



Buckingham County Planning Commission Agenda
Monday, September 26, 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/JY1oZ-oHvJ8>

1. Call to Order by Chairman

Invocation

Pledge of Allegiance

Establishment of Quorums

2. Adoption of Agenda

3. Approval of Minutes

A. August 22, 2022 Regular Meeting

4. Agency Presentation – Virginia Farm Bureau

5. Public Comment

6. Old Business

A. Public Hearing Case 22-SUP318 Atlantic Investment Corporation

7. New Business

A. Introduction Case 22-SUP319 Rosney Creek Solar LLC

8. Reports

A. Building Permits Report

B. Zoning Administrator Report

9. Commission Matters and Concerns

10. Adjournment

**Buckingham County
Planning Commission
August 22, 2022**

At a regular scheduled meeting of the Buckingham County Planning Commission held on Monday, August 22, 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: Approval of agenda. Nicci any changes to the agenda?

Edmondston: No sir Mr. Chairman.

Bickford: Alright, do I have a motion to approve the agenda?

Gooden: So moved.

Dorrier: Second.

Bickford: All right. All in favor, raise your right hand passes. We have approval of a minutes for the July 25 meeting.

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

Gooden: Mr. Chairman, yes. I have a correction to the minutes.

Bickford: Yes, ma'am. Go ahead.

Gooden: I wasn't here at the last meeting. Okay. So in the meeting minutes it had me listed and I've already given that to the secretary.

Bickford: Okay. Thank you. Any other changes? revisions? Do I have a motion to approve with one revision?

Dorrier: I'll make motion with the one revision.

Bickford: Have a motion. Do I have a second?

Crews: Second.

Bickford: All right, all in favor of the minutes with the one revision raise your right hand. That passes. Alright, that brings us to our public comment period. Nicci do we have people signed up for the public comment?

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

Edmondston: Yes, sir. We have three individuals signed up. Teresa McManus.

Bickford: If you would please come forward, state full name and address, you have three minutes.

Teresa McManus: Teresa McManus district two 1059 Scotts bottom road. First of all, what I'd like to ask and I've asked the board of supervisors, this also is that, I would really appreciate it if you put your phones up on the ledge because people read their phones or play and you work for us for a couple of hours a month. And I find it very disturbing when people have their phones or are looking down. And we can't tell if you're paying attention to us or not. I think it is something that you need to do for us so that we know that at this time, you are paying attention to us. At route 24 and 60, where we have the Center of Virginia. I almost got killed there the other day might have been a good thing for you guys. Why don't we have a roundabout there? When you're coming down to 60 and you look to 24 It's a hard look. It would be a wonderful idea if you guys thought or went out and drove there and thought about that would be a great place for a roundabout. Okay, Pledge of Allegiance. Drives me crazy. When everybody says it, I brought it up the board of supervisors, I'm going to bring it up here. Have you ever read it? There's no comma, with one nation, comma, under God. It's one nation under God, comma. That's how it's supposed to be said. Listen to yourself. You don't say that. The only thing that I have to say tonight that is a little bit controversial is the Board of Supervisors is afraid of being sued by Aston Bay. Are you too afraid of being sued by Aston Bay? That's been brought up a couple times? Here's the deal. You have to follow the Virginia State law. But that doesn't mean you can't override the Virginia State law. If the Virginia State law states that we can have gold mines, you don't have to approve the gold mines. You're afraid of being sued. Here's the big thing. How about being sued and when the problems happen after the gold mine comes in? Boy, you really want that three minutes to go by quick. None of you want to talk about that. But if we have an

accident here with you can think you can guarantee not only will you be sued, there'll be repercussions.

Bickford: Who's next

Edmondston: Mona Banton

Mona Banton: I'm Mona Banton. I live at 355 Sharon church road in the Slate River District. My husband and I received the letter that you all were having the Dominion public hearing this evening. And of course you're not. We just got the letter, like last week. So now we didn't know that, that it was canceled. Although I heard it was in the paper. My husband, the last thing he said to me was, are we going? Yes, we are. So I rush home from Charlottesville, where I work and get here with the price of gas. So here we are, with no hearing, I would like to ask a question for the board, especially the representative for Slate River District. And I know you're not going to answer me, but I just want to ask the question and put it out there. How did you vote for the pipeline? Because that was in your backyard. And I know when they had the open house, you were very instrumental and telling me you know all about it, how making it sound like what a good idea was going to be for it to be behind my house. So I just want you to think about what the pipeline would have done in your backyard, because you don't live off of 20. We do. And I noticed there's some houses going up for sale. I don't know if that's the reason they're being sold or not. But anyway, we are opposed to it. And if the one on 60 has problems, why are you going to approve something that may have problems too. I think you're approving too much too quick. That stuff on 60 needs to be fixed before you ever open another one. And I just feel like Buckingham has become in a place for whatever misfit kind of thing that you think that it should have. I mean, I don't think we need all these solar farms because it's not benefiting me. The power is going somewhere else. It's going to Dominion to Albemarle wherever else it's not going to help me who's on Central Virginia. That's all I'd like to say. Thank you for listening.

Inaudible

Kapuscinski: I understand thank you.

Bickford: We have any other?

Edmondston: Yes sir one more and that is Donald Dorrier.

Donald Dorrier: Donald Dorrier 14536 Scottsville, Virginia. Good evening, three minutes is kind of quick for me. So I'm going to read rather than talk sometimes I get a little tied up when I get to talk and so I'm reading. So I'd like to talk about something different related to the pine side solar request we heard about noise and the erosion the safety the air pollution. So let's talk about something that we don't know about. And that's the chemicals in the in these panels. We heard last month from the Pine Sol rep that there are some toxic materials in the panels. These panels will be exposed to elements such as sun, rain, hail, and wind when these panels leak that material and some will, it goes into the groundwater. Remember, according to the SUP there will be over

179,000 panels. So some will leak upon installation due to improper seals when built. That's just the way it is. All 179 thousand will not be perfect. They are man made and susceptible to defects. Others will have cracks and damages over a period of time that can cause leakage of toxic materials that will end up in the ground. If you watch TV, you've seen many commercials talking about if you live near or in camp legion from 1953 to 1987 Please call the law firm of so and so. And you may be compensated for numerous different types of cancer, that toxic water causes during that time period. Remember that was 35 to 69 years ago. And now we are talking about toxic water caused during that time period. We do not know what toxics will spill into the nearby streams here. We do not know what types of cancer we may get. As a result of this. The law firms want to sue and get monetary settlements. But what about the people who have cancer due to this? What value do you have on their life? What good is the money for the founders of those who died from the cancer caused by these toxic waste? Even worse what about one sso sick they wish they were dead. We do not know what lies ahead with a solar farms we did not think led paint was harmful or asbestos on homes and buildings. What about round up chemicals. We now have multimillion dollar lawsuits. All these things took time, but somebody had to pay that price to be either terribly sick or die. Why do we even consider adding another major farm solar farm to the so close to the one now prude? Some residents will live within a half a mile of over 4200 acres of farmed exposure and some a couple 100 yards from it. Do they now have to sit and where will I get cancer from this? We cannot answer that question. If we could then why would we? Why would we use lead or asbestos or Roundup in the past? So now what do we really know about what's in these panels? Thank about campe legion And remember the solar panels that are made approved also affect the lives of residents represented. Is there a health more important than a tax revenue? Thank you for your time.

Bickford: Okay. I'll close the public hearing. We'll move to old business. First on the list of courses. Dominion energy, but that has been cancelled the public hearing tonight.

Edmondston: Yes. And, Mr. Chairman, there is one matter for you just to to vote on and accept or not accept but of course, the letter that was accompanied the packet and the documents for Dominions case 22 SUP 313. Dominion has asked for a request to suspend the consideration of their case. That's their official request at this time. I know the last time we had that request from an individual was earlier this year in January from Mr. Yoder. His proposed sawmill on Crump town road, you did make a motion to accept their request.

Bickford: Okay. Do the commissioners understand?

Kapuscinski: What is it again?

Bickford: They're asking dominion is to suspend their application, which means we won't have the public hearing they can come back in the future. And reinitiate the application.

Kapuscinski: They would do that through the planning commission. Correct?

Bickford: Correct. It will pick up from where we're at.

Edmondston: So when that when they or should they come back and their letter indicates that the company respectfully requested suspension of the county's consideration of the project until the company notifies the county of the company's desire to resume the zoning process. So should they come back and make a request to open the case once again, it will be here in the planning commission and their request on the floor would be for a public hearing at that time.

Kapuscinski: Did they talk to you at all about why they actually wanted this suspension? Did they talk to you personally at all?

Edmondston: They did not talk to me personally about this request. This is theirs. I received this that Monday evening and forwarded it to you. I believe it was the very next day.

Kapuscinski: Was there any conversation with any of the commissioner?

Bickford: I did talk to Felix but no he didn't comment on why they want to or why they chose to delay the public hearing and ask for the suspension.

Kapuscinski: I move that we accept this suspension the request.

Crews: Second.

Bickford: I have a motion and second to approve their suspension for this application. Any further discussion? All in favor, raise your right hand. Granted. Moves us to our public hearing case for David Whyko.

Commissioner Kapuscinski made a motion, Commissioner Crews seconded and it was carried unanimously by the commission to suspend case 22SUP 313.

Edmondston: Yes, sir. This public hearing is for case 22 SUP 316. landowner Karen Whyko and applicant Karen and David Whyko at 1904 Pattie road Buckingham. This case was introduced to you last month it is tax map 77 parcel 18 and it has 374.9 acres it is in the James River magisterial district. It is zoned a one and of course the applicant wishes to obtain a special use permit for the purpose of operating an Airbnb Bed and Breakfast campsite and events center to include but not limited to weddings, parties, celebrations, music events, concerts, file and photo shoots, film and photo shoots. I believe that what it should read yoga, horseback riding watersports, auctions, fishing, dinner parties, cooking classes, classes and wine tasting for up to 1800 Mr. Whyko is here with us this evening to address questions.

Bickford: Do any of the commissioners have questions for Mr. Whyko before the public hearing?

Kapuscinski: Yeah, I do. I thought we revised that to 1500.

Edmondston: So, yes, sir, Mr. Kapuscinski I went back to that previous conversation at the introduction. I believe that our supervisor Danny Allen had questions and comments as well. I went back to a case in February for Carl Burmaster. Because initially, it was stated that we should make the case similar to that changes were made to the Turner application which kind of results in the same nature of events for Mr. Whyko. That application went through with a limit of 1500 people for large events, no to exceed no more than four large events and anything over 300, not 200 for the Turners. So is that what you find suitable? If so Mr. Whyko may have some conversation and discussion around that, but it would be capped at 1500 people instead of his requested 1800. And then in Section M, it says applicant will be allowed to host up to four large events for attendance between 201 and 2000. It's actually 300 people in the conversation regarding whether or not Mr. Whyko would be able to accommodate weddings at less than 300. If you look specifically at conditions seven, this is actually for any musical or entertainment festival, a wedding would not typically fall under the definition of musical or entertainment festival.

Kapuscinski: Let me understand clearly we're still we're still talking 1500 We're talking two to 300 for a wedding...

Edmondston: 300.

Kapuscinski: We're talking 300 what was the thing up to 2000? I didn't understand that.

Edmondston: Mr. Burmaster that was originally taken for him he has 2000 for his cap. That was a different case prior to your decisioning Yes, your decisioning prior to your coming on to the planning commission.

Kapuscinski: Okay. But Mr. Whyko also agreed at the meeting from what I understand to those conditions, the conditions that we recommended Am I correct?

Edmondston: I'm not sure that there was an agreement I think there was discussion held over the number of events he may want to bring that back up this evening.

Kapuscinski: All right, well, Mr. Whyko if youll come...

Bickford: Well, let's just do this if we're going to make any conditions on this let's go ahead with a public hearing. Get that over and then we're going to have a discussion with Mr. Whyko and how we can address things. So if no other commissioners have any questions I'm going to open up the public hearing.

Dorrier: I had one. I noted that the entrance... has at the entrance been revised through vdot and taken care of? It said it has not been on my report.

Bickford: Mr. Whyko, would you come on forward to the podium, sir. If you would state your full name and my address.

David Whyko: David Whyko 1904 Pattie Road, Buckingham, Virginia. And I do believe that the vdot situation was taken care of. I don't remember the gentleman's name. It wasn't Snell. It was a different gentleman. You have it? Was it Edwards? Yeah. Yeah, in the paperwork, he, he signed off on it. But if I have two entrances to the property, the main property, and then I want to have the parking, which is on the other side of the road, right across the street from our one of our southern entrance. The main entrance to the house, which pictured on the lower part of the screen, the driveway that comes out that that fields, right, that field down here, if you're, that's going to be all parking, now walk across, out into the other driveway. And, and if it's a wedding, you'd have it at the gazebo overlooking the lake. And they're also going to have use of the bottom floor of my house as well for the bridal party or whoever to get ready, such as being fit for them. But like we said, it's not limited to weddings, I want to really concentrate on a lot of photoshoots Orvis hunting, you know, magazines that are coming out on a shoot usually six months prior to put it out for their catalog, because there's just a myriad of opportunity and shots to gather at that location. Richmond still does a lot of, you know, historical films and whatnot. And I've got 375 acres to recreate any civil war type stuff going on. But yeah, the parking the parking would be on the other side, the west side of my property, and they would just walk across the street are we're going to have to have some sort of transportation whether, you know, for elderly people to get across if need be as well.

Dorrier: It just says what it says a traffic impact statement is not required, but then it drops down and says entrance will be reviewed during the site plan. So one contradicting something I don't quite understand.

Edmondston: So they're staying in the v dot form, it is complete, what they're actually asking, what they're stating to you is that traffic impact study is not required, and that his final site plan which of course, at this time, the county does not require a form of site plan. So Mr. Whyko, should this permit be approved his first condition, which is adherence to local state and federal guideline, he will go back to vdot and work with them, he'll probably contact me, we'll set up a meeting with vdot possibly here at this location or zoom to ensure that what he's going to use if he needs any further engineered plans Vdot at that point before they'll issue him a land use permit from their office, he'll have to comply with their requirements. If he doesn't do that, then this permit will be null and void if he were to have approval at any point.

Whyko: I intend to, before every significant event, maybe more than even 50 people to be in contact with Billy Kidd and the fire department and vdot as well, to let them know exactly what's going on. On the premise that day. Nicci, would you mind explaining what you just said again, so about what I need to do in order to get the land use is that something that I would have to do every time?

Edmondston: so know what your entrance for ingress and egress for this proposed usage of the property if we go very to the back to the very beginning of this traffic impact is not required,

because vdot is stating that the traffic generated by the zoning change or development does not exceed normal thresholds. What vdot is asking you in their comments is interested will be reviewed during site plan submittal for v dot permit. So this lets you know for the application that nothing further as far as a traffic impact statement being required, but you will need to go back to v dot should you be approved by the county to obtain a land use permit for them to finalize and make formal your entryway and approve you for what is needed further.

Whyko: And that's something that'd be kept with the?

Edmondston: They'll issue that to you they'll let you know should you be approved for this then you wouldn't have to go back.

Bickford: Any other question from the commissioner before we do the public hearing? Okay, Mr. Whyko if you would sit down here. We're going to call you back up as soon as the public hearing is completed. Alright, do we have anyone signed up?

Edmondston: We do not have anyone signed up.

Bickford: Will you come back forward? So I'll close the public hearing there. And we will now proceed. Okay. Did you understand Mr. Whyko.

Whyko: What she just said? Yes.

Bickford: You got the entrance right? As far as what Pete is asking you now you're going to be 1500 Maximum.

Whyko: 1500 four times a season.

Bickford: Four main events that's right. At the we did raise the limit of the weddings to 300 Was there a limit? I'm sorry, Nikki was our limit on what no limit on how many of those rights it was just for the four main?

Edmondston: Four major in conjunction with any musical or entertainment festival.

Whyko: Now, weddings are one thing and the other the more times what happens if I run through my 1500 and I have another event coming up? That might be five or 600 That's not a wedding. Is that just I'm out of gas or is that something that I needed?

Bickford: Well, that would yeah, basically we're saying you're going to have four main events that exceed 300.

Whyko: So every other 300 or less? Yeah im okay with that,

Bickford: Any other?

Kapuscinski: No he clarified Thank you.

Gooden: I'm okay with the reduction too because I'm quite familiar with Pattie road. I live on Shelton store. So yeah, Hi, neighbor. So I'm excited about it. But the limitations for the traffic. I'm okay with that.

Bickford: All right. If no other questions for our applicant from commissioners here. Do we have a motion to move on?

Kapuscinski: Motion.

Dorrier: Second.

Bickford: Have a motion and a second to approve any further discussion? All in favor Raise your right hand. Whyko you're going to the Board next month.

Whyko: Thank you. God bless.

Commissioner Kapuscinski made a motion, Commissioner Dorrier seconded and it was carried unanimously by the commission to move case 22-SUP316 on to the Board of Supervisors.

Bickford: Thank you, sir. Brings us to our second public hearing case. Rodney and Terry Banks.

Edmondston: Yes, sir. This is case 22 SUP 317 Rodney and Terry Banks of 568 Mountain Vista Road in Scottsville. Their application today is to obtain a special use permit for the purpose of operating an Airbnb Bed and Breakfast and one dry campsite. The property information for this application is tax map nine parcel 69. It's two acres and it is located at 15681 South Constitution route Scottsville on the slate river magisterial district. I did look in the audience, I do see that Mr. And Mrs. Banks are here with us to help answer any questions and concerns that you may have.

Bickford: Okay. At this time, do any commissioners have any questions for the applicant before I open up the public hearing? No. Okay. We'll now open up the public hearing. Do we have anybody?

Edmondston: We don't have anyone signed up to speak?

Bickford: I'll close the public hearing. And we'll turn it back over to the commission. What is your preference?

Kapuscinski: When do you intend to start?

Inaudible

Kapuscinski: Okay, thank you.

Bickford: Other questions or do I have a motion.

Crews: I'll make a motion that we move this case on to the Board of Supervisors meeting next month.

Kapuscinski: Second.

Bickford: Have a motion to approve. Have a second. Any further discussion? All in favor, raise your right hand. Approved. I see that we have no new business at this time.

Commissioner Crews made a motion, Commissioner Kapuscinski seconded and it was carried unanimously by the commission to move case 22-SUP317 on to the Board of Supervisors.

Edmondston: We do not Mr. Chairman.

Bickford: That puts you on the spotlight for your report.

Edmondston: I don't have anything pressing or new for you this month.

Bickford: Commission matters and concerns. Commissioners have anything they need to bring in front of the board here.

Kapuscinski: We still scheduled for the public hearing for Mr. Lloyd next month?

Bickford: Correct Sir.

Edmondston: The meeting will be the fourth Monday at 7pm.

Bickford: And that will be seven versus six?

Edmondston: I don't remember there being any different.

Gooden: The same thing about will we have any kind of training or work?

Edmondston: Yes, the County Administrator and I are working on finalizing some of those details that will come out to you in the form of an email or txt just to make sure I'm able to reach.

Gooden: Awesome. Thank you.

Bickford: There are no other matters. Do I have a motion to adjourn?

Kapuscinski: So moved.

Dorrier: Second.

Bickford: Have a motion and a second to adjourn. All in favor, raise your right hand. We are adjourned. Thank you.

Commissioner Kapuscinski 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

Public Hearing Case 22-SUP318

Applicant Atlantic Investment Corporation
P O Box 7082
Fairfax Station VA 22039

Zoning District: Neighborhood Commercial (NC-1)

Background/Zoning Information: The landowner and applicant is Atlantic Coast Investment Corporation, Ted Lloyd, President. This property is zoned Neighborhood Commercial (NC-1). The Zoning Ordinance does not permit Single Family Dwellings, Residential Housing-Townhouses, or Community Centers as a Permitted by Right Use Neighborhood Commercial (NC-1) District. However, Within the NC-1 Neighborhood Commercial Zoning District, Single Family Dwellings, Residential Housing-Townhouses, and a Community Center 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.

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. Any improvements in the property shall be made in accordance with the Contract made by The County of Buckingham and Atlantic Investment Corporation dated June 23, 2022.

5. There should be sufficient bond with surety posted to ensure the construction and completion as indicated in the general development plan.

6. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.

7. 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.

8. 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.

9. 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.

10. 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

11. 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.

12. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

13. Per VDOT Recommendations to require:

1. An analysis of the impacts on the signal at Route 15 and Route 1003 be completed.
2. Route 1003 be resurfaced to accommodate the additional traffic.

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 ☒ N/A

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: July 12th, 2022 _____

Special Use Permit Request: __Residential Housing to include single family homes, town homes and a swimming pool with a clubhouse. _____

Purpose of Special Use Permit: __To develop and construct a residential neighborhood in accordance with all applicable State and County ordinances as required by law. _____

Zoning District: _NC-1_____ Number of Acres: +/- _135.28_ acres _____

Tax Map Section: 138-15_____ Parcel: _____ Lot: _____ Subdivision: _____ Magisterial Dist.: _Curdesville_____

Directions from the County Administration Building to the Proposed Site: __Drive east on route 60, turn North on route 15 for approximately 1.5 miles turn right on route 1003 and turn right again on the road to the Christian school. At roads end you have arrived at the subject parcel. _____

Name of Applicant: _Atlantic Investment

Corporation _____

Mailing Address:

PO Box 7082 Fairfax Station, VA 22039

Daytime Phone: (703) 298-7518 _____ Cell Phone: _____

Email: TedLloyd3@outlook.com _____ Fax: _____

Name of Property Owner: Buckingham County _____

Mailing Address:

Street Address:

Signature of Owner: _____

Date: 7/20/22

Signature of Applicant: _____

Date: 7/12/22

Please indicate to whom correspondence should be sent:

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

ADJACENT PROPERTY OWNER'S LIST

1. Name: JRE Dillwyn, LLC

Mailing Address: 11053 Leadbetter Rd, Ashland, VA 23005

Physical Address: 284 Main Street, Dillwyn, VA 23936

Tax Map Section: 138 Parcel: 15B Lot: _____ Subdivision: _____

2. Name: White Oak Land Co. LLC & Oak Grove Builders, LLC

Mailing Address: 12624 Eagle Ridge Rd., Richmond Virginia 23233

Physical Address: N/A

Tax Map Section: 138 Parcel: 1-2 Lot: 1 Subdivision: _____

3. Name: Heather A. Woodson

Mailing Address: 130 Lesueur St., Dillwyn, VA 23936

Physical Address: 130 Lesueur St., Dillwyn, VA 23936

Tax Map Section: 138 Parcel: 1-1 Lot: 164A Subdivision: _____

4. Name: Willard M. Spurlock and Faye B. Spurlock

Mailing Address: 636 Main. St., Dillwyn, VA 23936

Physical Address: N/A

Tax Map Section: 138 Parcel: 1-1 Lot: 164D Subdivision: _____

5. Name: Stephen W. Taylor, Jr.

Mailing Address: 192 Lesueur St., Dillwyn, VA 23936

Physical Address: 192 Lesueur St., Dillwyn, VA 23936

Tax Map Section: 138 Parcel: 1-4 Lot: 1 Subdivision: _____

6. Name: Claudette Rollins

Mailing Address: 228 Lesueur St., Dillwyn, VA 23936

Physical Address: N/A

Tax Map Section: 138 Parcel: 1-4 Lot: 2 Subdivision: _____

7. Name: Gary D. Hoerman and Wanda Hoerman

Mailing Address: 250 Lesueur St., Dillwyn, VA 23936

Physical Address: N/A

Tax Map Section: 138 Parcel: 1-4 Lot: 3 Subdivision: _____

8. Name: Gary D. Hoerman and Wanda Hoerman

Mailing Address: 250 Lesueur St., Dillwyn, VA 23936

Physical Address: 228 Lesueur St., Dillwyn, VA 23936

Tax Map Section: 138 Parcel: 1-1 Lot: 164N Subdivision: _____

9. Name: Donald R. Smith, Jr. and DawnD. Smith

Mailing Address: 1967 Red Rd., Dillwyn, VA 23936

Physical Address: 262 Lesueur St., Dillwyn, VA 23936
Tax Map Section: 138 Parcel: 1-1 Lot: 164L Subdivision: _____

10. Name: Grace J. Moss
Mailing Address: 292 Lesueur St., Dillwyn, VA 23936
Physical Address: 292 Lesueur St., Dillwyn, VA 23936
Tax Map Section: 138 Parcel: 1-1 Lot: 164J Subdivision: _____

11. Name: Charles D. Moss and Karen Sue Frabel Moss
Mailing Address: 328 Lesueur St., Dillwyn, VA 23936
Physical Address: 328 Lesueur St., Dillwyn, VA 23936
Tax Map Section: 138 Parcel: 1-1 Lot: 164K Subdivision: _____

12. Name: E.N.Griggs, Jr. and Florence M. Griggs
Mailing Address: N/A
Physical Address: N/A
Tax Map Section: 138 Parcel: 1-1 Lot: 2 Subdivision: _____

13. Name: Whetstone Farm Davis Properties, LLC
Mailing Address: 106 Whetstone Ln., Dillwyn, VA 23936
Physical Address: 368 Lesueur St., Dillwyn, VA 23936
Tax Map Section: 138 Parcel: 81 Lot: __ Subdivision: _____

14. Name: Bellemont Corporation
Mailing Address: 20 Wingo Rd., Dillwyn, VA 23936
Physical Address: N/A
Tax Map Section: 138 Parcel: 51 Lot: __ Subdivision: _____

15. Name: Bellemont Corporation
Mailing Address: 20 Wingo Rd., Dillwyn, VA 23936
Physical Address: N/A
Tax Map Section: 138 Parcel: 22A Lot: __ Subdivision: _____

16. Name: Danny S. Taylor and Robin H. Taylor
Mailing Address: 132 Wingo Rd., Dillwyn, VA 23936
Physical Address: 176 Wingo Rd., Dillwyn, VA 23936
Tax Map Section: 138 Parcel: 22 Lot: __ Subdivision: _____

Tax Map Section: 138 Parcel: 16A Lot: Subdivision:

Tax Map Section: 138 Parcel: 16 Lot: Subdivision:

Tax Map Section: 138 Parcel: 14 Lot: Subdivision:

Tax Map Section: 125 Parcel: 5 Lot: 3&4 Subdivision: _____

Tax Map Section: 125 Parcel: 5 Lot: 5&6 Subdivision: _____

Tax Map Section: 138 Parcel: 15 Lot: Subdivision:

Tax Map Section: 138 Parcel: 15A1 Lot: Subdivision:

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ADJACENT PROPERTY OWNERS' AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 12th day of July, year 2022

I, Russell Lloyd III / President- Atlantic Investment Corporation, 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)

R. Lloyd III, President Atlantic Inv. Corp.

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

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Fairfax

STATE OF Virginia

Subscribed and sworn to me on the 12 day of July
of the year 2022. My Commission expires on July 31, 2026.

Notary Public Signature:

Stamp:

Jeannette M. Fisher

Commonwealth Of Virginia
Jeannette M. Fisher - Notary Public
Commission No. 201847
My Commission Expires 07/31/2026

INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this _____ day of _____, of the year _____,

I _____ (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 _____ STATE OF _____

Subscribed and sworn to me on this _____ day of _____,

of the year _____. My commission expires _____.

Notary Public Signature: _____

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):

____ Forested Land and minimal wetlands

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

____ The county has owned the property for approximately thirty years and rezoned the property from M-1 to NC-1 seven years ago as part of a planned growth strategy for the county. The rezoning was passed with a unanimous vote of the Board of Supervisors.

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:

Will this proposal have any impact on the historical site or gravesite? Yes _____ No X _____
If yes, please explain any impact:

Owner/Applicant Signature: R. Lloyd III, pres. Date: 7-12-2022

Printed Name: Russell Lloyd III Title: President, AIC

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: _____

Location: _____

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 special use permit. 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: 7-12-22

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.

Special Use Permit Application Narrative

- 1) This application for a Special Use Permit is made on behalf of Atlantic Investment Corporation. The Special Use Permit request pertains to a 134.49-acre parcel (tax maps 138-15) of land currently owned by the County of Buckingham. The entire 134.49-acre parcel is currently zoned NC-1 and this request involves the request to utilize one of the allowable Special Uses cited within the ordinance; "Residential Housing – including but not limited to Apartments, Condominiums, Duplexes, Townhouses and Single-Family Dwellings".

The purpose for the Special Use is to create a single-family neighborhood community which will be named the Knights Valley Subdivision. Knights Valley will consist of one hundred and nineteen single family homes of three types. To be built will be attached 67 townhomes, 24 detached row style homes and 28 single family homes. Home purchase pricing will range from \$250,000 for a basic town home to \$500,000 plus for detached single family home on larger premium lots and upgraded amenities.

The number of persons per household is estimated at 3.1 persons per home although Buckingham County currently averages 2.56 persons per home. There is no predictable data available which can accurately reflect today's, post Covid pandemic, per home occupancy.

The target building size for the 67 attached single-family town homes will be between 1300 and 1800 livable square feet. The target size for the 24 detached single family row style homes will be between 1600 and 2200 livable square feet. The target size for the 28 single family homes will be a minimum of 2400 livable square feet.

- 2) The Knights Valley community is being built as a planned community to be governed by its own home owner's association (HOA). The development will include a neighborhood community recreation center which will include a full-size lap pool and a small common center / pool house. Tennis courts are also planned for the future of the community. The sales office for homes being built in Knights Valley will initially occupy the future pool house.

The revised conceptual design for the development is attached hereto. (Exhibit 2) Modifications were made to the original proposal reducing the number of town homes to align more with public sentiment.

- 3) The price range of homes being offered will attract new and first-time homeowners from all demographics who desire a less congested alternative to city living. In addition, well established, work from home individuals and those who travel to multiple work locations will also find the centralized location of Buckingham an inviting benefit. Then, there will be purchasers that simply want to get out of the rat race and retire with less stress and lower taxes.
- 4) The economic benefit is multi-faceted. The NC-1 development is in the proper place for growth within the county and respects the vast rural beauty of the county. In addition the subdivision is in alignment with the intentions of the Buckingham community as reflected in the unanimous (7-0) vote of the Board of Supervisors seven years ago when it was slated as an area for future development and rezoned at that time to NC-1. This carefully managed growth will attract new companies and demonstrate that Buckingham is open for business. The Knights Valley Development will act as a catalyst to each and every existing business in the county. Instead of money passing through or ending up in neighboring counties, more dollars will be spent in

Buckingham. Struggling businesses will stabilize and new businesses will pop up; giving the residents of Buckingham more choices. Employment opportunities and those seeking full and part time employment will definitely increase; the light commercial facet of the development has limitless potential. Once the green light is given to the development, the new hotel starts construction and marketing starts for the newly constructed homes in the subdivision, synergy will develop between new and existing businesses; all will benefit.

The overall benefit to the real estate tax base with the residential aspect of the project at full occupancy and completion using an average sales price of \$300,000 represents thirty-five million dollars in additional tax basis. At current tax rates that's an annual revenue increase to the County of \$182,000. This benefit does not include the benefit received from the additional revenues generated from permitting, use of public utilities and the overall extensive impact created from transactional taxable processes.

Human Resources and Population Retention: The youth that grow up here will be more inclined to want to stay here or return after college. That will aid in helping the overall population decline the County has witnessed lately. The high school graduates will be proud of Buckingham instead of frowning upon it for what it "doesn't have". This type of change can be good for everyone. The development gives everyone, from all walks of life a fighting chance when they endeavor to start a small business in Buckingham.

- 5) The Knights Valley Subdivision has been designed with the environment in mind. Of the 134 acres in the overall site plan, approximately 45 acres will remain untouched during the development process. Knights Valley has a purposeful design that leaves approximately 35% of the overall site undisturbed. The greenspace that remains outside of the limits of clearing is an intentional natural benefit that will attract home purchasers and nature lovers alike. Unlike the destructive clear-cutting approach utilized by the logging industry, this development and subdivision will embrace a clearing method that creates natural boundaries between home types while preserving wildlife habitat and designated wetlands. Pockets of mature stands of hardwoods will create natural delineations between residential and light commercial areas as well as building types within the community. **Original calculations before reducing the number of town homes and reducing the overall limits of clearing:** Untouched and open space increased by approximately 5 acres to an estimated 45 acres of green space with the reduction of town homes and omitting clearing of challenging slopes and grades.

Single Family and Loop Road = 35.9 +/- Acres

Townhomes (NW) = 4.4 +/- Acres

Townhomes (SE) = 9.3 +/- Acres

Commercial = 26.4 +/- Acres

Open Space Area = 39.3 +/- Acres

- 6) There should be no adverse effect on fire and rescue. There are no high-rise buildings planned which would require additional or new equipment. The additional population may increase the overall budget for fire and rescue coming from the state.

- 7) The shortage of available and affordable housing alike will be slightly alleviated. The subdivision will not cure the current national housing shortage although Buckingham will recognize a positive benefit. Buckingham will become a viable bedroom community for many and a new place to call "home" for others.
- 8) There should be no significant impact on the library. There will likely be a few more individuals frequenting the library to take advantage of the available resources.
- 9) There should be no disadvantage to the existing parks and open spaces. The new natural trails meandering through the Knights Valley subdivision will offer residents of the community an outdoor exercise opportunity if desired.
- 10) The entire development will rely on public sewer and water. The research conducted by the water authority revealed that there is more than ample capacity for both the increase in water demand and sewage processing. The recently expanded and upgraded sewage treatment plant has a force main which dissects the subject parcel and water taps are extremely close to the property boundary in many places.
- 11) Included above
- 12) The schools have seen a decrease in enrollment over the past several years and the classroom capacity will not be an issue with the small, additional population increase. Data reflecting the exact number of kindergarten to high school students which should be anticipated from a new rural subdivision of this size is unavailable. Furthermore, the number of individual home purchasers with children is speculative at best.
- 13) Currently there is broadband stubbed out very close to the proposed site. With the commitment to build the number of proposed homes, a carrier will be quite ready to bury the infrastructure and provide WIFI service to each home. The exact carrier is still TBD.
- 14) The overall housing and vehicle counts does not require a VDOT traffic study according to the civil engineer, Maxey Associates. Under the current site plan there are two ingress and egress points to different areas of the residential development. These will both feed on to Route 1003. The additional points of entry and exit will alleviate the morning and afternoon traffic backup that's created when dropping off or picking up students at the Christian school. Upon completion, parents picking up students will have two additional points to choose from when exiting the school grounds. The additional proposed throughway enters 1003 next to the swimming and recreation center. At the other side of the subdivision, a new road will connect with Wingo Road and allow two additional points of exit/entry onto Route 15. Ingress and egress to both the residential and commercial phases of the development will be served by the new access road which adjoins Wingo. It is currently envisioned that trucks from the future light commercial portion of the development will not be permitted to travel through the residential neighborhoods to access route 15 and route 20.
- 15) Solid Waste: The town home development will have dumpster locations for the resident's household waste. For the detached single-family homes, there will ideally be a private company which will provide curbside trash pick up twice per week.

KNIGHTS VALLEY SUBDIVISION

Curdsville District, Buckingham County, Virginia

Site Data:

County of Buckingham
D.B. 179, p.351 (Plat D.B.78, p.172)
D.B.225, p.335 (P.C.A-85E)

Location: Curdsville District, Buckingham County, Virginia

Tax Map No.: Part of 138-15

Current Zoning: Neighborhood Commercial District, NC-1
Special Use Request: Single Family Dwellings in Section 1 and 2.
Assembly Hall (Community Center) in Section 1.
Residential Housing (Townhouses) in Section 3, 4, and 5. School in Section 6.

Acreage:	Section 1=	41.67 Acres
	Section 2=	22.16 Acres
	Section 3=	4.90 Acres
	Section 4=	3.96 Acres
	Section 5=	9.03 Acres
	Section 6=	10.82 Acres
	Subdivision=	92.54 Acres
	Residue=	32.74 Acres
	Total Parcel=	125.28 Acres

Flood Zone: The property limits are located in Zone X (Areas determined to be outside the 0.2% annual chance floodplain) as shown on Buckingham County, VA Flood Insurance Rate Map Number 51029C0300B, effective date June 17, 2018.

Legend:

SS = Existing Sanitary Sewer (non-forced)
FM = Existing Sanitary Sewer Force Main
NDL = New Drain Line
Prop. = Proposed
Lot 1-1 = Section 1 - Lot 1 (Typ.)

Notes:

- Part of Tax Map Parcel No. 138-15.
- This plat has been prepared without the benefit of a title examination and therefore does not constitute an opinion on the title of the property.
- The plat agrees with found plats, deed descriptions, ground evidence, and local witnesses as near as possible.
- Exterior boundaries are based on a current field survey.
- All new division lines are computed only and subject to change.
- Lots to be served by public water and sanitary sewer.
- All roadways to be dedicated to public use.
- 15' construction and utility easement hereby reserved along all roadways.

Owners Consent (Part of TM 138-15)
The divisions and boundary line adjustment shown on this plat are with the free consent and in accordance with the desire of the undersigned owners, proprietors and trustees, if any.

Date _____ Owner: County of Buckingham

Notary

STATE OF _____
CITY/COUNTY OF _____

I, _____, a Notary Public in and for the City/County and State aforementioned, do hereby certify that _____ day of _____, 20____ has on this _____ day of _____ acknowledged the same before me.

Notary Public

Notary Registration Number

My Commission expires the _____ day of _____, 20____.

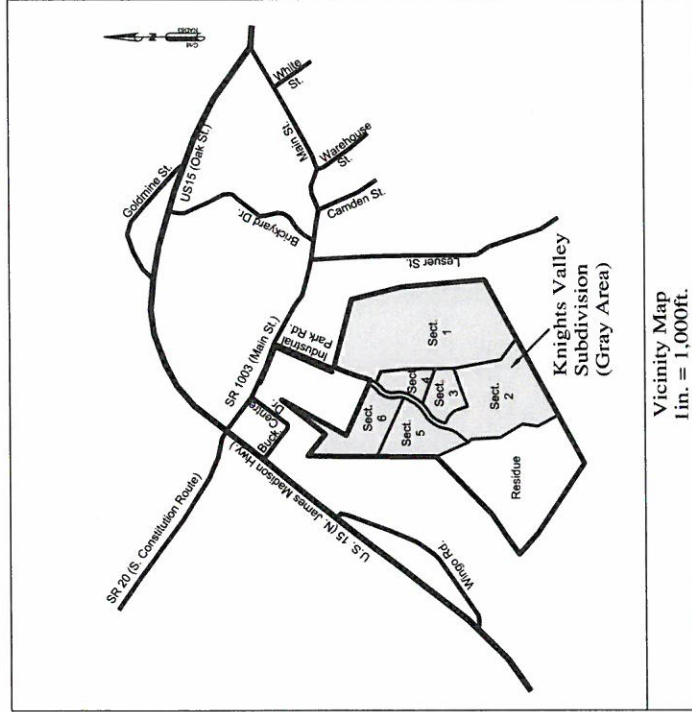


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EXHIBIT FOR SPECIAL USE PERMITTING

Sheet 1 of 9
Knights Valley Subdivision
"Cover Sheet"

Curdsville District, Buckingham County, Virginia
July 15, 2022

Maxey & Associates, P.C.

Land Surveyors • Engineers • Planners • Consultants
P.O. Box 90 • Farmville • Virginia • 23901 • Tel:434-392-0827

21ED0019
FB1232-20

Curve Table					Curve Table				
Curve #	Radius	Arc	Delta	Chord Dist.	Curve #	Radius	Arc	Delta	Chord Dist.
C1	2834.79'	12.01'	0°14'34"	S23°40'40"W 12.01'	C57	365.00'	32.23'	5°03'31"	N11°56'25"E 32.22'
C2	25.00'	37.91'	86°52'39"	S19°52'57"E 34.38'	C58	365.00'	283.44'	46°03'48"	N37°30'05"E 286.60'
C3	225.00'	246.45'	62°42'27"	S31°56'33"E 234.31'	C59	305.00'	76.28'	14°08'29"	N53°27'44"E 75.99'
C4	175.00'	301.93'	98°51'13"	S49°59'22"E 265.85'	C60	305.00'	80.11'	15°02'55"	N38°52'01"E 79.88'
C5	225.00'	186.39'	47°27'46"	S75°41'09"E 181.10'	C61	170.00'	43.87'	14°47'04"	N23°57'02"E 43.74'
C6	25.00'	34.24'	78°27'47"	N88°48'51"E 31.62'	C62	170.00'	82.42'	27°46'42"	N27°40'09"E 81.62'
C7	175.00'	20.24'	6°37'36"	N46°16'09"E 20.23'	C63	230.00'	257.96'	64°15'37"	N20°54'36"E 244.65'
C8	225.00'	26.02'	6°37'36"	S46°16'09"W 26.01'	C64	170.00'	113.83'	38°21'57"	N33°51'26"E 111.72'
C9	25.00'	39.27'	90°00'00"	S4°34'57"W 35.36'	C65	25.00'	38.45'	88°06'38"	S27°46'02"E 34.77'
C10	385.00'	159.40'	23°43'18"	S28°33'24"E 158.26'	C66	225.00'	164.27'	41°49'48"	S50°54'27"E 160.64'
C11	385.00'	79.80'	11°52'36"	S10°45'27"E 79.86'	C67	225.00'	41.99'	0°11'32"	S24°38'47"E 41.93'
C12	225.00'	130.44'	33°12'56"	S11°47'19"W 128.62'	C68	225.00'	32.31'	8°13'40"	S15°11'11"E 32.28'
C13	225.00'	130.44'	33°12'56"	S11°47'19"W 128.62'	C69	225.00'	14.45'	3°40'45"	S9°13'59"E 14.45'
C14	225.00'	121.24'	30°52'29"	S77°02'58"W 119.78'	C70	275.00'	36.01'	7°30'08"	S11°08'41"E 35.98'
C15	225.00'	110.55'	28°09'08"	N73°26'13"W 109.45'	C71	25.00'	23.55'	53°58'05"	S41°52'47"E 22.69'
C16	225.00'	154.58'	38°21'45"	N39°40'46"W 151.55'	C72	60.00'	67.84'	64°47'10"	S36°28'15"E 64.29'
C17	225.00'	59.81'	15°10'45"	N12°24'32"W 59.43'	C73	60.00'	35.80'	34°10'55"	S13°00'48"W 35.27'
C18	225.00'	27.60'	3°00'43"	N3°16'48"W 27.60'	C74	60.00'	58.09'	55°26'31"	S57°50'31"W 55.85'
C19	225.00'	153.56'	16°45'32"	N6°34'20"E 153.01'	C75	60.00'	58.09'	55°26'31"	N65°40'58"W 55.85'
C20	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C76	60.00'	46.18'	44°06'07"	N17°01'17"E 45.05'
C21	225.00'	178.10'	19°28'13"	N39°51'51"E 177.25'	C77	60.00'	23.55'	53°58'05"	N12°05'18"E 22.69'
C22	25.00'	47.77'	109°28'16"	N5°09'11"W 40.82'	C78	325.00'	42.55'	7°30'08"	N11°08'41"W 42.52'
C23	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C79	175.00'	36.37'	11°54'24"	N13°20'49"W 36.30'
C24	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C80	175.00'	33.80'	11°04'00"	N24°50'01"W 33.75'
C25	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C81	175.00'	117.74'	38°32'55"	N49°38'29"W 115.53'
C26	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C82	175.00'	117.74'	38°32'55"	S65°10'05"W 35.92'
C27	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C83	25.00'	40.07'	91°49'58"	S73°28'34"E 34.41'
C28	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C84	180.00'	3.72'	1°11'07"	N82°26'51"E 3.72'
C29	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C85	180.00'	30.52'	9°42'55"	N65°59'50"E 30.48'
C30	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C86	180.00'	16.88'	5°22'28"	N49°27'08"E 16.88'
C31	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C87	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C32	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C88	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C33	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C89	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C34	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C90	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C35	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C91	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C36	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C92	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C37	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C93	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C38	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C94	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C39	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C95	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C40	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C96	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C41	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C97	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C42	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C98	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C43	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C99	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C44	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C100	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C45	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C101	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C46	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C102	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C47	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C103	25.00'	12.84'	28°58'33"	N32°16'37"E 12.51'
C48	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C104	220.00'	16.88'	4°23'43"	S48°57'45"W 17.61'
C49	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C105	220.00'	16.88'	4°23'43"	S48°57'45"W 17.61'
C50	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C106	220.00'	16.88'	4°23'43"	S48°57'45"W 17.61'
C51	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C107	220.00'	16.88'	4°23'43"	S48°57'45"W 17.61'
C52	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C108	220.00'	16.88'	4°23'43"	S48°57'45"W 17.61'
C53	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C109	220.00'	16.88'	4°23'43"	S48°57'45"W 17.61'
C54	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C110	220.00'	16.88'	4°23'43"	S48°57'45"W 17.61'
C55	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C111	220.00'	16.88'	4°23'43"	S48°57'45"W 17.61'
C56	225.00'	139.22'	15°11'38"	N22°32'55"E 138.81'	C112	220.00'	16.88'	4°23'43"	S48°57'45"W 17.61'

NOTE: C84 THRU C86 NOT USED.

Curve Table					Curve Table				
Curve #	Radius	Arc	Delta	Chord Dist.	Curve #	Radius	Arc	Delta	Chord Dist.
C110	90.00'	120.41'	76°39'27"	N69°40'18"E 111.63'	C126	130.00'	32.09'	14°08'39"	N42°38'04"W 32.01'
C111	25.00'	37.80'	86°37'40"	N11°58'16"W 34.30'	C127	130.00'	30.27'	13°20'33"	N28°53'28"W 30.20'
C112	60.00'	59.30'	56°37'40"	N25°58'16"W 56.92'	C128	130.00'	30.27'	13°20'33"	N15°32'55"W 30.20'
C113	60.00'	31.42'	30°00'00"	N16°20'34"E 31.06'	C129	130.00'	32.09'	14°08'39"	N1°48'20"W 32.01'
C114	60.00'	31.42'	30°00'00"	N16°20'34"E 31.06'	C130	130.00'	20.08'	8°50'54"	N9°41'26"E 10.04'
C115	60.00'	157.08'	150°00'00"	S43°39'26"E 115.91'	C131	130.00'	10.04'	4°25'27"	N16°19'37"E 10.04'
C116	130.00'	30.27'	13°20'33"	S38°00'50"W 30.20'	C132	130.00'	30.64'	13°30'15"	N25°17'28"E 30.57'
C117	130.00'	168.73'	74°22'01"	S81°52'07"W 157.14'	C133	130.00'	33.23'	14°38'48"	N39°22'00"E 33.14'
C118	25.00'	32.95'	75°30'41"	S81°17'47"W 30.61'	C134	130.00'	29.09'	12°49'09"	N53°05'58"E 29.03'
C119	25.00'	43.31'	99°14'54"	N37°37'56"W 38.09'	C135	130.00'	32.09'	14°08'39"	N65°34'52"E 32.01'
C120	90.00'	177.54'	113°01'42"	S70°37'44"W 150.12'	C136	130.00'	30.27'	13°20'33"	N80°19'27"E 30.20'
C121	90.00'	30.60'	19°28'48"	S4°19'59"W 30.45'	C137	130.00'	30.27'	13°20'33"	S69°20'00"E 30.20'
C122	90.00'	117.02'	74°28'41"	S42°39'16"E 108.95'	C138	130.00'	32.09'	14°08'39"	S72°35'25"E 32.01'
C123	25.00'	37.36'	85°37'43"	N57°17'02"E 33.98'	C139	130.00'	28.73'	12°39'40"	S59°11'15"E 28.67'
C124	25.00'	42.99'	98°31'01"	N25°25'56"W 37.88'	C140	25.00'	41.80'	95°48'01"	N79°14'34"E 37.10'
C125	130.00'	63.49'	27°59'03"	N63°41'55"W 62.86'					
C126	130.00'	32.09'	14°08'39"	N42°38'04"W 32.01'					
C127	130.00'	30.27'	13°20'33"	N28°53'28"W 30.20'					
C128	130.00'	30.27'	13°20'33"	N15°32'55"W 30.20'					
C129	130.00'	32.09'	14°08'39"	N1°48'20"W 32.01'					
C130	130.00'	20.08'	8°50'54"	N9°41'26"E 10.04'					
C131	130.00'	10.04'	4°25'27"	N16°19'37"E 10.04'					
C132	130.00'	30.64'	13°30'15"	N25°17'28"E 30.57'					
C133	130.00'	33.23'	14°38'48"	N39°22'00"E 33.14'					
C134	130.00'	29.09'	12°49'09"	N53°05'58"E 29.03'					
C135	130.00'	32.09'	14°08'39"	N65°34'52"E 32.01'					
C136	130.00'	30.27'	13°20'33"	N80°19'27"E 30.20'					
C137	130.00'	30.27'	13°20'33"	S69°20'00"E 30.20'					
C138	130.00'	32.09'	14°08'39"	S72°35'25"E 32.01'					
C139	130.00'	28.73'	12°39'40"	S59°11'15"E 28.67'					
C140	25.00'	41.80'	95°48'01"	N79°14'34"E 37.10'					

EXHIBIT FOR SPECIAL USE PERMITTING

Sheet 3 of 9

Knights Valley Subdivision "Curve Table"

Owner: County of Buckingham D.B.179 p.351 (Plat D.B.78 p.172)
D.B.225 p.335 (P.C. A-85E)
Curdsville District, Buckingham County, Virginia
July 15, 2022
Scale: 1"=200'



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21E0019
FB1232-20

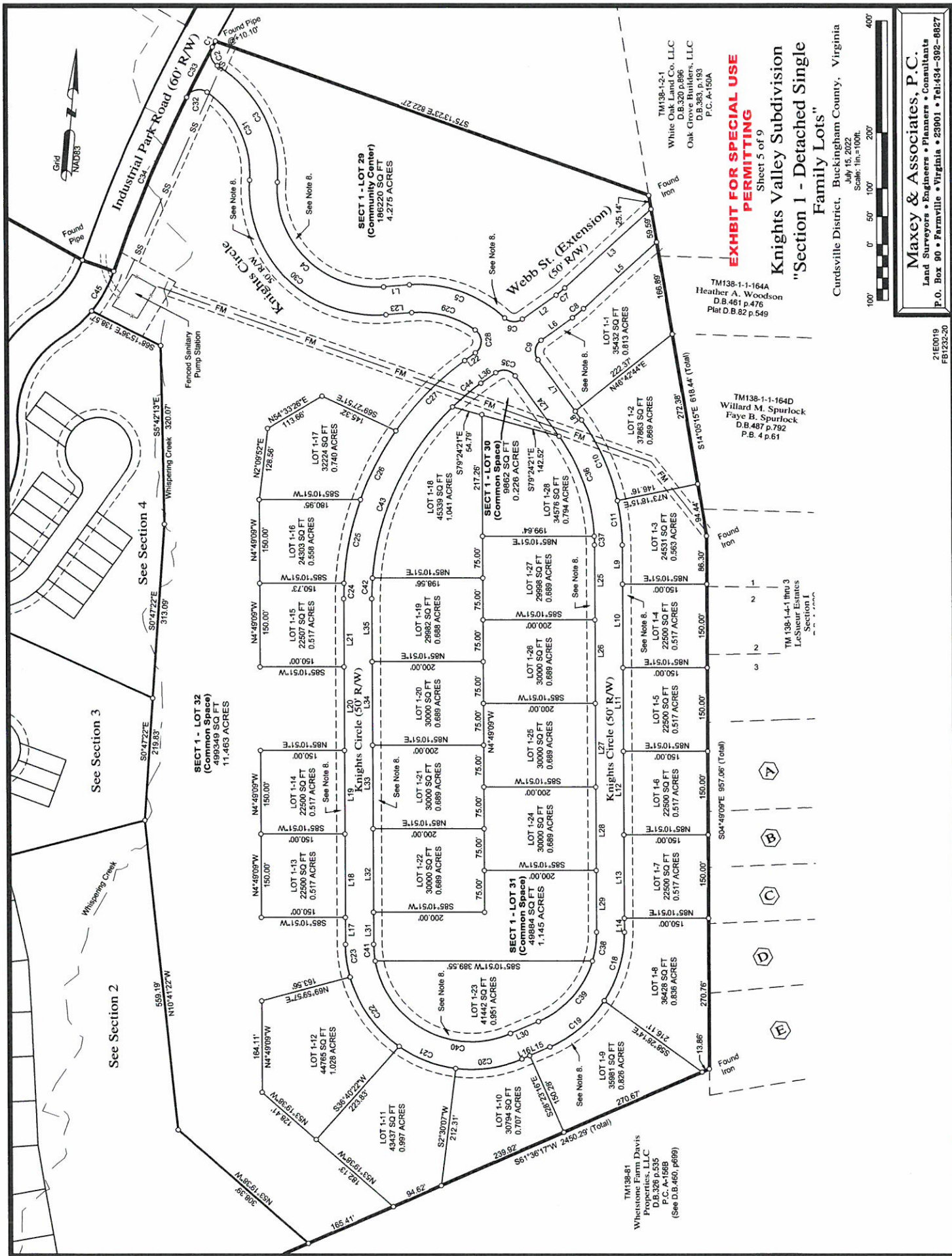


EXHIBIT FOR SPECIAL USE PERMITTING

Sheet 5 of 9

Knights Valley Subdivision "Section 1 - Detached Single Family Lots"

Curdsville District, Buckingham County, Virginia

July 15, 2022
Scale: 1"=100'



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21E0019
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TM138-1-2-1
White Oak Land Co, LLC
D.B.320 p.896
Oak Grove Builders, LLC
D.B.383, p.193
P.C. A-150A

TM138-1-1-164A
Heather A. Woodson
D.B.461 p.476
Plat D.B.82 p.549

TM138-1-1-164D
Willard M. Spurlock
Faye B. Spurlock
D.B.487 p.792
P.B. 4 p.61

TM 138-1-4-1 thru 3
LeSueur Estates
Section 1

TM138-81
Whetstone Farm Davis
Properties, LLC
D.B.326 p.535
D.B.327 p.535
D.B.328 p.535
(See D.B.460, p.609)



Residue

Stream

See Note 8.

See Note 8.

See Note 8.

See Note 8.

See Note 8.

See Note 8.

SECT 2 - LOT 23
(Common Space)
157892 SQ FT
3.625 ACRES

SECT 2 - LOT 22
(Common Space)
12053 SQ FT
0.277 ACRES

SECT 2 - LOT 24
(Common Space)
263018 SQ FT
6.038 ACRES

TM138-81
Whetstone Farm Davis
Properties, LLC
D.B.326 p.535
P.C.A-1568
(See D.B.460, p.699)

**EXHIBIT FOR SPECIAL USE
PERMITTING**

Sheet 6 of 9

Knights Valley Subdivision "Section 2 - Detached Single Family Lots"

Curdsville District, Buckingham County, Virginia

July 15, 2022

Scale: 1"=100'



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21E0019
FB1232-20

Lot Area Table		
Lot No.	Area (Acreage)	Area (Sq. Ft.)
2-1	0.386 Acres	16800 SF
2-2	0.455 Acres	19836 SF
2-3	0.418 Acres	18213 SF
2-4	0.386 Acres	16800 SF
2-5	0.386 Acres	16800 SF
2-6	0.404 Acres	17584 SF
2-7	0.435 Acres	18967 SF

Lot Area Table		
Lot No.	Area (Acreage)	Area (Sq. Ft.)
2-8	0.401 Acres	17470 SF
2-9	0.345 Acres	15009 SF
2-10	0.374 Acres	16305 SF
2-11	0.721 Acres	31386 SF
2-12	0.507 Acres	22073 SF
2-13	0.386 Acres	16803 SF
2-14	0.449 Acres	19561 SF

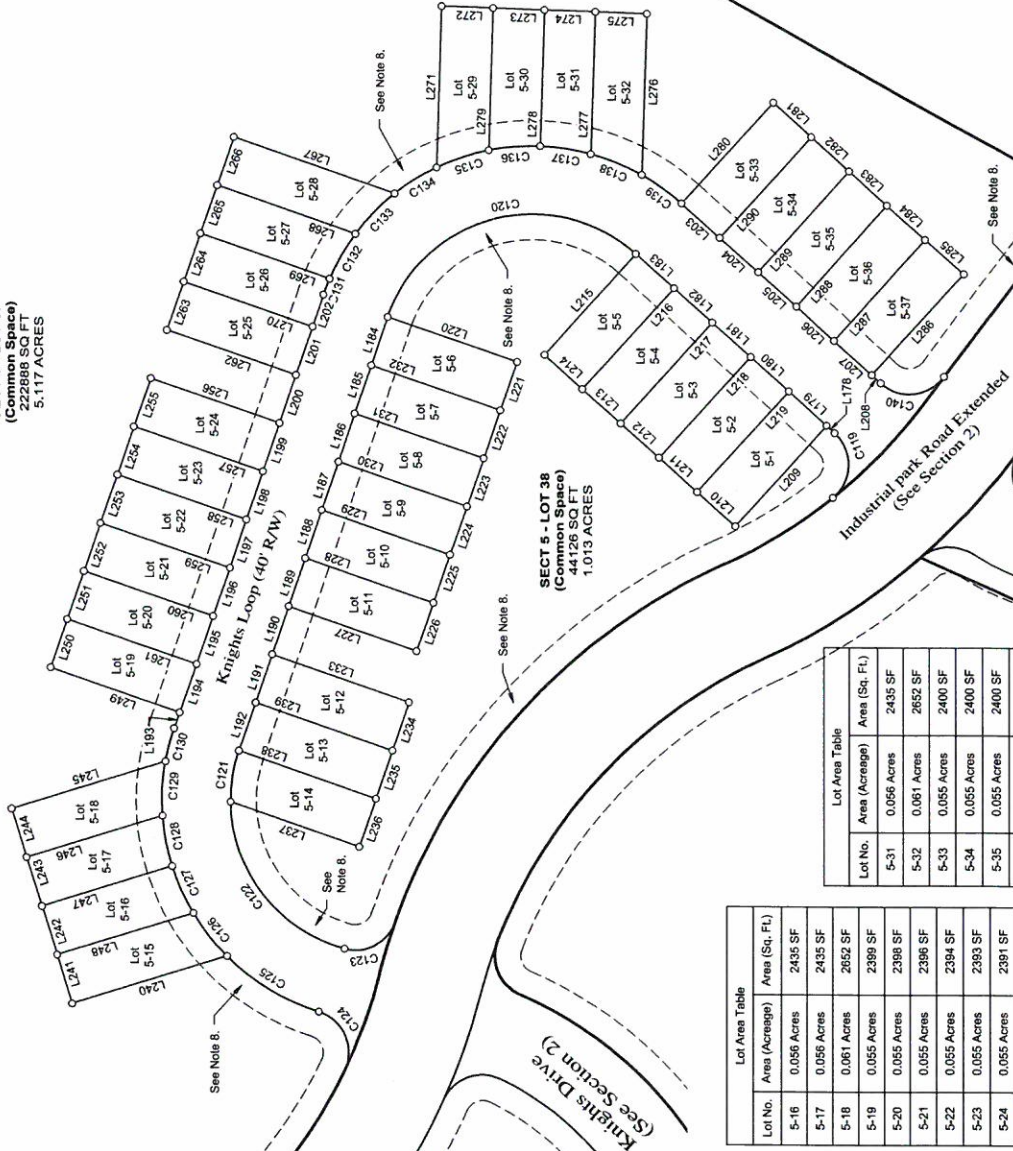
Lot Area Table		
Lot No.	Area (Acreage)	Area (Sq. Ft.)
2-15	0.386 Acres	16800 SF
2-16	0.386 Acres	16800 SF
2-17	0.386 Acres	16800 SF
2-18	0.489 Acres	21322 SF
2-19	0.386 Acres	16800 SF
2-20	0.386 Acres	16800 SF
2-21	0.406 Acres	17666 SF



683.89'
N0°09'08"E

10°22'32"N
683.89'

SECT 5 - LOT 39
(Common Space)
222888 SQ. FT.
5.117 ACRES



See Section 6

**EXHIBIT FOR SPECIAL USE
PERMITTING**

Sheet 8 of 9

Knights Valley Subdivision "Section 5 - Townhouses"

Curdsville District, Buckingham County, Virginia

July 15, 2022
Scale: 1"=50ft.



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21E0019
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Lot Area Table		
Lot No.	Area (Acres)	Area (Sq. Ft.)
5-31	0.056 Acres	2435 SF
5-32	0.061 Acres	2652 SF
5-33	0.055 Acres	2400 SF
5-34	0.055 Acres	2400 SF
5-35	0.055 Acres	2400 SF
5-36	0.055 Acres	2400 SF
5-37	0.055 Acres	2395 SF

Lot Area Table		
Lot No.	Area (Acres)	Area (Sq. Ft.)
5-16	0.056 Acres	2435 SF
5-17	0.056 Acres	2435 SF
5-18	0.061 Acres	2652 SF
5-19	0.055 Acres	2399 SF
5-20	0.055 Acres	2398 SF
5-21	0.055 Acres	2398 SF
5-22	0.055 Acres	2394 SF
5-23	0.055 Acres	2393 SF
5-24	0.055 Acres	2391 SF
5-25	0.055 Acres	2399 SF
5-26	0.055 Acres	2399 SF
5-27	0.057 Acres	2478 SF
5-28	0.064 Acres	2772 SF
5-29	0.061 Acres	2652 SF
5-30	0.056 Acres	2435 SF

Lot Area Table		
Lot No.	Area (Acres)	Area (Sq. Ft.)
5-1	0.055 Acres	2400 SF
5-2	0.055 Acres	2400 SF
5-3	0.055 Acres	2400 SF
5-4	0.055 Acres	2400 SF
5-5	0.055 Acres	2400 SF
5-6	0.055 Acres	2399 SF
5-7	0.055 Acres	2398 SF
5-8	0.055 Acres	2396 SF
5-9	0.055 Acres	2394 SF
5-10	0.055 Acres	2391 SF
5-11	0.055 Acres	2391 SF
5-12	0.059 Acres	2559 SF
5-13	0.059 Acres	2558 SF
5-14	0.058 Acres	2505 SF
5-15	0.061 Acres	2652 SF

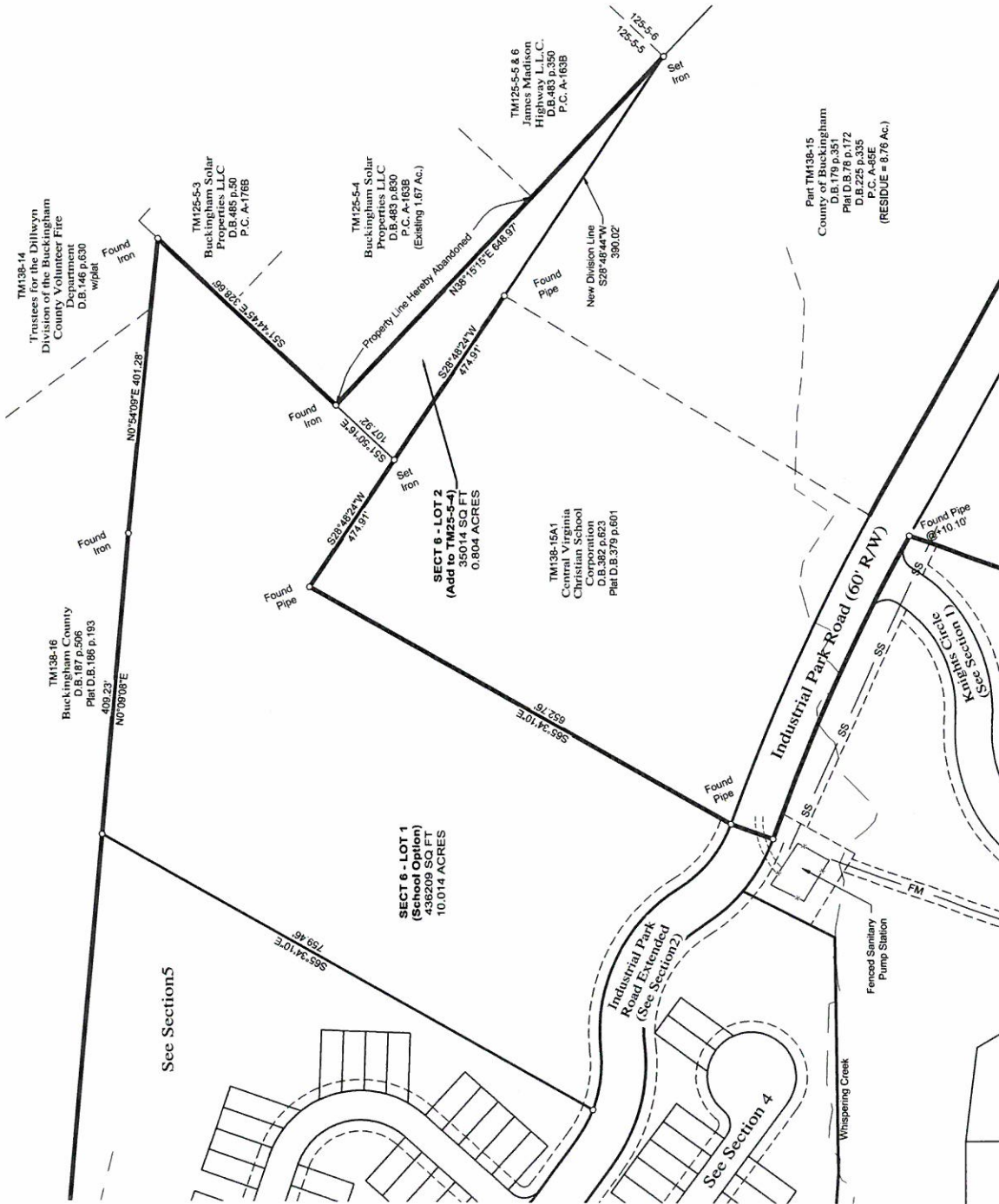


EXHIBIT FOR SPECIAL USE PERMITTING

Sheet 9 of 9

Knights Valley Subdivision "Section 6 - School Option and Boundary Line Adjustment"

Curdsville District, Buckingham County, Virginia

July 15, 2022

Scale: 1"=500'

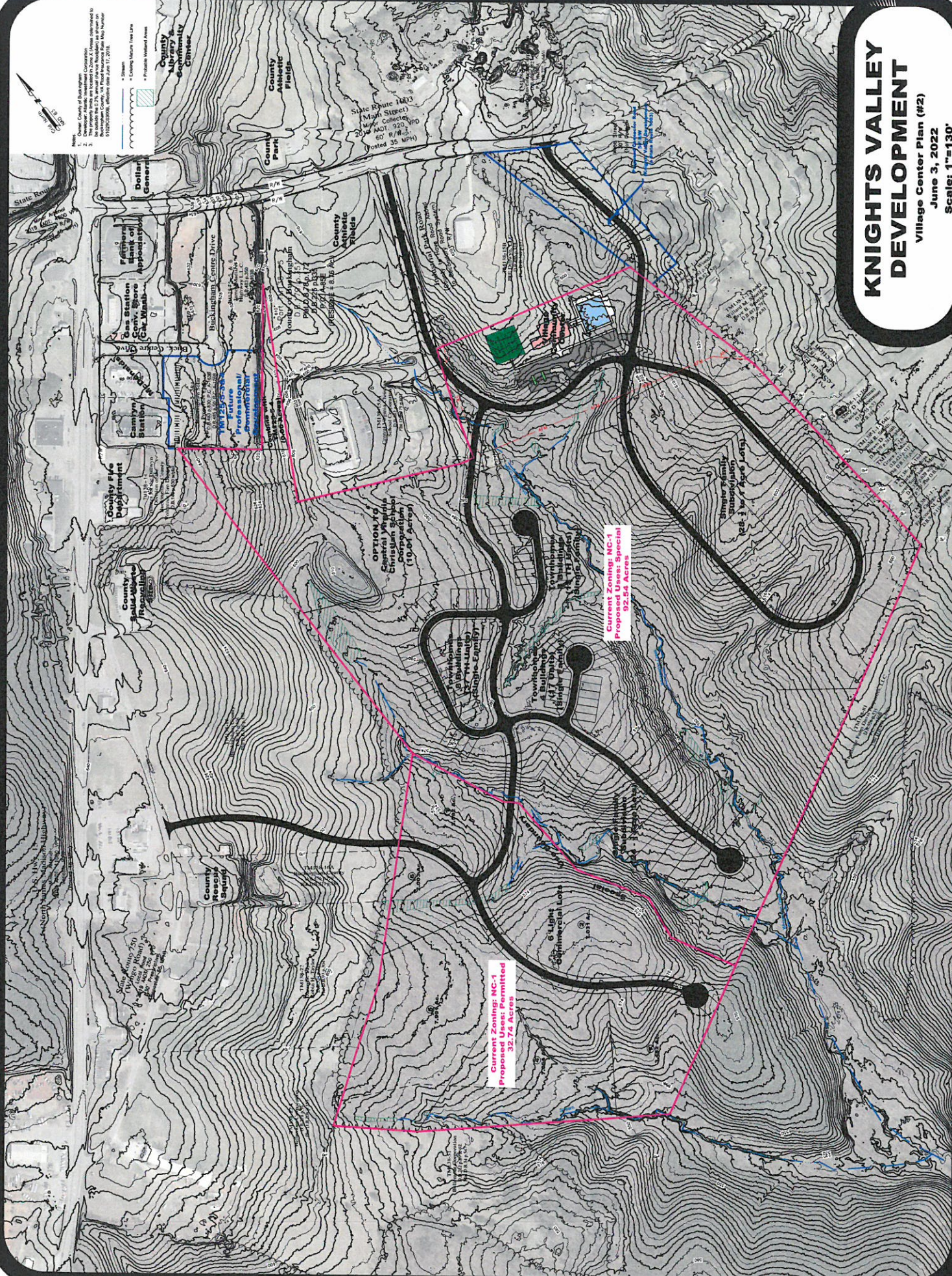


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21E0019
FB1292-20

Scale: 1"=130'



APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: 22SUP318 (Knights Valley)

Applicant: Atlantic Investment Corporation

Location: Portion of TM138-15, Dillwyn, VA

Proposed Use: Residential Housing

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 X If no, please explain the necessary steps to bring into compliance with the requirements for the proposed use:

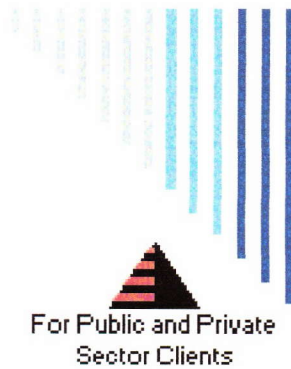
VDOT RECOMMENDS APPROVAL OF THE SUP.
WITH THE FOLLOWING CONDITIONS! TO BE SUBMITTED WITH THE SUBDIVISION P

1. AN ANALYSIS OF THE IMPACTS ON THE
SIGNAL AT ROUTE 15 AND ROUTE 1003 BE COMPLETED.

2. ROUTE 1003 BE RESURFACED TO ACCOMMODATE THE
ADDITIONAL TRAFFIC.

Signature of VDOT Resident Engineer: Steve Snell P.E.

Printed Name: STEVE SNELL P.E. Date: 9-12-22



Ted Figura Consulting, Inc.
118 Logan Avenue – Asheville, NC 28806
Phone: 757-879-3124
Email: tfigura@verizon.net
Fax: 828-575-2159
www.tedfiguraconsulting.com

September 12, 2022

Ted Lloyd
Atlantic Investment Corporation
P.O. Box 7082
Fairfax Station, VA 22039

Dear Mr. Lloyd:

This letter addresses the likely fiscal impact and school impact of granting a special use permit to allow the development of the Knights Valley subdivision (or “the proposed development”) in Buckingham County, Virginia (“the County”). The applicant is seeking approval to construct 119 residential units on approximately 91.74 acres with access from Industrial Park Road (parcel TM 138-15, part, or “the Site”).

Ted Figura Consulting, Inc. is an economic development consulting firm specializing in fiscal impact analysis and incentive program structuring. Ted Figura Consulting was formed in 2009 by Ted Figura after retiring from the City of Newport News, Virginia Department of Development with nearly 30 years of varied experience in economic development. Since forming Ted Figura Consulting, Ted Figura has performed more than 80 fiscal impact analyses for proposed developments in the Hampton Roads region and elsewhere in Virginia. These include fiscal impact analyses in Isle of Wight County, New Kent County and Hanover County, all of which have a semi-rural character.

Background

The applicant proposes to develop 28 single-family detached homes, 24 detached row houses and 67 townhomes. The townhomes are expected to sell for between \$280,000 and \$450,000; the row houses are expected to sell for between \$385,000 and \$495,000; and the single-family detached homes are expected to sell for between \$485,000 and \$700,000. Based upon typical mortgage qualifying standards, annual household incomes of residents of the townhomes can be expected to range between \$56,000 and \$90,000, averaging \$67,250; between \$77,000 and \$99,000, averaging \$86,000 for the row houses; and between \$97,000 and \$140,000, averaging \$112,250 for the single-family homes. Household income for all units combined is expected to average \$81.625 annually.

Ted Lloyd
Atlantic investment Corporation
September 12, 2022
Page Two

Each product type (townhomes, row houses and single-family detached) are planned to be offered in three models and price levels. The Knights Valley subdivision will be served by a clubhouse and a six-lane swimming pool. Walking trails will be built through the substantial amount of open space where possible. Future improvements may include tennis courts, pickle-ball courts, and an open outdoor gathering and party field.

The adjacent 32.74 acre parcel would be developed in a light commercial use and/or "by-right" NC-1 permitted uses, consistent with its current zoning. However, commercial development on that site is unlikely to occur without the addition of nearby market rate housing. The advantages of the proposed residential development for the County's commercial business sector will be discussed in more detail later in this letter.

This letter addresses two issues with respect to the proposed development. The first is a fiscal impact assessment of the Knights Valley subdivision. The second is a school impact assessment of the proposed development. The fiscal impact assessment is provided in general terms and presents quantitative estimates of fiscal impact only for certain revenues and does not purport to be a comprehensive estimate of revenues to be received by the County. The fiscal impact assessment will also include a discussion of the positive impacts that the proposed development would have on the County. The school impact assessment presents estimates of student generation and remaining capacity for Buckingham County schools.

The Knights Valley subdivision fiscal impact assessment

The Consultant has consistently seen that market rate residential development generates a positive fiscal impact for the locality where the residential development occurs, including for semi-rural Virginia counties. This is because fiscal impact, properly defined, measures the *change* in costs incurred and revenues received by a locality due to new development. In multiple analyses of county and school budgets, the Consultant has identified significant amounts of fixed costs—costs that do not change as the number of households and businesses served by a locality marginally increase.

Taking a marginal cost approach, which is the appropriate methodology to use for a fiscal impact analysis, the change in costs experienced by a locality due to new development is significantly below the locality's average cost of providing services (i.e., per-capita costs). This is because fixed costs are appropriately excluded when computing costs attributed to a new development. Revenues derived from other sources, such as intergovernmental transfers, are also subtracted from the cost ledger in the methodology used by this Consultant, as those funded costs are not borne by the locality.

Furthermore, in a valid fiscal impact analysis, costs and revenues need to be appropriately adjusted to reflect the demographics of a proposed development, which may be different from the demographics of the locality overall. Specifically, for a market rate residential development, the locality will not incur costs associated with serving lower income households and, therefore, those costs should not be included in a fiscal impact analysis. Higher income households also spend more, creating more local option sales tax revenue for the locality, to the extent that expenditures occur within the locality. Higher income households also purchase more expensive vehicles and own more vehicles, resulting in greater personal property tax collections, and they occupy higher priced housing, resulting in greater real estate tax generation.

The Knights Valley subdivision squarely fits the profile of market rate housing, with average household incomes expected to range from \$56,000 to \$140,000, depending on the product. As noted above, the proposed development would not only produce higher revenues for the County but the cost per household of providing local government services to the County would be lower for the Knights Valley subdivision than for the average household in Buckingham County. Specifically, the proposed development would result in no new demand for Comprehensive Services Administration, Health Department and Virginia Public Assistance expenditures.

While a full fiscal impact analysis has not been conducted for the proposed development at this time, the example cited below provides an indication of the likely fiscal impact of the proposed development. That fiscal impact analysis was conducted recently (early 2021) for a single-family residential development in Isle of Wight County, with selling prices within the range proposed for the Knights Valley subdivision. That development's revenue-to-cost ratio was 2.75-to-1 in its stabilization year and 4.14-to-1 over the development's five year analysis period. This means that for every dollar in cost attributable to the proposed development over the first five years, the county was expected to receive \$4.14 and, for every dollar spent to provide services to the development thereafter, the county can expect to receive \$2.75 (in constant 2021 dollars) for every dollar spent.

The higher benefit-to-cost ratio for the five-year analysis period reflects significant one-time revenues received by the county in development fees. This degree of positive fiscal impact is not atypical, although the ratio may vary depending on market position, tax rates and other factors.

Buckingham County can expect to receive revenue derived from the proposed development from a variety of sources. Based upon expected sale prices for the proposed residential product and the ratio of the County's real estate assessments to selling price (94.06%), it is expected that the proposed development would increase the County's real estate property tax base by \$48,680,200, resulting in an annual increase of more than \$253,000 in real estate taxes from the Knights Valley subdivision.

Other revenues that will flow into the County's general fund from the proposed development include:

- personal property taxes and motor vehicle registration fees on vehicles owned by residents;
- taxes paid by local businesses as a result of spending by residents of the proposed development, including the local option sales tax and merchants capital tax on increased inventories that are likely to result from increased spending within the County;
- various other user charges and fees paid by Knights Valley subdivision residents; and
- one-time development and building permit fee revenues paid by the developer.

The County's Utility department will also experience a significant positive fiscal impact from the development of the Knights Valley subdivision. Based upon the County's Equivalent Residential Connection estimate of daily water usage, each single-family unit would add more than \$2,500 annually to the County's water and sewer fee revenue, with townhomes and row houses possibly adding a somewhat lower amount of revenue per unit. Altogether, the Knights Valley subdivision could result in increased revenue for the County's utility department approaching \$250,000 annually. Additionally, the County would receive more than \$535,000 in one-time utility hook-up and development fees.

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Atlantic investment Corporation
September 12, 2022
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Most local government utility costs are fixed costs that do not change with the addition of new households. Those fixed costs include the cost of debt service for past capital investments. Also, no additional personnel are likely to be required to operate water and sewer purification and distribution systems. Variable costs are generally confined to chemicals and other materials used to treat water and sewage and to postage and office supplies consumed in billing customers. Thus, the greater part of new utility revenue can be used to retire debt, defray other fixed costs and, ultimately, reduce rates for existing customers.

Another important benefit to Buckingham County that will add to the positive fiscal impact of the proposed development is the addition of new households that will increase buying power in the County. A study performed by the Consultant for the City of Newport News using data on retail sales over a thirty-year period concluded that population and income growth are the main factors driving net increases in retail sales for a locality. The proposed residential development would not only add 119 new households. Those households would all bring buying power greater than the median income household in the County and more than 60% of them would have buying power greater than the County's average income household.

It is axiomatic that rooftops are needed in order to attract retail and other consumer-oriented commercial development. While the additional buying power will not put Buckingham County over the threshold to attract big-box retailers, it will significantly increase the County's chances of attracting new food and beverage retail and consumer services that are lacking or are underrepresented in the County, as well as smaller, independent retailers. Thus, the County's vision for this site, demonstrated by its unanimous rezoning of the parcel to NC-1 in 2018, would be brought closer to fruition. As the County Supervisors wisely saw then, this site is uniquely positioned for commercial development without disturbing the rural character of the rest of the County. In fact, the development of the adjoining commercial parcel, which the proposed residential development would likely trigger, should enhance the County's rural fabric by making it more attractive for people to remain in Buckingham County.

The new households and the household income that would be brought to the County will be especially beneficial for the County's existing businesses. Businesses within the County, particularly those within a reasonable driving distance from the Knights Valley subdivision, will see a much needed increase in their customer base if the special use permit for this development is approved.

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This will all result in a very positive fiscal benefit for the County. County residents are almost certainly spending a significant portion of their retail and service dollars outside the County—spending from which the County receives no tax revenue. Because of the County’s significant “retail leakage,” new businesses that may be attracted due to the proposed development would have a minimal “cannibalization” effect. Rather than taking customers away from existing businesses, new businesses in Buckingham County are more likely to draw back spending now occurring outside the County.

Thus, the addition of new households with increased buying power benefits everyone. Adding to the likelihood that new businesses would be attracted to the County by the proposed development is the presence of a 32 acre commercial site next to the Knights Valley subdivision. Furthermore, the applicant has a successful track record of attracting new commercial establishments to Buckingham County and the applicant controls both sites—the proposed residential site and the commercial site.

In summary, the County can confidently expect the construction of the Knights Valley subdivision to have a net fiscal positive effect on its budget both during its development period and in its stabilization year and moving forward.

School impact analysis. A school impact analysis was conducted by estimating the number of students that would be generated from the Knights Valley subdivision to attend each public school in the County, adding this estimate to the most current (Fall 2021) enrollment for each school and comparing this sum to each school’s instructional capacity. If a school would not exceed its instructional capacity once the Knights Valley subdivision is fully developed, then the County would experience no school capital fiscal impact.

In order to estimate the number of students to be generated by Knights Valley households, the current average student generation per household was calculated. This was done by dividing the total Buckingham County Public Schools enrollment for school year 2021-2022 by the number of households in the County projected for 2021. This was 0.313 students per household. This was considered to be the student generation rate for single-family detached housing, since almost 97% of housing units in the County are either single-family detached or mobile homes (which were considered to be the equivalent of single-family detached housing).

Student generation for the proposed townhomes was calculated using national data showing that townhomes generated less than 80% of the number of students per household than single-family detached units. Applying this metric, the student generation rate per townhome was calculated to be 0.249 students per household. Using these student generation rates, the Knights Valley subdivision is predicted to produce only 34 new students attending Buckingham County Public Schools. These students were assigned to each of the County's schools in proportion to the share of total enrollment each school contributes.

As Table 1 shows, none of the County's schools would reach their instructional capacities after the Knights Valley subdivision is completed. Table 1 shows that the magnitude of remaining capacity at each school after the development of the Knights Valley subdivision is so great that residential development within the County could continue, reaching levels far exceeding the number of units proposed by the applicant, without causing the County's schools to exceed their instructional capacities.

Table 1 School Instructional Capacity Remaining After the Development of The Knights Valley Subdivision				
	Instructional Capacity	Current Enrollment	Added Enrollment	Remaining Capacity
Buckingham County PreSchool (Prekindergarten Center)	220	88	2	130
Buckingham County Primary School	654	333	6	315
Buckingham County Elementary School	740	412	7	321
Buckingham County Middle School	1,099	504	9	586
Buckingham County High School and Buckingham County Career & Technical School	973	596	10	367

Sources: Virginia Department of Education. Buckingham County Public Schools.
Note: Enrolment for the Buckingham County Career and Technical School is included in the enrollment reported by the Virginia Department of Education for fall enrollment SY 2021-2022 for Buckingham County High School.

Of course, the County's schools would experience a fractional increase in operating costs but those costs would be covered by the expected revenue surplus from the development of the Knights Valley Subdivision.

As an aside, the development of the Knights Valley subdivision is also likely to have a positive impact on the adjacent Central Virginia Christian School. This recognizes that not all school age children from the proposed development would attend the County's public schools. Given the proximity of the Central Virginia Christian School, a number of students from the Knights Valley subdivision can be expected to attend this private school. Furthermore, given the projected household income levels at Knights Valley, these students are likely to pay full tuition to the school, bolstering the school's financial stability. If a higher proportion of Knights Valley students attend private schools than does the County's overall population, this would also reduce the number of students projected to attend the County's public schools.

Returning to the proposed development's impact on the County's public schools, it is likely, though not certain, that the development of the Knights Valley subdivision could lead the County's Schools to purchase a new school bus to transport school children living at the Knights Valley subdivision. Data from another Virginia county indicates that 11% of students can be expected to have special needs requiring special needs transportation. Thus, approximately 30 students from the Knights Valley subdivision would need transportation on a regular school bus.

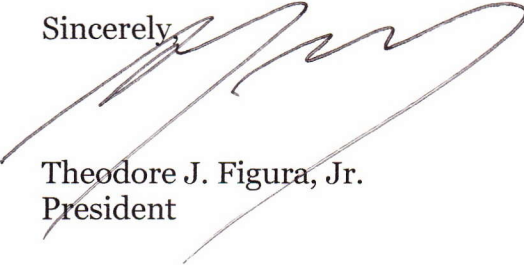
Since each bus route serves all of the County's schools, all children from the Knights Valley subdivision could ride the same school bus, filling that bus to almost 50% of its capacity. It is reasonable to assume that this would prompt the County to purchase a new school bus unless an existing route(s) that could serve the proposed development had sufficient capacity to take on these new riders.

The proposed development has the potential to generate four special needs students. It is assumed that the County's existing special needs transport could absorb these additional students. However, there is a small chance that additional special needs students cannot be accommodated, which would require the County to purchase another special needs transportation vehicle.

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In conclusion, it can confidently be predicted that development of the Knights Valley subdivision will have a minimal impact on the Buckingham County Public Schools while having a significantly positive fiscal impact on the County.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Theodore J. Figura, Jr.', written over the printed name and title.

Theodore J. Figura, Jr.
President

Buckingham County Planning Commission
September 26, 2022
Administration Building
7:00 PM
Introduction 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 is asking the Planning Commission to hold a joint public hearing with the Board of Supervisors to hear this request.

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?

October 24, 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

Mary-Margaret Hertz

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

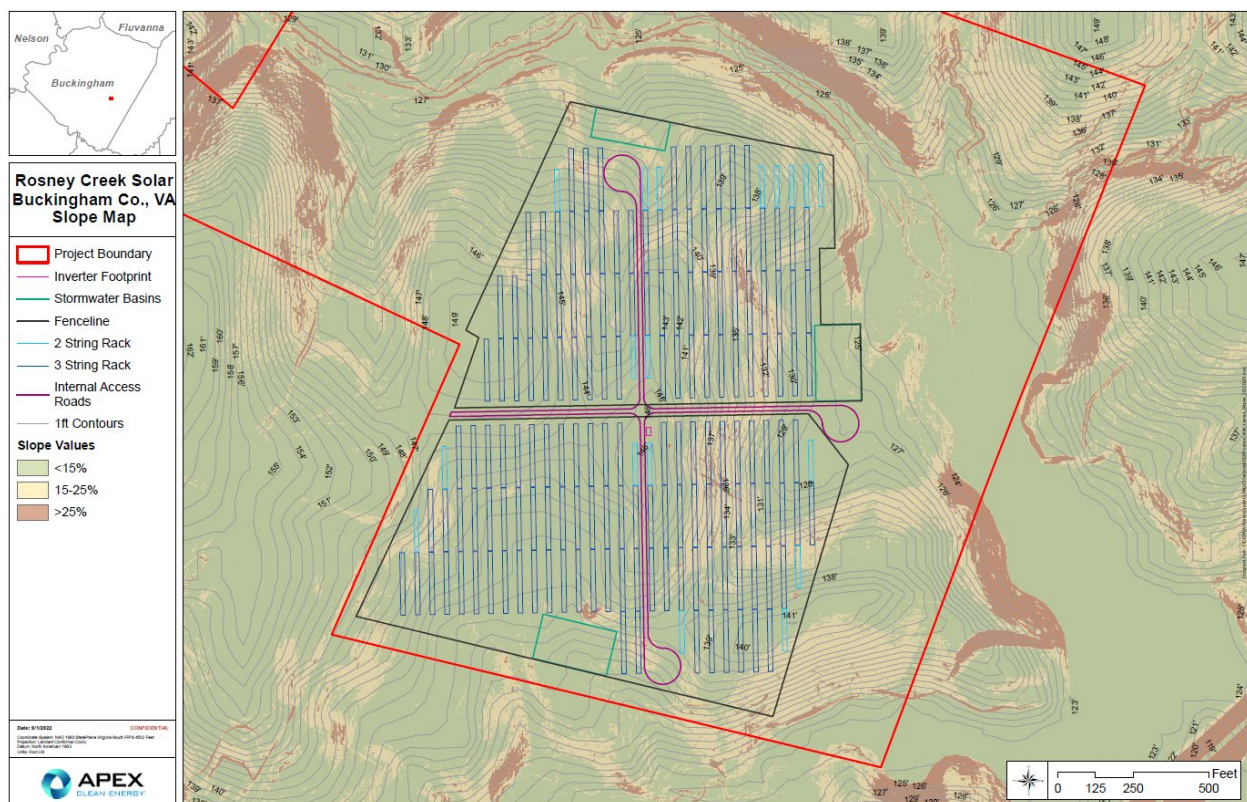
(434) 987-8437

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

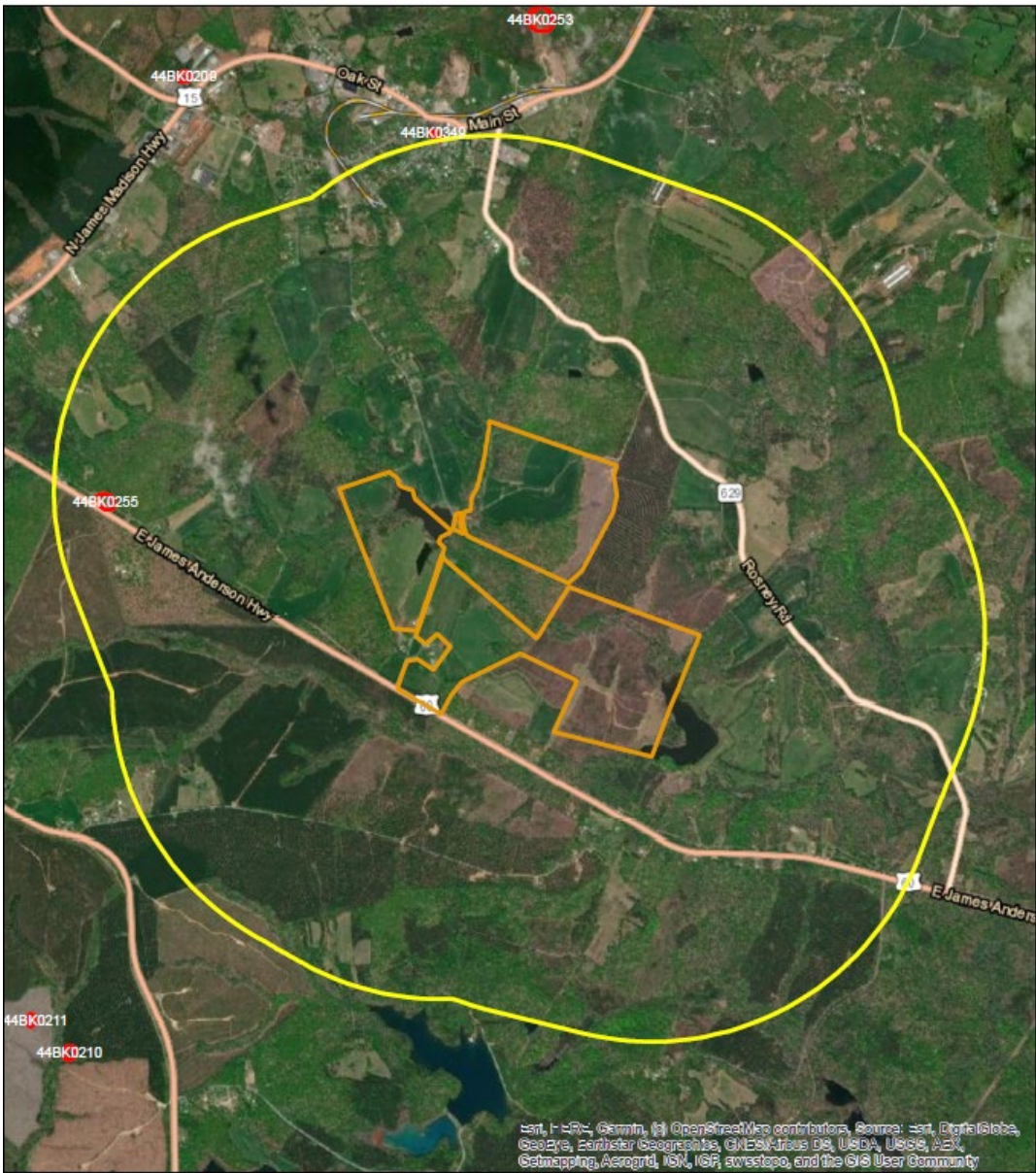
The Comprehensive Plan includes a goal to recognize and preserve the County's historical and cultural resources for future generations. The Comprehensive Plan notes that identification and evaluation are the primary strategies to reaching this goal. In recognition of the importance of these resources, 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.

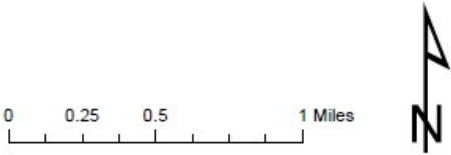
Additionally, the Applicant has initiated coordination with the Buckingham Historical Society by providing the organization with a map of the Property and associated Buckingham County Tax Map Parcel IDs. To date, this coordination has also not resulted in the identification of any cultural or historic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

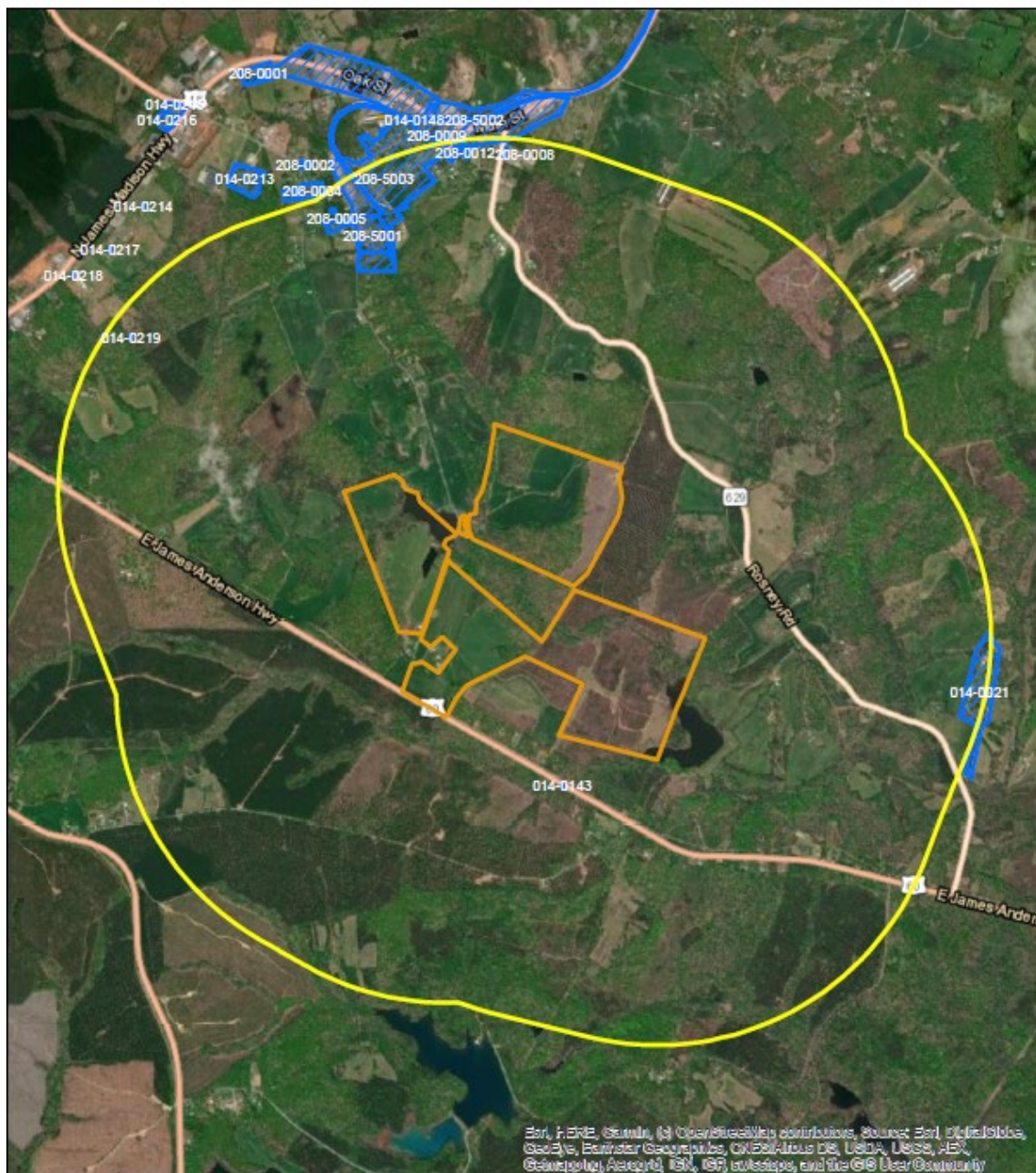


- Project_Area
- One Mile Buffer
- Archaeological Resources



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



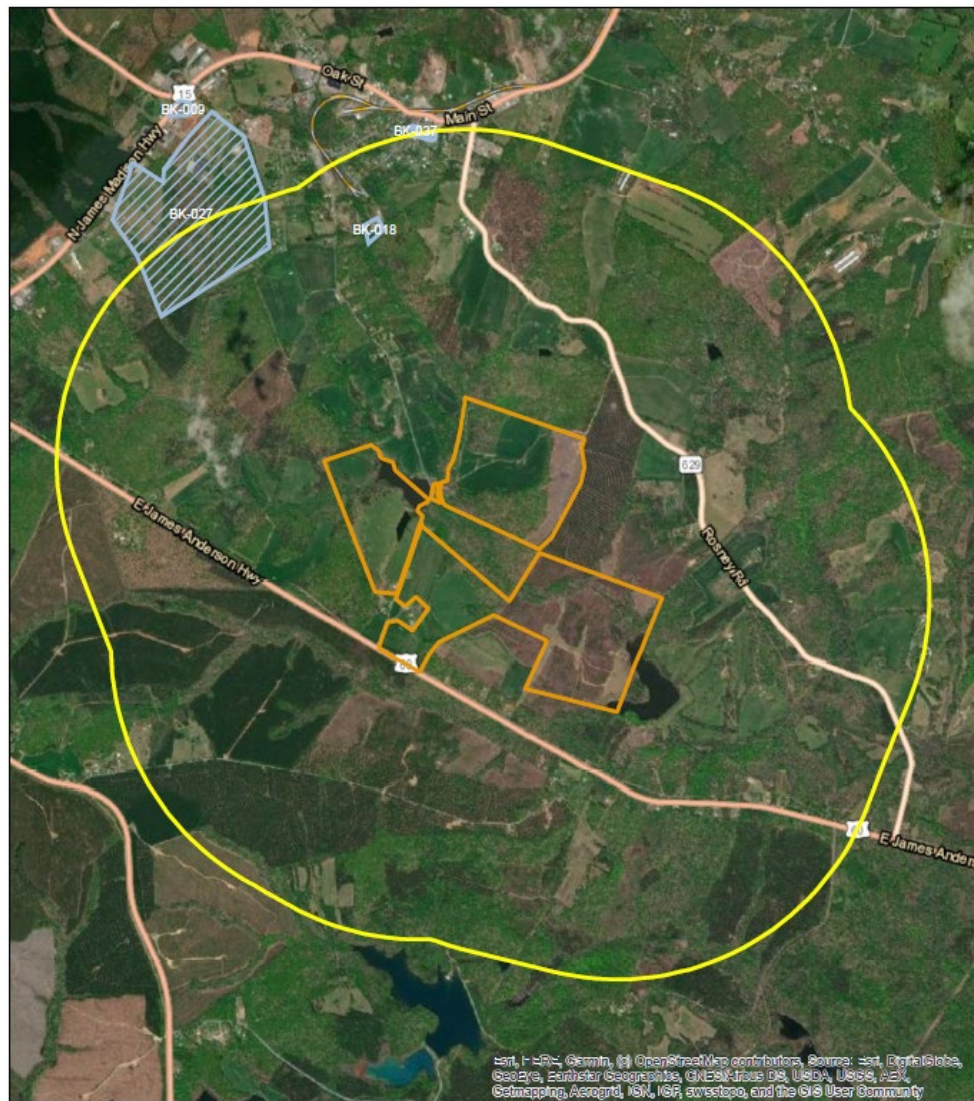
- Project_Area
- One Mile Buffer
- Architecture Resources

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

0 0.25 0.5 1 Miles



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"/>						
(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.

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



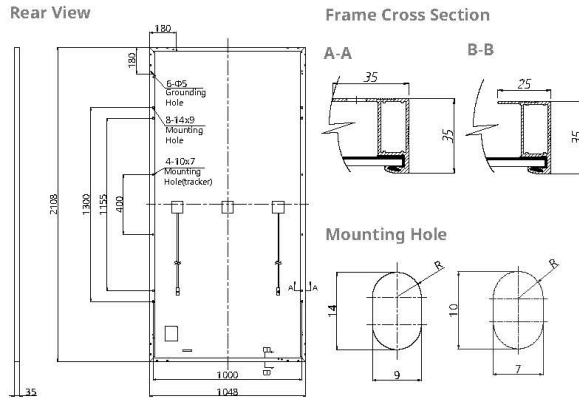
* The specific certificates applicable to different module types and markets will vary,
and therefore not all of the certifications listed herein will simultaneously apply to the
products you order or use. Please contact your local Canadian Solar sales representative
to confirm the specific certificates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

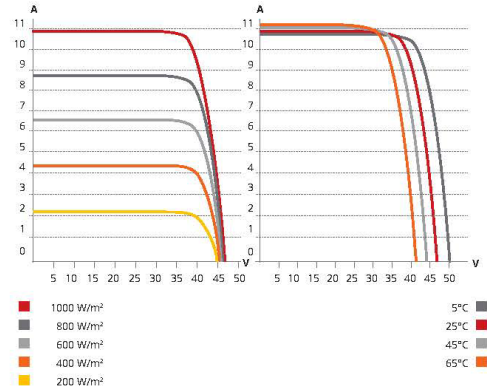
* For detailed information, please refer to Installation Manual.

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*

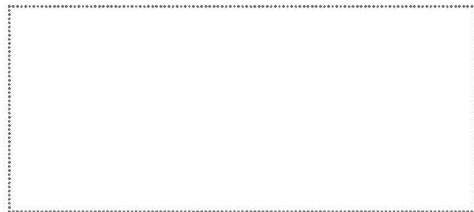
CS3W	400P	405P	410P	415P	420P	425P
Nominal Max. Power (Pmax)	298 W	302 W	305 W	309 W	313 W	317 W
Opt. Operating Voltage (Vmp)	36.0 V	36.2 V	36.4 V	36.6 V	36.8 V	36.9 V
Opt. Operating Current (Imp)	8.27 A	8.33 A	8.39 A	8.45 A	8.51 A	8.57 A
Open Circuit Voltage (Voc)	44.3 V	44.5 V	44.7 V	44.9 V	45.1 V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

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.

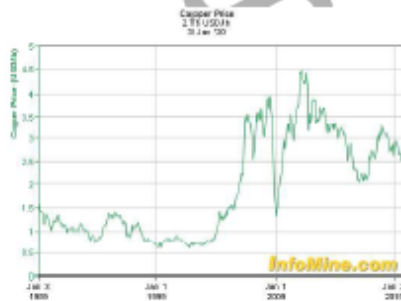


Figure 2: Copper Pricing in USD/lb, 1989-2019

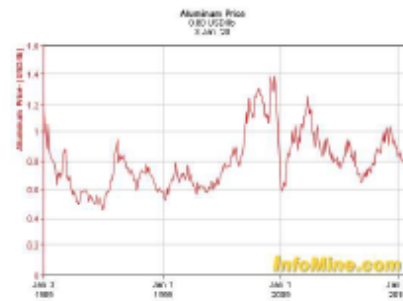


Figure 3: Aluminum Pricing in USD/lb, 1989-2019

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

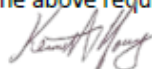
The Buckingham County Zoning Ordinance requires the following:

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.

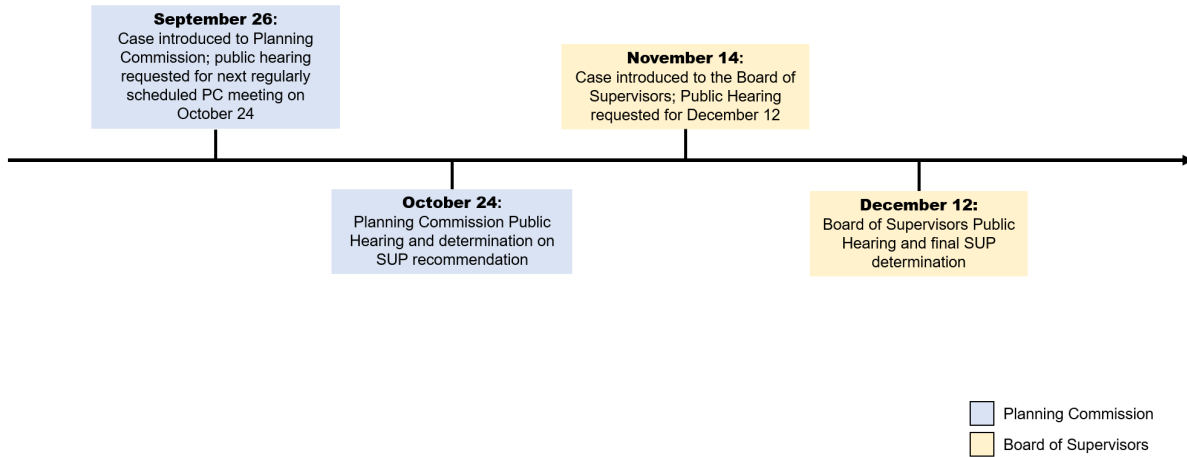
Applicant/Owner: _____



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

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.

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

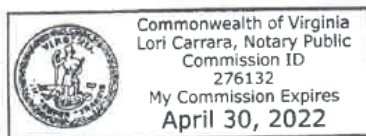
By: Apex Clean Energy Holdings, LLC,
a Delaware limited liability company,
its Manager

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

PAYMENT : FULL PAYMENT
 AT : 09:15
 LOC : CO
 PCT : 100%

DATE OF DEED : 12/09/2020
 CHECK : \$67.67
 DESCRIPTION 1 : 297.7 AC
 NAMES : 0
 CONSIDERATION : \$12,500.00
 AVAL : \$0.00
 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: _____

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)

Ivan P. Davis, Jr.

NOTARY PUBLIC

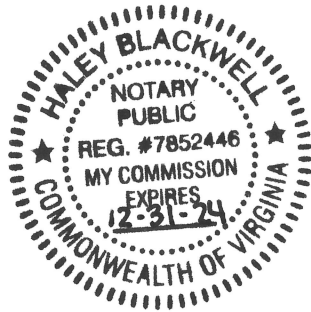
COUNTY OF Buckingham STATE OF Virginia

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

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

Notary Public Signature: Hailey Blackwell

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

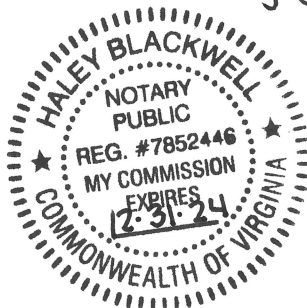
County of Buckingham State of Virginia

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

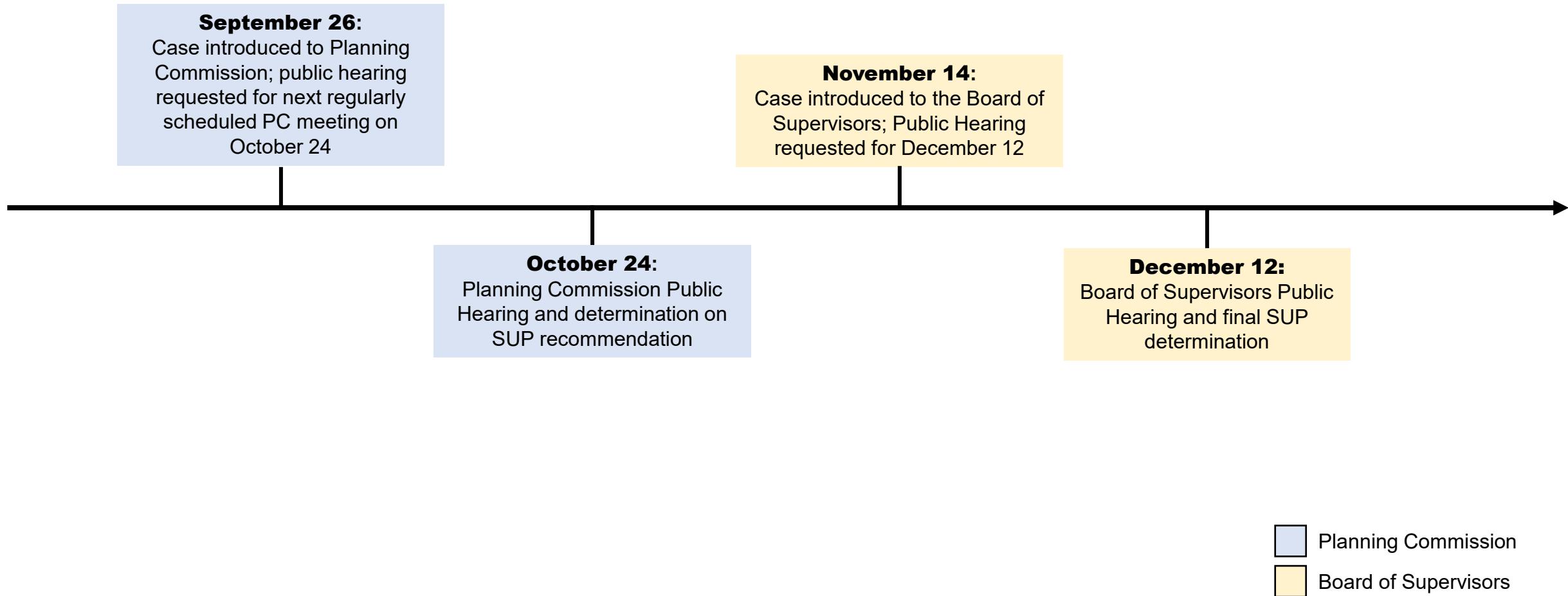
in the year 2022. My commission expires 12-31-24.

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:

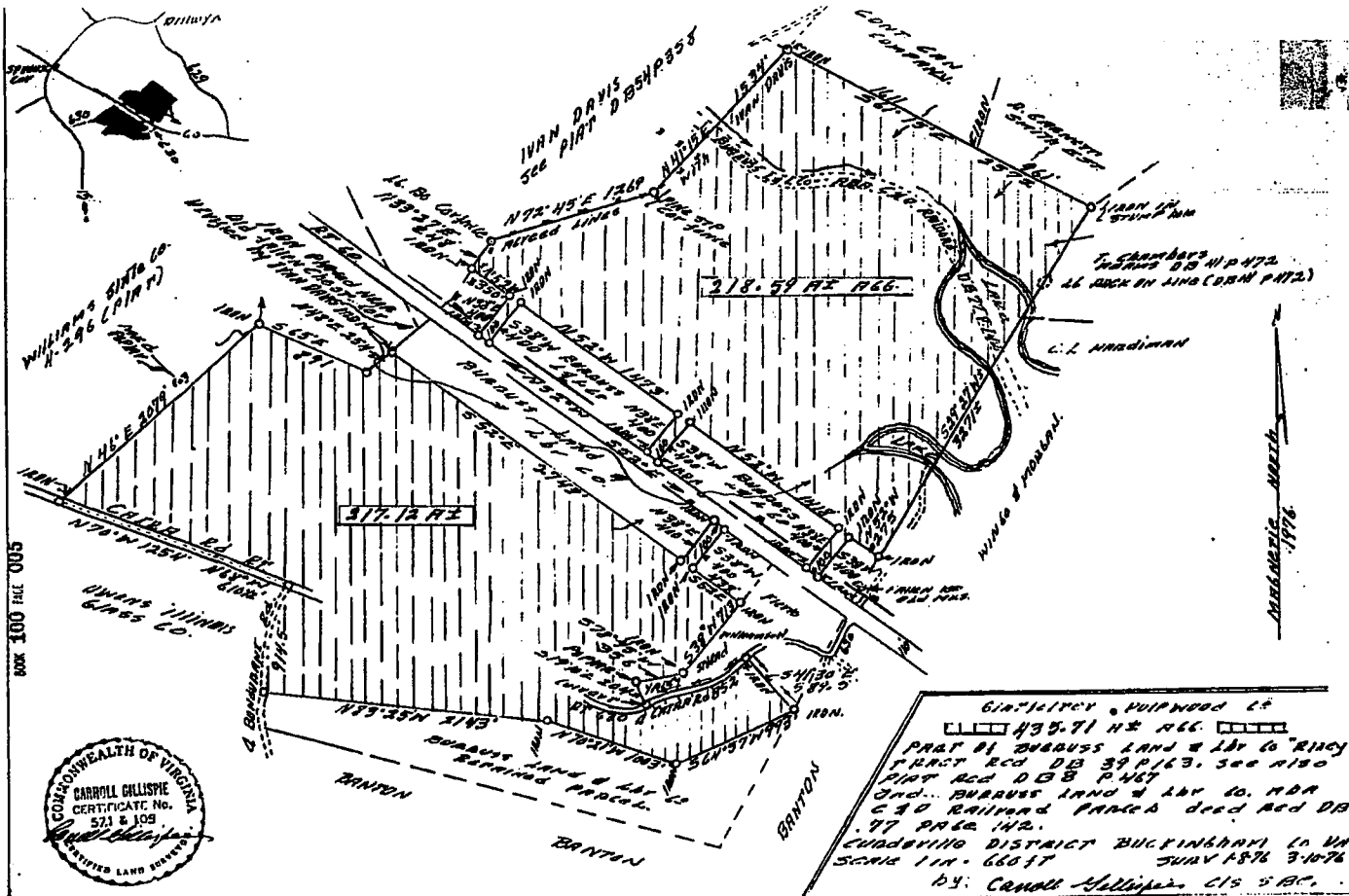
The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the 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



3-23-10
The foregoing survey was made by me, and I certify that the same is correct and true to the best of my knowledge and belief.
ATTEST: W. H. G. GALLISPIE CLERK

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

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.

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

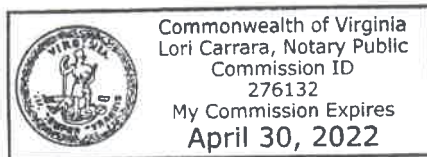
By: Apex Clean Energy Holdings, LLC,
a Delaware limited liability company,
its Manager

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, 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 ALEGAL 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
St. R. Tax	31	25
Co. R. Tax	10	42
Transfer		
Clerk	14	50
Lib.(145)	3	50
T.T.F.	5	00
Grantor Tax		
036 Proc. Fee		
Total \$	67	67

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

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: Sarah R. King-Cullen, DEPUTY CLERK



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 PAGE : 186

INSTRUMENT : 202101031 BOOK : 484

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 CHARLOTTESVILLE, 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

PAYMENT : FULL PAYMENT

AT : 09:15

LOC : CO

PCT : 100%

FILING TYPE : OPL

RECORDED : 06/01/2021

EX : N

EX : N

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



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.

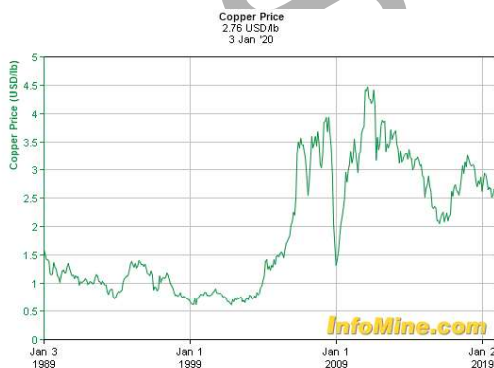


Figure 2: Copper Pricing in USD/lb, 1989-2019



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".

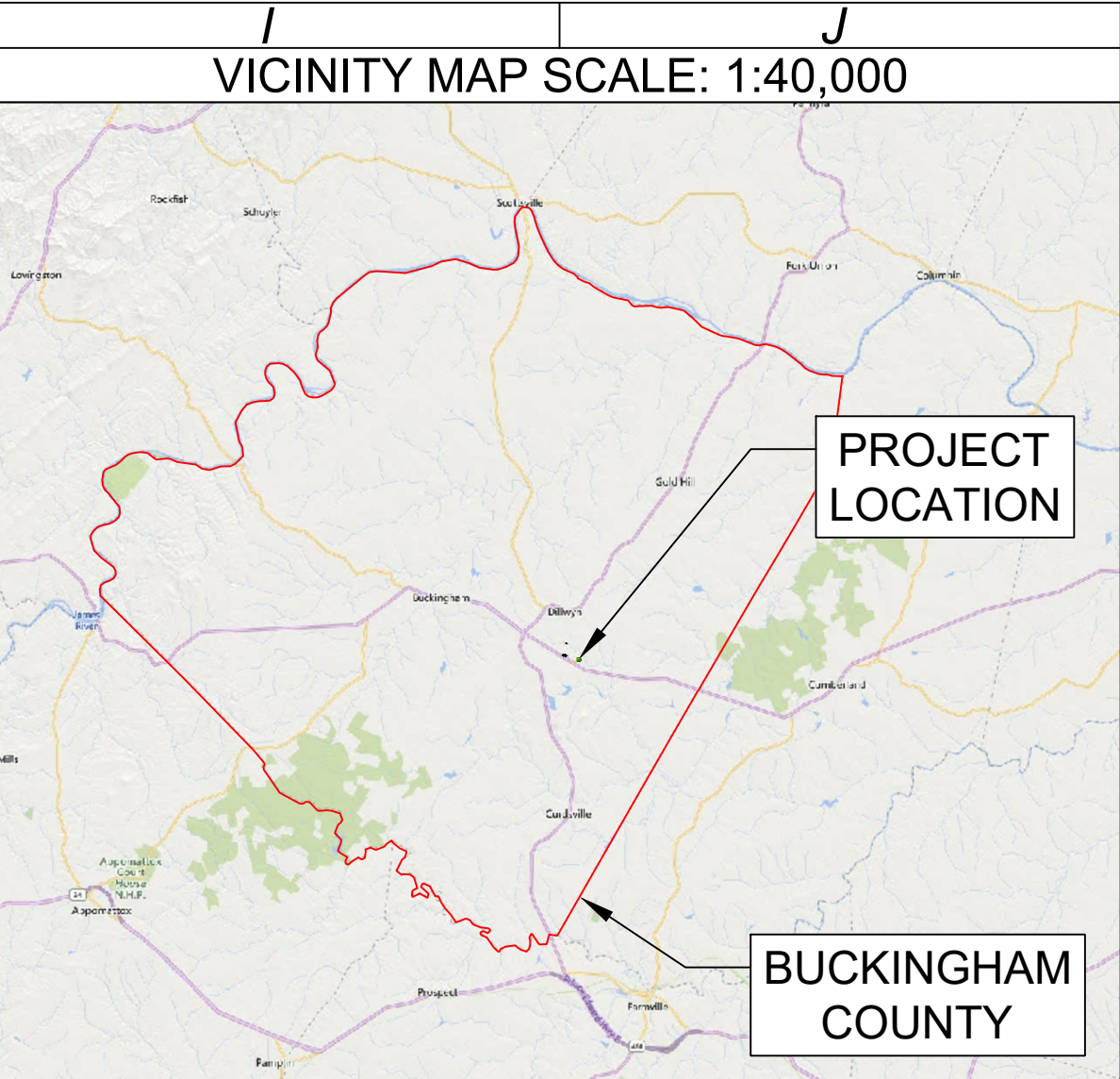
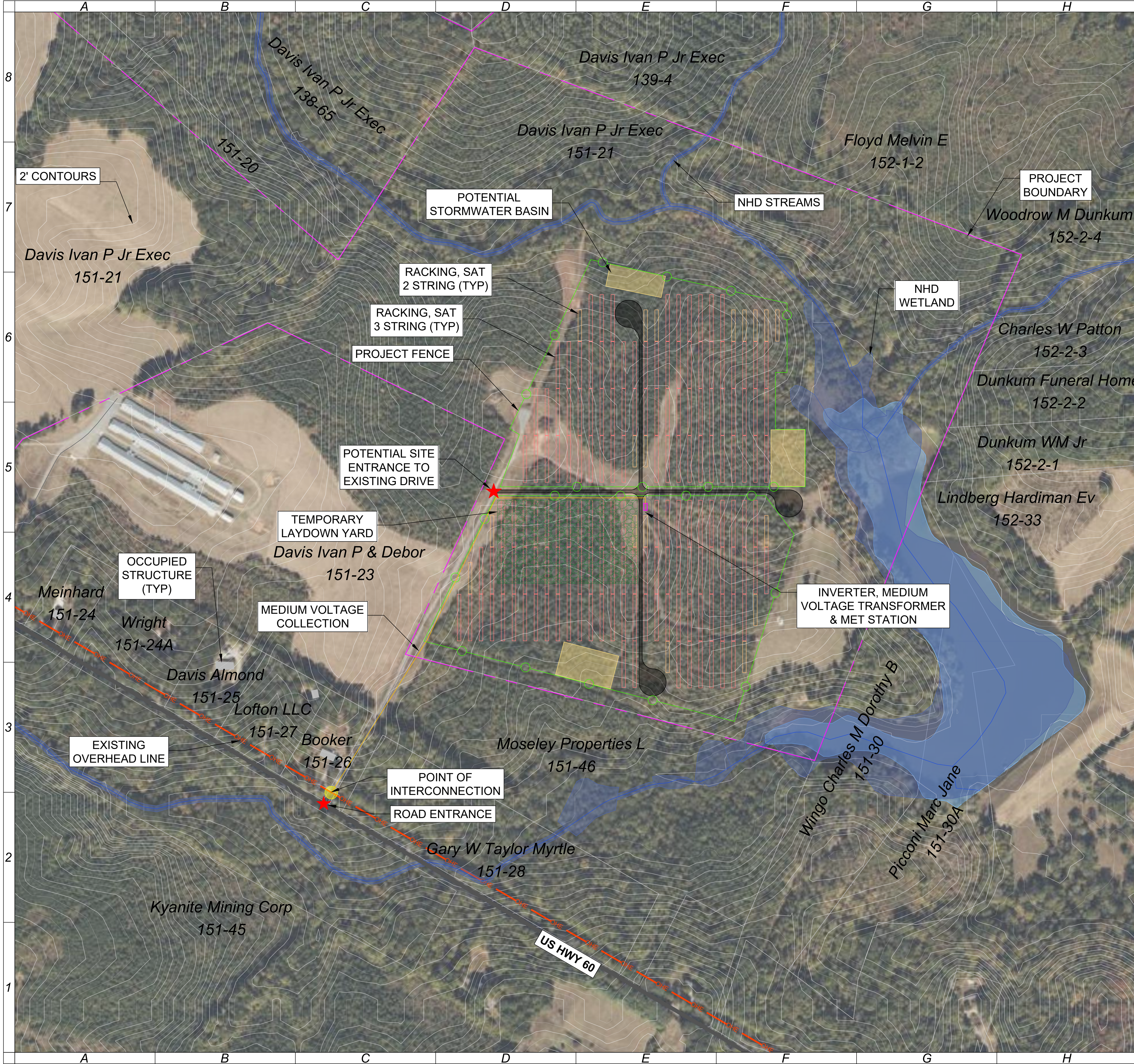
David K. Click, PE
President
Uneclipsed Energy, PLLC

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

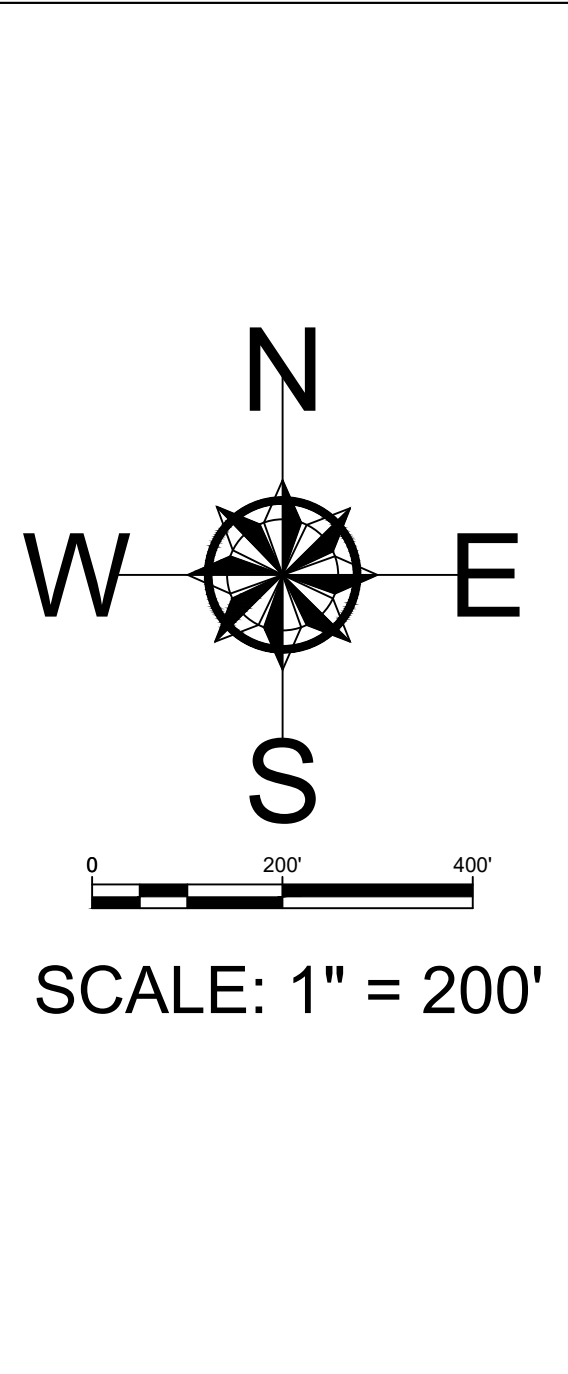
SYSTEM SUMMARY (AS DRAWN)

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



CONSULTANT
APEX CLEAN ENERGY
120 Garrett St, Suite 700
CHARLOTTESVILLE, VA 22902

PROJECT
ROSNEY CREEK SOLAR LLC

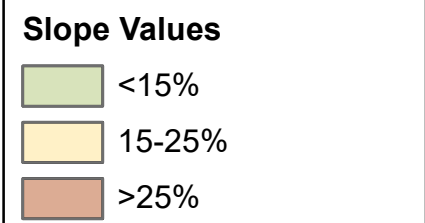
DATE: 8/31/22
DRAWN BY: OB
CHECKED BY: GDAS

GENERAL ARRAY
E-101

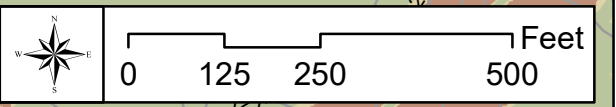
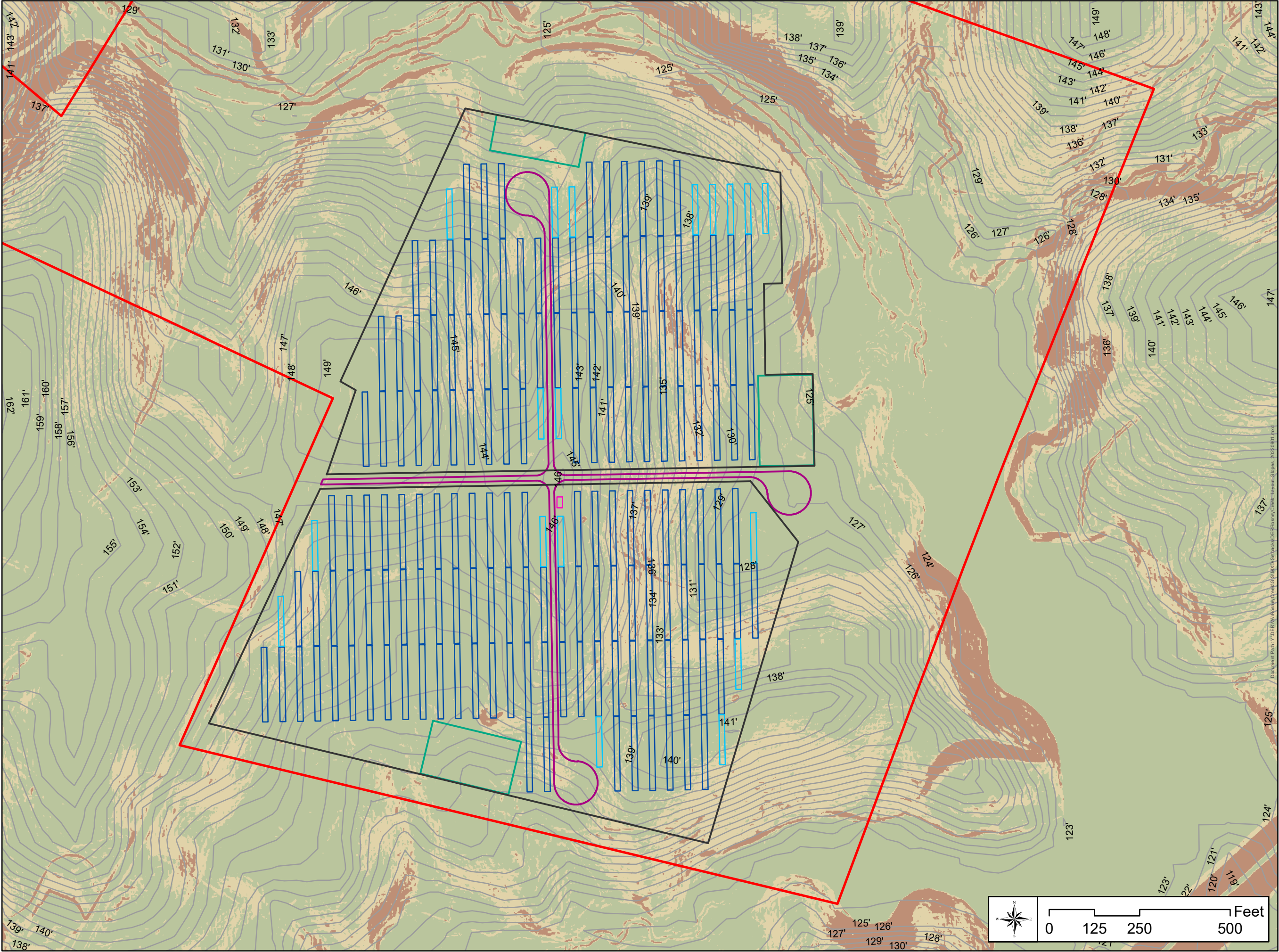


Rosney Creek Solar Buckingham Co., VA Slope Map

- 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



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

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

3 **LESS AND EXCEPTING** from the original 305.2 acre tract, a
4 **7.5 acre parcel, more or less, conveyed by IVAN P. DAVIS, SR.**
5 **and MOLLIE P. DAVIS, husband and wife, to IVAN P. DAVIS,**
6 **JR. and DEBORAH B. DAVIS, husband and wife, by General**
7 **Warranty Deed dated October 1, 1980, from IVAN P. DAVIS,**
8 **SR., and MOLLIE P. DAVIS, husband and wife, and recorded**
9 **December 14, 1980 in the Land Records of the COUNTY OF**
10 **BUCKINGHAM, VIRGINIA, in Deed Book 119, beginning at page**
11 **562.**

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

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

21 **TO FURTHER HAVE AND TO HOLD** the property with full power and au-
22 **thority given to the Grantee, and Successor Partners and Assigns, subject to**
23 **the terms of the Partnership to protect, conserve and manage; to sell, convey,**
24 **exchange or otherwise dispose; to lease, and to extend, terminate or modify a**
25 **lease; to pledge, assign, encumber, mortgage, or subdivide; and to grant op-**
26 **tions, licenses and easements for utility or other purposes across, over and**
27 **under the property.**

28 All of these foregoing powers may be exercised by the Grantee from time
29 to time, for any period of time, under such terms and conditions, with or with-
30 out consideration, pertaining to the property either in whole or in part, includ-
31 ing any improvements, in the sole discretion of the Grantee.

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

35 No party, including any purchaser, lessee or lender, dealing with the
36 Grantee or Successor in Interest will be obligated or liable: (i) to see to the ap-
37 plication of the proceeds from any transaction involving the property; (ii) to see
38 that the terms of the Partnership have been complied with; (iii) to inquire into
39 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.

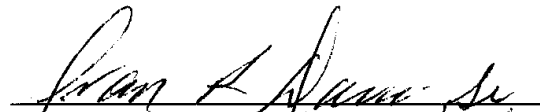
26 The designation of Grantor and Grantee includes their heirs, successors
27 and assigns, and includes the singular, plural, masculine, feminine or neuter
28 as required by the context.


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

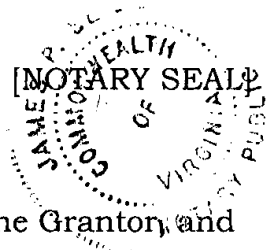
 [Seal]
MOLLIE P. DAVIS, Grantor

ACKNOWLEDGMENT

COMMONWEALTH OF VIRGINIA
COUNTY OF BUCKINGHAM

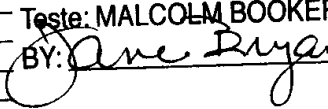
The foregoing Deed, consisting of **FOUR** pages, including this signature page, was acknowledged before me on **JUNE 20, 2005**, by the Grantors, **IVAN P. DAVIS, SR. and MOLLIE P. DAVIS**.


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		
Transfer	1.00	
Clerk	14.50	
Lib. (145)	1.50	
T.T.F.	5.00	
Grantor Tax		
036 Proc.Fee	23.00	
Total \$		

The foregoing instrument with acknowledgement was admitted to record on 12/6/2006 at 2:45 P.M. in D.B. 339 Page(s) 45-48
Teste: MALCOLM BOOKER, JR., CLERK
BY:  DEPUTY CLERK

#09-2442

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.

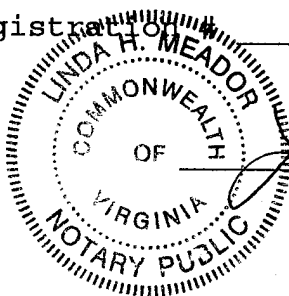
STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, to-wit:

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	14.00
Clerk	1.50
Lib.(145)	3.00
T.T.F.	197.50
Grantor Tax	18.00
036 Proc. Fee	887.50
Total \$	

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

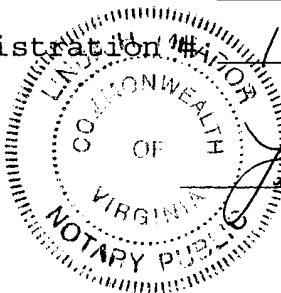
STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, to-wit:

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

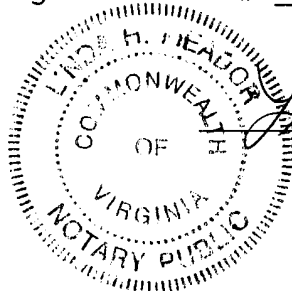
STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, to-wit:

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	
Total \$	<u>43.00</u>

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

The foregoing instrument with acknowledgement was admitted to record on 2/3 2015 at 1:30 P M. in D.B. 421 Page(s) 904-907
Testes: MALCOLM BOOKER, JR., CLERK
BY: Amelia Bryant, DEPUTY CLERK

LINE	BEARING	DISTANCE
L1	S37°47'36"W	103.49'
L2	S34°17'27"W	149.15'
L3	S40°59'06"W	207.08'
L4	S38°01'58"W	158.35'
L5	S36°01'13"W	399.99'
L6	S42°01'27"W	398.82'
L7	N49°58'41"W	28.86'
L8	N49°58'41"W	99.77'
L9	N50°08'19"E	76.89'

50.00 Acres

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

TM151-23
Ivan P. Davis, Jr. and Deborah B. Davis Living Trust
D.B.323 p.396

Approved for recordation only

Buckingham County Zoning Agent

Survey for

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

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

Maxey & Associates, P.C.

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



Plat Ceb A Slide 245 D

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 plats, 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. 51029C0300B, Effective date June 17, 2008.

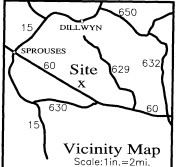
Inst # 15-138

2/3/15

See DB 421 Page 901

Legend:

E=Overhead Electric line(s)



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

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

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

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 #: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	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

	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 #: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

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 #: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)	

T A X R E C E I P T - Y E A R 2 0 2 2 - 1st H A Ticket #:00032020001 @@

BUCKINGHAM COUNTY	Date	:	5/26/2022
CHRISTY L CHRISTIAN	Register:	:	RR1/RR1
(434) 969-4744	Trans. #:	:	35364
POST OFFICE BOX 106	Dept #	:	RE202201
BUCKINGHAM VA 23921	ACCT#	:	8633

REAL ESTATE 2022		Previous	
RT 60 - 2 MI E OF	151 23	Balance	\$ 1056.38
SPROUSES CORNER 50 AC	Acres: 50.000		
Land: 82300	Imp: 324000	Principal Being Paid	\$ 1056.38
		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)			

51 Building Permits were issued in the amount of \$6938.17 for the month of August 2022

Permit No.	District	Name	Purpose	Cost of Construction	Cost of Permit
19115	Curdsville	Donald Smith	Electrical	\$100.00	\$25.50
19116	Curdsville	Parker Oil Company	Mechanical	\$1,100.00	\$25.50
19117	Francisco	Clark Home Solutions	Generator	\$14,900.00	\$51.00
19118	Slate River	T Mobile Northeast	Commerical Addittion	\$80,000.00	\$357.00
19119	Maysville	Gregory Quick CO Oakwood	Mobile Home Doublewide	\$127,565.00	\$286.41
19120	Slate River	Three Ponds Retreat	Generator	\$10,000.00	\$25.50
19121	Curdsville	Estee Williams	Commerical Addittion	\$25,000.00	\$75.00
19122	Curdsville	Riverwood Design and Build	Residential Addittion	\$45,000.00	\$27.26
19123	Curdsville	Resse and Linda Shifflett	Electrical	\$0.00	\$25.50
19124	Slate River	Diana Keough	New Dwelling- Stickbuilt	\$150,000.00	\$202.94
19125	Marshall	Top Notch Contracting	Electrical	\$1,500.00	\$25.50
19127	Maysville	Troy and Kim Wooten	Inground Pool	\$23,000.00	\$162.02
19128	Slate River	Frank Trimble	Inground Pool	\$15,000.00	\$197.68
19129	James River	Christopher Putman	Electrical	\$500.00	\$25.50
19130	Francisco	Ronnie Moss	Shed	\$65,000.00	\$315.18
19131	Marshall	Clayton Homes	Mobile Home Doublewide	\$200,000.00	\$525.87
19132	Marshall	Michelle Soltesz	Residential Remodel	\$57,613.20	\$51.00
19133	Curdsville	Don Williams	Solar Residential	\$13,800.00	\$51.00
19134	Francisco	MT Rush Structures	New Dwelling- Stickbuilt	\$150,000.00	\$452.60
19135	Curdsville	Moore Construction LLC	Residential Addittion	\$0.00	\$150.02
19136	Curdsville	Rodney Gough	Generator	\$3,600.00	\$25.50
19137	Francisco	Putney Mechanical	Generator	\$12,200.00	\$25.50
19138	Maysville	Chad Perkins	Above Ground Pool	\$0.00	\$116.04
19139	Curdsville	Laura Bryant	Above Ground Pool	\$12,000.00	\$144.19
19140	Marshall	Robert Willitts	Farm Building Exempt	\$15,000.00	\$10.00
19141	Marshall	SBA Network	Commerical Addittion	\$25,000.00	\$204.00
19142	Marshall	James O Jones Sr.	Mobile Home Singlewide	\$2,500.00	\$232.15
19143	Maysville	Moore Construction LLC	Residential Addittion	\$0.00	\$150.76
19144	James River	MMA Construction	New Dwelling- Stickbuilt	\$200,000.00	\$443.71
19145	James River	Shah Jee LLC	Commerical Remodel	\$0.00	\$506.73
19146	Curdsville	T Mobile Co Katie Caummisar	Commerical Addittion	\$25,000.00	\$433.50
19147	Marshall	Gregory Scott	Shed	\$10,500.00	\$42.31
19148	Marshall	Shenandoah Cable	Demolition	\$0.00	\$25.50
19149	James River	Parker Oil Company	Generator	\$1,100.00	\$25.50
19150	Slate River	Parker Oil Company	Generator	\$900.00	\$25.50
19151	Curdsville	Shenandoah Cable	Demolition	\$0.00	\$25.50
19152	Slate River	Shenandoah Cable	Demolition	\$0.00	\$25.50
19153	Marshall	Shenandoah Cable	Demolition	\$0.00	\$25.50
19155	James River	Charles Stinson	Farm Building Exempt	\$20,000.00	\$10.00
19156	Maysville	Jonathan King	Commerical Construction	\$5,000.00	\$51.00
19157	Maysville	Jonathan King	Commerical Construction	\$55,000.00	\$170.39
19158	Marshall	Nukols Homestead Trust	Electrical	\$1,500.00	\$25.50
19159	Slate River	S Johnson Enterprises	New Dwelling- Stickbuilt	\$175,000.00	\$609.93
19160	Curdsville	EM Wright Jr	Resdential Addittion	\$0.00	\$120.49
19161	Curdsville	Boyer and Sons Electrical	Electrical	\$12,000.00	\$25.50
19162	Slate River	Steve Self	Generator	\$10,900.00	\$25.50
19163	Slate River	Ellington Energy	Generator	\$1,200.00	\$25.50
19164	Maysville	Tyson Home Services	Resdential Remodel	\$0.00	\$152.49
19165	Francisco	Ellington Energy	Generator	\$3,000.00	\$25.50
19170	Curdsville	All Hours Mechanical	Mechanical	\$8,800.00	\$25.50
19171	Marshall	Benjamin Knighton	Electrical	\$500.00	\$25.50
		Re-inspection Fee			\$50.00
		Re-inspection Fee			\$50.00
51					
Cost of permit is calculated based on square footage of structure				\$1,580,778.20	\$6,938.17