20. Location and design of screening and landscaping: YES NO N/A
21. Building architecture: YES NO N/A
22. Site lighting proposed: YES NO N/A
23. Area of land disturbance in square feet and acres: YES NO N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more): YES NO N/A
25. Historical sites or gravesites on general site plan: YES NO N/A
26. Show impact of development of historical or gravesite areas: YES NO N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: YES NO N/A

APPLICATION FOR A SPECIAL USE PERMIT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: 10-3-2022

Special Use Permit Request: Transition residence into a
professional office.

Purpose of Special Use Permit: To provide primary medical care
to family members of all ages.

Zoning District: 4 Number of Acres: 10

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____ Magisterial Dist.: _____

Street Address: 799 Troublesome Creek Rd.

Directions from the County Administration Building to the Proposed Site: Turn R on
60 heading East, Turn L on Rt. 631 - L on 799 - residence.

Name of Applicant: Chris Hucks

Mailing Address: 799 Troublesome Creek Rd. Buckingham VA 23921

Daytime Phone: 434-607-0909 Cell Phone: _____


Email: Troublesomecreekmedicine Fax: _____
@gmail.com

Name of Property Owner: Terry Huskey

Mailing Address: 799 Troublesome Creek Rd.

Daytime Phone: 434-969-2507 Cell Phone: _____

Email: _____ Fax: _____

Signature of Owner:  Date: 10/03/22

Signature of Applicant:  Date: 9/30/22

Please indicate to whom correspondence should be sent:

☐ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer
☒ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: Herbert E. Jr. & Nancy Maxey

Mailing Address: PO Box 257 Buckingham VA 23921

Physical Address: _____

Tax Map Section: 123-3-00 Parcel: _____ Lot: _____ Subdivision: _____

2. Name: Tracy Taylor

Mailing Address: _____

Physical Address: 898 Troublesome Creek Rd. Buckingham

Tax Map Section: 123-4-1 Parcel: _____ Lot: _____ Subdivision: _____

3. Name: Floyd Frazier

Mailing Address: _____

Physical Address: 870 Troublesome Creek Rd. Buckingham

Tax Map Section: 1234-2 Parcel: _____ Lot: _____ Subdivision: _____

4. Name: Jennifer Bartee

Mailing Address: 850 Troublesome Creek Rd. Buckingham

Physical Address: _____

Tax Map Section: R3-4-3 Parcel: _____ Lot: _____ Subdivision: _____

6. Name: Jackie Bowles

Mailing Address: _____

Physical Address: 816 Troublesome Creek Rd. Buckingham

Tax Map Section: 123-44 Parcel: _____ Lot: _____ Subdivision: _____

7. Name: Harry & Jane Poulter

Mailing Address: 639 Troublesome Creek Rd. Buckingham

Physical Address: _____

Tax Map Section: 1231-2 Parcel: _____ Lot: _____ Subdivision: _____

8. Name: Charles & Barbara Smith

Mailing Address: _____

Physical Address: Troublesome Creek Rd. Buckingham VA

Tax Map Section: 123-50 Parcel: _____ Lot: _____ Subdivision: _____

9. Name: Chris & Amber Hucks

Mailing Address: _____

Physical Address: 1179 Troublesome Creek Road

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

10. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

11. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 30th day of September, year 2022

I Chris Huts hereby make oath that
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

[Signature]

(owner / contract purchaser / authorized agent - please circle one)

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Buckingham

STATE OF Virginia

Subscribed and sworn to me on the 30th day of September

of the year 2022. My Commission expires on December 31, 2023.

Notary Public Signature: [Signature]

Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, VIRGINIA

On this 30th day of September, of the year 2022

I Chris Hucks (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

Signature of Owner: (to be signed in front of notary public)



NOTARY PUBLIC

COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 30th day of September

of the year 2022. My commission expires December 31, 2023

Notary Public Signature: Jeanne Louise Stinson

Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

Driveway onto property, with
2-story residence with basement, Small garage.

County Records Check (describe the history of this property):

Huskey family residence since 1980s.

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No ☒

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No ☒

If yes, please explain any impact:

Owner/Applicant Signature:  Date: 9/30/22

Printed Name: Chris Hucks Title: Applicant

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this _____ day of _____, in the year of _____

I _____ the owner of _____
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint _____
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day _____ of the month _____ in the year of _____ and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

NOTARY PUBLIC

County of _____ State of _____

Subscribed and sworn before me on the _____ day of _____

In the year _____. My commission expires _____.

Signature of Notary Public: _____

Stamp:

WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner: 

Date: 9/30/12

TENTATIVE SCHEDULE FOR A SPECIAL USE PERMIT

The application, site plan, written narrative, and all information requested in this application must be filled out in its entirety and supplied to the Buckingham Zoning / Planning Office and the fee must be paid before this case will be allowed to move forward.

Case will be introduced at a regularly scheduled Planning Commission meeting held on the fourth Monday of every month. Planning Commission may set a Public Hearing at this time to be held during a regularly scheduled meeting. Public Hearings offer an opportunity for citizens to speak concerning the case.

Following the Planning Commission Public Hearing, the Planning Commission may make a recommendation to approve / deny / or table the case for more information. Once the Planning Commission makes a recommendation to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. The Board of Supervisors meetings are held on the second Monday of every month. The Board of Supervisors may set a Public Hearing at this time to be held during a regularly scheduled meeting. The Board of Supervisors will make the final decision to approve or deny the application after the public hearing.

Example Timeline:

January 25	Case is introduced to Planning Commission. Planning Commission sets Public Hearing for next regularly scheduled meeting on February 22.
February 22	Planning Commission Public Hearing. Planning Commission recommends to approve / deny / or table for more information. Once the Planning Commission reaches a decision to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting.
March 8	Case is introduced to Board of Supervisors.
April 12	Board of Supervisors may approve / deny / table for more information.

The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

You or your agent are encouraged to attend these meetings to answer any questions that may arise concerning your application / proposal. The County strongly encourages the applicant to visit the area around his proposed site and understand what the adjoining landowner concerns are.

Written Narrative

My name is Chris Hucks. I am a life-long resident of Buckingham County. I volunteered with the local fire department and rescue squad for many years. My intention, for this special use permit; is to transition my previous home residence; into a facility that will provide medical care to families; including adult and pediatric patients. There is a great need for this in our county; and I hope to help in providing this important service.

Land Use:

The land is at 799 Troublesome Creek Road; which is state route 631; just off of route 60; in a centrally located area of our county. There will need to be remodeling of the residence; to transition into a professional medical office; but will plan to get started on this as soon as the application is approved.

Community Design:

The name of the business will be Troublesome Creek Medicine, PLLC. As there will be some delay; to transition the office; I will be planning on implementing a mobile medical care service; to provide care to those in need; until the office can be completed.

Cultural Resources:

Troublesome Creek Medicine will help provide culturally competent medical care to its patients.

Economic Development:

My goal will be to provide competent, compassionate, and efficient medical services to my patients; and continue to grow as needed; given the determined need and necessary growth to provide continuity of care to all.

Environment:

The office is centrally located with adequate space for parking.

Fire and Rescue; Law Enforcement:

No expected impact to above.

Housing: N/A**Libraries: N/A****Parks and Open Spaces: N/A****Potable Water:**

Business will have drinking water.

Sewage:

Business will have appropriate sewage for services; tank was recently serviced.

Schools: N/A

Telecommunications:

Business will have phone and internet services.

Transportation:

The goal will be for those to easily access healthcare at my facility; and be able to provide care at their home/residence if needed.

Solid Waste: N/A

SITE PLAN

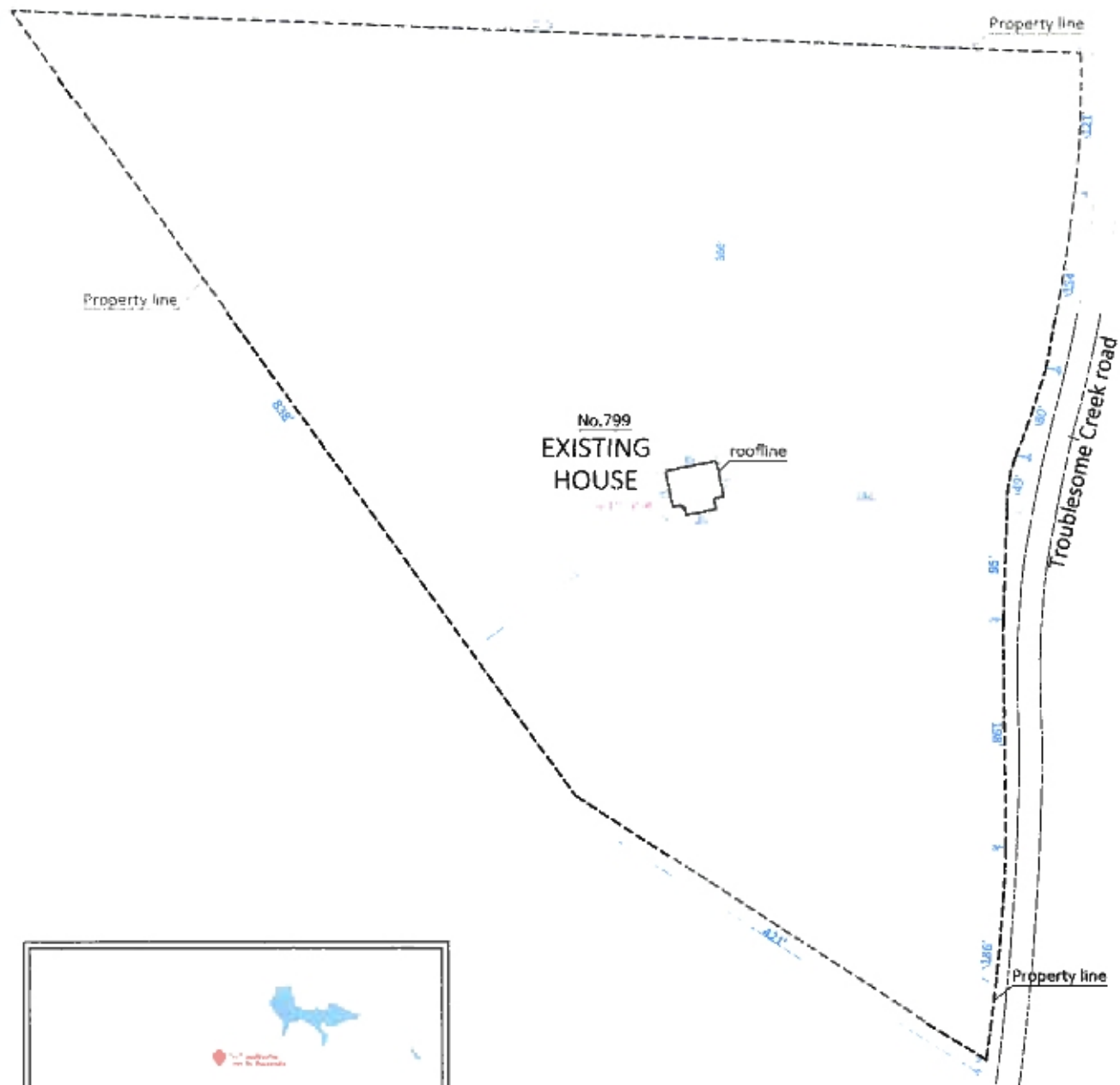
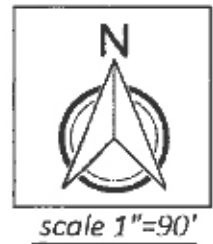
799 Troublesome Creek Road

Buckingham, VA 23921

Parcel ID: 123-48

Lot area: 13.0 Acres

Paper Size: 11"x17"



Watson and Duggan PLC

Land Surveying
10015 Third St., Farmville, Va 23901
434-397-3590

149-23

Terry O. Huskey
DB 209 p 752

275.00 Acres County Records
- 48.99 Acres
227.01 Acres Residue

Proposed 50' Access and
Utility Easement

Pole @
1934.3

Gravel Road
Fence Post
Grave

New Division Line
N82°39'41"E 1084.64'

N79°26'57"E 184.00'

IRS

Proposed
Drainfield

New Lot

**48.99
Acres**

Woods Rd

N35°27'44"W

Branch

Along Parker Line
1622.95'

28-2-1

Harry D. Ponter
Mary Jane Poolter
DB 434 p 119
PL A Slide 39 (p. 11)

See Note 4

S86°20'19"E 978.50'

S81°43'18"E
20.78'

IRS @ 78.5'

123-6E

Terry O. Huskey
DB 140 p 763

Legend

IPF = Iron Pipe Found
IRS = Iron Rod set
IRF = Iron Rod Found
U = Overhead Utility Lines

Notes

- 1 This survey is subject to any easement of record and other pertinent facts which which a title search might disclose
- 2 This plat is based on current field survey
- 3 See Plat in DB 62 p 160
- 4 Line computed by area. Not marked on ground

Approved For Recordation in
Buckingham County, Va

County Agent

Plat Of Family Division Survey

For **Chris Hicks**
Being a portion of the property owned by
Terry O. Huskey
Deed Book 209 page 752
Maysville District, Buckingham Co. Va
71086 09-20-21

0 300 600 900
1 in = 300 ft



109-2818

123-1-2
639

123-1-1

613

123-1-2A

123-48
799

123-1-3

123-1-4

478

Troublesome Creek Road

TROUBLESOME CREEK

898

123-4-1

870

123-4-2

850

123-4-3

123-49

123-4-4

794

123-4-5

758

123-4-6

123-50



BUCKINGHAM COUNTY

Hucks



www.interactivedis.com

Printed 09/30/2022

Mcps © Thunderbolt, Data © OpenStreetMap contributors

123-15

387

THIS DEED OF GIFT, made this 24th day of September, 1985, by and between FRANK O. HUSKEY and MARGARET B. HUSKEY, husband and wife, hereinafter referred to as party of the first part, and TERRY O. HUSKEY and RITA J. HUSKEY, husband and wife, as tenants by the entireties with the right of survivorship as at common law, hereinafter referred to as party of the second part.

WITNESSETH: That for and in consideration of ONE DOLLAR (\$1.00) and the love and affection the party of the first part has for the party of the second part, the said party of the first part does hereby grant and convey with GENERAL WARRANTY of title and with ENGLISH COVENANTS of title unto the party of the second part, as tenants by the entireties with the right of survivorship as at common law, the following described real estate, to-wit:

ALL of that certain tract or parcel of land lying and being in Maysville Magisterial District of Buckingham County, Virginia, and containing 13 acres, more or less, and bounded on the northernmost boundary by lands of Huskey, on the easternmost boundary by Virginia Secondary Route #631 and on the southernmost and westernmost boundaries by lands of Dunnavant. Said lands are more particularly described as beginning at a point on Virginia Secondary Route #631 at the intersection of the property line of Huskey and Dunnavant and proceeding N. 52° W. 499 feet to a point, thence N. 30° W. 823 feet to a point, thence S. 80° E. 955 feet to a point on Virginia Secondary Route #631, thence along said Virginia Secondary Route #631 for a distance 940 feet to the point of beginning.

BEING in all respects a portion of the same property conveyed unto Frank O. Huskey and Margaret B. Huskey by deed dated December 16, 1957 and found recorded in Deed Book 62 at page 158 in the Clerk's Office of the Circuit Court of Buckingham County, Virginia.

This Deed of Gift is made expressly subject to all covenants, restrictions and easements now of record on said property as the same may lawfully apply.

WITNESS the following signatures and seals:

Frank O. Huskey (SEAL)
Frank O. Huskey

Margaret B. Huskey (SEAL)
Margaret B. Huskey

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, to-wit:

I, the undersigned notary public, do hereby certify that Frank O. Huskey, whose name is signed to the foregoing Deed Of Gift, has acknowledged the same before me in my jurisdiction aforesaid.

Given under my hand this 25th day of Sept., 1985.

My commission expires: Oct. 17, 1986

Arthur B. Finch
Notary Public
(former Arthur B. Finch)

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, to-wit:

I, the undersigned notary public, do hereby certify that Margaret B. Huskey, whose name is signed to the foregoing Deed Of Gift, has acknowledged the same before me in my jurisdiction aforesaid.

Given under my hand this 25th day of Sept., 1985.

My commission expires: Oct. 17, 1986

Jenisa B. Rush
Notary Public
(former Jenisa A. Burned)

VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY.

St. R. Tax	
Co. R. Tax	
Transfer	<u>1.00</u>
Clerk	<u>10.00</u>
Grantor's Tax	
Total \$	<u>11.00</u>

The foregoing instrument with acknowledgment
was admitted to record on 5-28-1986
at 9 A. M. in D.B. 140 Page(s) 763-764
Recording costs paid as shown.
Teste: MALCOLM DOOKER JR., CLERK

BY: Ann B. Cygan DEPUTY CLERK

Date: 10/03/22 Cash Register: 001 BUCKINGHAM COUNTY 09:46:38

Cshr: KRISTEN JAMERSON Account#: 000014544 Cust.Transactions:

Type: PAY Dept/Bill#: RE2022 00056360001 P/I Date: 10/03/2022 10/03/2022

Name: HUCKS CHRISTOPHER O & AMBER H HUCKS Bill Date: 4/28/2022 Half: 1

Nam2: Due/PstDt: 6/06/2022

Addr: 799 TROUBLESOME CREEK RD PAdr: TROUBLESOME CREEK RD

BUCKINGHAM VA

Zip: 23921 - 0000

Map#: 109 23B

Desc: RT 631 - 1 MI N OF

MMMIIDDBBLLLLLS

BUCKINGHAM 48.99 AC

Acre: 48.990 Dist/Cls 05 / 01 Status

MrtgCo:

SSN: 000 - 00 - 0000 000 - 00 - 0000

Land:	\$111,100	Improve:	\$0	Use:	\$0
Original Bill:	\$288.86	Credits:	\$288.86	Discount:	\$0.00
Penalty Paid:	\$0.00	Int Paid:	\$0.00	Last Date:	5/17/2022
Amount Owed:	\$0.00	Other:	\$0.00	Setoff Claim#:	000000000
Total Owed:	\$0.00	Penalty:	\$0.00	Interest:	\$0.00
Principal Due:		Pen Rate	% Int Fact		
Penalty Due:		Interest Due:			
Total Amount Due:		Aging:			

Promise to Pay Date:

F1=Amt Tender F2=Next Ticket F3=Exit

F10=Func Menu F20=Attach

Date: 10/03/22 Cash Register: 001 BUCKINGHAM COUNTY 09:50:56

Cshr: KRISTEN JAMERSON Account#: 000005732 Cust Transactions:

Type: PAY Dept/Bill#: RE2022 00057310002 P/I Date: 10/03/2022 10/03/2022

Name: HUSKEY TERRY O & RITA J HUSKEY Bill Date: 4/28/2022 Half: 2

Nam2: Due/PstDt: 12/05/2022

Addr: 1369 TROUBLESOME CREEK RD PAdr: 1369 TROUBLESOME CREEK RD

BUCKINGHAM VA

Zip: 23921 - 3011

Map#: 109

31

Desc: RT 631 - 2 MI NE OF

MMMIIDDBBLLLLS

BUCKINGHAM 130.35 AC

Acre: 130.350 Dist/Gls 05 / 02 Status

MrtgCo:

SSN: 000 - 00 - 0000 000 - 00 - 0000

Notes w/Rcd

Payment Has Been Made Today!

Land: \$60,200 Improve: \$199,400 Use: \$0

Original Bill: \$674.96 Credits: \$583.39 Discount: \$0.00

Penalty Paid: \$0.00 Int Paid: \$0.00 Last Date: 6/13/2022

Amount Owed: \$0.00 Other: \$0.00 Setoff Claim#: 000000000

Total Owed: \$0.00 Penalty: \$0.00 Interest: \$0.00

Principal Due:

Pen Rate % Int Fact

Penalty Due:

Interest Due:

Total Amount Due:

Aging:

Promise to Pay Date:

F1=Amt Tender F2=Next Ticket F3=Exit

F10=Func Menu F20=Attach

Buckingham County Planning Commission

October 24, 2022

Administration Building

7:00 PM

Introduction Case 22-ZMA321

Owner/Applicant: Landowner Olympia Moore
5563 Friendship Brown Dr
Summit NC 27214

Applicant Olympia Moore
5563 Friendship Brown Dr
Summit NC

Property Information: Tax Map 42 Parcel 208, containing approximately 13.77 acres, located N James Madison (911 address does not exist) Hwy New Canton VA 23123, Marshall Magisterial District.

Zoning District: Agricultural District (A-1)

Request: Zoning Map Amendment-The Applicant is Requesting Rezoning from Agricultural A1 to Business B1 for Future Commercial Use. The Applicant is asking the Planning Commission to schedule a Public Hearing for this request.

Background/Zoning Information: This property is located at N James Madison Highway New Canton, VA 23123, Marshall Magisterial District. This property is currently zoned Agricultural A1, the landowner and applicant is Olympia Moore. This proposal is located within the Arvonias-New Canton Village Center which surrounds U.S. Route 15 near its entrance into the County from Fluvanna County. It is comprised of several neighborhood businesses such as convenience stores, restaurants, and banks. Slate mining, aggregate manufacturing, and trucking are industrial uses within or adjacent to this "Village Center." Housing of all types and sizes comprise this "Village Center" and an adjacent area. The area is not currently served by public water and public sewer. However, the village area does contain various infrastructure assets including railroad access and a water intake located on the James River (could be piped to serve the U.S. Route 15 corridor of the village – growth). Several churches of various denominations dot its landscape and form a unifying core for the community. As in all of the villages, the major land-use consideration is to insure that infill development and redevelopment occurs and that future land-uses are compatible with the varied land-uses in the area. Because of this, each request for rezoning, special use permits, or subdivision within or in the immediate area that would have an effect upon the Village should be given careful consideration. The applicant continues to work with VDOT to schedule the Traffic Impact Determination Analysis, page 10 of the application.

What are the wishes of the Planning Commission?
Set a Public Hearing?
November 28, 2022 6pm?

September 29, 2022

I, Olympia Moore am the owner of the property located at VSH 15 (parcel 42-208) Arvonia, Virginia.

I was willed this property from my parents Calvin and Delores Green who purchased the property back in 2003.

At this present time, I have no plans for this property. I am willing to be open and listen to the needs of the community.

Currently, I am requesting to have the property zoned for commercial use as it would benefit the County for future use.

Thank You,
Olympia Moore

REZONING APPLICATION CHECKLIST

BUCKINGHAM COUNTY OFFICE OF ZONING AND PLANNING MINIMUM SUBMISSION REQUIREMENTS

The following table lists the information necessary to review a rezoning application. All items are required, unless otherwise stated, and must be submitted in order for the application to be accepted for review. This completed checklist must be submitted with the application.

Adjacent Property Owners List and Affidavit (pages 5, 6 & 7 attached). This list can be obtained from the Clerk of Courts Office: ☒ YES ☐ NO

Completed application for rezoning (pages 3 & 4 attached). If not signed by the owner, a Power of Attorney must accompany the application: ☒ YES ☐ NO

Interest Disclosure Affidavit (page 8 attached). Must be signed by the owner: ☒ YES ☐ NO

Power of Attorney (page 11 attached). Required if anyone other than the owner is signing the application form or proffer statement on behalf of the owner: YES ☒ NO

Written Narrative (page 12 guidance in preparing the Written Narrative): ☒ YES ☐ NO

Fees: YES ☐ NO ☐

Deed: YES ☐ NO ☐

Plat (15 copies). The plat information may be incorporated into the Rezoning General Site Plan, in which case, copies of a separate plat are not required. The plat must be prepared by a certified land surveyor or licensed civil engineer and contain the following:

- A. Bearings and distances of a scale of 1" = 100' or less for all property lines and existing and proposed zoning lines: ☒ YES ☐ NO
- B. Area of land proposed for consideration, in square feet or acres: YES ☐ NO ☐
- C. Scale and north point: ☒ YES ☐ NO
- D. Names of boundary roads or streets and widths of existing right-of-ways: YES ☐ NO ☐

Rezoning General Site Plan (15 copies) The General Site Plan must contain the following:

- 1. Vicinity Map – Please show scale: ☒ YES ☐ NO ☒ N/A
- 2. Owner and Project Name: ☒ YES ☐ NO ☒ N/A
- 3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: ☒ YES ☐ NO ☐ N/A
- 4. Property lines of existing and proposed zoning district lines: ☒ YES ☐ NO ☐ N/A
- 5. Area of land proposed for consideration, in square feet or acres: ☒ YES ☐ NO ☐ N/A
- 6. Scale and north point: ☒ YES ☐ NO ☐ N/A
- 7. Names of boundary roads or streets and widths of existing right-of-ways: ☒ YES ☐ NO ☐ N/A

8. Easements and encumbrances, if present on the property: YES NO N/A
9. Topography indicated by contour lines: YES NO N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of "no areas having slopes of 15% to 25% or greater"): YES NO N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of "not in floodplain"): YES NO N/A
12. Delineation of existing mature tree lines or written indication of "no mature tree lines": YES NO N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: YES NO N/A
14. General locations of major access points to existing streets: YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: YES NO N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: YES NO N/A
17. Location of existing and proposed utilities, above or underground: YES NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: YES NO N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: YES NO N/A
20. Location and design of screening and landscaping: YES NO N/A
21. Building architecture: YES NO N/A
22. Site lighting proposed: YES NO N/A
23. Area of land disturbance in square feet and acres: YES NO N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more): YES NO N/A
25. Historical sites or gravesites on general site plan: YES NO N/A
26. Show impact of development of historical or gravesite areas: YES NO N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: YES NO N/A

APPLICATION FOR A ZONING MAP AMENDMENT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: Sept. 27, 2022

Zoning Map Amendment: _____

Purpose of Zoning Map Amendment: _____

Zoning District: _____ Number of Acres: 13.77

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____ Magisterial Dist.: 42-708

Street Address: VSH 15 Arvon, Virginia
Directions from the County Administration Building to the Proposed Site: _____

Name of Applicant: Olympia Moore
Mailing Address: _____

5563 Friendship Glen Dr. Browns Summit, NC

Daytime Phone: _____ Cell Phone: 336.580.3233

Email: Olympia-Moore@vncs.c... Fax: _____

Name of Property Owner: Olympia Moore
Mailing Address: _____

5563 Friendship Glen Dr. Browns Summit

Daytime Phone: _____ Cell Phone: 336.580.3233

Email: _____ Fax: _____

Signature of Owner: Olympia Moore Date: Sept. 27, 2022

Signature of Applicant: Olympia Moore Date: Sept. 27, 2022

Please indicate to whom correspondence should be sent:

☒ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer
☒ Applicant

APPLICATION FOR A ZONING TEXT AMENDMENT

CASE NUMBER: _____
(Case Number Assigned by Zoning Administrator)

DATE OF APPLICATION: Sept. 27, 2022

Zoning Text Amendment: _____

Purpose of Zoning Text Amendment: _____

Permitted Use List: Yes: _____ No: _____ Special Use Permit List: Yes: _____ No: _____

Zoning District: _____ Number of Acres: 13.47

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____ Magisterial Dist.: 42-208

Street Address: VSH 15 Arvonian, Va.

Directions from the County Administration Building to the Proposed Site: _____

Name of Applicant: Olympia Moore

Mailing Address: 5563 Friendship Dr. Browns Summit, NC

Daytime Phone: _____ Cell Phone: 336-580-3233

Email: Olympia-Moore@va.gov Fax: _____

Name of Property Owner: Olympia Moore

Mailing Address: 5563 Friendship Dr. Browns Summit, NC

Daytime Phone: _____ Cell Phone: 336-580-3222

Email: _____ Fax: _____

Signature of Owner: Olympia Moore Date: Sept. 27, 2022

Signature of Applicant: Olympia Moore Date: Sept. 27, 2022

Please indicate to whom correspondence should be sent:

☒ Owner of Property ☐ Contractor Purchaser / Lessee ☐ Authorized Agent ☐ Engineer ☒ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

The applicant shall provide a list of all adjoining landowners, including subject property and all property immediately across the street/road from the subject property. Any body of water does not constitute a boundary line for this purpose, therefore a body of water and the property adjoining the subject property but separated by a body of water is still considered an adjoining landowner. County boundary lines and those adjoining property owners in the next County are considered adjoining property owners if the land adjoins the subject's property. Adjoining landowners can be verified through the Buckingham County Clerk of Courts or the Clerk's Office in the adjoining County, or by personal contact. The list shall include the name, address, town/city, zip code, road route number, tax map section number, parcel number, lot number, and subdivision. The list shall be typewritten or printed legibly. Failure to list all adjoining landowners could delay the process.

1. Name: Berk - Mar Land LLC

Mailing Address: 267 Hidden Springs Rd, New Canton, Va.

Physical Address: _____

Tax Map Section: 42 Parcel: 42-204 Lot: 204 Subdivision: _____

2. Name: Maury L Jones

Mailing Address: 510 Hurricane Creek Rd Gurley, AL 35748

Physical Address: _____

Tax Map Section: 42 Parcel: 42-209 Lot: 209 Subdivision: _____

3. Name: Wyllie H Cobb Tr. Roxanna S Cobb

Mailing Address: 2943 Upshaw Rd. Aylett, Va. 23009

Physical Address: _____

Tax Map Section: 42 Parcel: 42-194 Lot: 194 Subdivision: _____

4. Name: Melvin and Shelby Jones

Mailing Address: PO Box 52 New Canton, Va. 23123

Physical Address: _____

Tax Map Section: 42 Parcel: 42-205 Lot: 205 Subdivision: _____

6. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

7. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

8. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

9. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

10. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

11. Name: _____

Mailing Address: _____

Physical Address: _____

Tax Map Section: _____ Parcel: _____ Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 29th day of September, year 2022,
I Olympia Green Moore hereby make oath that
(printed name of owner/contract purchaser/authorized agent)

the list of adjoining landowners is a true and accurate list as submitted with my application.

Signed: (to be signed in front of notary public)

Olympia Green Moore
(owner / contract purchaser / authorized agent – please circle one)

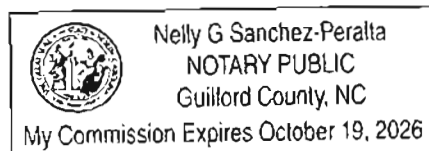
NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Rockingham

STATE OF North Carolina

Subscribed and sworn to me on the 29th day of September,
of the year 2022. My Commission expires on October 19, 2026.

Notary Public Signature: Nelly G Sanchez-Peralta
Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, VIRGINIA

On this 29th day of September, of the year 2022

I Olympia Green Moore (printed name of owner)
hereby make oath that no member of the Buckingham County Board of Supervisors nor
the Buckingham County Planning Commission has interest in such property either
individually, or by ownership of stock in a corporation owning such land, or by
partnership, or as a holder of ten percent (10%) or more of the outstanding shares of
stock in or as a director or officer of any corporation owning such land, directly or
indirectly by such members of his/her immediate household, except as follows:

Signature of Owner: (to be signed in front of notary public)

Olympia Green Moore

NOTARY PUBLIC

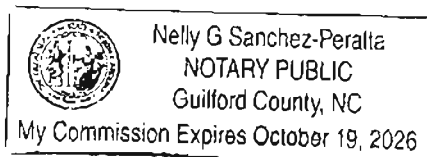
COUNTY OF Rockingham STATE OF North Carolina

Subscribed and sworn to me on this 29th day of September

of the year 2022. My commission expires October 19th, 2026

Notary Public Signature: Nelly G Sanchez-Peralta

Stamp:



**CULTURAL RESOURCE ASSESSMENT AND RECORD CHECK FOR
PENDING DEVELOPMENT APPLICATIONS**

Case Number / File Name: _____

Visual Inspection Findings (describe what is on the property now):

County Records Check (describe the history of this property):

Were any historical sites or gravesites found on site, or be suspected by a reasonable person to be on the site? Yes _____ No ✓

If yes, please explain and show on the site plan the location of such and explain any historical significance:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No ✓
If yes, please explain any impact:

Owner/Applicant Signature: Olympia Moore Date: Sept. 27, 2022

Printed Name: Olympia Moore Title: Owner/Applicant

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: Olympia Moore

Location: VSH 15 Arvonia, Virginia

Proposed Use: _____

For VDOT use only:

_____ A Traffic Impact Statement is required per 24 VAC 30-155-60.

_____ A Traffic Impact Statement is not required. The traffic generated by the proposed zoning change / development does not exceed normal thresholds.

_____ The Traffic Impact Analysis has been waived by the Zoning / Planning Department for the following reasons:

Does the existing entrance meet VDOT requirements for the proposed use?

Yes _____ No _____ If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

Signature of VDOT Resident Engineer: _____

Printed Name: _____ Date: _____

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

On this _____ day of _____, in the year of _____,

I _____ the owner of _____
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint _____
(printed name)

my true and lawful attorney-in-fact, and in my name, place, and stead give unto him/her said full power and authority to do and perform all acts and make all representation necessary, without limitation whatsoever, to make application for said zoning. The right, powers, and authority of said attorney-in-fact herein granted shall commence and be in full force and effect on the day _____ of the month _____ in the year of _____ and shall remain in full force and effect thereafter until actual notice by certified mail with return receipt requested is received by the Zoning / Planning Office of Buckingham County stating that the terms of this power have been revoked or modified.

Signature of Landowner (to be signed in front of Notary Public):

NOTARY PUBLIC

County of _____ State of _____

Subscribed and sworn before me on the _____ day of _____

in the year _____. My commission expires _____.

Signature of Notary Public: _____

Stamp:

WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the VDOT right-of-way closest to the applicant's property line and shall be clearly visible from the road with bottom of the sign not less than one and one half feet above the ground. If more than one public road abuts the property, the signs shall be placed in the same manner as above for each abutting road. If no road abuts a property, then the agent shall define an area for the signs. The agent may ask the applicant that the sign be moved to another area either on the property to achieve greater public visibility. The applicant shall be responsible for keeping the signs free from grass, weeds, and any other plants or vines that may obstruct the public's view. The applicant shall contact the Virginia Department of Transportation for any information concerning where the right-of-way is located. The applicant shall be responsible for the signs should VDOT or their contractor conduct mowing or clearing of the right-of-way in the area where the sign is located.

Any signs required shall be maintained at all times by the applicant up to the time of the final public hearing. No person, except the applicant or the agent or an authorized agent of either, shall remove or tamper with any sign furnished during the period it is required to be maintained under this section. All signs erected under this ordinance shall be removed by the applicant within 15 days following a decision at the final public hearing and shall be returned to the agent. The applicant shall purchase the signs at a fee as determined by the Board of Supervisors and shall be non-refundable. The applicant shall be responsible for the replacement of the sign(s) and shall contact the agent as soon as possible for another sign to be replaced as the manner described above. Should the sign(s) have to be replaced more than twice, this section shall no longer be forced upon the applicant.

I have read, understand and agree to the above requirements.

Applicant/Owner: Olympia P. ...

Date: 9/27/22

TENTATIVE SCHEDULE FOR A REZONING AMENDMENT

The application, site plan, written narrative, and all information requested in this application must be filled out in its entirety and supplied to the Buckingham Zoning / Planning Office and the fee must be paid before this case will be allowed to move forward.

Case will be introduced at a regularly scheduled Planning Commission meeting held on the fourth Monday of every month. Planning Commission may set a Public Hearing at this time to be held during a regularly scheduled meeting. Public Hearings offer an opportunity for citizens to speak concerning the case.

Following the Planning Commission Public Hearing, the Planning Commission may make a recommendation to approve / deny / or table the case for more information. Once the Planning Commission makes a recommendation to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting. The Board of Supervisors meetings are held on the second Monday of every month. The Board of Supervisors may set a Public Hearing at this time to be held during a regularly scheduled meeting. The Board of Supervisors will make the final decision to approve or deny the application after the public hearing.

Example Timeline:

January 25	Case is introduced to Planning Commission. Planning Commission sets Public Hearing for next regularly scheduled meeting on February 22.
February 22	Planning Commission Public Hearing. Planning Commission recommends to approve / deny / or table for more information. Once the Planning Commission reaches a decision to approve or deny, this recommendation will be forwarded to the Board of Supervisors at their next regularly scheduled meeting.
March 8	Case is introduced to Board of Supervisors.
April 12	Board of Supervisors may approve / deny / table for more information.

The Planning Commission and the Board of Supervisors has a right to call extra public hearings at their discretion if the Board(s) decide they are needed.

You or your agent are encouraged to attend these meetings to answer any questions that may arise concerning your application / proposal. The County strongly encourages the applicant to visit the area around his proposed site and understand what the adjoining landowner concerns are.

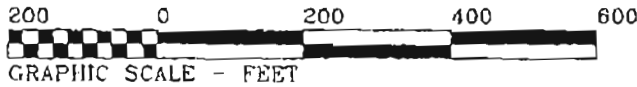
NOTES:

The boundary survey shown is based on a current field survey.

This Plat has been prepared without benefit of a title report and does not therefore necessarily indicate all encumbrances on the property.

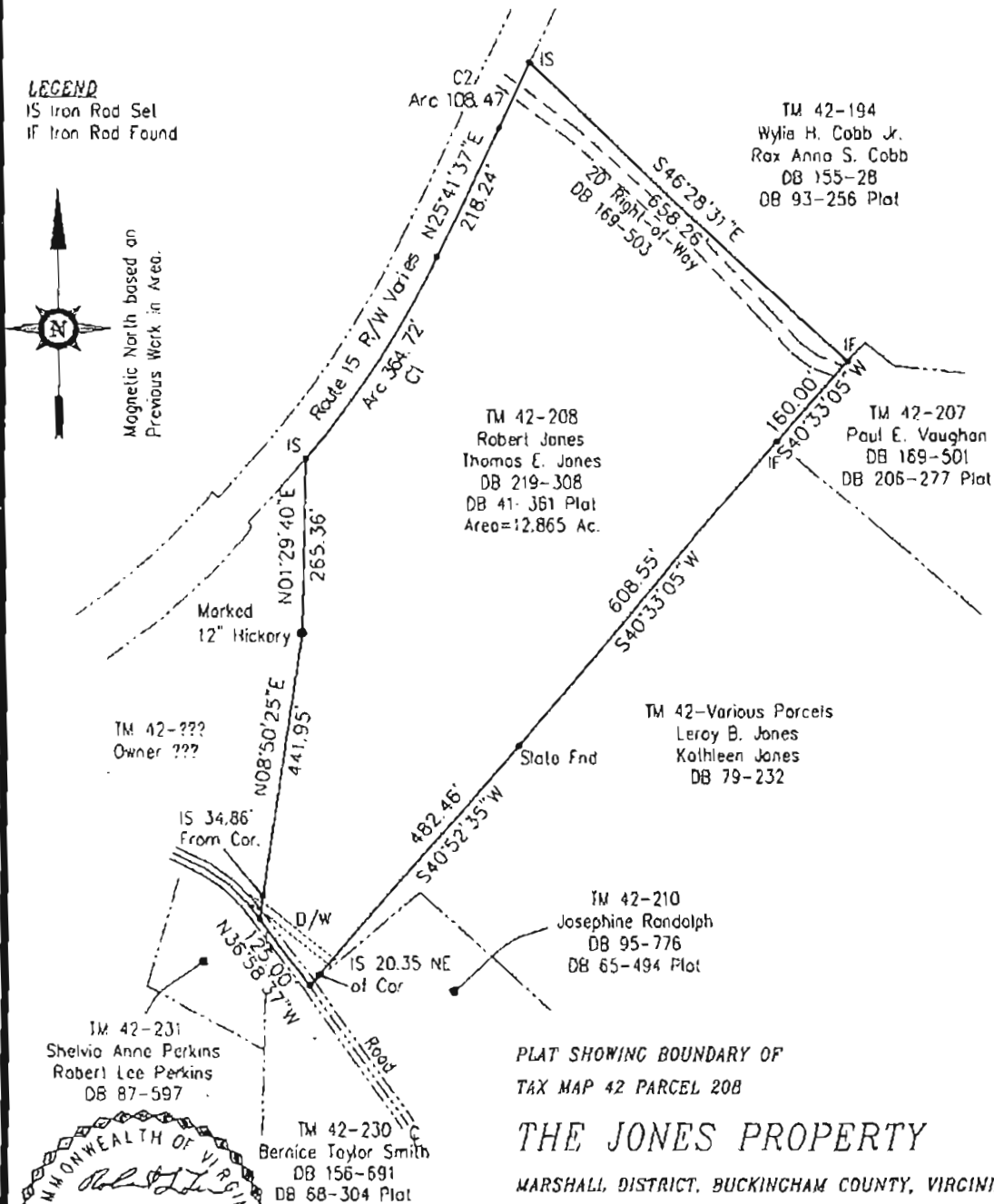
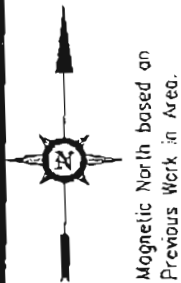
Robert L. Lum
Approved for Recordation Date 9-1-03

CURVE	RADIUS	TANGENT	LENGTH	DELTA	CHORD	CH. BEARING
C1	1462.39'	183.31'	364.72'	14°17'22"	363.77'	N32°50'18"E
C2	11489.16'	54.23'	108.47'	0°32'27"	108.46'	N25°25'24"E



LEGEND

IS Iron Rod Set
IF Iron Rod Found



PLAT SHOWING BOUNDARY OF
TAX MAP 42 PARCEL 208

THE JONES PROPERTY

MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

SCALE: 1" = 200' DATE: AUGUST 22, 2003

4200208.dwg

LUM'S LAND SURVEYS, INC.

P.O. BOX 154, PALMYRA, VA. 22963-0154



NOTES:

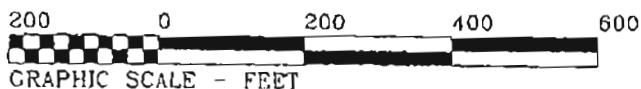
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Approved for Recordation

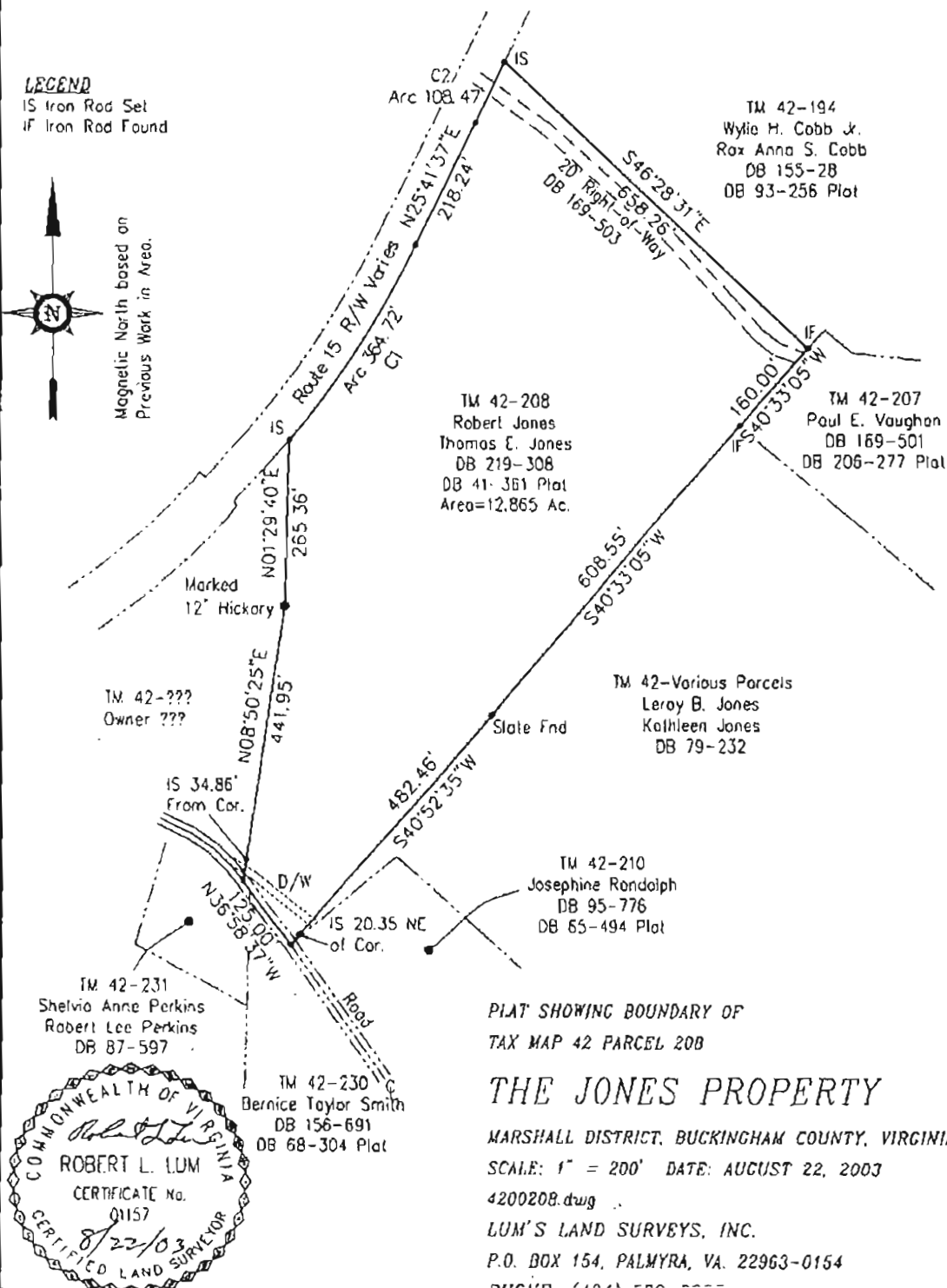
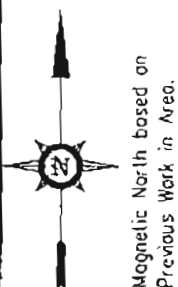
Date _____

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PLAT SHOWING BOUNDARY OF
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THE JONES PROPERTY

MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

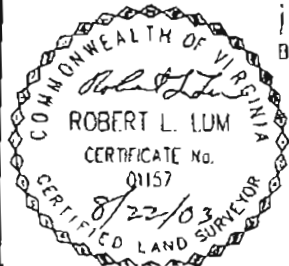
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LUM'S LAND SURVEYS, INC.

P.O. BOX 154, PALMYRA, VA. 22963-0154

—מחזורי המלחמה



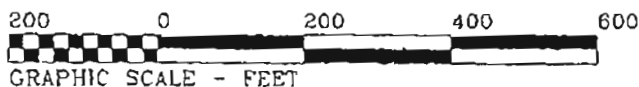
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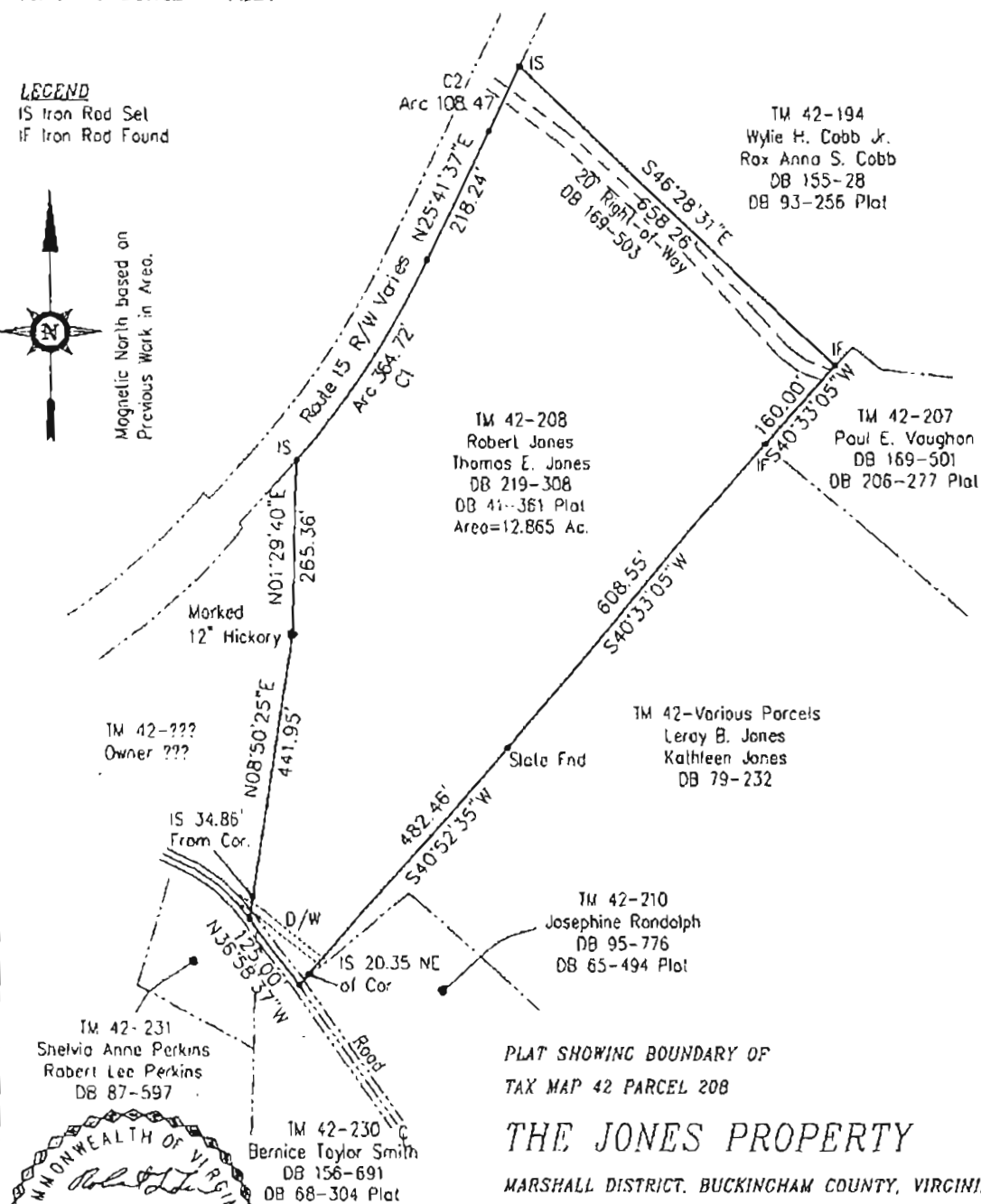
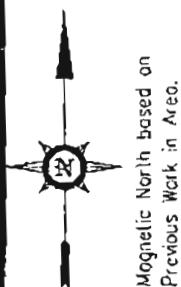
Robert L. Lum 9-11-03
Approved for Recordation Date

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PLAT SHOWING BOUNDARY OF
TAX MAP 42 PARCEL 208

THE JONES PROPERTY

MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

SCALE: 1" = 200' DATE: AUGUST 22, 2003

4200208.dwg

LUM'S LAND SURVEYS, INC.

P.O. BOX 154, PALMYRA, VA. 22963-0154



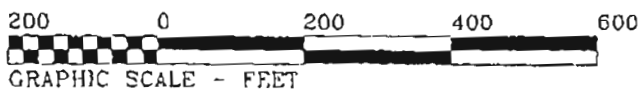
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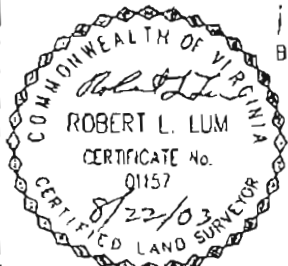
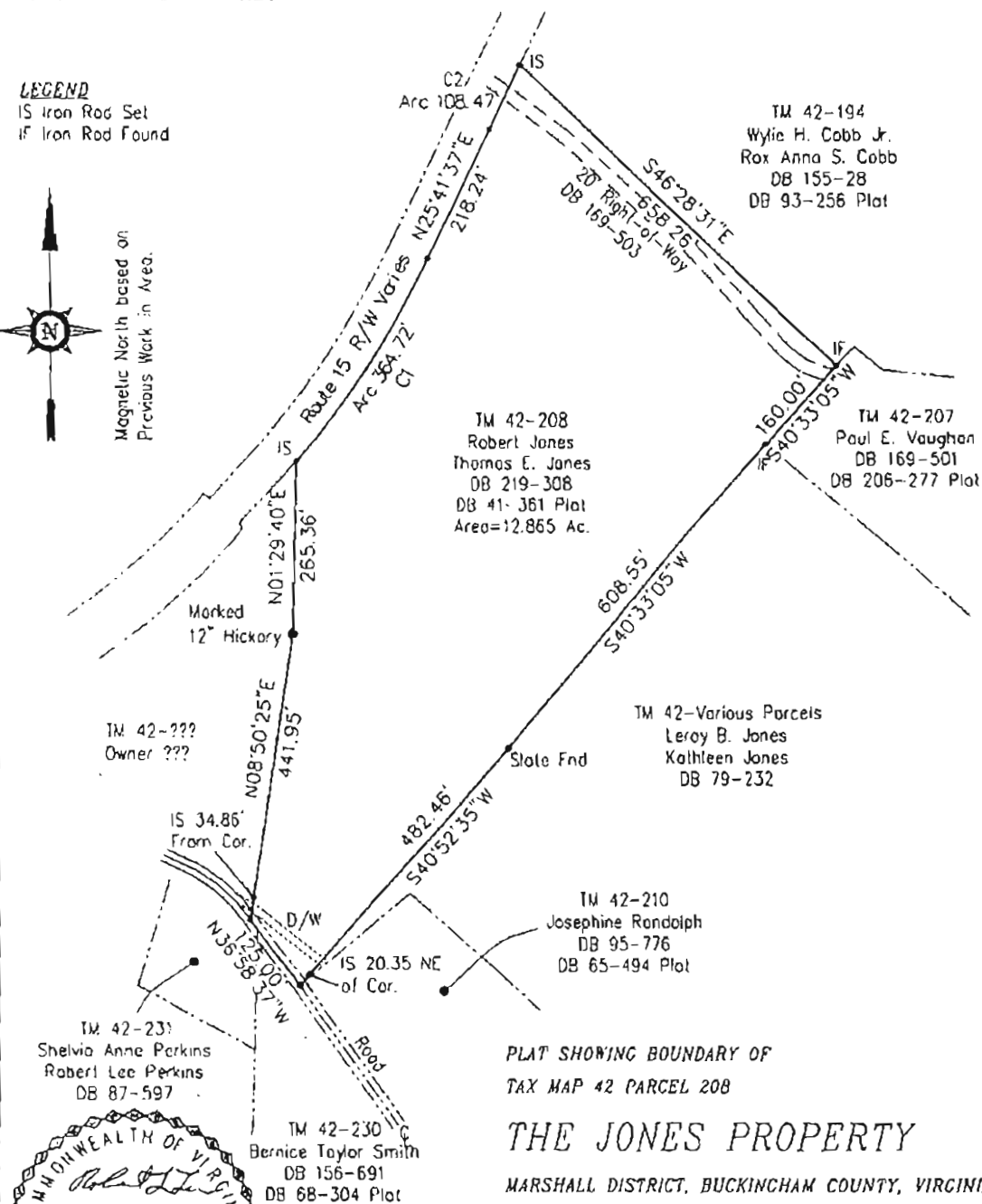
Robert L. Lum 9-11-03
Approved for Recordation Date

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PLAT SHOWING BOUNDARY OF
TAX MAP 42 PARCEL 208

THE JONES PROPERTY

MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

SCALE: 1" = 200' DATE: AUGUST 22, 2003

4200208.dwg

LUM'S LAND SURVEYS, INC.

P.O. BOX 154, PALMYRA, VA. 22963-0154

PHONE (800) 555-0000

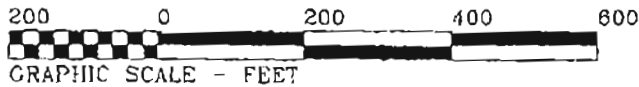
NOTES:

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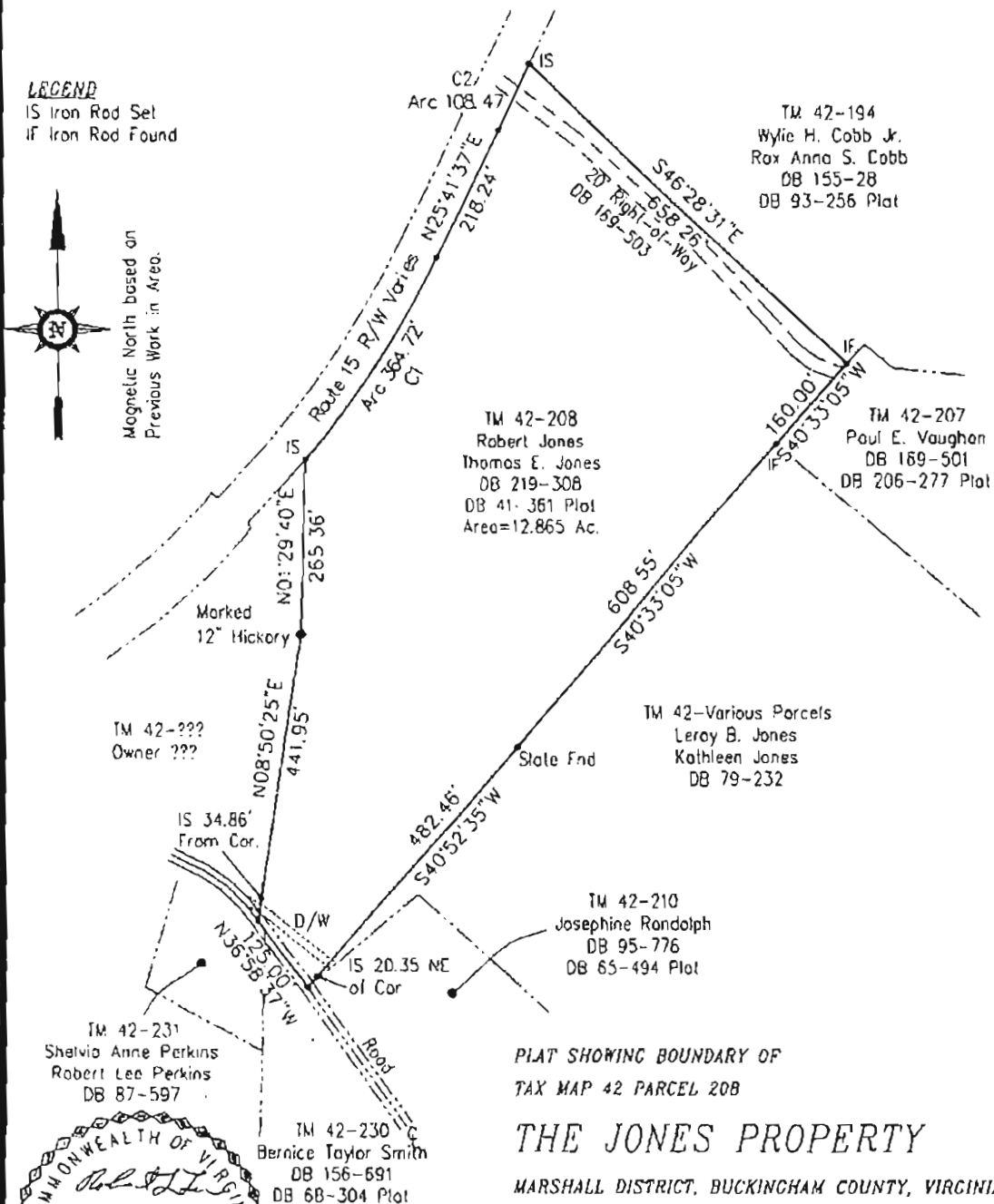
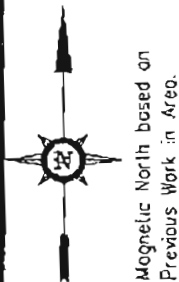
Robert L. Lum
 Approved for Recordation Date 9-11-03

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PLAT SHOWING BOUNDARY OF
 TAX MAP 42 PARCEL 208

THE JONES PROPERTY

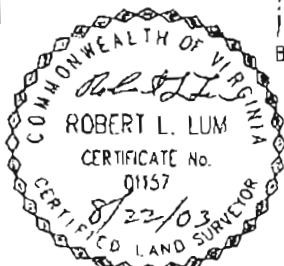
MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

SCALE: 1" = 200' DATE: AUGUST 22, 2003

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LUM'S LAND SURVEYS, INC.

P.O. BOX 154, PALMYRA, VA. 22963-0154



NOTES

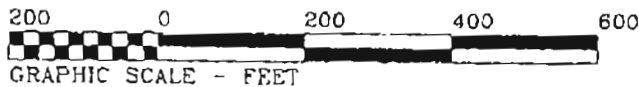
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Approved for Recordation

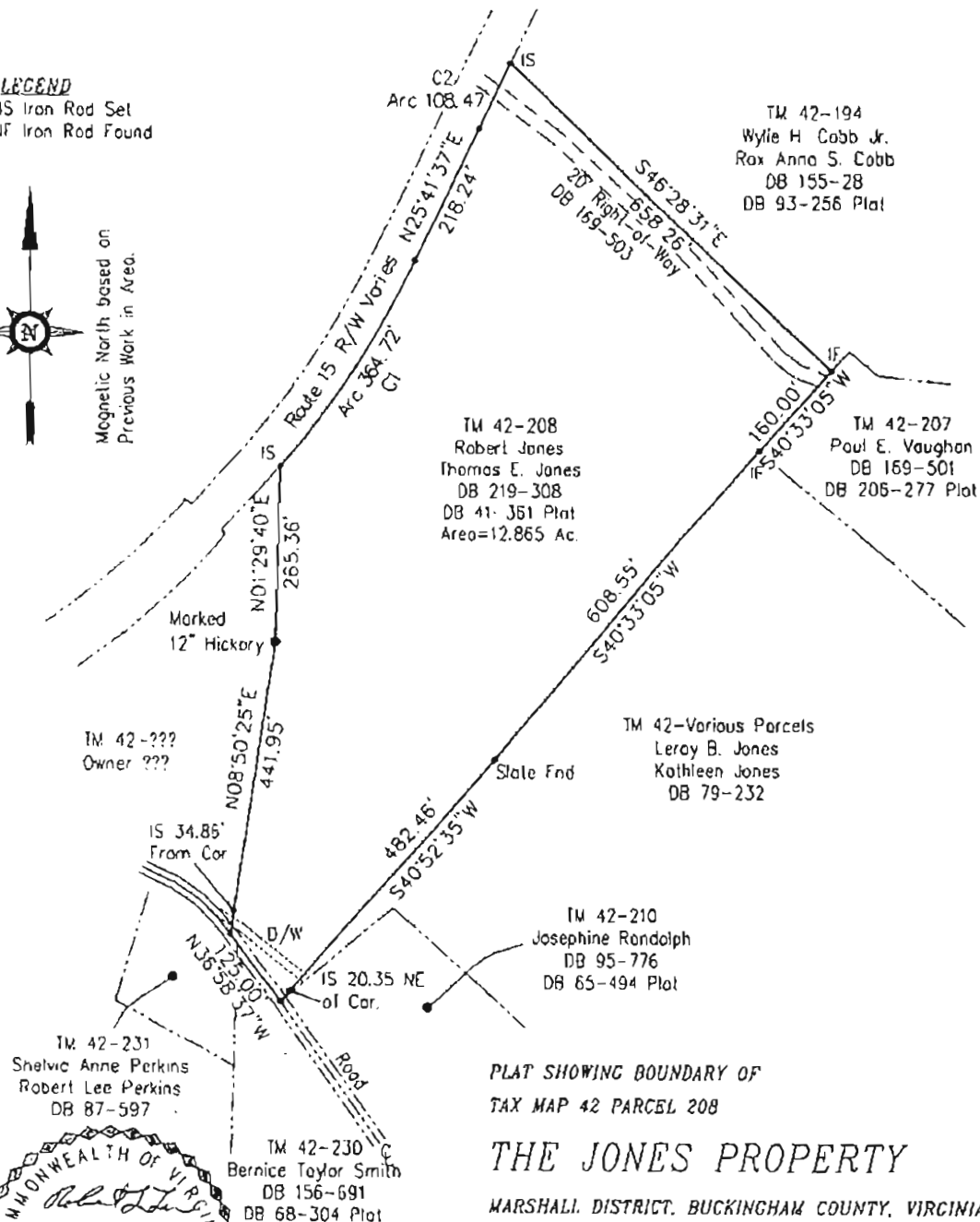
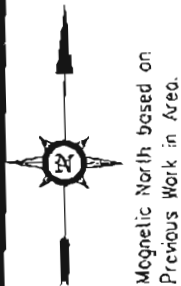
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PLAT SHOWING BOUNDARY OF
TAX MAP 42 PARCEL 208

THE JONES PROPERTY

MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

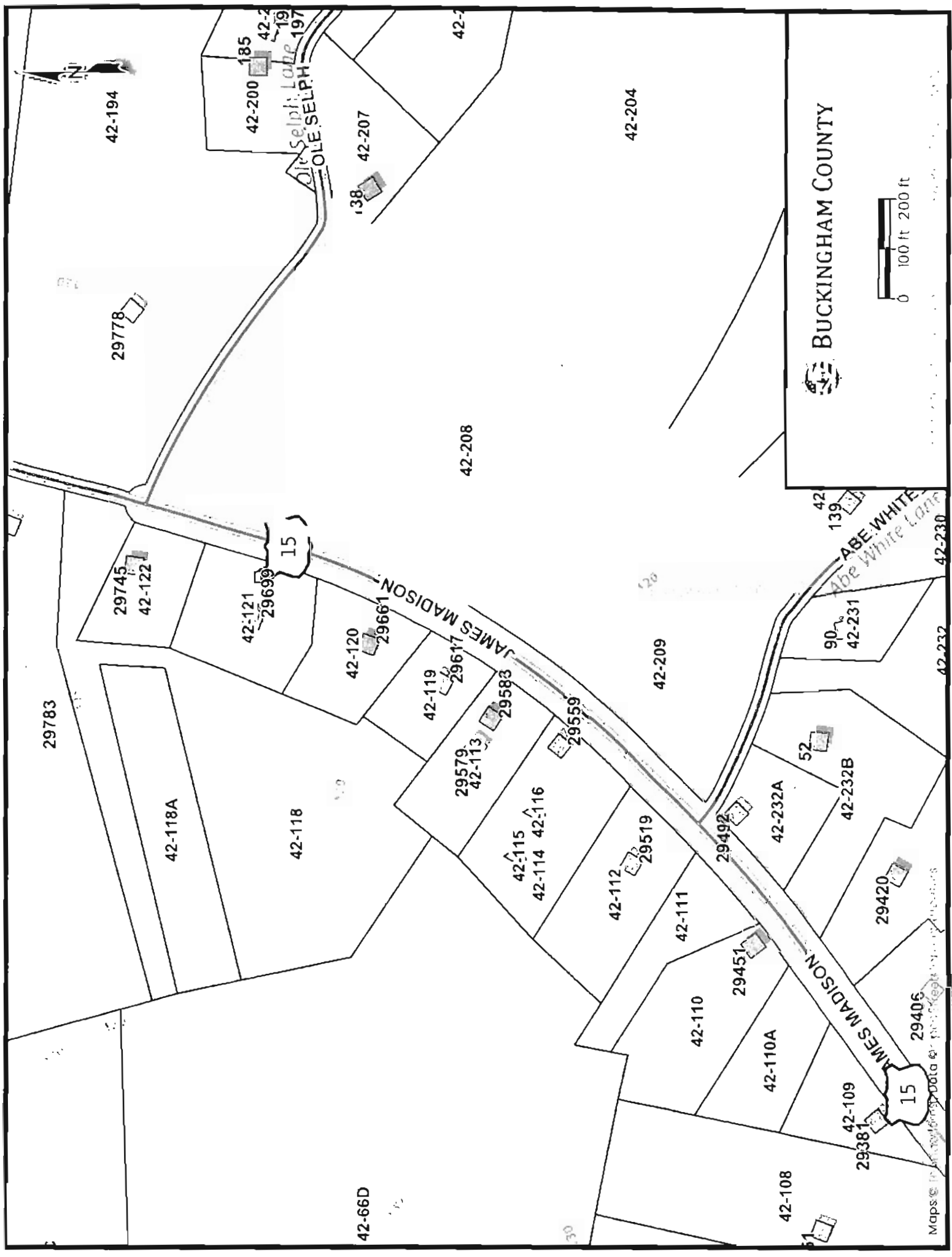
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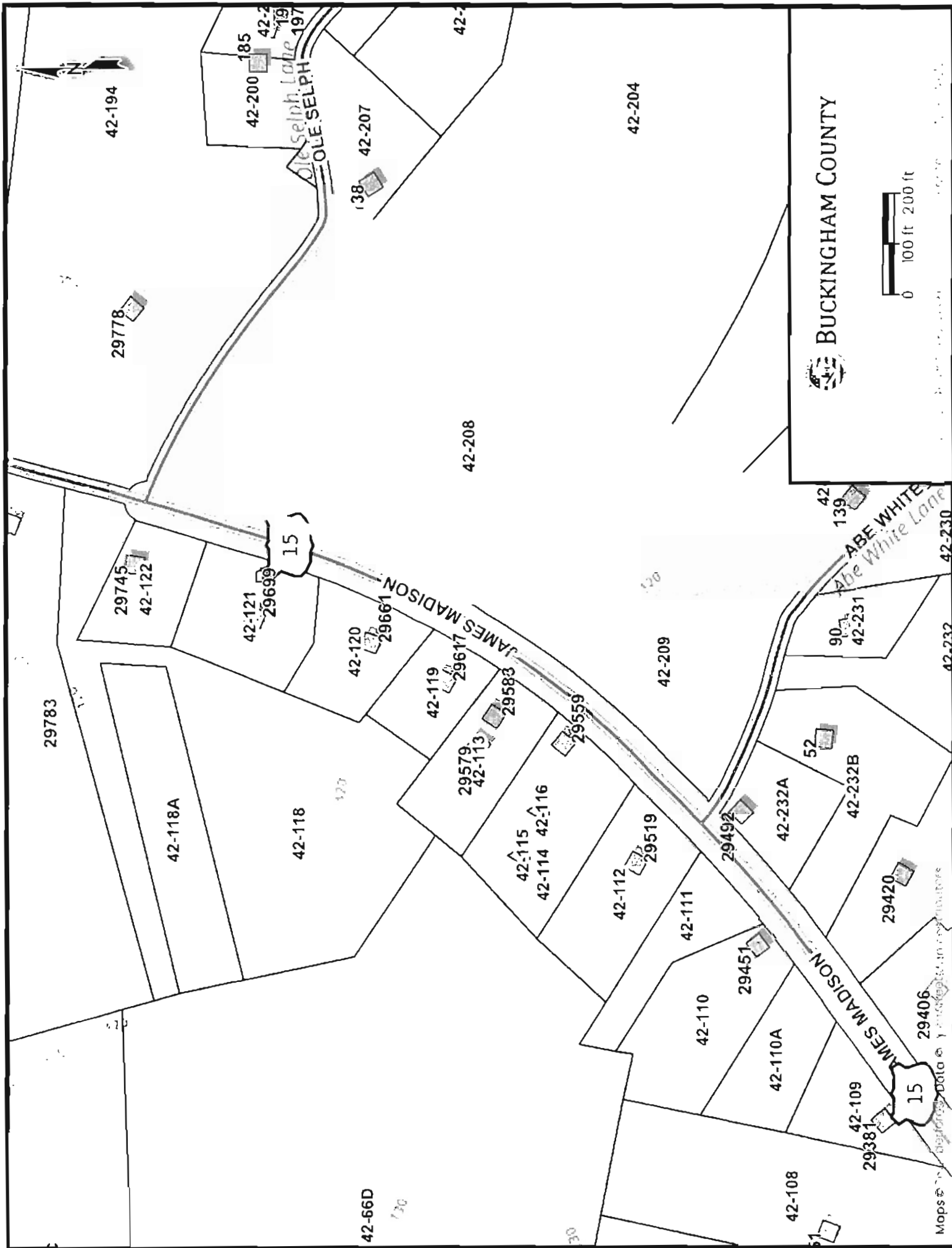
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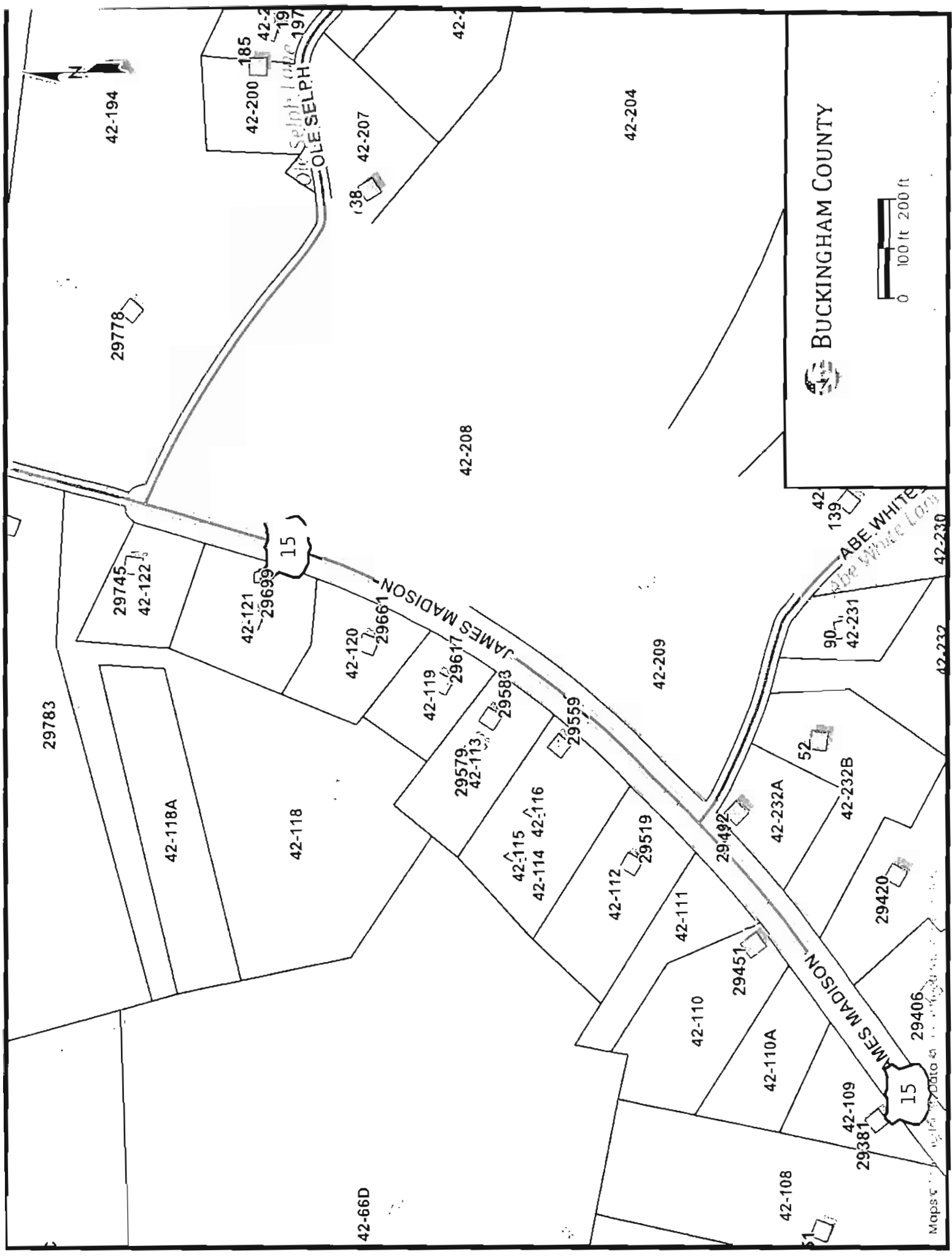
LUM'S LAND SURVEYS, INC.

P.O. BOX 154, PALMYRA, VA. 22963-0154









NOTES:

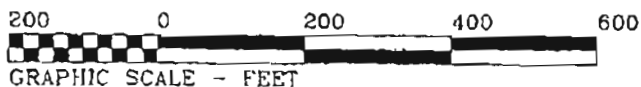
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Approved for Recordation

Date _____

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Magnetic North based on
Previous Work in Area.

TM 42-194
Wylie H. Cobb Jr.
Rox Anna S. Cobb
DB 155-28
DB 93-256 Plat

TM 42-208
Robert Jones
Thomas E. Jones
DB 219-308
DB 41-361 Plot
Area=12.865 Ac.

TM 42-207
Paul E. Vaughan
DB 169-501
DB 206-277 Plot

TM 42-Variou Porcel
Leroy B. Jones
Kathleen Jones
DB 79-232

IM 42-???

ID: 42-231
 Shervio Anne Perkins
 Robert Lee Perkins
 DB 87-597

TM 42-210
Josephine Rondolph
DB 95-776
DB 65-494 Plot

TM 42-230
Bernice Taylor Smith
DB 155-691
DB 68-304 Plot

PLAT SHOWING BOUNDARY OF
TAX MAP 42 PARCEL 208

THE JONES PROPERTY

MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

SCALE: 1" = 200' DATE: AUGUST 22, 2003

4200208.dwg

LUM'S LAND SURVEYS, INC.

P.O. BOX 154, PALMYRA, VA. 22963-0154



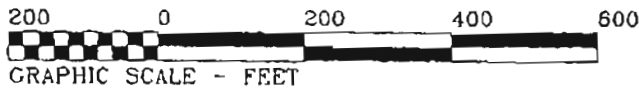
NOTES:

The boundary survey shown is based on a current field survey.

This Plat has been prepared without benefit of a title report and does not therefore necessarily indicate all encumbrances on the property.

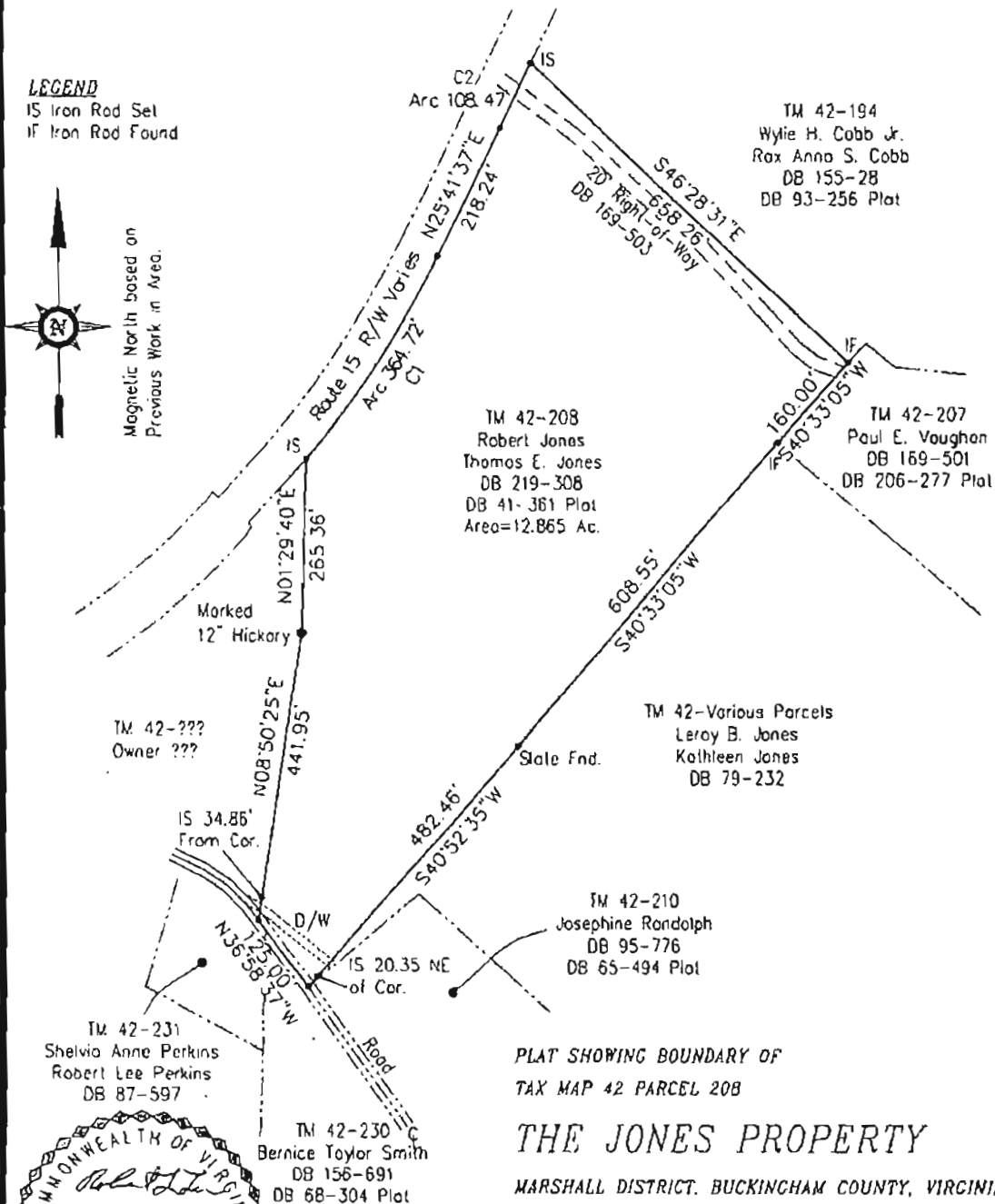
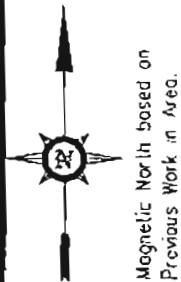
Robert L. Lum
 Approved for Recordation Date 9-11-03

CURVE	RADIUS	TANGENT	LENGTH	DELTA	CHORD	CH. BEARING
C1	1462.39'	183.31'	364.72'	14°17'22"	363.77'	N32°50'18"E
C2	11489.16'	54.23'	108.47'	0°32'27"	108.46'	N25°25'24"E



LEGEND

IS Iron Rod Set
 IF Iron Rod Found



PLAT SHOWING BOUNDARY OF
 TAX MAP 42 PARCEL 208

THE JONES PROPERTY

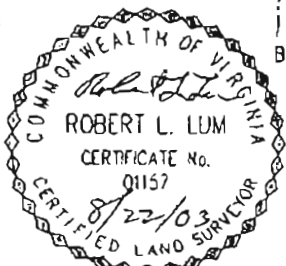
MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

SCALE: 1" = 200' DATE: AUGUST 22, 2003

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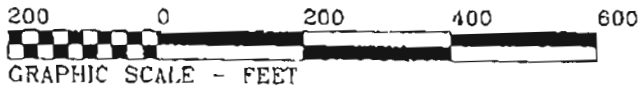
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Approved for Recordation

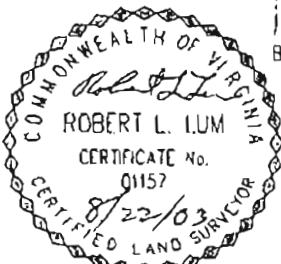
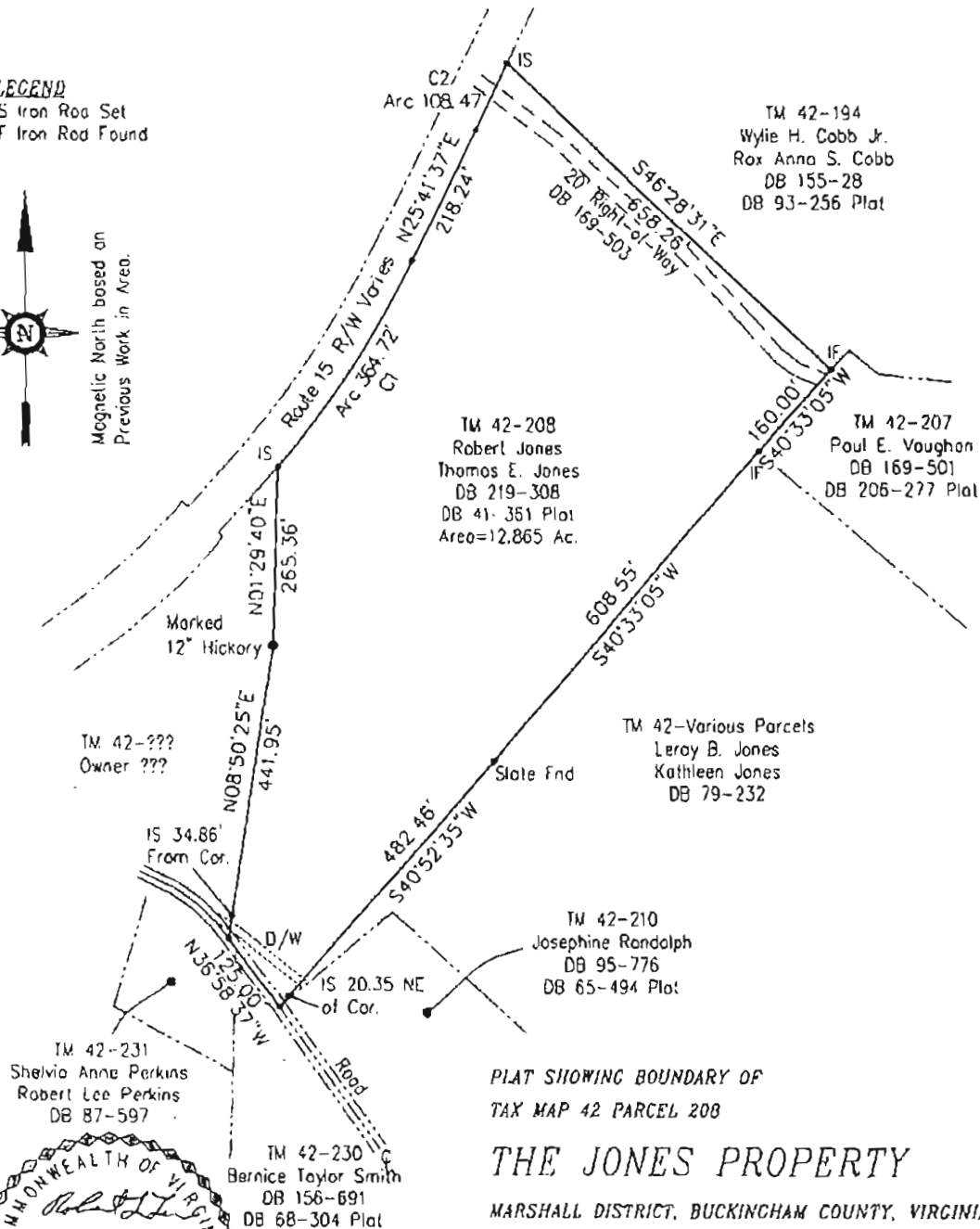
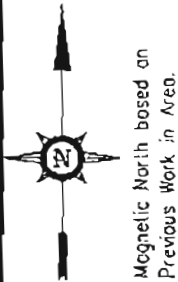
Date

CURVE	RADIUS	TANGENT	LENGTH	DELTA	CHORD	CH. BEARING
C1	1462.39'	183.31'	364.72'	141°17'22"	363.77'	N32°50'18"E
C2	1489.16'	54.23'	108.47'	0°32'27"	108.46'	N25°25'24"E



LEGEND

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IF Iron Rod Found



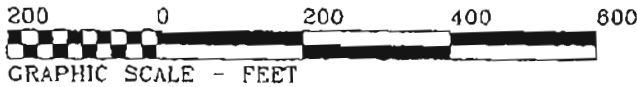
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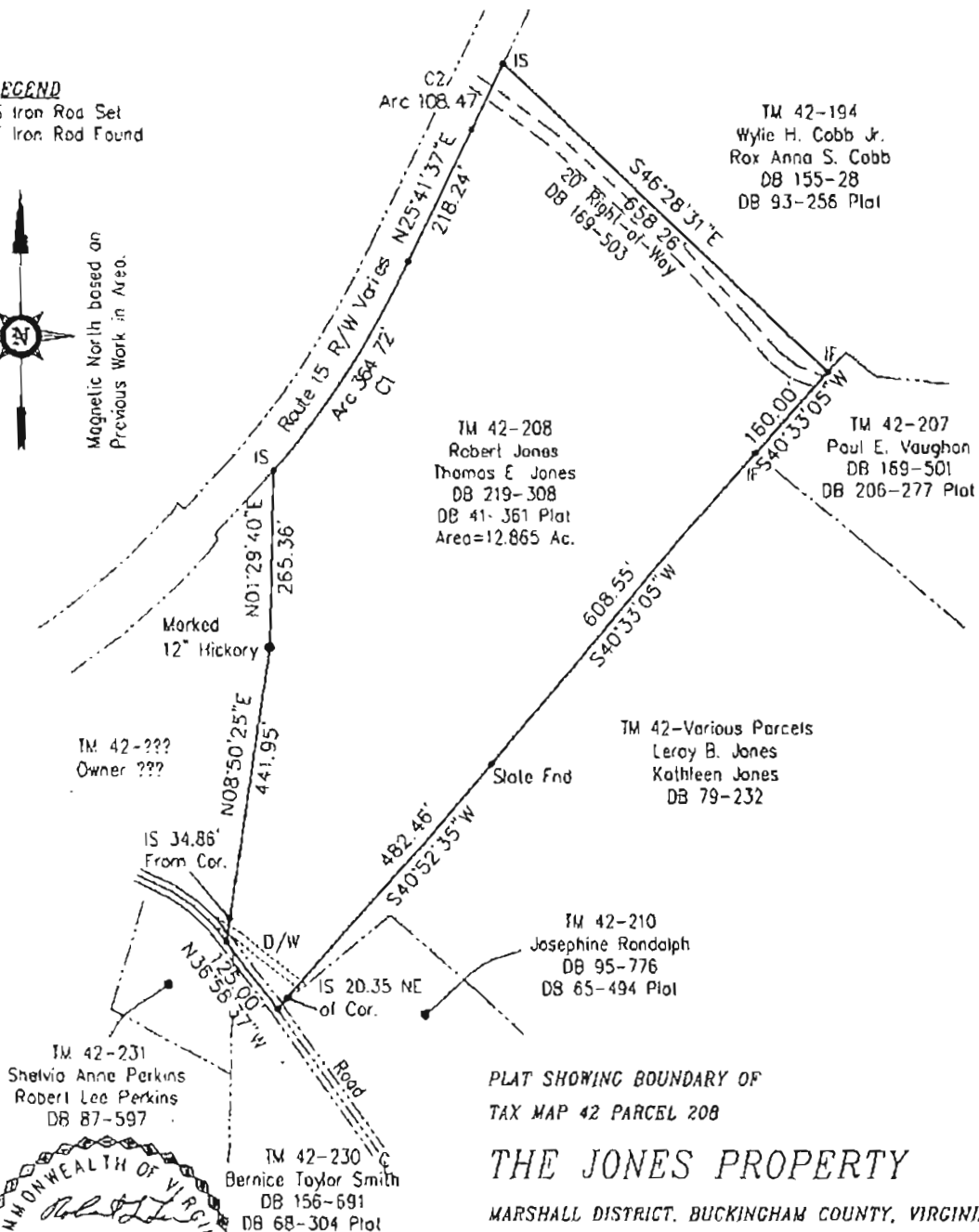
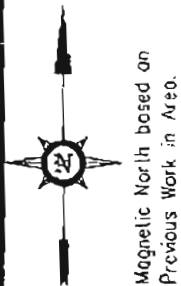
Robert L. Lum
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PLAT SHOWING BOUNDARY OF
 TAX MAP 42 PARCEL 208

THE JONES PROPERTY

MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

SCALE: 1" = 200'. DATE: AUGUST 22, 2003

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LUM'S LAND SURVEYS, INC.

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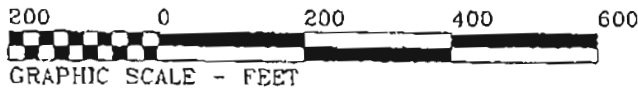
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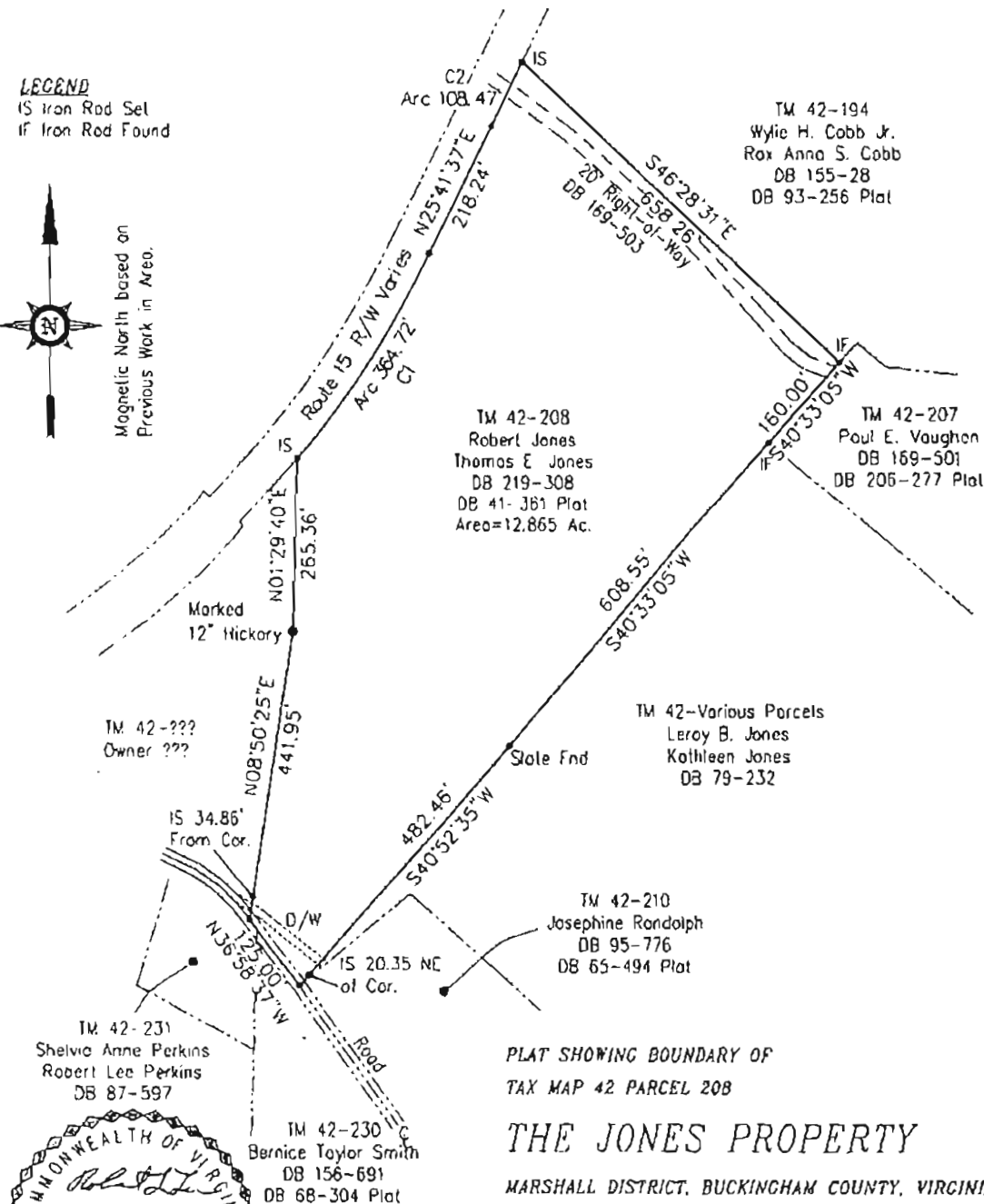
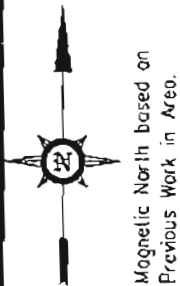
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PLAT SHOWING BOUNDARY OF
TAX MAP 42 PARCEL 208

THE JONES PROPERTY

MARSHALL DISTRICT, BUCKINGHAM COUNTY, VIRGINIA

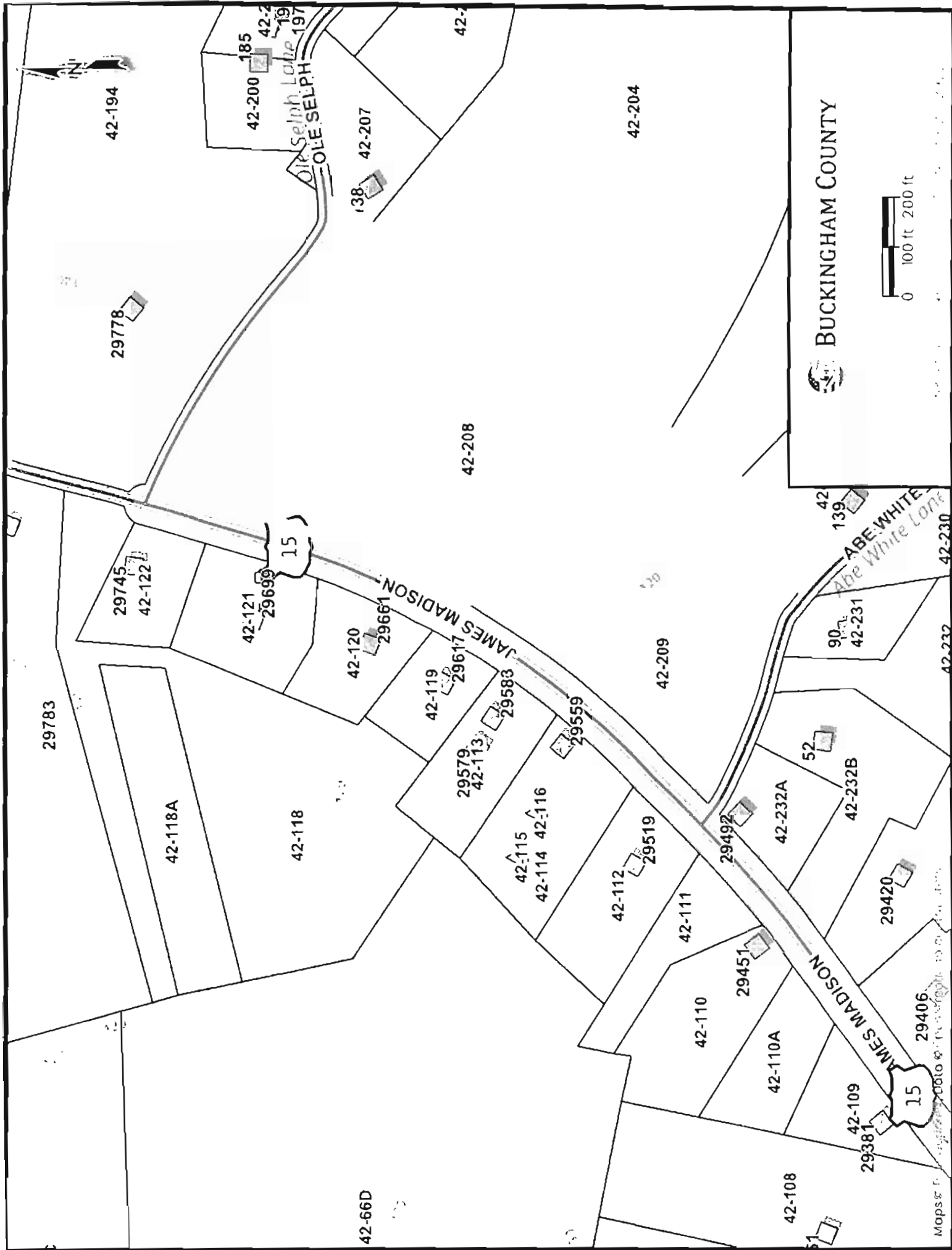
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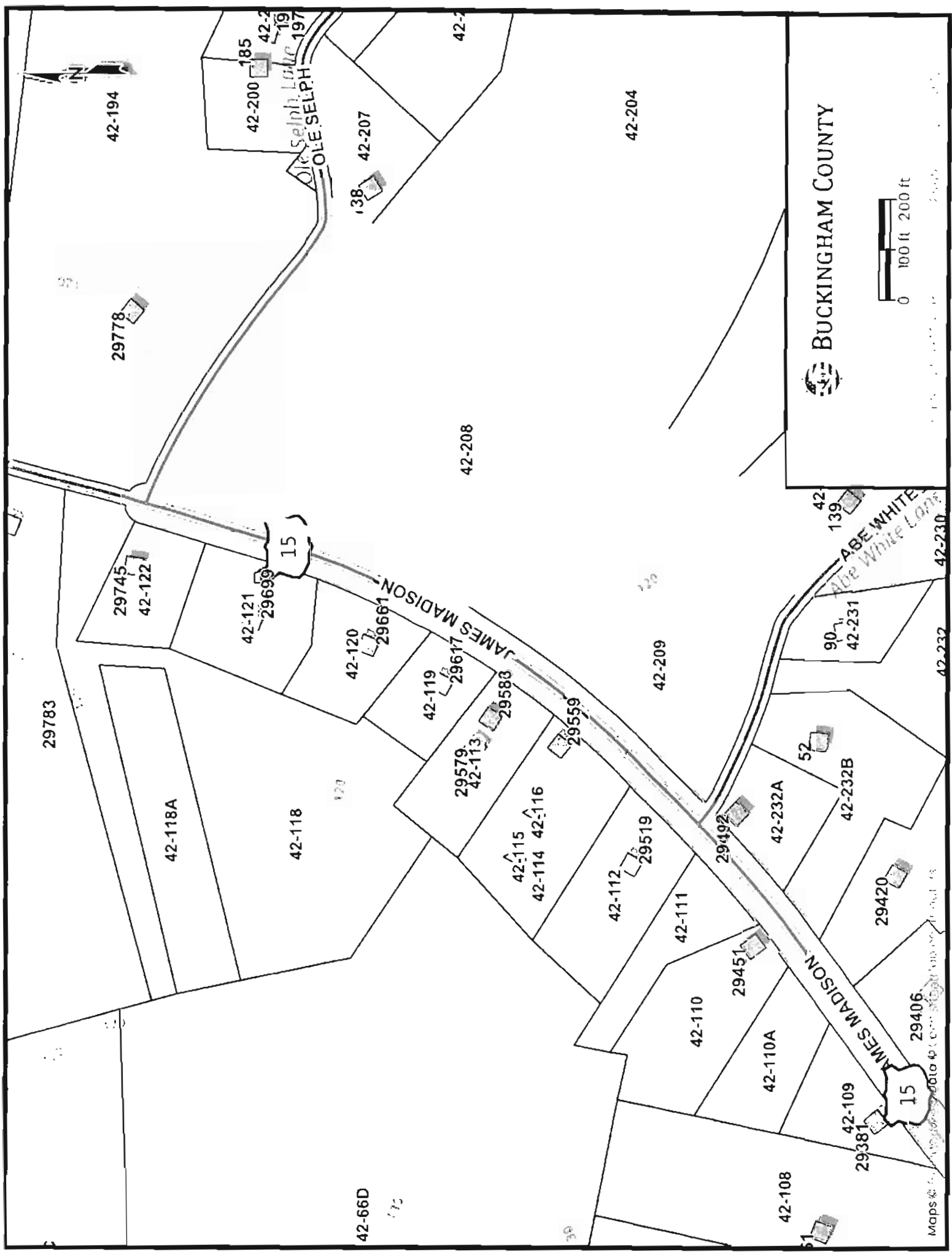
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LUM'S LAND SURVEYS, INC.

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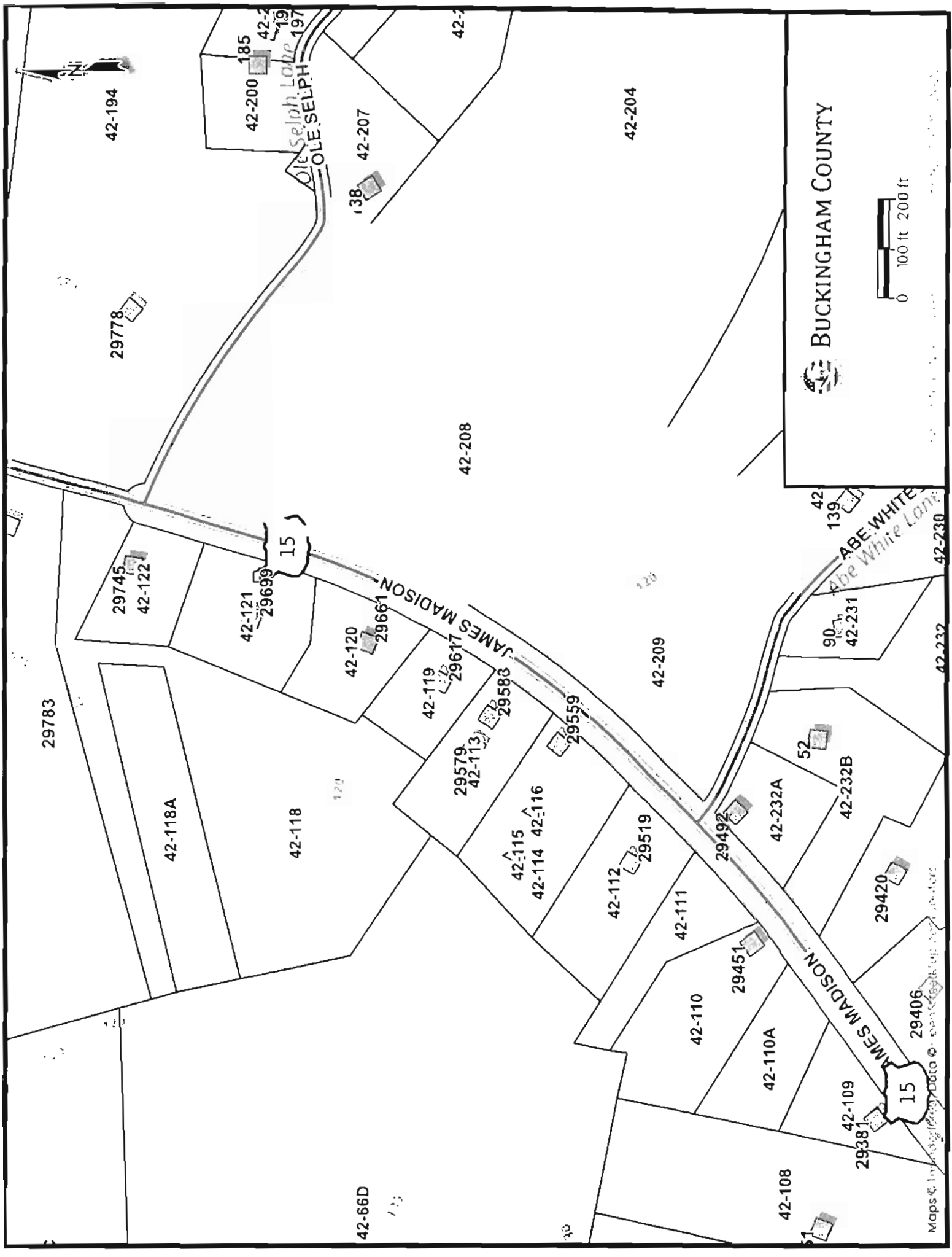
BUCKINGHAM COUNTY



ABE WHITE
Abe White Lane

JAMES MADISON
15

Maps & Data © 2000 by the County of Buckingham, Virginia



BUCKINGHAM COUNTY

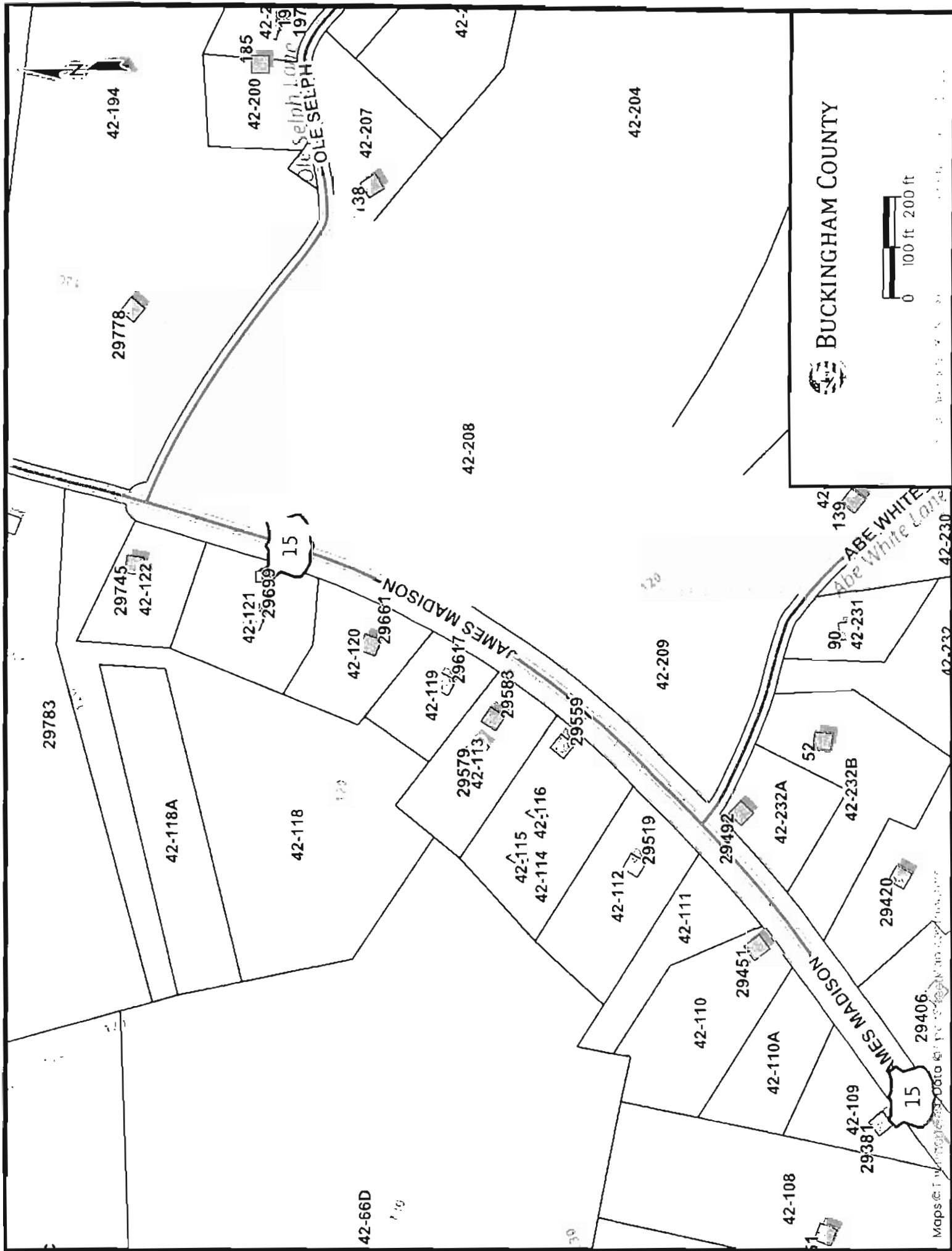


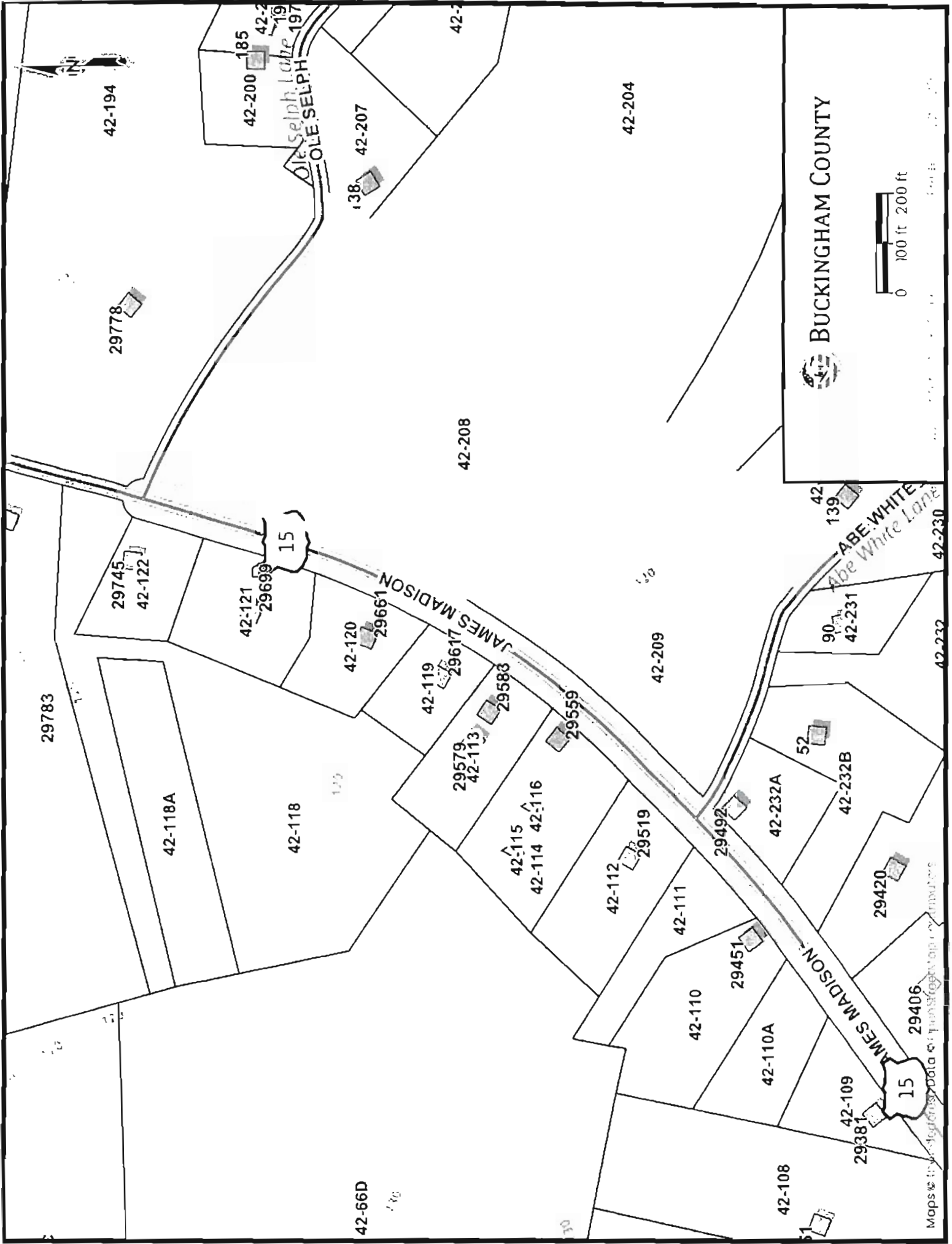
ABE WHITE Lane

JAMES MADISON

15

2010





BUCKINGHAM COUNTY



42-194

29778

42-200 185 42-201 197

42-207 138

42-208

42-204

29745 42-122

42-121 29699

42-120 29661

42-119 29617

29579 42-113 29583

42-115 42-114 42-116

29559

42-209

42-139

42-231

42-232

29783

42-118A

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42-110A

42-108

29451

42-232A

42-232B

29420

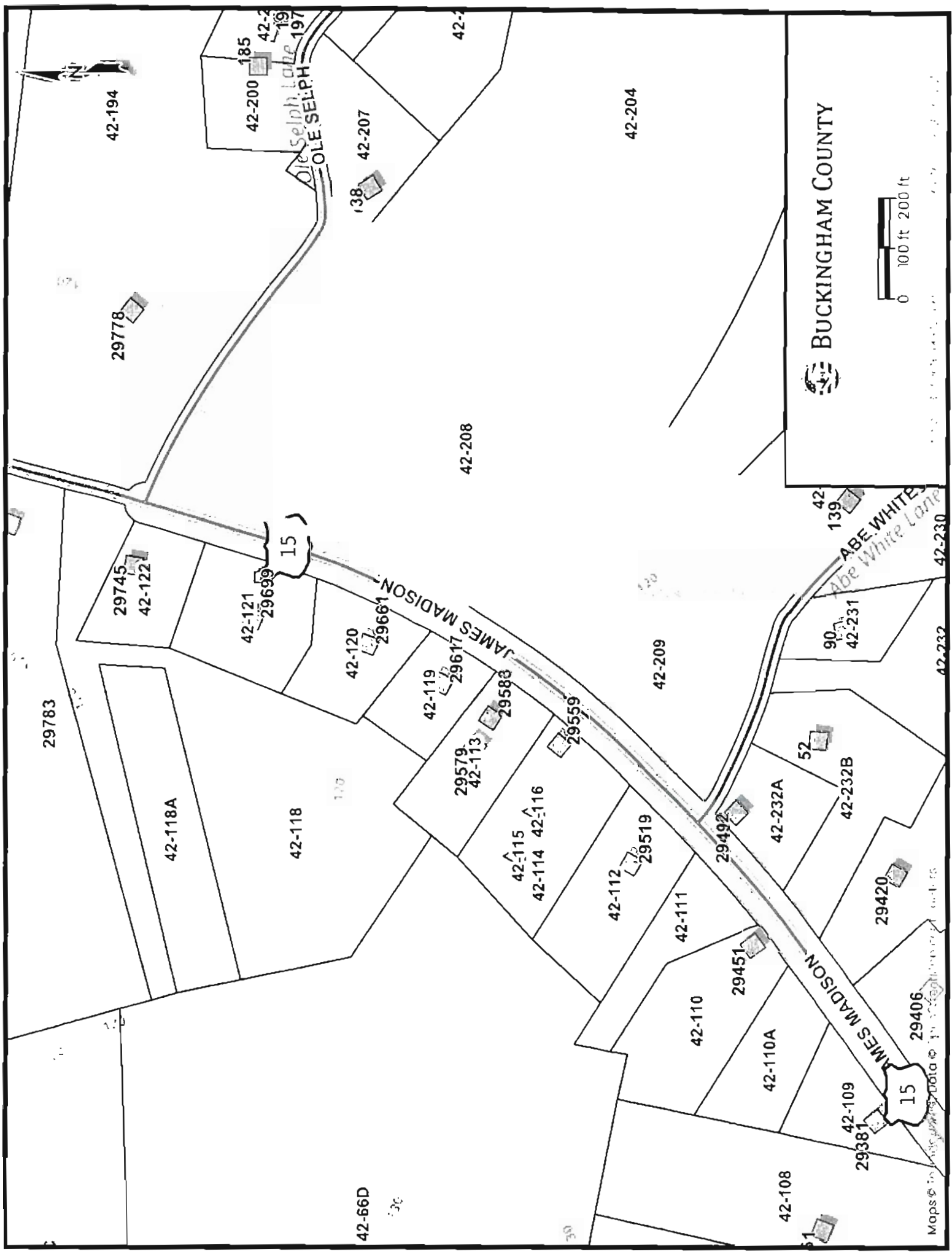
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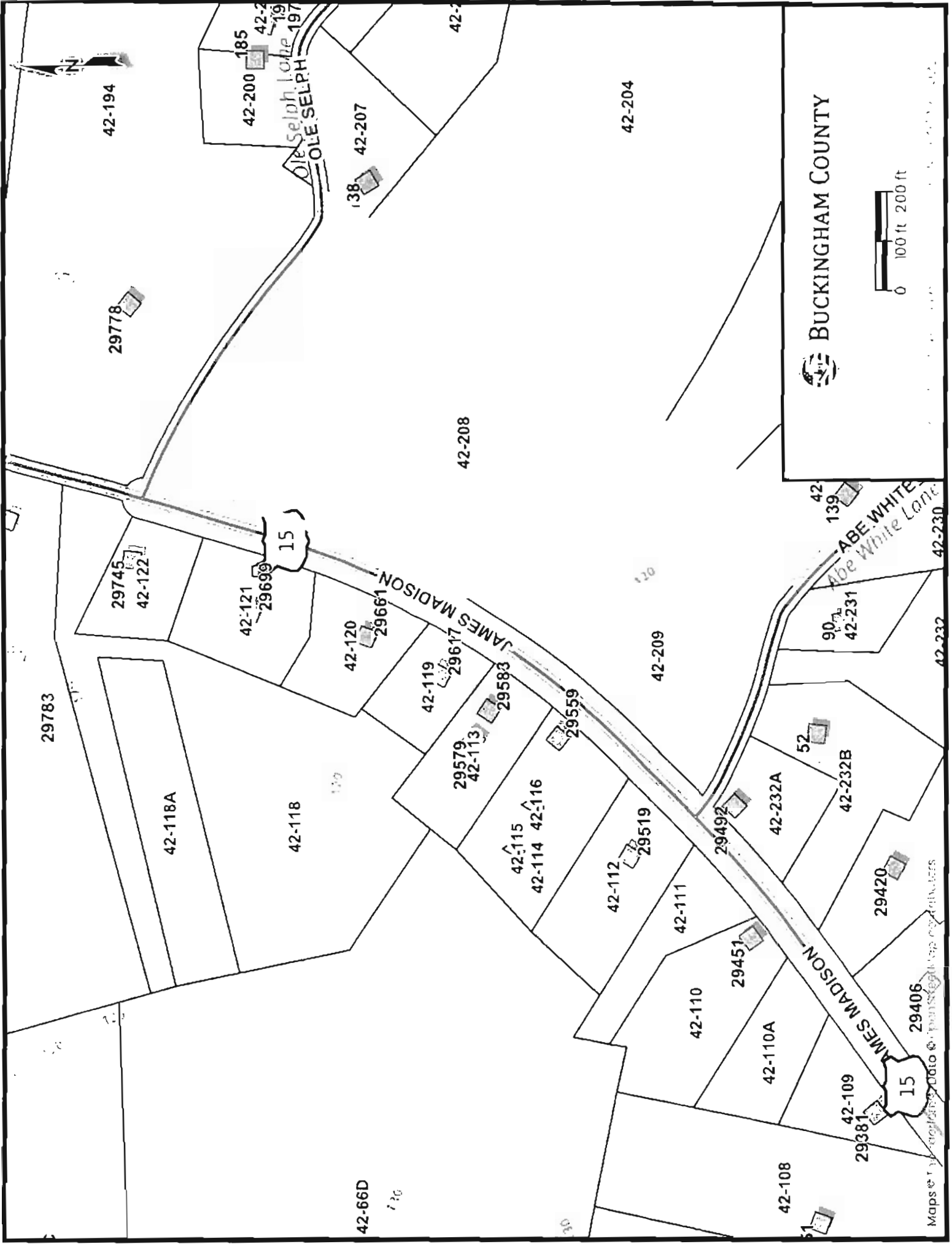
42-109

29381

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Maps & Data by the Virginia Department of Transportation





BUCKINGHAM COUNTY



ABE WHITE LANE

JAMES MADISON

JAMES MADISON

42-194

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29745
42-122

42-200
185

42-121
29699

42-207
138

42-208

42-204

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29661

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29617

29579
42-113

42-115
42-114 42-116

29583

29559

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42-233

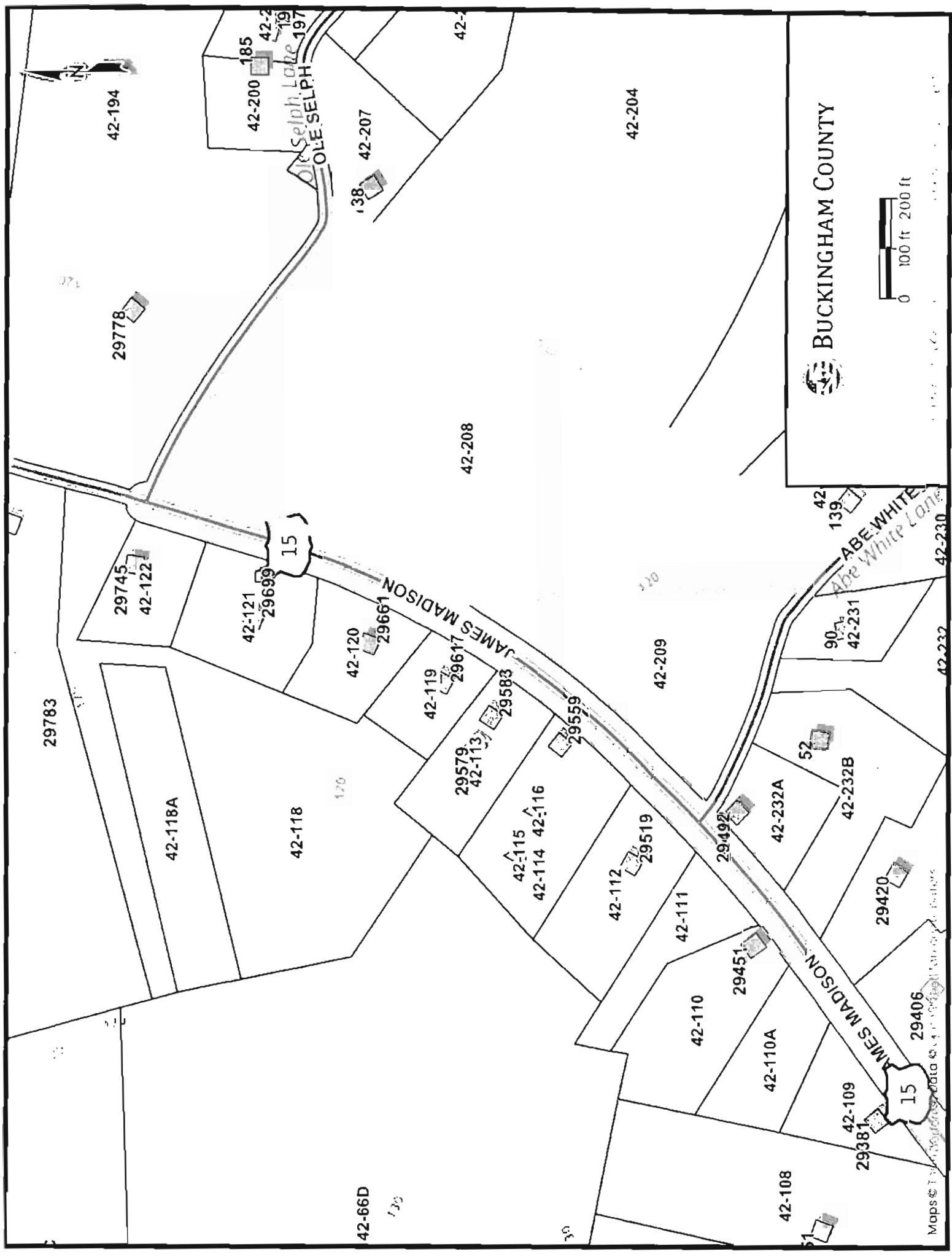
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42-118

42-66D

Maps of the County of Buckingham, Virginia, prepared by the County Surveyor, 1990.



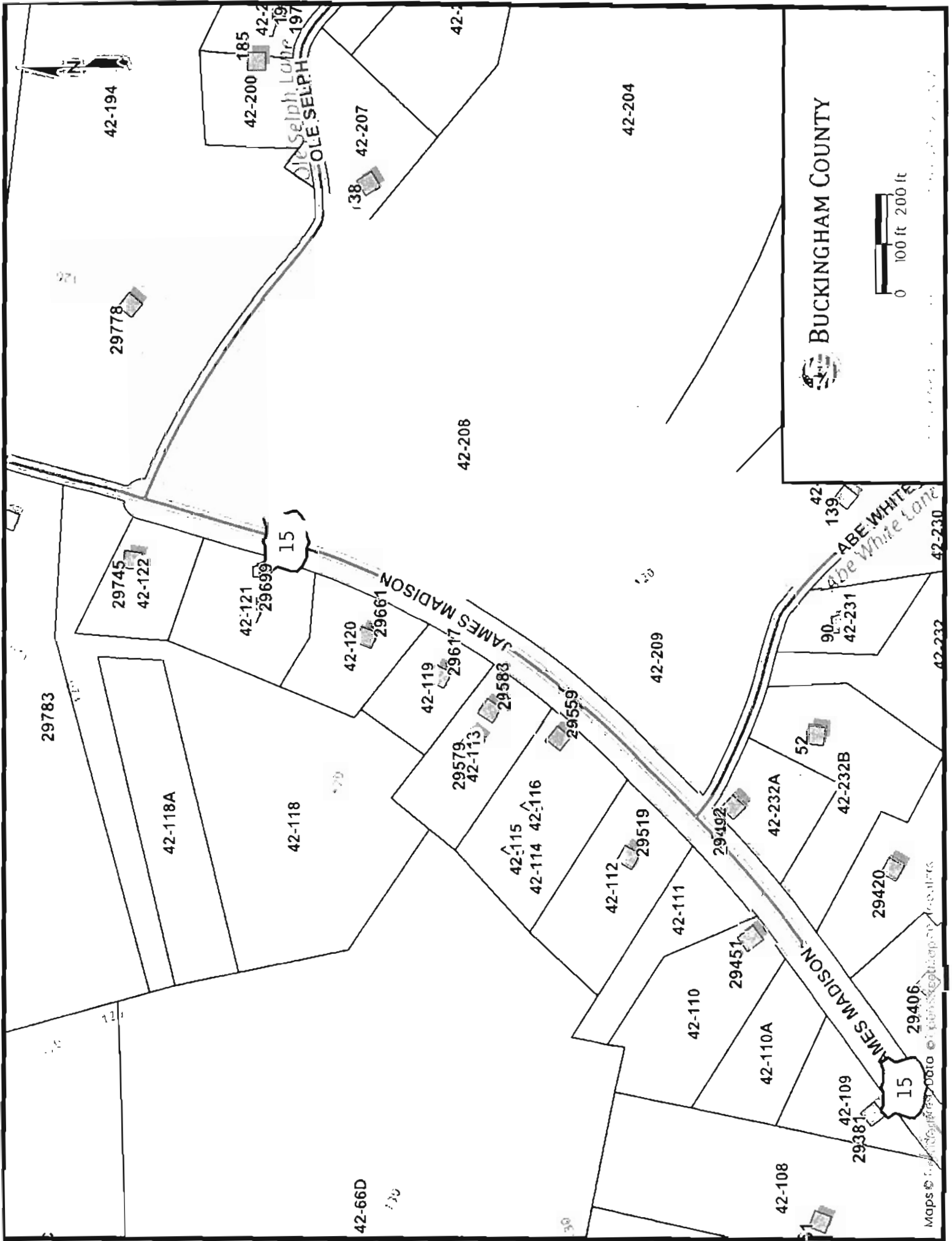
BUCKINGHAM COUNTY

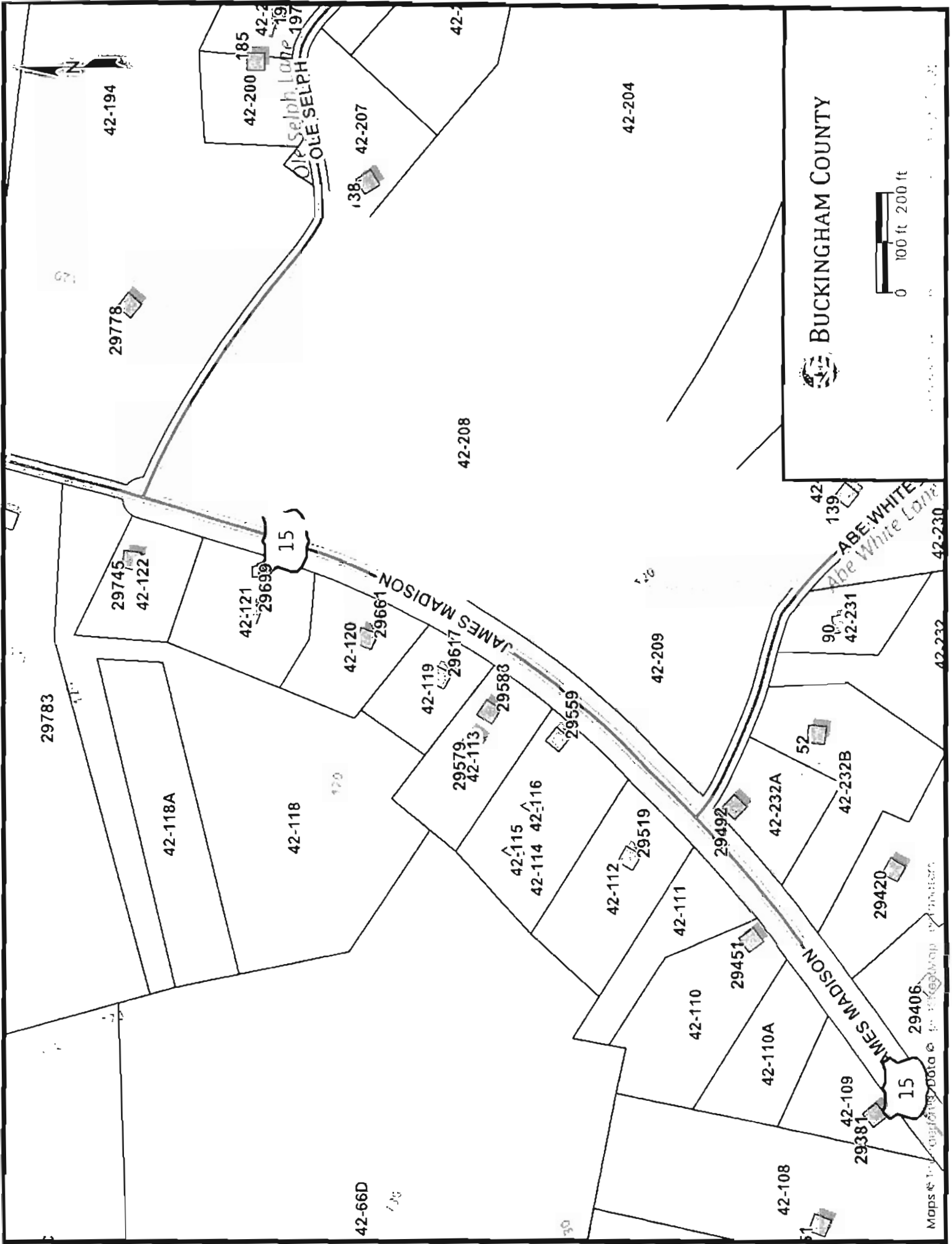


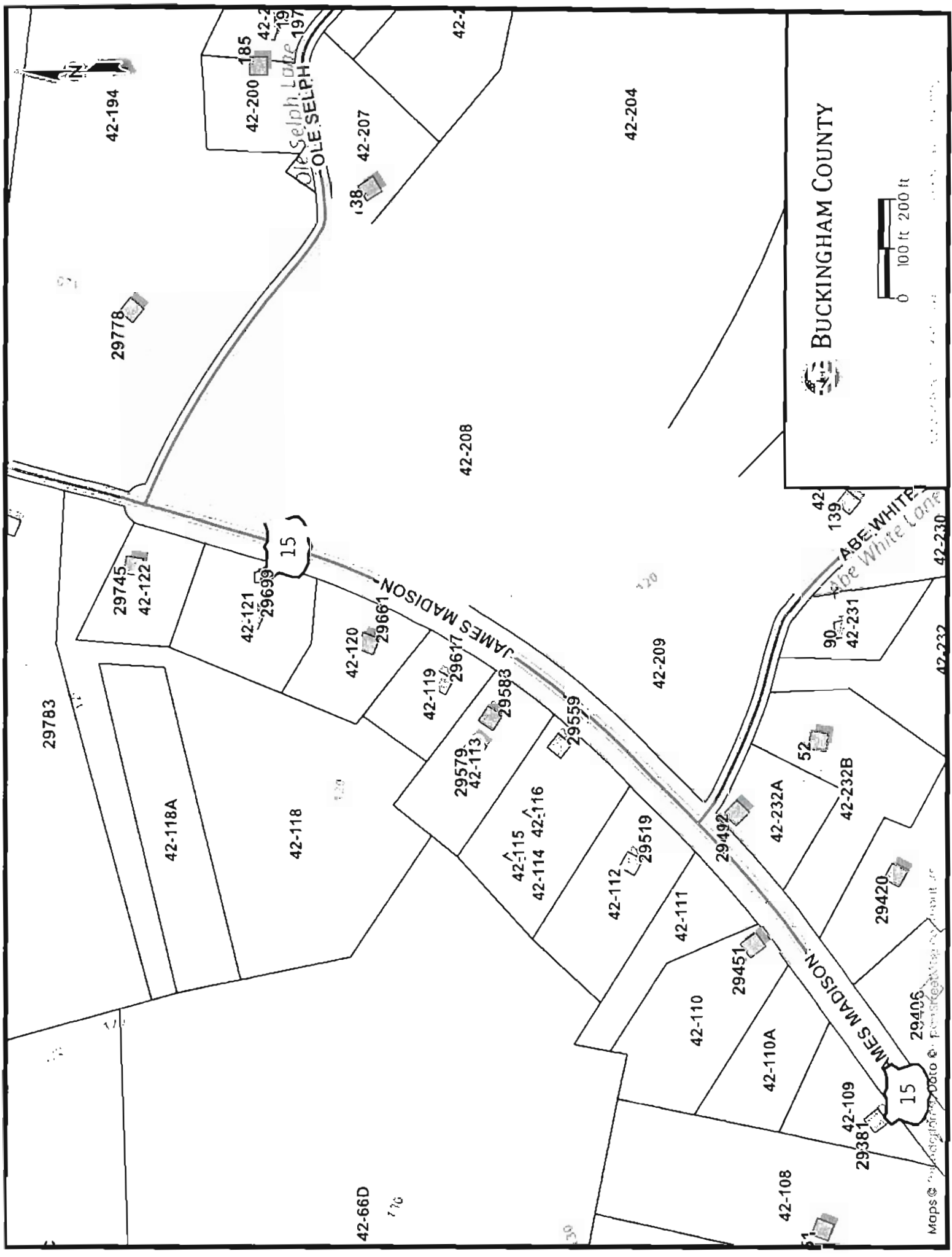
ABE WHITE Lane

JAMES MADISON

15







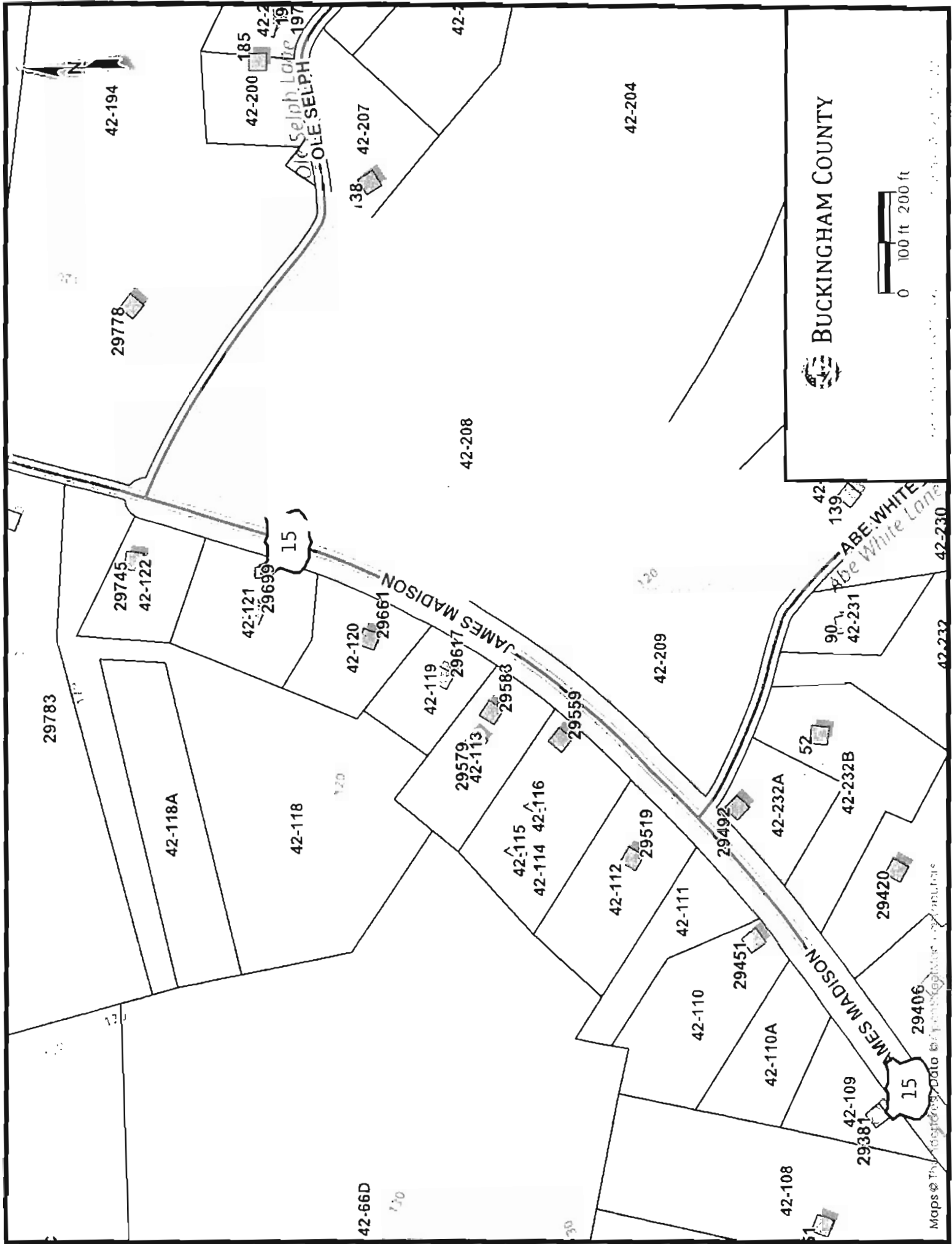
BUCKINGHAM COUNTY



ABE WHITE
Abe White Lane

JAMES MADISON

Old Selph Lake
OLE SELPH



BUCKINGHAM COUNTY



34 Building Permits were issued in the amount of \$4822.80 for the month of September 2022

Permit No.	District	Name	Purpose	Cost of Construction	Cost of Permit
19154	Marshall	Randall Daves, Ashley Hutchins	New Dwelling Stickbuilt	\$150,000.00	\$465.60
19168	Maysville	Ellington Energy	Mechanical	\$1,450.00	\$25.50
19169	Marshall	CMH Homes	Mobile Homes Doublewide	\$180,000.00	\$373.24
19172	James River	Allison Savage	Farm Building- Exempt	\$60,000.00	\$10.00
19175	Slate River	Allen Dobbs	Generator	\$1,000.00	\$25.50
19176	Maysville	Lance Perkins	Detached Garage	\$0.00	\$160.67
19177	Curdsville	Mills Heating and Air	Generator	\$1,848.00	\$25.50
19178	James River	Mills Heating and Air	Generator	\$14,200.00	\$25.50
19179	Curdsville	Andrew Wilkenson	Farm Building- Exempt	\$700.00	\$10.00
19180	Francisco	Robert Carter	Detached Garage	\$40,000.00	\$74.62
19181	Slate River	Davis Electric Services	Electrical	\$1,500.00	\$25.50
19182	Marshall	Thomas Dawson	Singlewide	\$4,500.00	\$241.57
19183	Curdsville	Martha Degaray	Mechanical	\$10,116.00	\$25.50
19184	James River	Tiger Fuel	Generator	\$500.00	\$25.50
19185	Marshall	Jermiah Stoneman	Detached Garage	\$5,000.00	\$90.78
19186	Marshall	Douglas Oliver	Shed	\$20,000.00	\$163.49
19187	Francisco	Gerald Cyrus	Demolition	\$0.00	\$25.50
19188	Maysville	Heather Dandridge	Use Change	\$0.00	\$25.50
19189	Maysville	Heather Dandridge	Singlewide	\$0.00	\$293.27
19190	Slate River	Ernest Carr	Electrical	\$0.00	\$25.50
19191	Curdsville	Oakwood Homes	Modular Unit	\$276,226.00	\$567.69
19192	Slate River	Willie and Deborah Smith	Singlewide	\$0.00	\$218.28
19193	Marshall	Parker Oil Company	Generator	\$1,500.00	\$25.50
19194	James River	Parker Oil Company	Mechanical	\$1,500.00	\$25.50
19195	Marshall	Mills Heating and Air	Generator	\$12,500.00	\$25.50
19196	Curdsville	Peter Desing	Residential Addition	\$116,048.75	\$134.19
19198	Slate River	Calvin Wallace	Generator	\$9,000.00	\$25.50
19199	James River	Aztec Rental	Tent	\$1,765.10	\$35.50
19200	Curdsville	Hilda Gons	Generator	\$0.00	\$25.50
19201	Marshall	Cindy Johnson	Mechanical	\$0.00	\$25.50
19202	Maysville	Joe Steinruck	Generator	\$10,300.00	\$25.50
19205	Curdsville	Jonas Fisher Townsedegge Hardware	Commerical Construction	\$207,500.00	\$1,499.40
19208	Maysville	Parker Oil Company	Mechanical	\$1,500.00	\$25.50
19209	Curdsville	Parker Oil Company	Generator	\$1,600.00	\$25.50
34					
Cost of permit is calculated based on square footage of structure				\$1,130,253.85	\$4,822.80