

**Buckingham County
Planning Commission
Monthly Meeting
Packet**



September 27, 2021



Buckingham County Planning Commission Agenda
Monday, September 27, 2021 7:00PM
County Administration Building
Peter Francisco Meeting Room
www.buckinghamcountyva.org

You may view the meeting by logging on to <https://youtu.be/McXE5GSkU8g>

1. Call to Order by Planning Commission Chairman
 - Invocation
 - Pledge of Allegiance
 - Establishment of Quorums
2. Adoption of Agenda
 - a. Approval of Minutes August 23, 2021 Regular Meeting
 - b. August 30, 2021 Work Session
3. Public Comment
4. Old Business
 1. Public Hearing of Case 21-SUP290 Apex Clean Energy/Riverstone Solar
 1. Case 21-SUP285 Impact Power Solutions
 2. Case 21-SUP286 Impact Power Solutions
 3. Case 21-ZTASUP287 James Burmaster & Michelle Soltesz

****Link to Case Documents

https://www.buckinghamcountyva.org/agenda_detail_T6_R133.php
6. New Business
 1. Introduction of Case 21-SUP291 John Yoder
 2. Introduction of Case 21-SUP292 Historic Buckingham Inc.
7. Reports
 - A. Building Permits Report

B. Zoning Administrator Report

8. Commission Matters and Concerns

9. Adjournment

In response to the COVID-19 epidemic, Public Comments AND Public Hearing Comments for Buckingham County Planning Commission Meetings and Hearings will be received using the following methods:

1. Written comments may be mailed to the Planning Commission at PO Box 252 Buckingham, VA 23921. Please limit word count to 500 words.

2. Emailed comments may be sent to publiccomments@buckinghamcounty.virginia.gov. Please limit word count to 500 words.

3. Telephone voicemail comments may be left to be played to the board by calling 434-969-5039

4. To appear virtually to the Planning Commission for comments please email publiccomments@buckinghamcounty.virginia.gov. You will receive notice with the link and/or telephone number necessary to connect virtually during the meeting.

5. In person Public Comments will be permitted by signing up (signup sheet) to speak prior to the beginning of the meeting

Please note: Please state your name, district, address, and which hearing you are commenting on. The three (3) minute rule will apply to public comments. All correspondence must be received only by the methods above, and are due by 12:00 PM the day of the meeting.

**Buckingham County
Planning Commission
August 23, 2021**

At a regular meeting of the Buckingham County Planning Commission held on Monday, August 23, 2021 at 7:00 p.m. in the Peter Francisco meeting room, located within the Buckingham County Administration Complex, the following members were present: Ashley Shumaker; John Bickford; Patrick Bowe; Steve Dorrier; Joyce Gooden and Board of Supervisors' representative Danny Allen. Also present were Nicci Edmondston, Zoning Administrator, and E.M. Wright, Jr., County Attorney. James D. Crews was absent.

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

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

Bowe: The adoption of agenda. It's going to be one slight change here. Under new business. We're going to move case number three in front of the three solar projects.

Bickford: Moved to approve with changes.

Allen: Second.

Bowe: All in favor, raise your right hand. approved unanimously.

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

Bowe: Approval of minutes.

Bickford: Moved to approve as presented.

Allen: Second.

Bowe: We have a first and a second. All in favor raise your right hand. Approved unanimously.

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

Bowe: Public comments.

Edmondston: Mr. Chairman, we have no one signed up for public comment this evening.

Bowe: Old Business.

Edmondston: The old business before us is case 21 SUP289. The landowner is Monmouth Farm located at 12994 Howardsville. Road Howardsville. Virginia 42562. The applicant Euan Fuller authorized cellco partnership agent located at 1111 East Main Street suite 1905 in Richmond, Virginia 23219. Property information is tax map 13 parcel 12 contains approximately 300.92 acres located at 12994 Howardsville road Howardsville address, which is on State Route 602. And in the James River magisterial district, it's currently zoned a one. The request was to obtain a special use permit for the purpose of constructing a 199 foot monopole communications tower, which is the reason for the public hearing.

Bowe: I guess we will close the public hearing if no one wants to speak on it. Is there anybody? And we close the public hearing. Does somebody want to speak sorry, please come up to the podium. State your name and address.

Edmondston: Mr. Chairman, we don't have anyone signed up for the public hearing, but that is your call as chairman.

Bowe: That'd be fine. We'll hear it.

Unknown: Just a quick comment. I'm the proprietor I suppose you'd say on the farm. My wife is actually the trustee for the family. Here family has been on that land since about 1758. And I prefer the land to look like it did in 1758 with no tower there. But I also understand that this quarter of the County has a great dearth of communication. I see people in my driveway very frequently because it's a

hotspot. And one, if anyone is upset about the tower itself and the appearance but if want to have an omelet, you got to break a few eggs. The ugly tower is the eggs.

Bowe: We're going to make it pretty as possible.

Unknown: So, I hope so. So there's a safety issue. There's a convenience issue. I don't know if the planning commissioners have been confronted with people complaining about cable in the ground so that they can get high speed internet. I think they also want high speed communications. That's probably what I needed to say. Just so someone would say something.

Bowe: Thank you.

Unknown: Thank your sir.

Bowe: You heard the man better make it pretty. Don't even want to see it want it to disappear. We will talk about buffers at some other time here in about five minutes. Y'all want to come on up to the podium?

Mark Kronenthal: Thank you, Mr. Chairman. We can make a very brief presentation the facts that is instance Mr. Chairman, members of Planning Commission. My name is Mark Kronenthal with Roth Jackson and we represent Verizon. Also, tonight we've got Zanuz Talley who is my colleague at Rob Jackson and Sean Bamman, who's with BCI also representing Verizon. As you know, we're here for the Howardsville proposed tower. This matter is in a one district. So this is an SUP, that's a heavily wooded, heavily forested 300 acre property is the is the location, although there is some brush in the property to the southeast. And we have proposed. So if you turn to if you have your viewer report, if we have, if we can turn to, to about the third or fourth slide, let's go to z one. z one that shows the entire lot what you're seeing the lines are sort of typography. And if you see on your laptop, you can see a scallop line that shows the tree line, if we can get to Z two. You can see that it is, again, the scalloped area that's outside the fence shows the existing tree line. And you can see that we have proposed some landscaping on all of the sides that that face brush that do not face the existing forested area. So if you could please turn to z three. Thank you. So the last case that we saw was a lattice tower is called or this tower that we are proposing is a monopole which is much more attractive. In your in your file, you can see it's a battleship gray that's the natural color of the metal, we find through lots of things through practice that that is the color most likely to like a battleship, blend into the background of the

sky and that other colors will not do so monopole is an enhancement over the last in terms of appearance. So we're on we're very glad to be presenting a 199-foot monopole tower. to you tonight. If you could go to the next slide, please. You can see. So who will this serve from the nearest tower is seven miles away. So that means that that nobody within the 15 square miles around the tower have service unless they're lucky enough by an accident of topography to get into a hotspot. And as we, as we just heard, so the residents in this area in Buckingham County are the first people who are going to be served folks who are traveling through the county to do business here, or who are Wayfinding, who are trying to find their way to a destination in the county, those folks are going to be helped there, there are a total of six arrays for this tower. So that means that five other companies can co locate here. So if you don't have Verizon, there's an opportunity for your carrier to provide service on this tower with one of the other locations. And most importantly, emergency personnel as this area is not served, you know, if you are somewhere remote, if you're out in the woods away from your landline, and you've had an emergency, there's none of the citizens in this area of the county are able to do anything if they don't have cell service. So with cell service, they'll be able to they'll be able to do that if you go to the next slide, please. So the red dots on this, show the locations where you can actually see the tower. And we wanted to just let you know we do think that appearance is important. And so what we've done your as your ordinance requires that we've provided photo simulations that show the height. So the red dots do south on Howardsville Road west on Logan road at 653. And also James River at the 602 Bridge are a couple of locations and if we can move ahead with the next couple of slides. So that shows for a previous study that that that balloon is way up at 250. Let's go to the next slide still, so we reduced it. So note this slide shows a lattice tower it's actually going to be a monopole. So I want to be clear. And then here's the next one it's going to be a little lower in the next slide please. And that's actually the height that you'll see from that is at Logan road. So the next one please. And so this is James River at 602 excellent. And you can barely see it right over the tree. So your comp plan or wherever you have an SUP the basis for an SUP decision is your comp plan your comp plan that you've adopted or chapter three does call for the enhancement for the benefit at the citizens of your wireless network, let's see exactly what we're doing here. And I'd also like to share some good news that we have ended up sharing things we'll share with a couple of you. We are searching in the centenary general area to locate on Route 20. Potential, once we get a lease, get an application package together, we'll be able to come to you with an application just like this one for a tower, hopefully, there would really blend in the service area from this area towards the end of

covering ground twine, and also will be located on an existing tower that you've already approved. From a different company. That's down on, it's down further, on Route 60. There'll be a little East heading east out of Spouses' corner. So we would ask for your approval. Tonight, we're happy to answer any questions and we're grateful for your time and consideration.

Bowe: I've got one question. You said that the battleship Gray was the color that blends in best. Is it a flat finish or gloss finish.

Kronenthal: It'll be a flat natural finish of the metal. So there'll be no shine. Also, it's not lit. So unless FAA changed its rules.

Bowe: Now our applicant over there I own or anyway, was concerned about the thing looking nice. Y'all in agreement with that color.

Comment from crowd

Bowe: Okay. That's the end of my question everybody else?

Dorrier: I had a one. On p one is are those power lines going across there. Beside the balloon marker?

Kronenthal: Yeah, those are. Those are existing power lines.

Dorrier: Is that a problem with the tower?

Kronenthal: No, sir. That's a 300 parcel that a trick it just looks close. Those are much closer than the tower. So they're not even, they're not even close enough to be shown on any of our drawings.

Dorrier: It just seemed to be closer looking at the photos.

Kronenthal: And it's an important point to note that those none of the towers for the power lines are tall enough to put an array on to get any kind of level of service. So we did do a search for other locations. And within five miles of this location, there's no steeple, or no other tower that's tall enough to have successful coverage. Great question.

Bowe: Any of the Commissioners have any questions?

Gooden: I still do. Alright. This will improve service for Verizon customers.

Kronenthal: Well anybody that gets service, we'll get into it too. For any additional, I don't have the details of what any other carrier would be. But it's it would be whenever they switch to roaming and there, but we have, we have more than our usual number of fill locations on this, you know, sometimes it'll be two, sometimes it'll be three, this tower has five opportunities for any other user or carrier in the market to locate. And that would just be a simple one. That'd be a simple lease with Verizon. And that'll be a simple administrative application to you and account.

Gooden: Just because I'm one I have Verizon. Two, I know this location up close and personal. And Sir, if you have cameras at your gate, I was in your gate yesterday. Okay, so that just said that, you know, and I looked at the area, and I was just wanting to see what it was going to look like. And so just in case, but and there's no surface and there are few spots where I can stop and get service. And that's why I wanted to know where the roads were. And how much of Buckingham was actually being covered.

Kronenthal: Yes, ma'am its 15.2 square miles of Buckingham county that's covered. It's a lot resident that don't have service.

Gooden: Oh they have service but it's not with Verizon. But even there. It's very spotty in that area.

Allen: Since cityscape has approved. We are looking at here but they wanted to add some more, And I think you've already added the two more conditions. That one of the towers was for the county EMS.

Kronenthal: I regret to share that it's against the law to require the emergency services as a condition. However, Verizon always is willing to work with locality. We have five openings here. We just asked that locality follow the process and make the application. There's plenty of room and you are welcome. And we would just it's against state law. They found a condition with state law changes about two and a half years ago.

Allen: It used to be a normal thing.

Kronenthal: Yes. We were aware of that.

Allen: I make a motion to approve.

Bickford: Second.

Bowe: The motion and a second. All in favor, raise your right hand, unanimous

Commissioner Bickford moved, Supervisor Allen and it was unanimously carried by the Commission to move 21-SUP289 on to the Board of Supervisors.

Bowe: New Business. First case Nicci.

Edmondston: Introduction under new business tonight, we will start with introduction of case 21 ZTASUP 287. Our landowner. James or Carl Burmaster. property is located at 5044 Mount Rush Highway Dillwyn, Virginia 23936. Our applicants tonight are James Burmaster and Michelle Soltesz. Property information is tax map at 158 parcel 11. It contains approximately 104.7 acres it is on State Route 24 in Maysville District. It's currently zoned a one agricultural. The request tonight is to add a zoning text amendment for an outdoor event venue and agricultural a one zoning district and to obtain a special use permit for that purpose. The applicants are asking the Planning Commission to recommend the public hearing date for this request. The zoning ordinance does not permit an outdoor event and us are permitted by right use, but or by a special use permit in an A one zoning district. As I mentioned, the request is to add this text amendment to our list of special use permits and in a one district or outdoor event venue and obtain that special use permit for this specific purpose. Should an outdoor event venue be added as a zoning text amendment the following definition is offered Any event for which admission is charged or at which goods and services are sold, and having or projecting more than 500 attendees but less than 5,000 attendees. Events as such would not exceed a maximum duration of one-day open to the attending public. This event would also require a Temporary Event Permit. The Temporary Event Permit shall be due and evaluated by the Zoning Director, 90 Days prior to the event, to determine if any substantial impacts to public health, safety, or welfare would be reasonably likely to occur, due to the proposed event's

operational details such as location, size, or number of attendees; frequency of events; or hours of conduct. Below are conditions that you may consider attaching to the request if approved: 1) Controlling Documents: The special use permit's (aka, "the SUP" or "the project") controlling document shall be the conditions as set forth herein and the materials submitted to the grantor, Buckingham (VA), by the grantees, James and Carl Burmaster, as part of this special use permit. 2) Parcels Identified/Covered by Special Use Permit: Buckingham County Tax Map: 158-11, with a total acreage of roughly 104.7 acres. These parcels may be referred to herein as "the site" or "the project". The identified parcels are owned by James and Carl Burmaster 3) Compliance: The use and development of the subject property shall conform to the stated conditions listed herein and conform to all requirements of Buckingham County's zoning, subdivision and site plan ordinances; and all associated state and federal requirements shall be complied with. Failure to conform to, or comply, with stated conditions herein could result in revocation of the SUP and therefore the ability to legally operate said activities from the subject site. Any failure on the part of the County in compliance with the development process shall not constitute a violation of the SUP or result in a revocation of the SUP. 4) Uses and Activities Covered by SUP: The "Outdoor Event Venue" use would be added and codified in Zoning Ordinance (Agricultural, A-1), Agricultural Section (special permit uses), section Buckingham County's Zoning Ordinance; further, event venue uses are subject to additional zoning ordinance provisions. 5) Development Process: The project will be developed in multiple phases. Each phase shall require a Site Plan application. The Site Plan application will be submitted to County staff for review, for approval, denial or recommended modifications. If the Site Plan is approved, subsequently the applicant will be required to submit erosions/sediment (E & S) and storm water management plans for land area(s) proposed to be disturbed which meets minimum permitting requirements; additionally, building plans shall be submitted for all non-agriculturally exempt buildings/structures to be reviewed by the County Building Official. Other regulatory processes and review(s) may also be required. Any failure on the part of the County in compliance with the development process shall not constitute a violation of the SUP or result in a revocation of the SUP. 6) Site Layout, Orientation & Buildings: The project's overall layout and site orientation shall substantially conform to the Master Plan submitted as part of the special use permit application. 7) Total Area of Site to be Developed: A total of seventy (70) percent of the site shall be undeveloped and therefore remain in open space. Areas such as trails and agriculturally exempt buildings will not be considered developed areas. 8) Development in Identified Floodplain Areas: Unless a dock or pier, there

shall be no development (or land disturbance) in areas identified in the 100 year floodplain. The development of a dock or pier will be required to conform to all building codes, and the total number of docks and/or piers shall not exceed two (2).

9) Adherence to Virginia Department of Transportation (VDOT)

Recommendations: County staff shall forward Site Plan submittals to VDOT's Farmville Residency for review and a recommendation by the Resident Engineer, or by his/her designee. VDOT recommendations for improvements to the site's existing entrance on Mount Rush Highway, Route 24, shall be adhered to by the applicant; it is anticipated a left and right turning lane will be recommended at the site's entrance. The construction of turn lanes will be required once traffic volumes are determined to warrant such improvements. Other improvements, or studies, may also be required as recommended by VDOT. The cost for all VDOT recommended improvements shall be the sole responsibility of James and Carl Burmaster, or its assignee. 10) All Septic/Sewer and Potable Water (Wells)

Systems Require Virginia Department of Health (VDH) Approval 11) Outdoor

Lighting: All site lighting of over 3,000 lumens shall be full cutoff fixtures and the maximum height of any light pole shall be 30 feet. Full cutoff lighting, as defined by the Engineering Society of North America (IESNA), is a lighting fixture that projects all of its light in a downward direction, emitting no upward component of light while providing precise, controlled illumination to the area. A lighting plan, in photometric format, will be provided with each site plan submittal to be reviewed by Buckingham County's Zoning Administrator. 12) Total site overnight

occupancy: The total number of overnight occupancy shall not exceed two hundred thirty (230) total guests, or the number of cumulative guests allowable per the established occupancy of each lodging unit. Each lodging unit (including "glamping" sites) will be assigned a maximum occupancy by the Building Official.

13) Type and Frequency of Events: Events will be categorized by three (3) distinct types. These events are as follows: A) Private Events - private events shall mean there is no outside or public promotion/advertising of the event. As the name suggests, attendees shall be onsite for a common purpose and/or celebration.

Examples of private events are weddings, reunions, corporate retreats, trade group meetings, common interest hobby groups and other similar groups. There will be no restrictions on the size and number of attendees to such events, but it is understood building occupancy will be a limiting factor, and the total occupancy of structures (i.e. event center) will be limited per the Virginia Uniform Building Code. B) Major Public Events – a major public event shall mean an event in which outside promotion/advertising is significant. Such events will be promoted regionally, and attendance is expected to exceed a 500 but shall be less than 5,000

attendees. Such events shall be limited to six (6) in any given calendar year, and any additional events over six (6) shall require approval by the Buckingham County Board of Supervisors. 14) Noise: All outdoor electronic amplification of sound shall cease at 11:00 p.m. from Thursday through Saturday. From Sunday through Wednesday outdoor electronic amplification of sound shall cease at 10:00 p.m.; an exception shall be made for state or national holidays falling on a Sunday through Wednesday, in this case electronic amplification of sound may cease at 11:00 p.m. Annually three (3) major public events may electronically amplify sound until 12 a.m. (midnight) and these events shall adhere to all provisions/requirements of Buckingham County's Noise Ordinance. 15) Transferability of the Special Use Permit: this special use permit is indefinite and shall be fully transferable and assignable. The transferee or assignee shall be required to follow all conditions and requirements listed and articulated in this document. A transferee or assignee desiring changes/alterations deemed significant to the conditions stated in this document, or subsequently approved site plan(s), shall require a formal public hearing as articulated in section 15.2-2204 of the Code of Virginia. 16) Recording: This document shall be recorded by James and Carl Burmaster in the land records of the Clerk's Office of the Buckingham County Circuit Court. What are the wishes of the Planning Commission? Set a hearing, date and time? September 27, 2021 7pm?

Bickford: Before we start. EM Wright our commonwealth attorney advised me due to my business relationship with the applicant with timber management that I need to abstain to avoid any conflict of interest with this application. So I won't be participating. I just want that to go on record.

Edmondston: Thank you. I do want to add that our applicant and landowner are there in the audience tonight and ready to participate in your questions.

Bowe: Danny did you have a question?

Allen: Yes, I'm looking at the plat to that's on page 175. But showing the plat is supposed to be Susan Hudgins and it's really going all the way over to David and Lyn Perkins land. So to me your drawing is not right. And when I went back and looked on the GIS,

Bowe: Danny would you hold up just a minute while they find this document that you're referring to?

Allen: The plat is 110 acers instead of 140 according to the GIS.

Edmondston: Carl Burmaster would you like to come forward to address some of the questions?

Allen: You'd really have to go back and get a GIS map to look and see it but somewhere there see where they land on both sides of the road right there. That's where the end of David Perkins land is. So and the plat is drawn up wrong.

Burmaster: Nicci Do you have that map I just sent?

Edmondston: Yes, This is what you gave us here. You also included your sales contract. Susan Hudgens. The GIS has a disclaimer that says that's not always 100%. Correct. Mr. Burmaster has included. It's very small...

Yeah, we have. Yeah.

Inaudible

Burmaster: Yes, what David did was they bought that little piece right here. They must have recorded their just recorded online plat. You see the place they bought 40 acres off of Susan's to the west. And I kept the point there and this piece right here.

Inaudible

Burmaster: The driveway is probably here. But this is very close to the length of of the red marks

Allen: I see that but the purple one is David Perkins. The red marks show it going out into Perkins land. I just want to make sure we know what's what.

Burmaster: You can see the road across the roads you see the white splash where that road is. The Pearsons bought from that white spot diving to the left, and to that

patch of cedars right there. Chad, just built a house on the left side of the cedars. So everything east of that is all the way up across.

Allen: The county map got it, as 110 acers instead of 104.

Burmaster: It should be 104.8 since its got across the road.

Allen: I just wanted to get that part straight and make sure that there's no confusion on where the land is

Bowe: Do you understand all the conditions that have been placed upon you?

Burmaster: Yes, sir.

Bowe: Are you in agreement with all of them.

Burmaster: Yes, sir.

Gooden: I have a question about the traffic application for traffic impact determination. When is that done?

Edmondston: So he has the ability to include that, that will become a condition if he doesn't have it turned in special by the public hearing if you should choose to set one right now. He has not submitted that.

Burmaster: You should have a copy.

Gooden: It says no....

Burmaster: You should have a copy, I want it to VDOT. VDOT when they came out with it, the site is such a long straightaway there. And he says seems if I had to put any turning lanes in, I could do it in gravel. But he didn't see a problem because it's such a straight road. So I did take it to him. And he approved it.

Gooden: I just had a concern because it's a high traffic area. And we're looking at events that may go up to even 50 extra cars out there.

Burmaster: Yes ma'am I have a field in front. And if I have to put in the gravel turning lane, I have like, well, if you can see, I've probably got 300 of road frontage or more three football fields. So it's all straight away all the way down.

Gooden: I was there yesterday too. I made my rounds.

Burmaster: So you know, if I had to put in turning lanes to make it safer I will gladly do it.

Bowe: Any other commissioners, have any questions?

Dorrier: Yes, Carl could you elaborate a little bit, I know you're not expecting a large venue, you might want to talk about that a little bit. What you have in mind?

Burmaster: Sure a wedding venue, you know for events and stuff like that, you know something for Buckingham county eventually, you know, some type of music, different types of music, you know, gospel, Southern rock, whatever, pull the camper also to make it available to nonprofits to first responders, you know, even school prom and stuff like that, like a safe place for people to go, you know, where they can be chaperone. And they can, you know, I've talked to the sheriff's department about being there during all these events. And I've got all that straightened out with them. So I'm pretty much covering my bases I talked to, you know Jennifer Snoddy and her engineer came out to the lake to make sure where I was going to put everything. So they were on the board with it, and make sure I wasn't going to do anything that's going to affect the beauty of the lake because it's very, very beautiful. You know, it's a big lake back there. And the way if you see I'm almost halfway through with it. The white turkey barns are very, very bad, they're going to be taken down. Okay, I'm going to try to make everything very pretty. the red block all the way in the back, which you can see even from the road. That is where I'm going to put it together. And it's on top of the hill. It's not in the spillway. So they can see the lake where it is, but it's not affected. Okay, so we're all good there. The red blocks is actually existing cemeteries it has old cemetery there, there's a lot of blood family there and some other families from the early 1800s. I'm going to read through all that and make it nice and pretty. There's another gravestone on top of the hill by the way water. So basically my mission is I want to only place beautiful I'm going to keep in nature because a lot of people tell me change cannot see nature in an instant. They won't be married, whatever. They don't live on that system different. Nothing fancy. Nothing like that won't be laid

back or whatever we're going to be in the future. Do I want to do some larger music events? Yeah, I'd love to. You know, I'm a musician. I play in a band. You know, man, a lot of people love that stuff and being outdoors with all this COVID everything is plenty of room, social distancing span, you can implement all of that. So it's a perfect opportunity, not just for me, but you bringing people into the county is going to help the county as far as people buying stuff and doing stuff. And I'm going to offer it up to nonprofits to, you know, youth groups and stuff like that when it's not being used. So they can, you know, they can use it in a nice, safe environment. And that means a lot of Susan's. Susan, really wanted to do that. And I worked for Susanne for 12 years doing her cows, and caring for the farm. And she always talked about wanting to get youth groups down there, and give them a place to go and do something. So it's part of her vision, too.

Bowe: Anybody else got any questions?

Shumaker: I do Mr. Chairman. So I think the county is sorely in need of an event center, and a lot of our people for weddings have to go to Cumberland or outside counties, and I think it'd be great opportunity. But Nicci, she said this new for us in terms of our zoning. So for zoning text amendment you know, I think there's a big difference between 500 people at a nice wedding and 4999. Yeah, that makes the festival if we think about the number of people that were at the tractor pull and making sure that we get this zoning text amendment right. So I would like to do a little more research on what other counties have in terms of language for zoning text amendments and conditions for events, at least up to that size. That's, that's a pretty big range. So that would be my recommendation is to take a little time to research. Nicci did a great job putting together that list.

Dorrier: I see what Ashley is saying it's in the back of your mind, Woodstock.

Burmaster: If the number had to come down, you know, it could come down, the place is big enough to get that many people there. We're talking about way down the road, you'd have to have a pretty popular large band.

Shumaker: Well Kenny Chesney came to Nelson.

Burmaster: Well if I could get Kenny you know, that was a good candidate. I hope I could open for him but no, I understand that. You know whatever we got to do to get this pushed forward.

Shumaker: Because it is in a great spot and a good straight stretch there. And then in terms of maybe even near in narrowing, we have a lot of zoning for population and convenience stores, and how many parking spots you need per patron. I think we should try and get that right.

Burmaster: Anytime anyone wants to come out. And I'll drive you down to the lake and show you everything. Just bear with me, because it's in building stage right now. It's a little crazy out there. I didn't even recognize you Mr. Bickford. I thought I recognized you but...

Shumaker: We saw you out in the yard yesterday working.

Bowe: Ashley the 30 days between now in public hearing if we want to set it, give you enough time to do whatever checking you want to do?

Shumaker: Yes, certainly

Bowe: Anybody have any motions?

Allen: Should we move it on or hold it till we research?

Shumaker: If we still have the opportunity after the public hearing to make some changes before we move it along to the Board of Supervisors that I would move to move toward the public hearing.

Dorrier: Second,

Bowe: We have a motion and a second. All in favor moving it on to public hearing, raise your right hand. That'll be 5-6 one abstention. approved that.

Burmaster: Thank you. See y'all next month.

Bickford: Mr. Chairman, I'd like to do the fact that we got three applications for solar farms are actually a massive amount of material. I'd like to make a motion that tonight, we take no action on any of the solar applications that we scheduled a work session, next Monday, August, the 30th. And a second work session soon if we feel is needed. This will allow us to properly vet the material and make sure

that we're answered all the questions and would like it to be answered that if we feel comfortable that we can take an action that might be appropriate after the work sessions. However, I do you want to have a pencil on your plan that would encourage you to go ahead and make your presentations that would start the process that would make the public aware and give them a better understanding of what you're trying to accomplish with this whole file. So I'm not trying to discourage you from going ahead and making your presentation if we just in my opinion, personally needed to have a little bit more time because it was it's just a lot of material to try to cover in such a short time period. So that is my Motion.

Allen: Second.

Bowe: We have a motion and a second. All in favor, raise your right hand. Six of six unanimous. I'd like to make one other statement before getting going here. The only thing that all of the applicants have right now are the conditions that have been imposed on previous solar farms in Buckingham, which there have not been many and some of it were just not going to accept. I mean, we've made mistakes on the first, and there's no doubt. And the buffering is one of the biggies. So my advice is going to be between now and when we actually meet. For the hearing of the cases, let's call looking at your buffers and see if you can live with something like a 50 foot buffer all the way around the project and your fence on the inside of the buffer. Because I think that's probably the avenue we're going to be trying to achieve here. And with that, go ahead and go your first applicant.

Commissioner Bickford moved, Supervisor Allen seconded, and was unanimously carried by the Commission to take no action on solar projects until further review.

Edmondston: The next introduction is case 21 SUP 285. landowner legend Larry and Deborah Davis at 212 Avalon Park Lane in Dillwyn. The applicant is Evan Carlson with impact power solutions 2670 Patton Road Roseville, Minnesota. The property information is tax map 114 parcel two it contains approximately 36.42 acres it's located on Gravel Hill Road has no 911 address it's on State Route 617 zoning district is a one agricultural their request is to obtain a special use permit for solar generating facility for the purpose of constructing and operating a solar energy generating facility for up to two megawatts photovoltaic community solar garden. As we know the zoning ordinance does not permit a public utility to your generating plant as a permitted use. However, within the a one ag district public

utility generating plants public utility booster relay stations transfer substations, meters and other facilities including railroads and facilities and water and sewage may be permitted by the Buckingham County Board of Supervisors by special use permit following recommendation by the Planning Commission in accordance with the Code of Virginia. As Chairman mentioned, there are 27 conditions that are suggested in this introduction tonight, I do have joining us via zoom, Evan Carlson and Scott Aaronson with impact power solutions to address any questions or concerns that you may have signed in regard to this first project that was submitted not in that power solutions.

Evan Carlson: Good time for me to start here?

Edmondston: Yes, sir.

Bowe: Go ahead.

Carlson: Okay, great. Well, I'm Evan Carlton I'm the director of land And steel, for IPS. I work with Scott Aaronson is doing some site acquisition work for us. He acquired these two sites. We are one of the older developers around you been around since 1991. In that time, we have done a lot of commercial rooftop. And when Minnesota the state, we're from adopted a similar program to allow for community solar, we want to be early entries into the market. And because of that, we have a lot of experience building this particular type of similar project. I understand that you've had projects before I can explain how they're kicked to the ground and, and just kind of what the mechanics look like. But really, that part of it is probably not too different from what you've already seen. What's different about this project from the other one is that it's a community solar garden, the economics of it are different. community solar is a way for people who don't have a good spot to put solar panels to participate in solar as if these panels were up on their roof. So say, you're a business you. You rent an industrial space, you use a lot of power. You want to do solar, but you don't own the roof. You don't own the building. And or state. You live in an apartment and you've don't own the building and you want to do solar. How do you do these people? They want to stay they lobby for growth. Trying to be creative. And this is what they came up with. So we, as a developer, leave land from a private party somewhere, we pay to build the solar installation. And when we put power into the grid, we get a bill credit for that power, which is, in essence, a coupon that we sell to another customer of the same utility, that that customer buys that coupon and use it to offset the, the price of their power. So say,

we put, you know, a lot of power into the grid, we get a bill of credit, that's just good for one lot with dominion, we sell that bill credit to another Dominion customer, and they, they use it to reduce their physical liability under their power. So unlike a power plant that sells power directly to the utility, we really are a community of people who likely will be local to the area that will stand to benefit from this development. So that's why I call the community solar garden some people don't like calling them gardens they say they are solar power plants, but then SDI, that is about the economics of it. That's why it's called what it is. So there is a direct economic benefit to subscribers over the people who are treated as though the power is on their roof. The catch with the program is limited in size, and how big we can build a project. They have capped us at five megawatts. However, these two projects are two megawatts and smaller. And so they're there quite a bit smaller. They're about 15 acres or so each. And so they are, you know, very different in that respect. They're just quite a bit smaller. We have tried to cite these in areas that... Well first when we're citing we look at where can you build it, you know, what, where are you on the right side of a power line that runs to a substation that has capacity, and in an area that allows for it that will be out of sight for the most part. And we've done our best to cite in areas that won't be visible to the surrounding neighbors. And our hope is that when they're complete will be entirely out of sight. I visited both of these sites, and I liked them. And I do think that they should be totally out of sight, once complete. This particular project does require some screening along gravel Hill Road. But once that fills in then and then it should be out of sight. The entire system is designed to be removable, there's not a permanent structure. We don't pour concrete to fix the solar panels to the ground, we hammer in an I beam. And then the panel is affixed to the I beam. And then once the system is decommissioned and produced alive, we remove the I beam and the panel goes out with it. There is one concrete equipment pad. It's about 300 square feet. But the point is there aren't like a bunch of concrete footings folding in the solar panel over the field that part could be restored to ag production. After these alignment projects. Throughout the life of the project, we plant and indigenous pollinator friendly seed mix underneath the solar panels. The seed mix as the... well it's brittle, it's local, it's going to be something that grows, you know, in the area. But the point is you got to put something down there otherwise you're going to get weeds right. So we take a seed mix that will provide pollinator habitat to insects, as well as you know, the predatory animals birds that eat them. That seed may have the effect of improving the permeability, permeability of the soil and slowing down water runoff. Whereas cropland, you know, you've got roads and you can roll crops. This is all craft kind of like craft

mix, if you're familiar with the CRP program, that data is a natural base, that to create wildlife habitat, and to have a really big improvement on the quality of any wetlands in the area and water in the areas is basically a big filter for any runoff similar to like The buffers that you see around water bodies. I submitted a lot of materials, I understand that solar is relatively new to the state. So there are unanswered questions, I did my best to get ahead of that by submitting a lot of material. And I hope I didn't overwhelm you, I understand you have a need to study this doing workshops. Not a bad idea. Just know that, you know, I didn't, I'm trying to be as helpful as I was as much information as I can. In that information packet, I included information from the Virginia Department for the state and provided some guidelines on what that seeding needs to look like. And I included those scorecards and supplemental materials, showing what that other state of guide does in my packet. So first, I, you know, I got my normal narrative that just kind of describes the project. Then I did the initial q&a section, the q&a section, I asked him information about the potential for a solar array to reduce values of surrounding properties or the unlikelihood that it will reduce values of surrounding properties, particularly in those cases, not visible. And then other information about the benefits of it deep rooted seed mix and just how that wears off with a you know, as opposed to farming it. And then all these criteria, the state has done a really good job of providing this information to guide the Department of Conservation, conservation and recreation, they have this comprehensive manual method to huge document, but it's provided guidelines on feeding, they've got a vegetation monitoring planet, and that's how you can tell that the vegetation of planted isn't just planted at first, but how it's doing growth....

Bowe: You really don't need to get into all that tonight. I don't want to cut you off. But that's not meant for tonight.

Carlson: I mean, I'm here to tell you as much or as little as you want, we got workshops to do it.

Bowe: Let me ask you a question. If you ever applied for solar projects in Virginia before?

Carlson: Yeah.

Bowe: How many did you apply for was Dominion power?

Carlson: With Dominion? Probably 80.

Bowe: How many of those were approved.

Scott Aaronson: Are you talking about permitting, like going to planning commission? Are you talking about interconnection?

Bowe: I'm talking about solar projects that you all have done or are proposing to do.

Carlson: So in order to be eligible for this program, this program has not opened up yet, it opens up in October, this new program for community solar gardens, okay. And in order to be eligible for the program, you need to submit an application to the utility, the utility will study your application, if you're the first on that feeder line and on that substation. So there can't be anybody else ahead of you, on the line, trying to get a project I've been wanting to study it. If there's somebody else that has a lot, we submitted roughly 100 or so applications into dominion, and also a much smaller fraction and we're capable of being studied, the ones that were capable of being studied, we learned whether or not it makes physical sense to interconnect at that point in the electric utility grid. We know whether or not you know, there's just room to handle the project, those projects that are first in queue, and have room for the power goes to planning commission. And that's where this project is. This is among the cream of the crop, very few that made it this far along. We started with roughly 100. And we're down to maybe, hopefully this would be done relatively soon for this program. And there may be like, maybe six or so projects that we're hoping to have done by October when this flagship new program opens up. So you have to have your permits in place because the county or whoever's in charge, and you're in a connection agreement, in order to be eligible to apply to this program. And then it's basically first come first serve. And that starts in October. We started a lot of information, but I hope I answered questions. They're all new. The program isn't open yet. It opens in October. And we were doing many many projects, but they're all very small.

Bowe: Okay, thanks. Anybody else got any questions for this gentleman?

Allen: Yeah. Where'd you get your plat from for the for this land?

Aaronson: We got information from GIS sources, we have some private companies, GIS sources, and I believe we also use the ArcGIS that provided by the county.

Allen: Well, I can tell you right now that your plot is wrong that Mr. Davis's land does not touch the Dragovich land. Barbra Knabe owns right where you got your road and all will be on Barabra Knabe line. So you need to go back and get this plane thing straightened out. He owns the land right beside it to so you could probably just slide it over a couple of feet, but you to get need all that straight.

Aaronson: Yeah, that's helpful information. If you know, we just rely on the maps that are provided. You're saying that there's a is there another parcel in between the the home to the left?

Allen: Yes. Barbra Knabe on 113-60 it shows over to the side. But shes got the land going in between these two plots that you're looking at. There was in between 116-13A and though 114-2. See on your plot, you got a 114-4 that's down the road another half a mile.

Aaronson: Will have a discussion with the landowner and will it will lose usually before we commit we show the landlord. But we'll have another discussion. We'll look at again becoming now. And maybe that's a discussion that we should have with the county as well to make sure.

Carlson: Where are you seeing the tax ID number? I don't have it labeled on?

Allen: Yeah. Well its hard for me to tell you I got a packet of 1800 pages. So I'm on page 436 of my part one.

Edmondston: This would be the site plan you submitted showing the installation of the panel's it has a aerial view looks like a site plan. Typically you're...

Carlson: Okay, 114-4 is how it's labeled. And it's really far away.

Allen: 114-2 is what it really is.

Carlson: Well, we're gonna have to clean it up. We'll get right on top of it. And we'll have it hopefully by the workshop.

Allen: Yeah, because she's got a strip of land down in between the two. Its her daughters land.

Carlson: All right. We will definitely get it fixed up. Thank you for making that known through giving us most of that.

Allen: Shes got down right beside it that's Mr. Davis' land too. like I say. You could probably could slide it over.

Carlson: Does anybody else have any questions? For me?

Bowe: Any other commissioners have questions? No sir. I think that pretty much conclude what we can do with you tonight. Thank you, sir.

Carlson: Thank you.

Aaronson: We do have another project as well. I don't know if you're going to call that.

Carlson: Yes let's get a look at that too.

Edmondston: The next introduction involves impact power solutions as well as well as this case 21 SUP 286. The landowner in this case is NCN properties LLC, that would be Lawrence Marshall at 3222 garland lane Charlottesville and the applicant once again is Evan Carlson also impact power solutions. This next map is 125 parcel for block three contains approximately 75.29 acres. It's located on South constitution route, which is State Route 20, it's zoned a one, their request is the same to obtain a special use permit for solar generating facility for the purpose of constructing and operating a solar energy generating facility for up to two megawatts AC photovoltaic community solar garden. So their intent in this application in this case number is the same in the case prior with the two megawatt solar facility. Thier request is to obtain that special use permit do you any other questions in regard to this case, for Evan, or Scott?

Allen: Yes we have plot problem there, too. Just what I see it's saying, going off first part of what you just read 125-3 that's the parcel in the back, which is owned by the same people. But at that's a 75 acer plot back there. The other plot, which I

think you are looking at this one in front of it, which is 125-4-2 and I think you've got it written down by somewhere else to.

Aaronson: I'm thinking that's a typo we do have that written down on that site plan. I'm looking at it too.

Bowe: Anyway, y'all could get them in front of us. So we can see what's going on here.

Edmondston: Yes, sir. We're trying okay.

Aaronson: Yeah, I'm thinking that's a typo of narrative that we have to correct on the actual site plan I'm looking at right now.

Bowe: We must be on page 800 by now

Allen: Do you have yours broken up into 123?

Edmondston: I have it right here, I just need to see if we have...

Carlson: We're so sorry for sending so much information. It's really a crapshoot. Sometimes we don't, and then they, they ask for a whole bunch more information. And other times. Other times we do and you know, and it's like holy cow 800 pages, and kind of go through everything to be quite burdensome. So we'd like to be there and in person so we could see it to, you know, in hopefully in the in the future we can come down and it just kind of put it means...

Allen: Part two page 143 I don't know how yours is broken up but here it is on the part two page 143.

Carlson: I talked with the landowner about this. And those trees, they have been crossing for old growth. That's the place it is. No one can see it. Like we got similar ownership on several of the adjoining parcels.

Allen: Yeah, the NCN they own both properties. It's got a tax map numbers mixed up.

Bickford: The tax maps are inverted.

Allen: 125-4-3 is what's on the first paperwork 125-4-2 is what they got marked up is the 4-2 on paperwork. When I started looking, it was written up as 4-3. So that's what I had to look at. I don't know if I go back to the page 15. page, page 15. It says again, parcel 125-4-3.

Bowe: Johnny you can look at that and tell is that cutover?

Bickford: its been cut and reforested.

Bowe: How old are the trees between the school and the project?

Bickford: If all plantation was done at one time I'd say it's maybe my research is 18-year-old plantation.

Bowe: So it would not be visible.

Bickford: No. And then there's timber between with a straight street building. They have timber on the backside of their property, which would shield it also. That all you had Danny?

Allen: For now, don't have time for much more. Just want them to have all the numbers right.

Bickford: So is that issue to change tax map numbers since they are reversed, without too much trouble?

Edmondston: They can just submit a statement for an amendment to that application.

Carlson: You can make him aware that?

Aaronson: Yes, we go ahead and do that. And we'll go ahead and submit a document that he just signed and notarized.

Carlson: We will talk Nicci about this because I think we did submit a revised version and I noticed that the tax id's weren't accurate and I corrected them. So I think we're probably looking at that. Scott I didn't get the correct version over to

you. Or I'm not quite sure. But we got we got to get a look at what we're getting. Yeah, we'll figure it out. So whatever you tell us to do, we will Yep.

Bowe: Okay, well, are y'all going to let us do our thing and we'll talk to you again. What is the What's the date of the next one? 27th of September. So we will talk to y'all defiantly on the 27th of September.

Aaronson: And that will be another workshop correct?

Bowe: Hope we're that far along I mean the two of them trying to get us to the page we finally got called up I mean it took them that long on a computer to find who we're supposed to digest all this material I think you want us to do Don't you?

Aaronson: Yes want to be partnered with you. And want to make sure you guys understand everything...

Carlson: Out of an abundance of caution we submitted a ton of information.

Bowe: Yes, you did. I get the feeling that when you submit that much information your trying to hide something from us. That makes me want to read every line twice

Aaronson: Absolutely not and I really hope you do because I think you'll like it.

Carlson: But the truth of the matter is that you never know what you're gonna get. And sometimes people are opposed to these things for reasons that they don't truly understand.

Bowe: I really wasn't impressed with the John Deere combine specifications and owner's manual I think that could have been left out but neither here nor there. We'll see y'all on the 27th. Thank you

Aaronson: All right, thank you very much let us know when the public hearing is so that we can make sure we can come down with you guys in person who will we'd be happy to do that.

Bowe: Okay

Carlson: Thank you guys very much. If you guys would like us to attend to help out with explaining in your workshops. We're happy to attend as well if you'd like

Aaronson: Yeah, yeah, we're Yeah, I didn't mean were only willing for public hearing. whenever you need it for in person or on we're willing to do whatever it takes to make you guys happy.

Bowe: Jamie. Do we want to get off of zoom at this point? Now, where were we? River stones turn I guess. We got rid of them never mind.

Edmondston: The next introduction is case 21SUP29 the landowner is Weyerhaeuser company, Seattle, Washington. The applicant tonight is Apex clean energy Incorporated, Charlottesville, Virginia. There are multiple text maps for this property information. First was Tax Map 17 parcel eight it contains approximately 520.1-acre tax map 17 nine contain that containing 97.4 acres' tax map 1713 containing approximately 59 and a half and tax map at parcel two containing approximately 1,286.4 acres. These parcels are north of Bridgeport road east of Route 20 west of hardware and slightly register of different agricultural A one the applicant wishes to obtain a special use permit for a solar generating facility for the purpose of constructing and operating a solar photovoltaic module to produce up to 149.5 megawatt power generated will be linked to the electrical transmission grid via the existing 138 kilo volt overhead high voltage transmission line adjacent to the property. As mentioned, the landowner is Weyerhaeuser the applicant is Apex clean energy. As we know a special use permit is required for a public utility generating plant. The applicant is here they provided much information as you, Mr. Chairman, discussed some the conditions that have been submitted. I believe that they are here and able to address any questions or concerns that you may have.

Bickford: I assume they have a presentation

Jimmy Merrick: How y'all doing? My name is Jimmy Merrick, America Development Manager with Apex clean energy as Jon Puvak is Here with me tonight, he's with Gentry Locke. He's our legal representative for the project. I prepared a few slides, just to run through the project at a high level for you all. Towards the end, we'll have time for questions. We've gone through a lot tonight, so I'll try to keep it quick. But as far as the high level agenda, we do, I do want to give you an overview about Apex who we are what we do. And then an overview

about the project called River stone. solar project, as Nicci said, what we propose in northern Buckingham County. And then I'll run through the economic benefits sort of community engagement that we've done today. Walk through the preliminary site design, which can be found in the application as a supplementary attachment. And then we'll also walk you through just some comparable site photos, some projects that we've done in the past and also in Virginia. So a tax, we're a clean energy company, we only do renewable energy projects. We were formed in 2009. And I've been with apex, originally since 2014. But full time more recently for the last three half, four years as a development manager. So we develop we like originate projects, we develop them, we manage the construction of them. And then we also have an operation center, based out of Charlottesville, Virginia, where we can operate them remotely. We don't just do solar, we do wind farms, as well. And more recently, we can get battery storage. So we have completed over 24 dozen projects across the country. Actually. We actually recently got through the first onshore wind farm in Virginia as well. Mainly in Virginia, our work is focused on solar, and this project is, is currently focused to only solar, as Nicci said it's 149.5 megawatts of solar. So it's sort of word by the south and a few of you, I think, have actually already been in the project. But Bridgeport road borders, the southern portion of the project and Payne's pond road divides the center of the project, the area that we have under lease is about 2000 acres, it is a large project. But with that comes kind of substantial investment in the county, it's approximately \$190 million investment for this project is this scale. And if you project and so it will be providing quite a bit of power onto the creative Commonwealth. And to sort of put that into perspective, that's enough to power about 30,000 homes annually. So that's every year the power of 30,000 inhabitants. That's more than the number of homes in Buckingham County. And so this project can be an export or renewable energy in the Commonwealth, you can go back to the previous slide. And kind of with that comes a lot with the sound is right and so during construction, there's going to be a one time and all sorts of activity from all the folks that are going to be necessary to for all the site work and, you know, installation of the panels and the racking the construction of the substation, the interconnection into the grid, we anticipate for 450-500 full time equivalent jobs during that one-year period of construction. So there'll be a huge influx of jobs in the county and various things in the construction sector is one of Buckingham largest sectors. And so you are sort of poised to offer expertise there. And there also are a lot of training programs. You know, one in particular that we sponsor to help train folks on how to install and work on these projects. And during the life of the project. So we estimate it would be a 40 year anticipated lifespan. And there's a

couple things that have sort of happened recently, legislatively, that has really moved the needle for what counties like Buckingham can receive as far as tax benefits for these projects. If we were talking a couple of years ago, sort of night and day as far as the revenues that the county would see, but now today, under this new legislation, there's going to be what's called we've assumed that blocking Handle past what's called a revenue share ordinance. In all honesty, it's the most favorable ordinance for the county if you decide to go a different route, or could do now, through the windfall for us, but if you do go the revenue share ordinance, which is what we're assuming you go. In the county, we received about 14 \$100 a megawatt every year for the life of the operation of the project, and then now actually has to go up by 10%, every five years. And so...

Bowe: Could I interrupt just one second? Who is the ultimate owner of this project? Is it Dominion power?

Merrick: So I can't really say who is at this time because it hasn't been purchased yet. But basically...

Bowe: More than likely?

Merrick: I wouldn't say that. We've actually never sold projects to dominion power. We are an independent power producer. And so we'll develop these projects, we'll help with the construction, we'll sell the power to corporates or industrials, it could be Anheuser Bush, IKEA, Amazon, Facebook, Google, and we'll set that up. And then we'll look for a sponsor somebody that has \$190 million that they can put down, you know, somebody in the market on a renewable energy project. And sure your local utility is poised to want to own the renewable energy project. But there are other folks in the United States that they also want to own solar.

Bowe: Reason I'm asking the question. Dominion power, was going to put the power line to the pipeline, through Buckingham but after it was all negotiated the pulled out obviously. But they were going to store all of the equipment that they were going to put in Buckingham over in West Virginia, where they got the tax revenue. So what would yalls practice be on that one? If all these solar panels where will they be while they're being installed?

Merrick: So they'll actually be right on site. So on our site...

Bowe: So they're going to be stored on site? Which makes them subject to personal property or tax in Buckingham county, correct?

Merrick: That's correct.

Bowe: Okay.

Merrick: It will be it will be taxed.

Bowe: Thank you. I didn't mean to interrupt.

Merrick: No problem. To your point, yeah, but dominion does buy a lot of solar projects. But we haven't, we haven't done a project with the dominion yet we have signed a PPA with them for smaller projects.

Bowe: They will pull out on you in a minute I can tell you that about the.

Merrick: The line that we're planning to interconnect into the 138 overhead transmission line that's owned by Appalachian power AEP, you'll hear me say AEP it's also awesome can be called American electric power. So it's not on demand infrastructure. Sometimes dominion has a tendency to prefer projects that are other infrastructure, but you know, they are contingent buyer project. So I just add as a reality, to diving back in, and I'll try to get through this. But about the revenues of the project, I was going into the revenue share structure, that's recent legislation that was passed, basically, in summary, Buckingham County will receive we estimate is about \$14.8 million in direct tax revenues over the life of the project. So this was a combination between the revenue share structure, and then also, to your point, Pat, the increased property taxes that are going to result from basically the infrastructure being located on the property. And so what's currently valued maybe 1000 to \$2,000, an acre, will go up to about 10,000 to \$12,000 an acre with the with the solar panel infrastructure now located on it. And so just like if you were to build a house right now, and so sort of lucky in time will see a windfall from both does real estate taxes will go up, and then you'll also get the revenue share structure from the power that we're generating. So you'll get capacity payments as a result of that. So it's pretty impactful numbers, actually,

Bowe: There's 10% increase at the end of five year. So its not a 2% a year annual increases.

Merrick: It's a... No, you're right, it's a 10% in 10%, every five years...

Bowe: What happens in year four?

Merrick: Whereas in year four, but that's the time the best time to when the legislation was passed, which was just passed July 1 2021. And so in July 1 2026, regardless of whatever this project becomes operational that 10% escalation is going to be triggered. And so from yours, let's just say theoretically, the project is operational, well, let's just say it's the project's operational in 2023. So in 2023 24, 25, and 26. So once a to four years, from that capacity, They will pay \$209,000 each one of those years in direct revenues, just in the capacity of payment now in your five, and that just lines up with when the legislation was passed by your five it will escalate to 10% 10% 209,000 jumps up to 40,000. Yeah. So and that, and that will happen soon, then that stays like that for another five years, then another jumping to another jump, another jump. And then by the time we get to 40, here about I want to say this \$450,000 a year, maybe a little bit more than that, actually. And so substantial tax revenues for the county, actually, just in year one, if the project as proposed would be constructed and become operational, the number one taxpayer in Buckingham by a longshot, we'd be three or four times larger than the current highest taxpayer. So the only last thing that I haven't hit on this slide is with this project, you come with a lot of environmental benefits too. And I don't mean to get philosophical, and some folks can have their views on climate change or not. But this is clean energy, it doesn't require fuel to operate, there's very little moving parts. And it's a lot of power, we put them onto the grid. And so that's, that's a lot of power that won't require conventional fossil fuels to operate. This would actually offset about 277,000 tons of carbon every single year. So that's the amount to put that in perspective, I calculated the offset to one of EPA online tools. So that's the equivalent of 308,000 acres of US Forest every year, that's how much carbon they sequester in a single year, 308,000 acres in the US. So this is an extremely impactful project as far as reducing our carbon footprint really is the human race. So this is just a snapshot of the economics that I just sort of walked you through. The first column is the current agricultural uses. It's all commercial timber property, Weyerhaeuser, you're actually just recently logged most of his property, there's maybe three or 400 acres, it hasn't been logged yet, but I was actually ready to log. And that wasn't a result of this project. It was just mature

timber that was. And so if you look at the current agricultural use over the 40-year lifetime, in accounting, you would see about 303,000 in tax benefits. Now, if you compare that to the proposed use, which is the solar project, which would actually be on the same rotation, as timber, so it's about 40-year life in Canada would see about 14 point 8 million in tax revenues from the project. And this really comes with no additional burden. On county capital facilities, we don't need water, we don't need sewer, you know, there's no houses, we're not going to have additional kids and schools and things like that this is really a similar land use. And it's essentially a farm right where we'll be harvesting energy from the sun. And also, there's going to be that one-time pulse of activity, economic activity for the construction of the project. And I spoke to that earlier. But to just put that in perspective, just in just in the tax money, just from purchasing stuff, we estimate \$1.9 million in local and state taxes. And then also the we estimate 482 jobs 400 that we feel I can come from Buckingham County, based on their current construction sector numbers, but that would pay about 24 million in wages just the construction jobs during that one year time for construction. Now, during operations, there's really not many full time equivalent jobs much of this is just landscaping and maintenance. We actually anticipate maybe five jobs at most during the operations of the project, like I said it won't be a huge impact lots of traffic once it's built it's really pretty quiet maybe a pickup trucks in and out as they are cutting grass.

Bowe: While you're talking about it 400 more acres are getting ready to be cut off this project. You might want to talk to him by leaving a 50 foot buffer.

Merrick: Sure,

Bowe: It will be much cheaper on y'all if you keep that 50 feet of standard timber.

Merrick: Yes, sir. You're exactly right...

Bowe: I've said enough. We won't discuss it anymore.

Merrick: So I want to just quickly walk through some of the community engagement that we've done. Like I said, We're located right in Charlottesville. It's an hour drive just for us to get here. And not just this project. But all projects that we do. Community Engagement is huge for us, we really work very hard to try to make sure that these projects are a good fit for these communities. And so I wanted

to highlight just what we've done a little bit today, but certainly is not. The end is really just the beginning as we initiate this process. But we do have a project website at this Riverstone solar .com. We also have a Facebook page at Riverstone solar. It's within that it contains my contact information, project information, FAQs, and even a platform for folks to leave comments, they can go around the website and make comments. We also held a community meeting on June 10. We send out postcards to neighboring landowners. And we also put an advertisement in the local paper. And we held a community meeting. The supervisor that represents our district participated in that meeting. And we also had some folks join us for questions, I gave a presentation and the presentation was recorded. And anybody that's reached out to me, I send them a copy of the presentation for the folks that weren't able to join in, folks could have joined by internet or by phone and they didn't even have internet. And since filing the application, and we actually also recently started sending neighboring landowner letters. So the letters that I write basically to the neighboring landowners to just keep them up to date about the project, keep them informed, keep an open channel of communication, so they don't know how to contact me and ask questions, and even provide feedback on your design or the project itself. And then I also the last bullet here is just some organizations that we've contacted to date. Like I said, this is just the beginning, we plan to contact a number of additional organizations. And if there's any that yall recommended, we encourage you to do that. But we've spoken to Appalachian voices, friends of Buckingham, Yogaville, the Buckingham volunteer firefighters Association, which we actually sponsored in the tractor pull, we're a member of the Chamber of Commerce and spoken to those folks. And we also coordinated with Buckingham Historical Society records check to make sure that were no cultural resources located on the site. Next slide. So here is our preliminary site design. This is really the heart of our application. It does show a lot of pictures are a 1000 words, so I can't see it as well as you all because you have your screens really close to your face. But I'll do my best to try to illustrate as much as I can. So the light blue areas are what we're calling the development envelope. This is sort of the area that is proposed for potential disturbance that exclude setbacks and offers and screening and also excludes the wetlands and their streams that you see their sort of defining the center of the project there that for work their way through. So we've delineated all of those wetlands with ecologists. They actually map them on data, GPS, and so we have really good data on the wetlands. We actually also did an ultra survey. So we did a full scope Alta survey where we survey all the entirety of the property and so we know exactly where everything is. And you know how boundary lines might have shifted a little bit here or there based on the county GIS

versus our own now internal information. But the light blue hatching that's proposed solar panels, and then you'll see all of those are sort of connected with various colored lines. The colored lines are what we call collection. And so that collection is basically 34 five kV cable, it's about this thick, and it connects all the various arrays through each other. So solar panels are actually very simple and constructions and I'll show you some pictures towards the end of this presentation. But really, it's just a steel. That's driven to the ground. And then we have a racking system itself on top of that. And then we have the panels that are set on top of the racking system. And they're really just daisy chained together. And then and then that wire was sort of wrong all the way down the array. And then it's all organized very nicely neatly, and then into an inverter. So the inverters are about the size of the refrigerator. And there's the pink boxes that you'll see on the site design here. And so those inverters are generally located more internal to the site because of the slight hum to the facilities. And what those do is they convert it from direct current, alternating current, and then you'll see all those little colored lines will all run back to the yellow box in the northeast corner. So that's where we're going to be interconnecting into the existing transmission lines. So all of those smaller 34 five kV lines will all run back to that first box. And that's what we call a collection station. And so that's where it brings all the power from the power plant. And, and it steps it up from 34, five kV to 138 kV, where the existing lines are. And so it steps to power up and prepares them for transportation on the grid, and then the yellow box that's going to be owned by a AEP American electric power. So that's their transmission lines. And so it's more than likely that we'll build that, but that's going to be an interconnection switching station, also known to many folks as a substation. So it's just gonna be a substation, and so will interconnect into that substation, and then that line will be slapped into the existing overhead transmission lines that are adjacent to the project. And so in reality, the design is quite simple. But you know, it looks complex, because it's, there's a large area, there's some environmental features that have to be avoided. There's Payne's Pond road, like I said, the divides in the middle of it, the red stars are the access points that we're proposing. So there's seven proposed access points. Now, one thing I'll note is there's two access points to the most western side of the project all way west. And that's quail run lane and Georgia Creek Road. So those are sort of like, I guess what I would say like dead end neighborhoods, very quiet areas. And in my opinion, those folks probably wouldn't want 450 construction folks coming through there every day to build the Riverstone solar project. And so, in light of that, what we've done is we've actually committed to prohibiting the use of those roads during construction. And then that way, they really wouldn't see much activity at all

during construction. And so their primary entrances for the project would be off of Bridgeport road, and then off of Payne's pond road. And we would access actually that Western pocket of the site by spanning little Georgia creek road with what we're calling t jump bridge, basically, but it's just a steel bridge that would just be set right over Georgia Creek Road. And so allow us to take equipment as big as tractor trailers over that without impacting any of the wetlands. So we could access to a whole Western pocket of the site without having to go through Georgia Creek Road, or quail run lane. And then once construction is completed projects operational, we would propose to use those two roads as I and out access points. Like I said, it's really minimal traffic during operations about one to two pickup trucks a week just for basically cutting the grass and, and, you know, minor maintenance of storm water features and things like that.

Bowe: On this schematic, is that a good word for it?

Merrick: That's a great word.

Bowe: It almost appears and I, you know, I can't see a scale on here, or comprehend how far you actually have those panels off of the roads, for example, if you got 50 feet?

Merrick: That's correct. Yes.

Bowe: You do have about 50 feet anyway.

Merrick: 100%

Bowe: Even down Payne's Pond road.

Merrick: That's correct. And there's actually a green. I don't know if you can see it, or if you can zoom in on those, but there's actually a green area on either side of Payne's Pond road where we illustrated the proposed screening there. Yes, but that is 50 feet. And to your point about screening, I understand that that view shed is important, especially in a rural part of the county in a county like Buckingham that is, you know, rural, right. I live in a rural area myself, right. And I mentioned this to you beauties in the eye of the beholder, but generally you know, folks like things to keep looking the way they look now. And so...

Bowe: Second best thing is out of sight out of mind. So our objective is going to be to get them out of sight.

Merrick: That's correct.

Bowe: Don't want to see any of them, they are all ugly one of them is uglier than the next. Can't make the pig pretty.

Merrick: And in light of that, one thing I'll add is, this is all commercial Timberland. And so everything that's been cleared which has been cleared in the last couple of years. It's already been replanted with time by Weyerhaeuser.

Bowe: Right. In all, in all fairness. They are that tall.

Merrick: Yeah, they are. That tall now.

Bowe: It takes ten years to get up to where I can't see anything else.

Merrick: I understand. I also understand...

Bowe: So if we take 50 feet of that road. And we broadcast seed on it. so I'll make an impenetrable jungle. Yeah, that's what I want.

Merrick: Understood. Okay. And to your point about it being 50 feet. Not all screening is the same, right? You could have, you could have 50 feet, you know, one foot trees that are only ever going to get three feet tall, and you think you have 50 feet is not going to do the job,. And you could also have one foot of a concrete wall, it's 20 feet high, right.

Bowe: That's just as ugly as the solar panels.

Merrick: And so. And our setbacks throughout the entire project area will be a 50-foot setback. So within those setbacks, we are proposing to leave existing vegetation within that. And so instead of getting rid of it with the dozer, we're just going to leave it right where it is. And then and then that fence will be built on the interior of that. So you'll have 50 foot of Weyerhaeuser planted pines, between us our fence and the property line, our fence may not even be all the way up to 50

feet, there's likely many areas of the project where we won't even be as close as 50 feet.

Bowe: So you've talked about a perimeter fence in this project?

Merrick: That's correct.

Bowe: Your not really talking about a perimeter fence of the 2200 acres. You're talking a perimeter fence of the individual groups of solar power?

Merrick: That's correct.

Bowe: Okay.

Merrick: That's absolutely right. And, Nicci, if you go to the next slide, actually. So to your point, it's not going to just be one contiguous fence around the entire project area. And I don't know if you folks have seen this is this an exhibit a little further down in our application, but it's, it's titled wildlife. And so we understand is a big hunting community and Buckingham will go on and myself. And it's important to make sure that while game right can still travel through the project, given the size of it, you

Bowe: You've made some pitch points I can tell you that.

Merrick: That's right. And now everyone in the county knows exactly where they are. But you can see where the yellow here. So these are contiguous wildlife corridors where deer Turkey and really any animals, birds, anything, can travel through the through the project site. And so you know, there's multiple areas where while the project is big to your point, it's not going to be one contiguous fence. You know, who would want to fence something that they don't mean to fence, right? We don't want to do that. And so we only want to fence where our infrastructure is going to be located. So this is a good example of a design feature that we made. So not only is to help us save money on fencing, but it also has other benefits to like creating wildlife corridors are we're able to shed some things to actually open up some channels. We're animals can continually walk through the area as correct. Wetlands serve a lot of purposes. Yeah. So I don't know if you have any other questions about the site plan that we can go back to that are talked about again in a future session. But if you go to the next slide, I just wanted to sort

of summarize some of the design considerations that we've made from a community perspective today. Because we do have views yet which we've talked about or aka. We exist existing mature vegetation within the setbacks and then along the right of ways we've screened along those right away is where necessary, I'll note that even along the right of ways, for instance, on Bridgeport road and then also on paint on road, even where it's been cleared, there has been pines that have been replanted in those areas and warehouses pretty good grew up in trees. So John, senior Forester, so you may help shed some light on how quickly they'll grow but it gets pretty dense pretty quick, especially if you don't find them out. later down the road. And then so from a sound perspective, the project is actually extremely quiet, like this microphone and during operations from the property Lines won't exceed 50 decibels. It's basically a dishwasher. But it will be on Audible. There's really very minimal moving parts to the project, there's no fuel to operate it. And basically, it'll be on a, what we call single axis tracker. So we'll be oriented from north to south. And so when the sun rises in the east, the panel's will be facing that sun, and then it'll be a capacitor for operates just like your windshield wiper. And over time, it just clicks over following the sun moves very slowly, like watching grass grow. And then when the sun sets in the west, we will reset. And they'll be pointing East again for when it rises again. So that's basically that's the only moving parts of the whole project area. The inverters do make a slight hum, like I said, those are located on the interior of the projects and make sure folks can't hear them. So it'll be quiet. And then the inverters are really the only thing that make noise. And so from a traffic perspective, like I said, we'll be prohibiting construction traffic on Georgia Creek Road, and Quail Run lane to make sure that those neighborhoods are protected from the construction traffic. And then from the project entrances, we did coordinate with vdot, make sure that we have all adequate sight stopping distances, so it'll be safe for the public. So when we do have construction traffic, you know, we'll have folks out there coordinating and we'll be coordinating heavily with vdot make sure that all the entrances are just standard, and that our construction traffic management plan is safe here. And then I already spoke to wildlife corridors. And then the last thing I'll mention here, and this is just a few things that the many commitments that we've made our conditions and also in our application, the decommissioning. So it'll be a 40-year life, this project and so at the conclusion of its useful life, the project will be fully decommissioned, the panels will be pulled off the racking will be pulled up out of the ground, it will be completely restored back to its original state. If the landowner wishes, we can actually leave the access roads that we've provided, sometimes they prefer that because we put in pretty nice spreads. And so it's

possible to warehouse or to ask us to say, please leave the roads and be like management says, but other than that, we'll fully decommission the project, and then it can be returned to whatever use the landowner or whether it's

Weyerhaeuser, or a different landowner down the road, wherever it is, they want to do it, they want to farm, they want to build a wedding venue, they want to replant for, you know, pines for the next 40 years, it'll be completely possible for that to happen. There's nothing that would preclude them, this land would be completely useful at the conclusion of this talk with his life as a solar project. And so the next slide, please, this is a comparison of a solar project that we've done. So you can see here, the panels are sort of nicely oriented, north to south and organized in the bottom of the picture, that's a retention pond, that's a storm water feature, we would also have that for this project with that does. And since basically designed to catch storm water runoff, slow it down, trap sediment and keep it from getting into the wetlands, we would have that throughout the project area, those are actually illustrated in our site plan that we submitted. And then you'll see two in between the two solar arrays. You know, the first one is another one on the other side of the hill, you see the trees there. And so similar to this project, this project that we're looking at had weapons, and that was a stream and a wetland. And so that was sort of cutting through the area, that would also be a wildlife corridor. And we would set back off of that, just like you see on this one set back off of that. And so those riparian buffers and live streams and wetlands would be would be preserved and maintained. And so on top of the storm water features that also does a lot to ensure proper water quality to the local watershed. So if you go to the next slide, please, this is just a closer look of that first array. Like I said, it's a very simple construction. It's basically the same steel that you see on like guardrails along the highway that gets plugged into the ground. And then there's racking system that's mounted on top of those. And then we have solar panels wrapped on those and you can see the collector line that I was speaking to all of that is really just daisy chained together and then it's sort of neatly organized and then ran to the converters. And if you go to the next slide, so this is an area before they actually have installed the racking in the panels. This is where they've just driven the steel piles into the ground. You can see Some areas where they just even use the natural topography of the land, we can build on slope, we can build up to 15% grade on. And so it actually sometimes even benefits the project when there's a little bit of slope. And so you can see here where we just drove the piles and then the ground and then the next step is you get a creative destruction installed racking and another creative competence called panels. So that kind of just gives you an idea of like, what construction might look like this was in the right in the middle of

construction are these photos. And so that's the conclusion of the presentation. Probably went a lot longer than I wanted to, but any time for questions that you guys have. Thank you for having me here.

Shumaker: Mr. Chairman, I have a question, if that's okay. So you mentioned decommissioning. So the clean Economy Act was pretty ambitious on its renewables, let's say 10 or 15 years, the demand has gone down from this project based on some of the new players in the game across the state. And you don't need to export as much energy from this site, is there a potential that you would reduce output, or decommission on demand? Let's say, you know, you need to get down to using 800 acres instead of 1200. Is that a possibility? I'm asking because I don't know enough about solar energy.

Merrick: No. So what we've done is we've found a key position with a AEP for 149.5 megawatts, it was actually originally 180. But we reduced it to 149.5. And so we're going to be capped at that. But we will plan to build 149.5 megawatts.

Shumaker: For the entire four years?

Merrick: Yes, for the entire 4-year project. And that'll be, that'll be, the power of that project will be sold. So we'll be contractually on the hook to provide that power. Otherwise, we'll suffer financially. And so we're incentivized to continue to have like, put 149.5 megawatts on the grid every year. because somebody's paying for it and anticipating that power. And then also, speaking earlier about who the owner, the eventual owner project might be, it's \$190 million investment. And if somebody spends \$190 million for a solar project, the whole goal of the project is to generate electricity as much electricity as possible. And so they would want that operating at full capacity for its entire 40 year lifespan. If it's not, then you're basically losing money.

Allen: Changing back from 180 to 149 what did that do for you?

Merrick: So we did that as a result of capacity on the grid. Gentleman before me spoke to this a little bit. But there's been a big influx of independent power producers like ourselves that are trying to install bringing renewable energy to the Commonwealth. In order to bring your projects online, you have to follow what's called a key position. basically get in on grabbing your ticket at the DMV, and you're waiting Your turn, they study your project based on your estimated capacity.

And we have a very advanced electrical engineering side to our company, where we look at that, and we model where there may be open capacity in different pockets of the state. And that's exactly you know, one of the reasons how we located this project is, at first we thought that there might be about 180 megawatts of open capacity on this line. But we later realized, wait, this is actually only about 150 megawatts. And so we reduced our capacity to match that open capacity. That way, we don't have to pay for additional upgrades, which can get extremely expensive, if there's no open capacity on it. Just to give it the perspective. You know, there have been other projects where I've worked on where we were charged network upgrades for our projects, and we're on the hook for that. It's not the ratepayers, we're an independent power producers and rebuild a substation. If there's not additional capacity on the line, we got to pay for that. So we would have to pay for 20 miles 138 kV, you know, upgrading that to make sure that it's robust enough to handle all the extra power that we're bringing on. And so that can be sometimes 50 to I've even seen it a billion dollars in network upgrades that will be required to bring your Project Online. This project doesn't have that and it's because of our advanced attention. Here's that really know the model, and then our ability to reduce that capacity so that we can hit the sweet spot. And so this is a legitimate opportunity for Buckingham County, where there's a lot of counties all over Virginia that don't they don't have any capacity. I live in Fluvanna County, I'd love to put solar projects in Fluvanna County, but there's no capacity In Fluvanna County for what we want to do. So y'all are poised with this opportunity where your sort of blessed with this capacity. And we Apex have the expertise to take advantage of that and provide a project that would be a win win for the county and for us.

Dorrier: I have a question? I noticed on your presentation, on the perimeter of it, he had some 40 is it 40 foot right away you need to go around and get from the land owners that are coming all the way around the perimeter? How's this going to affect these landowners? Are they going to give you a 40 foot right away? Or am I wrong? You need all the right away from these land owners.

Merrick: No so we'll go back to the site design. So there's one instance, where we do need a free exactly a 40 foot right away. And that's for AEP because we're building them an interconnection switching station, they will eventually be the owner. But we have to bear the cost of that. We have to bear the cost of that. And so we'll buy that property was transferred to a up we'll give them a brand new substation. And we'll also give them a 40 foot deeded access right away so that

they can maintain it. And we pay for all that. And so what you're looking at, I think is what you're referring to is that 40 foot right of way that we're getting AEP and we'll deed that over to them so that they can continue to maintain and operate their substation.

Dorrier: Now that's going to have to go through all of these landowners homes. Right by their homes. They way im looking at it. Right on the west side where you have the two red dots. Oh, I see what you're all the way through there, you're gonna have to you're gonna be asking these people for a 40 foot right away. Am I right?

Merrick: I see what your saying. No. So we won't be changing any of the right away to any of the neighboring landowners or anything like that. Internally, I think some of the access roads we have proposed as 40 right of ways, but we have everything you see in blue, where we have our proposed project area, we have all of that leased. So we have we have site, we call site control over that. But we have a partnership with Weyerhaeuser company. And we've signed a contract with them to allow us to do this. And so we've actually only be one landowner, it would be Weyerhaeuser. And those 40 foot right of ways would be installed so that we can get our equipment in and around the project area. I thought you're referring to the AEP like deeded right away that we provide them but that would be our runways on us, on our property,

Dorrier: I don't quite understand. But the way it was seems to me, you need to go around a lot of people's property and it looks like it's going to upset a lot of people. I don't know if you've contacted those people not. But all down in this on this West Side. I know this area very, very well. And yeah, it's a lot of people that are that are already affected. It looks like it's going to upset a lot of people unless you've already contacted them

Merrick: So we've I've mentioned this earlier; we've prohibited we're committing to not using those roads during construction. So there wouldn't be a single car to come to Georgia creek and quail run associated with Riverstone. We would not come through there during construction.

Dorrier: Then you have Hummingbird lane which is a dead end. Its showing you going through that.

Merrick: Yeah, that's an operations and maintenance entrance. And so once the construction of the project has concluded, then we would just use that road for operations and maintenance which would be about one to two pickup trucks a week really just for cutting the grass and getting into that western side of the project when they need to. But it would be very minimal traffic and that those those landowners you can see pretty much no change in their in their daily lifestyles, they would see no additional traffic in fact, they would actually see less traffic because Weyerhaeuser isn't is no longer using those roads would no longer be using those roads with logging trucks because it would be logged already.

Dorrier: It would be a solid road right?

Merrick: A road already exists.

Bowe: Steve have you seen this particular map it shows brought the property owners.

Dorrier: There's a lot of people in that area, we're dealing with all that permitter too. That's what I'm saying. If it won't impact those people that's the main thing.

Merrick: Yeah. So if those two specific neighborhoods you referred to, we have a very unique design feature that we're making sure that they're not impacted. And to your point, there are landowners surrounding the project area that some of them are probably here tonight or watching this video, I've sent them letters, we held a community meeting back in June, I'm happy to meet with anybody we plan, more community events, there's going to be a number of hearings associated with his local process. Outside of this local process, there's also state processes where we have to do additional public hearings, there's a lot of permits were associated with this, and will be coordinating with these landowners. You know, throughout that entire process, one thing that I will note, is much of the surrounding areas that non participating property owners that are adjoining our project area, much of that property is wooded. And then on top of that there does exist topography on this site, and then you have the wetlands that are sort of dividing the area too. And so the project gets broken up really quick. And so if you're just sitting on the, you know, a neighboring property owner, and you're looking at it, not only is there going to be 50 foot of screening, but then there's going to be a fence, and then you might see a couple acres of solar panels, but then you might have a wetland that cuts in and they can't really see past that, right. And instead of the announcements

topography of the land is going to kind of prevent a lot of view shed impacts. And they would have to be standing right on their property line and really trying to look through it to see it. Now, on Payne's pond road, or you're driving right through the center of it, you know, if the trees aren't as, as tall as we want them to be, when it comes time to start construction, then we'll take the Weyerhaeuser pines out and we'll replant screening to make sure there's adequate screening there. But there is an opportunity to potentially just leave that screen that those planted Weyerhaeuser finds right there. Because when we start construction in say, right, like November of 2022, which is when we're proposing it's likely those Pines will probably be about this tall. John, could probably tell if we're all wrong

Bowe: They are about this tall right now. Or they were Thursday?

Merrick: I think that I think they grow about two feet a year. And I may be wrong. But depending on the fertilizer use, it could be but if it's not, we've committed planning screening there to make sure that screen so for the for the folks that do drive through that gravel county road if it's for post office or the landowners that live back there are the school buses, you know that the project will even be screened from there as well.

Bowe: There are right many houses back there.

Merrick: So there is right many houses back there So I've been through there quite a bit. but we won't actually, that's another point two hadn't really mentioned it. But Paynes pond road continues, all the way. So we won't use any of that as soon as soon as our project area ends, there's going to be no traffic beyond that all the way down Payne's pond road into 20. Because that's a rough road, it's not in great shape. there's a there's a I think there's a bridge construction there that wouldn't even support most of our infrastructure. So we would plan to access everything off of Bridgeport road, and then just the part of Paynes Pond road where we're at sort of divides the project. And more than likely actually that a lot of the gravel on Paynes pond road was needed much better, much better shape than it's currently and because we would have to make it much more robust to bring all of our equipment and make sure that you know there's there's not like this is waviness that are created when you're going to get a lot of traffic. Any culverts that need to be reinforced, we would do that as well, too. It's more than likely going to be in much better condition.

Shumaker: I've got two more quick questions, and then we're ready to go home. Your wildlife coordinators that you had there on the maps. You had mentioned ecologist earlier did they help you guys come up with those. There are few family farms back there. I spent a good bit of time on some of those myself, but are these natural migration patterns that the ecologist had done? I was just like, let's just throw in some trees. You know, maybe the deer will go through here kind of thing.

Merrick: So we have a team of in house experts called subject matter experts but we have environmentalist with apex. And so I helped develop these with them. Some of them were just natural wetland areas that just happened to divide the whole project. Right. And that was an easy one, we can just call it wildlife corridor right? There were some areas where we did modifier designs just to just to create more contiguous routes through the project area. But I can't, I can't say if this is, you know, a migration pattern. I mean, normally, if you look at from a geographical perspective, migration patterns are much larger, like the Chesapeake Bay watershed where you have ducks coming in.

Shumaker: But this does follow some natural wetlands?

Merrick: It follows all the all the natural, mostly natural wetlands. And so that's kind of where you're going to find a couple bucks and turkeys anyways. But yeah, it does this follow the system.

Shumaker: And then my second question was about the jobs after the initial pulse, your operation is in Charlottesville, which is impressive, by the way. You had mentioned I think, being six jobs full time. So most of the remote monitoring is done. You're just talking about people that come cut grass, or what sort of full time jobs would be here in the county?

Merrick: Yeah, I mean, they do landscaping. It's just the reality of it, is it's really low maintenance project. Sitting there harvesting the sun to create energy, you know, every now and then we might have some broken panels or, you know, something happened where we need to come in and like replace an array or something like that. And we'll have specialized folks that are on the team that are that are able to do that. But for the most part, yeah, they'll just be, you know, making sure the fences are good, making sure the storm water features are cleaned out, and they're not full of sticks, and, you know, not operating properly and, and

making sure that you know, we're mowing all the roads in between all the solar panels and so that the grasses is low, because if you get it growing up tall, it'll start to shade the panels, and then that will inhibit your energy production. And you don't want that. And so most of it won't be landscaping and maintenance like that yeah.

Gooden: I think the term was six full time equivalent jobs. So that could just be part time employees not really six full time jobs after the project is completed.

Merrick: Yeah, I mean, six full time equivalent is a term that's used to... it could be say 12 part time jobs, right. But if you combine all that we estimated about six full time equivalent jobs for all the maintenance operations in the process.

Gooden: And you have a place for local vendors to sign up as?

Merrick: That's correct.

Gooden: Where do you anticipate the people to be from? Your work is coming from Buckingham?

Merrick: Yeah, so there's a big construction sector in Buckingham as we're aware of there is also solar training programs to, trade schools. And then also not just folks that are going to be putting in the panels or operating the dozers, there's going to be like aggregate right? For instance, Buckingham slate and boxley quarry. So we've used them in the past, for our solar projects, and looking at slate quarries right down the road you know, so there are you know, larger vendors like that that would benefit from this project as well.

Gooden: And in your community engagement, you said you had a public meeting or invite. And I do anticipate more or just that was it?

Merrick: Now it's this, it's likely that we'll have at least another one. And it will be I've been speaking with the supervisor about it, it's possible that we'll do it in person, maybe the volunteer fire department. But, you know, we would want to have probably another one, you know, but to date, I haven't received many communications from neighboring landowners, it's been relatively quiet. But I'm sure that once this process is initiated, even though we've done a lot of work up to here, it's likely they'll start to receive more calls. And so it was good to do a public

meeting. Just like an informational open house for folks can comment and ask questions. We can bring in folks from other various teams like our environmental department or engineers, myself, other developers just to ask or answer the questions that folks may have.

Gooden: And the \$20,000 under the community grants, okay. That is operational now or operational ending construction.

Merrick: Yes, that's a cool program that we started doing for most of our projects. And for this one to date, we've committed 20,000 that's not a cap. It's just what we've committed to so far. And so local vendors can go on our website, and they can apply for that grant funding. And so we'll take all the applications will probably have distributed it by December. But it's targeted on sustainability and conservation, STEM education or public land access, you know, folks that have... there you go, yeah, I encourage I encourage you to apply to it. And we've been, we've been reaching out to folks and making sure they're aware as part of the Facebook page to make sure folks know how to apply and this grant funding is out there.

Gooden: So I didn't see a timeline on it that's what I was curious about.

Merrick: Well, it kind of depends on really the influx of applications like, if between now and December, we don't get any applications, then we'll have to, like keep waiting. But if we start to get some applications, and it makes sense to choose somebody that it would be my role to choose to move by December.

Bowe: That all you wanted to cover with us this evening. Im not trying to get you to talk more I'm just trying to say is it pretty much conclude what you wanted to do. Or do you want to keep going?

Merrick: Yes, sir. I'm here to be helpful and answer any questions you all have. So if you don't have any additional questions, and I can conclude tonight, you have my number, it's in the application. I also have some business cards that I brought here. So if you don't want to flip through 1800 pages of applications, you can call or email me anytime. also find the meeting that you all are proposing. Next week we can attend. Try not to screw up Jamie's cords here and answer any other questions open forum and and we're here to just help make make the process easy. That's all I have for tonight. Thank you.

Bickford: Thank you.

Bowe: Thank you. Appreciate it. Yes, that brings up reports.

Edmondston: I don't have any administrative reports. Building permit is provided. I did just have one question just for housekeeping. We are moving forward with a work session Monday, August 30. At 7pm here at Peter Francisco?

Bowe: Everybody understand that? August 30th. Next Monday.

Edmondston: 7pm?

Bowe: So it's next Monday night. Yeah. Commission matters. We have any?

Allen: Only thing I'd like to tell you is we have a resignation from Miss Thomas. I said, Thomas. I'm sorry. she was at one time now she's a Gormus. Yeah. So she sent her letter of resignation. I guess I can go to the board for acceptance of resignation and we'll pick somebody else.

Bowe: Do we have a motion to adjourn?

Edmondston: Mr. Chairman, if I may tonight's action would be to be recess to reconvene to work session. Monday, August 30th At 7pm.

Bowe: Do we need to vote on that?

Allen: I make a motion that we reconvene on Monday night seven o'clock.

Bickford: Second.

Bowe: We have a motion has been seconded. Everybody in favor, raise your right hand. Unanimous six of six. Thank you all for coming.

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

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

ATTEST:

Nicci Edmondston
Zoning Administrator

Patrick Bowe
Chairman

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

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

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

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

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

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

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

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

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

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

Bowe: Okie dokie.

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

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

Bickford: *Inaudible*

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

Shumaker: As far as setbacks or vegetation?

Bowe: Well, I think 50 foot's a good setback.

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

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

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

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

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

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

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

Merrick: 6-16 feet.

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

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

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

Bickford: Eight by 10.

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

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

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

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

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

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

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

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

Bowe: What you think Steve?

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

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

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

Edmondston: Smaller farms can operate off the three phase.

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

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

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

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

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

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

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

Bowe: Other than the land being taken out.

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

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

Gooden: But not the whole area.

Bowe: Exactly.

Gooden: Okay.

Bowe: Am I right?

Merrick: That's correct.

Bowe: Okay.

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

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

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

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

Bowe: Do you see a scale?

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

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

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

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

Merrick: That's correct.

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

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

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

Bowe: What was your cut off slope?

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

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

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

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

Dorrier: State Road 672 is Bridgeport road,

Gooden: 652.

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

Inaudible

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

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

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

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

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

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

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

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

Inaudible too many people talking

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

Inaudible

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

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

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

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

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

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

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

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

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

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

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

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

Wright: The motion is what?

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

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

Bowe: So your withdrawing.

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

Bowe: So it was dropped. Any other thoughts?

Shumaker: That'll do for now.

Bowe: Anybody else have any thoughts on that subject?

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

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

Dorrier: We improve.

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

Gooden: Is it only the buffer that concerns?

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

Gooden: And I agree.

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

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

Bowe: Sure.

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

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

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

Dorrier: Have you decommissioned any that you know of yet?

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

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

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

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

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

Merrick: That's correct.

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

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

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

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

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

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

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

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

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

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

Bickford: Ether.

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

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

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

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

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

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

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

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

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

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

Edmondston: It is located behind the straight street building.

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

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

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

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

Bickford: Ill have to look at the map again.

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

Bowe: To my knowledge it is.

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

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

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

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

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

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

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

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

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

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

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

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

Dorrier: What's a buyer spruce?

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

Bickford: *Inaudible*

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

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

Bickford: We have a work session scheduled tentatively for the 14th of September

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

Bickford: Board of Supervisors.

Bowe: Oh for the supervisors on Monday.

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

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

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

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

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

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

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

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

Wright: Sorry say that again.

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

Wright: Draft of what?

Edmondston: The conditions.

Wright: Those are not my conditions.

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

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

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

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

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

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

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

Bowe: We can do that.

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

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

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

Bickford: Okay. So we are just reconvened?

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

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

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

Dorrier: Second.

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

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

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

ATTEST:

Nicci Edmondston
Zoning Administrator

Patrick Bowe
Chairman

Buckingham County Planning Commission

August 23, 2021

Administration Building

7:00 PM

Introduction of Case 21-SUP290

Owner/Applicant: Landowner Weyerhaeuser Company
220 Occidental Ave S
Seattle, WA 98104

Applicant Apex Clean Energy Inc
310 4TH St N, Suite 300
Charlottesville, VA 22902

Property Information: Tax Map 17 Parcel 8 containing approximately 520.185 acres, Tax Map 17 Parcel 9 containing 97.4 acres, Tax Map 17 Parcel 13 containing approximately 59.5 acres, and Tax Map 18 Parcel 2 containing approximately 1286.43 acres. The parcels are North of Bridgeport Road, East of Route 20, West of Hardware Road, Slate River Magisterial District.

Zoning District: Agricultural District (A-1)

Request: The Applicant wishes to Obtain a Special Use Permit for a Solar Generating Facility for the Purpose of constructing and operating a Solar Photovoltaic modules to produce up to 149.5MWac. The power generated will be linked to the electrical transimission grid via the existing 138 KV overhead high voltage transmission line adjacent to the property.

Background/Zoning Information: This property is located North of Bridgeport Road, East of Route 20, West of Hardware Road, Slate River Magisterial District containing Tax Map 17 Parcel 8 containing approximately 520.185 acres, Tax Map 17 Parcel 9 containing 97.4 acres, Tax Map 17 Parcel 13 containing approximately 59.5 acres, and Tax Map 18 Parcel 2 containing approximately 1286.43 acres. The landowner is Weyerhaeuser Company, and the applicant is Apex Clean Energy Inc. 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. Riverstone Solar, LLC (the "Applicant" or "Riverstone") requests a Special Use Permit ("SUP") to allow for the construction

and operation of a 149.5 MW_{ac} utility-scale solar facility (the "Project") on approximately 1,996 acres of private land in northern Buckingham County, Virginia (the "Property"). The Project is being developed by Apex Clean Energy, a renewable energy development, construction, and operations company based in Charlottesville, Virginia.

The Project will bring significant economic and environmental benefits to Buckingham County.

- Riverstone represents an initial capital investment of approximately \$190,000,000. Based on the County's adoption of the revenue share ordinance option, pursuant to Virginia Code Section 58.1-2636, the Applicant estimates that the project will initially contribute approximately \$209,300 per year. This amount will escalate by 10% every 5 years, with the total County revenue under the revenue share anticipated to be approximately \$12,700,000 over the Project 40-year life. In addition to the revenue share, the Project will contribute real property taxes that are estimated to be approximately \$2,100,000 over the Project's 40-year life, totaling a direct, net revenue of approximately \$14,800,000 to Buckingham County. The revenues generated from Riverstone will come with virtually no impact on County capital facilities or public services.
- Riverstone will create approximately 482 full-time-equivalent (FTE) jobs during construction representing approximately \$24.3 million in wages in Buckingham County's construction sector. The one-time pulse of economic activity associated with construction will generate approximately \$1.9 million in state and local tax revenue.
- Once operational, Riverstone will provide approximately 355,496 MWh of clean energy to the local transmission grid, which is enough to power approximately 30,000 homes annually. Solar energy is clean, safe, and ecologically beneficial. Riverstone will emit no carbon pollution, release no heavy metals, acid gases or small particles, require no water to operate, and displace traditional sources of electric generation. In fact, Riverstone will offset 277,709 tons of carbon annually, equivalent to the carbon sequestered by 308,664 acres of U.S. forests every year.
- Riverstone will be decommissioned in accordance with the steps outlined in Attachment 3.12. of this application and with a full-detail decommissioning and rehabilitation plan, to be submitted to the County prior to approval of building permits. As part of the decommissioning the solar energy equipment will be removed, and the land will return to silviculture, or another use permitted by the Zoning Ordinance and as desired by the property owner.

Below are conditions that you may consider attaching to the request if approved:

1. Apex Clean Energy Inc 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 of this SUP.
2. The Applicant shall sign the list of the adopted conditions for this SUP signifying acceptance and intent to comply with these conditions.
3. 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 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 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.
 - c. The site 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. That the building permit must be obtained within 3 years of obtaining the Special Use Permit and the generation of solar electricity shall begin within 18 months of the building permit or this SUP shall be null and void. These deadlines may be extended by the County Administrator after consultation with the Board of Supervisors for 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. 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.
6. This SUP shall be binding on Riverstone Solar, LLC or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy facility.
7. The construction of Riverstone Solar, LLC 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 July 30, 2021 (the "General Plan"). The Solar Equipment and accompanying storm water features shall be limited to no more than the 1,729 acres of the 1,966-acre Property as shown on 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 align with these conditions.
8. 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 on site shall be permitted Monday through Sunday in accordance with the provisions of the County's Noise Ordinance
- 9. After completion of construction, the solar energy facility, during normal operation and 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. A minimum one hundred and fifty (150) 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. During construction, the setback may be used for the staging of materials and parking.
- 11. A minimum of a fifty (50) foot setback from Solar Equipment to the property line and any public rights of way shall be provided around the perimeter of the Project 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. 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 adjacent property. The security fence and project roads may be located within the setbacks. During construction, the setback may be used for the staging of materials and parking.
- 12. Along existing public right-of-way (ROW), in buffer areas where there is not at least 15' of native timber remaining on the project parcel, a double row of evergreens will be planted within the setback. Such evergreens shall be planted on fifteen (15) foot centers with rows staggered, and shall be Meyers Spruce, Eastern Cedar or other similar tree (which alternative tree shall be subject to the prior written approval of the Zoning Administrator), and the evergreen installed shall have an anticipated five-year height of six (6) to eight (8) feet after planting and an anticipated mature height of thirty (30) to forty (40) feet. These evergreens shall be planted during the appropriate time of year after the completion of construction. This requirement may be reduced or waived if agreed to, in writing, by the owner of the adjacent residence, including residences across a public right of way.
- 13. The Applicant shall install a security fence around the solar energy facility that is a minimum six (6) feet in height.
- 14. 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.
- 15. The solar energy facility shall not obtain a building permit until evidence has been given to Buckingham County that the electric utility company has signed an interim interconnection service agreement or interconnection service agreement with the permittee.
- 16. If the solar energy facility is inactive completely or substantially discontinuing the delivery of electricity to an electrical grid) for a continuous twenty-four (24) month period it shall be considered abandoned. The Applicant shall provide notice to County Administrator immediately upon the site becoming inactive and/or shutting down operation. The

current owner of the Project ("Project Owner") shall remove the facilities ("decommissioning") within twelve (12) months of receipt of notice from the Buckingham County ("County Notice"). If the solar energy facility is not removed within the specified time after the County Notice, the County may cause the removal of the solar energy facility with costs being borne by the Project Owner. Unless the solar energy facility is owned by a public service corporation in the Commonwealth of Virginia, 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. 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 every five (5) years and provided to the County. At its option, the County may require the surety amount be increased based on the net cost of decommissioning. The surety, to the extent required, shall be initially provided before the issuance of the building permit.

17. The Project shall be deconstructed and removed within twelve (12) months of the time the Project Site is permanently decommissioned. As used herein "deconstructed and removed" shall mean (i) the removal of any Project facilities installed or constructed thereupon, including permanent foundations, (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.
18. 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 in regard to how to safely respond to on-site emergencies.
19. 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.
20. 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, a pre- and post-construction road evaluation, and any necessary repairs to the public road that are required as a result of damage from the Project. If a traffic issue arises during the construction of the Project, the Applicant shall develop with input from the County and VDOT appropriate measures to mitigate the issue.
21. Parking of vehicles or staging of equipment or materials related to the project shall be limited to the Project site or other land owned by the same landowner at the time of Board of Supervisor Approval.
22. 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.

23. No aspect of the Solar Equipment shall exceed 20 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.
24. ***Placeholder:*** *Applicant will be financially responsible for county-contracted inspectors during the construction of the project.*
25. 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.
26. 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
27. 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.

What are the wishes of the Planning Commission?

Set a hearing, date and time?

August 23, 2021 7pm?

Proposed Special Use Permit Conditions

The Buckingham County Board of Supervisors approves the Special Use Permit (SUP) for Riverstone Solar to construct, maintain, and operate a solar energy facility subject to the following conditions.

1. Riverstone Solar, LLC or any successors, assignees, current or future lessee, sublessee, 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 of this SUP.
2. The Applicant shall sign the list of the adopted conditions for this SUP signifying acceptance and intent to comply with these conditions.
3. 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 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 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.
 - c. A Stormwater Management Plan must be submitted to the Virginia Department of Environmental Quality (VDEQ) and approved by VDEQ prior to any land disturbance.
 - d. The site 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. That the building permit must be obtained within 3 years of obtaining the Special Use Permit and the generation of solar electricity shall begin within 18 months of the building permit or this SUP shall be null and void. These deadlines may be extended by the County Administrator after consultation with the Board of Supervisors for 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. 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.
6. This SUP shall be binding on Riverstone Solar, LLC or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy facility.
7. The construction of Riverstone Solar, LLC 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 July 30, 2021 (the "General Plan"). The Solar Equipment and accompanying storm water features shall be limited to no more than the 1,729 acres of the 1,966-acre Property as shown on 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 align with these conditions.

8. 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 on site shall be permitted Monday through Sunday in accordance with the provisions of the County's Noise Ordinance.
9. After completion of construction, the solar energy facility, during normal operation and 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. A minimum two hundred (200) 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.
11.
 - a. A minimum of a fifty (50) foot setback from Solar Equipment to the property line and any public rights of way shall be provided around the perimeter of the Project 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. Within the fifty (50) foot setback, the applicant will use best efforts to retain at least a fifty (50) foot buffer of existing native vegetation and timber with the intent to visually obscure the Project from the property line. Transmission Lines and poles, security fence, and project roads may be located within the setbacks only where necessary.
 - b. 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.
12.
 - a. Along existing public right-of-way (ROW) with existing timber, the Applicant will use best efforts to retain at least a fifty (50) foot buffer of existing native vegetation and timber with the intent to visually obscure the Project from the public right-of-way. Along existing public rights-of-way where there is not at least 50' of native vegetation and timber remaining to visually obscure the Project, the Applicant will create a buffer of at least fifty (50) feet. The new buffer will include native timber, evergreens, cedars or other native 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. If trees and vegetation within the buffer are disturbed, diseased, or

damaged, new plantings shall be provided for the buffer. The buffer shall be maintained for the life of the facility.

- b. 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.
13. The Applicant shall install a security fence around the solar energy facility 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 maintained at all times while the facility is in operation.
14. Construction lighting shall be minimized and shall be directed downward. Postconstruction lighting shall be limited to security lighting only and shall be full cut-off lighting pointed in a down direction.
15. The solar energy facility shall not obtain 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.
16. If the solar energy facility is inactive completely or substantially discontinuing the delivery of electricity to an electrical grid) for a continuous twenty-four (24) month period it shall be considered abandoned. The Applicant shall provide notice to County Administrator immediately upon the site becoming inactive and/or shutting down operation. The current owner of the Project ("Project Owner") shall remove the facilities ("decommissioning") within twelve (12) months of receipt of notice from the Buckingham County ("County Notice"). If the solar energy facility is not removed within the specified time after the County Notice, the County may cause the removal of the solar energy facility with costs being borne by the Project Owner. Unless the solar energy facility is owned by a public service corporation in the Commonwealth of Virginia, the net costs of decommissioning which includes the estimated salvage value of the equipment 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. 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 every five (5) years and 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 surety, to the extent required, shall be initially provided before the issuance of the building permit.
17. The Project shall be deconstructed and removed within twelve (12) months of the time the Project Site is permanently decommissioned. As used herein "deconstructed and removed" shall mean (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.
18. 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.
19. 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.

20. 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. If a traffic issue arises during the construction of the Project, the Applicant shall develop with input from the County and VDOT appropriate measures to mitigate the issue.
21. Parking of vehicles or staging of equipment or materials related to the project shall be limited to the Project site or other land owned by the same landowner at the time of Board of Supervisor Approval.
22. All panels will use anti reflective coatings. Exterior surfaces of the collectors and related equipment shall have a nonreflective 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.
23. No aspect of the Solar Equipment shall exceed 20 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.
24. The Applicant will be held financially responsible for county-contracted inspectors during the construction phase of the project.
25. 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.
26. 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
27. 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.
28. In order to prevent sediment and erosion, manage run-off, and provide ecological benefit, the facility shall be planted with native pollinator-friendly native plants, shrubs, trees, grasses, and wildflowers. The project shall be seeded within three months of completion of construction.
29. Traffic Pattern to include only Bridgeport Road and Paynes Pond Road****requires discussion to ensure accuracy.

Riverstone Solar, LLC

By:

Title:

Buckingham County Planning Commission

August 23, 2021

Administration Building

7:00 PM

Introduction of Case 21-SUP285

Owner/Applicant: Landowner Larry and Deborah Davis
212 Avalon Farm Lane
Dillwyn, VA 23936

Applicant Evan Carlson/Impact Power Solutions
2670 Patton Road
Roseville, MN 55113

Property Information: Tax Map 114, Parcel 2, containing approximately 36.42 acres, located on Gravel Hill Road (911 Address Unassigned), State Route 617, Marshall Magisterial District.

Zoning District: Agricultural District (A-1)

Request: To Obtain a Special Use Permit for a Solar Generating Facility for the Purpose of constructing and operating a Solar Energy Generating Facility for up to 2MW AC Photovoltaic Community Solar Garden.

Background/Zoning Information: This property is located on Gravel Hill Road, State Route 617, Tax Map 114-2, containing approximately 36.42 acres. The landowners are Larry and Deborah Davis, and the applicant is Evan Carlson, Impact Power Solutions. 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. Applicant Evan Carlson, Impact Power Solutions, explains this project within the submitted narrative.

Below are conditions that you may consider attaching to the request if approved:

1. Impact Power Solutions 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 of this SUP.

2. The Applicant shall sign the list of the adopted conditions for this SUP signifying acceptance and intent to comply with these conditions.
3. 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 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 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.
 - c. The site 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. That the building permit must be obtained within 3 years of obtaining the Special Use Permit and the generation of solar electricity shall begin within 18 months of the building permit or this SUP shall be null and void. These deadlines may be extended by the County Administrator after consultation with the Board of Supervisors for 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. 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.
6. This SUP shall be binding on Riverstone Solar, LLC or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy facility.
7. The Solar Equipment shall be limited to no more than the **18 acres** of the **36.42 acre** Property identified as **"Impact Power Solutions"**
8. 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 on site shall be permitted Monday through Sunday in accordance with the provisions of the County's Noise Ordinance

9. After completion of construction, the solar energy facility, during normal operation and 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. A minimum one hundred and fifty (150) 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. During construction, the setback may be used for the staging of materials and parking.
11. A minimum of a fifty (50) foot setback from Solar Equipment to the property line and any public rights of way shall be provided around the perimeter of the Project 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. 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 adjacent property. The security fence and project roads may be located within the setbacks. During construction, the setback may be used for the staging of materials and parking.
12. Along existing public right-of-way (ROW), in buffer areas where there is not at least 15' of native timber remaining on the project parcel, a double row of evergreens will be planted within the setback. Such evergreens shall be planted on fifteen (15) foot centers with rows staggered, and shall be Meyers Spruce, Eastern Cedar or other similar tree (which alternative tree shall be subject to the prior written approval of the Zoning Administrator), and the evergreen installed shall have an anticipated five-year height of six (6) to eight (8) feet after planting and an anticipated mature height of thirty (30) to forty (40) feet. These evergreens shall be planted during the appropriate time of year after the completion of construction. This requirement may be reduced or waived if agreed to, in writing, by the owner of the adjacent residence, including residences across a public right of way.
13. The Applicant shall install a security fence around the solar energy facility that is a minimum six (6) feet in height.
14. 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.
15. The solar energy facility shall not obtain a building permit until evidence has been given to Buckingham County that the electric utility company has signed an interim interconnection service agreement or interconnection service agreement with the permittee.
16. If the solar energy facility is inactive completely or substantially discontinuing the delivery of electricity to an electrical grid) for a continuous twenty-four (24) month period it shall be considered abandoned. The Applicant shall provide notice to County Administrator immediately upon the site becoming inactive and/or shutting down operation. The current owner of the Project ("Project Owner") shall remove the facilities ("decommissioning") within twelve (12) months of receipt of notice from the Buckingham

County ("County Notice"). If the solar energy facility is not removed within the specified time after the County Notice, the County may cause the removal of the solar energy facility with costs being borne by the Project Owner. Unless the solar energy facility is owned by a public service corporation in the Commonwealth of Virginia, 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. 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 every five (5) years and provided to the County. At its option, the County may require the surety amount be increased based on the net cost of decommissioning. The surety, to the extent required, shall be initially provided before the issuance of the building permit.

17. The Project shall be deconstructed and removed within twelve (12) months of the time the Project Site is permanently decommissioned. As used herein "deconstructed and removed" shall mean (i) the removal of any Project facilities installed or constructed thereupon, including permanent foundations, (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.
18. 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 in regard to how to safely respond to on-site emergencies.
19. 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.
20. 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, a pre- and post-construction road evaluation, and any necessary repairs to the public road that are required as a result of damage from the Project. If a traffic issue arises during the construction of the Project, the Applicant shall develop with input from the County and VDOT appropriate measures to mitigate the issue.
21. Parking of vehicles or staging of equipment or materials related to the project shall be limited to the Project site or other land owned by the same landowner at the time of Board of Supervisor Approval.
22. 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.
23. No aspect of the Solar Equipment shall exceed 20 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.

24. **Placeholder:** *Applicant will be financially responsible for county-contracted inspectors during the construction of the project.*
25. 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.
26. 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
27. 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.

What are the wishes of the Planning Commission?

Set a hearing, date and time?

September 27, 2021 7pm?

Proposed Special Use Permit Conditions

The Buckingham County Board of Supervisors approves the Special Use Permit (SUP) for IMPACT POWER SOLUTIONS to construct, maintain, and operate a 2 MW solar energy facility subject to the following conditions.

1. IMPACT POWER SOLUTIONS 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 of this SUP.
2. The Applicant shall sign the list of the adopted conditions for this SUP signifying acceptance and intent to comply with these conditions.
3. 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 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 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.
 - c. A Stormwater Management Plan must be submitted to the Virginia Department of Environmental Quality (VDEQ) and approved by VDEQ prior to any land disturbance.
 - d. The site 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. That the building permit must be obtained within 3 years of obtaining the Special Use Permit and the generation of solar electricity shall begin within 18 months of the building permit or this SUP shall be null and void. These deadlines may be extended by the County Administrator after consultation with the Board of Supervisors for 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. 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.
6. This SUP shall be binding on IMPACT POWER SOLUTIONS or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy facility.
7. The construction of IMPACT POWER SOLUTIONS shall be in substantial conformance with these conditions and in general conformance with the Special Use Preliminary Site Plan prepared by IMPACT POWER SOLUTIONS dated AUGUST 23, 2021 (the "General Plan"). The Solar Equipment and accompanying storm water features shall be limited to no more than the XX acres of the XX-acre Property as shown on 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 align with these conditions.

8. 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 on site shall be permitted Monday through Sunday in accordance with the provisions of the County's Noise Ordinance.
9. After completion of construction, the solar energy facility, during normal operation and 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. A minimum two hundred (200) 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.
11.
 - a. A minimum of a fifty (50) foot setback from Solar Equipment to the property line and any public rights of way shall be provided around the perimeter of the Project 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. Within the fifty (50) foot setback, the applicant will use best efforts to retain at least a fifty (50) foot buffer of existing native vegetation and timber with the intent to visually obscure the Project from the property line. Transmission Lines and poles, security fence, and project roads may be located within the setbacks only where necessary.
 - b. 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.
12.
 - a. Along existing public right-of-way (ROW) with existing timber, the Applicant will use best efforts to retain at least a fifty (50) foot buffer of existing native vegetation and timber with the intent to visually obscure the Project from the public right-of-way. Along existing public rights-of-way where there is not at least 50' of native vegetation and timber remaining to visually obscure the Project, the Applicant will create a buffer of at least fifty (50) feet. The new buffer will include native timber, evergreens, cedars or other native 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. If trees and vegetation within the buffer are disturbed, diseased, or

damaged, new plantings shall be provided for the buffer. The buffer shall be maintained for the life of the facility.

- b. 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.
13. The Applicant shall install a security fence around the solar energy facility 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 maintained at all times while the facility is in operation.
14. Construction lighting shall be minimized and shall be directed downward. Postconstruction lighting shall be limited to security lighting only and shall be full cut-off lighting pointed in a down direction.
15. The solar energy facility shall not obtain a building permit until evidence has been given to Buckingham County that the electric utility company has signed an interim interconnection service agreement or interconnection service agreement with the permittee.
16. If the solar energy facility is inactive completely or substantially discontinuing the delivery of electricity to an electrical grid) for a continuous twenty-four (24) month period it shall be considered abandoned. The Applicant shall provide notice to County Administrator immediately upon the site becoming inactive and/or shutting down operation. The current owner of the Project ("Project Owner") shall remove the facilities ("decommissioning") within twelve (12) months of receipt of notice from the Buckingham County ("County Notice"). If the solar energy facility is not removed within the specified time after the County Notice, the County may cause the removal of the solar energy facility with costs being borne by the Project Owner. Unless the solar energy facility is owned by a public service corporation in the Commonwealth of Virginia, the net costs of decommissioning which includes the estimated salvage value of the equipment 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. 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 every five (5) years and 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 surety, to the extent required, shall be initially provided before the issuance of the building permit.
17. The Project shall be deconstructed and removed within twelve (12) months of the time the Project Site is permanently decommissioned. As used herein "deconstructed and removed" shall mean (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.
18. 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.
19. 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.

20. 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. If a traffic issue arises during the construction of the Project, the Applicant shall develop with input from the County and VDOT appropriate measures to mitigate the issue.
21. Parking of vehicles or staging of equipment or materials related to the project shall be limited to the Project site or other land owned by the same landowner at the time of Board of Supervisor Approval.
22. All panels will use anti reflective coatings. Exterior surfaces of the collectors and related equipment shall have a nonreflective 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.
23. No aspect of the Solar Equipment shall exceed 20 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.
24. The Applicant will be held financially responsible for county-contracted inspectors during the construction phase of the project.
25. 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.
26. 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
27. 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.
28. In order to prevent sediment and erosion, manage run-off, and provide ecological benefit, the facility shall be planted with native pollinator-friendly native plants, shrubs, trees, grasses, and wildflowers. The project shall be seeded within three months of completion of construction.

Riverstone Solar, LLC

By:

Title:

Buckingham County Planning Commission

August 23, 2021

Administration Building

7:00 PM

Introduction of Case 21-SUP286

Owner/Applicant: Landowner NCN Properties LLC
Lawrence Marshall
3222 Garland Lane
Charlottesville, VA 22902

Applicant Evan Carlson/Impact Power Solutions
2670 Patton Road
Roseville, MN 55113

Property Information: Tax Map 125, Parcel 4, Lot 3 containing approximately 75.29 acres, located South Constitution Route (911 Address Unassigned), State Route 20, Maysville Magisterial District.

Zoning District: Agricultural District (A-1)

Request: To Obtain a Special Use Permit for a Solar Generating Facility for the Purpose of constructing and operating a Solar Energy Generating Facility for up to 2MW AC Photovoltaic Community Solar Garden .

Background/Zoning Information: This property is located on South Constitution Route, State Route 20, Tax Map 125-4-3, containing approximately 75.29 acres. The landowner is NCN Properties LLC, and the applicant is Evan Carlson, Impact Power Solutions. 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. Applicant Evan Carlson, Impact Power Solutions, explains this project within the submitted narrative.

Below are conditions that you may consider attaching to the request if approved:

1. Impact Power Solutions 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 of this SUP.
2. The Applicant shall sign the list of the adopted conditions for this SUP signifying acceptance and intent to comply with these conditions.
3. 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 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 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.
 - c. The site 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. That the building permit must be obtained within 3 years of obtaining the Special Use Permit and the generation of solar electricity shall begin within 18 months of the building permit or this SUP shall be null and void. These deadlines may be extended by the County Administrator after consultation with the Board of Supervisors for 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. 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.
6. This SUP shall be binding on Riverstone Solar, LLC or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy facility.
7. The Solar Equipment shall be limited to no more than the **18 acres** of the **21.09 acre** Property identified as "**Impact Power Solutions**"
8. 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 on site shall be permitted Monday through Sunday in accordance with the provisions of the County's Noise Ordinance
9. After completion of construction, the solar energy facility, during normal operation and 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. A minimum one hundred and fifty (150) 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. During construction, the setback may be used for the staging of materials and parking.
11. A minimum of a fifty (50) foot setback from Solar Equipment to the property line and any public rights of way shall be provided around the perimeter of the Project 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. 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 adjacent property. The security fence and project roads may be located within the setbacks. During construction, the setback may be used for the staging of materials and parking.
12. Along existing public right-of-way (ROW), in buffer areas where there is not at least 15' of native timber remaining on the project parcel, a double row of evergreens will be planted within the setback. Such evergreens shall be planted on fifteen (15) foot centers with rows staggered, and shall be Meyers Spruce, Eastern Cedar or other similar tree (which alternative tree shall be subject to the prior written approval of the Zoning Administrator), and the evergreen installed shall have an anticipated five-year height of six (6) to eight (8) feet after planting and an anticipated mature height of thirty (30) to forty (40) feet. These evergreens shall be planted during the appropriate time of year after the completion of construction. This requirement may be reduced or waived if agreed to, in writing, by the owner of the adjacent residence, including residences across a public right of way.
13. The Applicant shall install a security fence around the solar energy facility that is a minimum six (6) feet in height.
14. 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.
15. The solar energy facility shall not obtain a building permit until evidence has been given to Buckingham County that the electric utility company has signed an interim interconnection service agreement or interconnection service agreement with the permittee.

16. If the solar energy facility is inactive completely or substantially discontinuing the delivery of electricity to an electrical grid) for a continuous twenty-four (24) month period it shall be considered abandoned. The Applicant shall provide notice to County Administrator immediately upon the site becoming inactive and/or shutting down operation. The current owner of the Project ("Project Owner") shall remove the facilities ("decommissioning") within twelve (12) months of receipt of notice from the Buckingham County ("County Notice"). If the solar energy facility is not removed within the specified time after the County Notice, the County may cause the removal of the solar energy facility with costs being borne by the Project Owner. Unless the solar energy facility is owned by a public service corporation in the Commonwealth of Virginia, 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. 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 every five (5) years and provided to the County. At its option, the County may require the surety amount be increased based on the net cost of decommissioning. The surety, to the extent required, shall be initially provided before the issuance of the building permit.
17. The Project shall be deconstructed and removed within twelve (12) months of the time the Project Site is permanently decommissioned. As used herein "deconstructed and removed" shall mean (i) the removal of any Project facilities installed or constructed thereupon, including permanent foundations, (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.
18. 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 in regard to how to safely respond to on-site emergencies.
19. 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.
20. 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, a pre- and post-construction road evaluation, and any necessary repairs to the public road that are required as a result of damage from the Project. If a traffic issue arises during the construction of the Project, the Applicant shall develop with input from the County and VDOT appropriate measures to mitigate the issue.
21. Parking of vehicles or staging of equipment or materials related to the project shall be limited to the Project site or other land owned by the same landowner at the time of Board of Supervisor Approval.

22. 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.
23. No aspect of the Solar Equipment shall exceed 20 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.
24. **Placeholder:** *Applicant will be financially responsible for county-contracted inspectors during the construction of the project.*
25. 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.
26. 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
27. 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.

What are the wishes of the Planning Commission?

Set a hearing, date and time?

August 23, 2021 7pm?

Proposed Special Use Permit Conditions

The Buckingham County Board of Supervisors approves the Special Use Permit (SUP) for IMPACT POWER SOLUTIONS to construct, maintain, and operate a 2 MW solar energy facility subject to the following conditions.

1. IMPACT POWER SOLUTIONS 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 of this SUP.
2. The Applicant shall sign the list of the adopted conditions for this SUP signifying acceptance and intent to comply with these conditions.
3. 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 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 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.
 - c. A Stormwater Management Plan must be submitted to the Virginia Department of Environmental Quality (VDEQ) and approved by VDEQ prior to any land disturbance.
 - d. The site 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. That the building permit must be obtained within 3 years of obtaining the Special Use Permit and the generation of solar electricity shall begin within 18 months of the building permit or this SUP shall be null and void. These deadlines may be extended by the County Administrator after consultation with the Board of Supervisors for 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. 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.
6. This SUP shall be binding on IMPACT POWER SOLUTIONS or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy facility.
7. The construction of IMPACT POWER SOLUTIONS shall be in substantial conformance with these conditions and in general conformance with the Special Use Preliminary Site Plan prepared by IMPACT POWER SOLUTIONS dated AUGUST 23, 2021 (the "General Plan"). The Solar Equipment and accompanying storm water features shall be limited to no more than the XX acres of the XX-acre Property as shown on 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 align with these conditions.

8. 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 on site shall be permitted Monday through Sunday in accordance with the provisions of the County's Noise Ordinance.
9. After completion of construction, the solar energy facility, during normal operation and 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. A minimum two hundred (200) 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.
11.
 - a. A minimum of a fifty (50) foot setback from Solar Equipment to the property line and any public rights of way shall be provided around the perimeter of the Project 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. Within the fifty (50) foot setback, the applicant will use best efforts to retain at least a fifty (50) foot buffer of existing native vegetation and timber with the intent to visually obscure the Project from the property line. Transmission Lines and poles, security fence, and project roads may be located within the setbacks only where necessary.
 - b. 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.
12.
 - a. Along existing public right-of-way (ROW) with existing timber, the Applicant will use best efforts to retain at least a fifty (50) foot buffer of existing native vegetation and timber with the intent to visually obscure the Project from the public right-of-way. Along existing public rights-of-way where there is not at least 50' of native vegetation and timber remaining to visually obscure the Project, the Applicant will create a buffer of at least fifty (50) feet. The new buffer will include native timber, evergreens, cedars or other native 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. If trees and vegetation within the buffer are disturbed, diseased, or

damaged, new plantings shall be provided for the buffer. The buffer shall be maintained for the life of the facility.

- b. 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.
13. The Applicant shall install a security fence around the solar energy facility 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 maintained at all times while the facility is in operation.
14. Construction lighting shall be minimized and shall be directed downward. Postconstruction lighting shall be limited to security lighting only and shall be full cut-off lighting pointed in a down direction.
15. The solar energy facility shall not obtain 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.
16. If the solar energy facility is inactive completely or substantially discontinuing the delivery of electricity to an electrical grid) for a continuous twenty-four (24) month period it shall be considered abandoned. The Applicant shall provide notice to County Administrator immediately upon the site becoming inactive and/or shutting down operation. The current owner of the Project ("Project Owner") shall remove the facilities ("decommissioning") within twelve (12) months of receipt of notice from the Buckingham County ("County Notice"). If the solar energy facility is not removed within the specified time after the County Notice, the County may cause the removal of the solar energy facility with costs being borne by the Project Owner. Unless the solar energy facility is owned by a public service corporation in the Commonwealth of Virginia, the net costs of decommissioning which includes the estimated salvage value of the equipment 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. 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 every five (5) years and 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 surety, to the extent required, shall be initially provided before the issuance of the building permit.
17. The Project shall be deconstructed and removed within twelve (12) months of the time the Project Site is permanently decommissioned. As used herein "deconstructed and removed" shall mean (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.
18. 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.
19. 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.
20. 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. If a traffic issue arises during the construction of the Project, the Applicant shall develop with input from the County and VDOT appropriate measures to mitigate the issue.
21. Parking of vehicles or staging of equipment or materials related to the project shall be limited to the Project site or other land owned by the same landowner at the time of Board of Supervisor Approval.
22. All panels will use anti reflective coatings. Exterior surfaces of the collectors and related equipment shall have a nonreflective 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.
23. No aspect of the Solar Equipment shall exceed 20 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.
24. The Applicant will be held financially responsible for county-contracted inspectors during the construction phase of the project.
25. 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.
26. 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
27. 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.
28. In order to prevent sediment and erosion, manage run-off, and provide ecological benefit, the facility shall be planted with native pollinator-friendly native plants, shrubs, trees, grasses, and wildflowers. The project shall be seeded within three months of completion of construction.

Riverstone Solar, LLC

By:

Title:

Buckingham County Planning Commission

September 27, 2021

Administration Building

7:00 PM

Introduction of Case 21-SUP291

Owner/Applicant: Landowner John E Yoder
541 Allens Lake Road
Dillwyn, VA 23936

Applicant John E Yoder
541 Allens Lake Road
Dillwyn, VA 23936

Property Information: Tax Map 113, Parcel 10, containing approximately 9.48 acres, located at 541 Allens Lake Road Dillwyn, VA 23936, Curdsville Magisterial District.

Zoning District: Agricultural District (A-1)

Request: The Applicant wishes to Obtain a Special Use Permit for the Purpose of Operating a Sawmill. The Applicant is asking the Planning Commission to recommend a Public Hearing date to hear this request.

Background/Zoning Information: This property is located at 541 Allens Lake Road Dillwyn, VA 23936 in the Curdsville Magisterial District. The landowner and applicant is John E Yoder. This property is zoned Agriculture (A-1). The Zoning Ordinance does not permit a Commercial Sawmill as a Permitted by Right Use Agricultural A1 Zoning District. However, Within the A-1 Agricultural District, a Commercial Sawmill 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. This case came to the attention of the Zoning Administrator by way of a complaint. After investigation and meeting with the landowner, it was discovered that a sawmill was operating in violation of the Zoning Ordinance. The initial complaint was made in early July 2021, and the building was discovered, but no sound of a saw operating at that time. However, the sawmill was operating when another complaint was made late July 2021. After a discussion with Mr. Yoder, it was discovered he was purchasing logs timbered offsite and operating a commercial sawmill. At this time, Mr. Yoder was informed that he was not operating in compliance with the Zoning Ordinance, and was instructed to cease operations immediately. After further review of permit records, Mr. Yoder obtained a building permit, in June 2021 for the 40X60 building, for

the purposes of Farm Use as indicated on his Zoning/Building Permit Application. The sawmill was operating in this 40X60 building. Mr. Yoder does need to provide information to the Planning Commission and Board of Supervisors explaining the intent and nature of the request for the permit in June 2021.

Below are conditions that you may consider attaching to the request if 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. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.
5. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.
6. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
7. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.
8. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable
9. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.
10. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

What are the wishes of the Planning Commission?

Set a hearing, date and time?

October 25, 2021 7pm?

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

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

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

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

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

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

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

Fees: YES NO

Deed: ☒ YES NO

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

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

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

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

1. Vicinity Map – Please show scale: ☒ YES ☐ NO ☐ N/A
2. Owner and Project Name: ☒ YES ☐ NO ☐ N/A
3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: ☒ YES ☐ NO ☐ N/A
4. Property lines of existing and proposed zoning district lines: ☒ YES ☐ NO ☐ N/A
5. Area of land proposed for consideration, in square feet or acres: ☒ YES ☐ NO ☐ N/A
6. Scale and north point: ☒ YES ☐ NO ☐ N/A
7. Names of boundary roads or streets and widths of existing right-of-ways:
☒ YES ☐ NO ☐ N/A
8. Easements and encumbrances, if present on the property: YES ☒ NO ☐ N/A
9. Topography indicated by contour lines: YES ☒ NO ☐ N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of "no areas having slopes of 15% to 25% or greater"): YES ☒ NO ☐ N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of "not in floodplain"):
YES ☐ NO ☒ N/A
12. Delineation of existing mature tree lines or written indication of "no mature tree lines":
YES ☐ NO ☒ N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property: ☒ YES ☐ NO ☐ N/A
14. General locations of major access points to existing streets: ☒ YES ☐ NO ☐ N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: YES ☐ NO ☒ N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: YES ☒ NO ☐ N/A
17. Location of existing and proposed utilities, above or underground: ☒ YES ☐ NO ☐ N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails: ☒ YES ☐ NO ☐ N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: ☒ YES ☐ NO ☐ N/A
20. Location and design of screening and landscaping: YES ☐ NO ☒ N/A
21. Building architecture: ☒ YES ☐ NO ☒ N/A
22. Site lighting proposed: YES ☒ NO ☐ N/A
23. Area of land disturbance in square feet and acres: YES ☒ NO ☐ N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more):
YES ☒ NO ☐ N/A
25. Historical sites or gravesites on general site plan: YES ☒ NO ☐ N/A
26. Show impact of development of historical or gravesite areas: YES ☒ NO ☐ N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: ☒ YES ☐ NO ☐ N/A

APPLICATION FOR A SPECIAL USE PERMIT

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

DATE OF APPLICATION: _____

Special Use Permit Request: Operate a Sawmill

Purpose of Special Use Permit: is to operate a Sawmill

Zoning District: Curdsville Number of Acres: 9.48

Tax Map Section: 113-10 Parcel: _____ Lot: _____ Subdivision: _____ Magisterial Dist.: Curdsville

Street Address: 54 Allens Lake Rd Drums VA 23936

Directions from the County Administration Building to the Proposed Site: Go East to

Rt 15 N. Right on Thomas Rd. To left on Allens Lake Rd

Name of Applicant: John E Yoder

Mailing Address: 54 Allens Lake Rd Drums VA 23936

Daytime Phone: 434-505-4035 Cell Phone: _____

Email: _____ Fax: _____

Name of Property Owner: John E Yoder

Mailing Address: 54 Allens Lake Rd Drums VA 23936

Daytime Phone: 434-505-4035 Cell Phone: _____

Email: _____ Fax: _____

Signature of Owner: John E Yoder Date: 8-28-21

Signature of Applicant: John E Yoder Date: 8-28-21

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: J Alvin Thomas & Ann Family LLC

Mailing Address: 1112 Thomas Road Dillwyn

Physical Address: _____

Tax Map Section: 113-7 Parcel: _____ Lot: _____ Subdivision: _____

2. Name: Falvelia Michael J & Brooke Rush

Mailing Address: 617 Allens Lake Rd

Physical Address: ~~112-3-1~~

Tax Map Section: 113-8 Parcel: _____ Lot: _____ Subdivision: _____

3. Name: Demario Frederick D Jr.

Mailing Address: 2831 Old Tower Hill Rd Dillwyn

Physical Address: ~~112-3-2~~

Tax Map Section: 113-9
113-61 Parcel: _____ Lot: _____ Subdivision: _____

4. Name: Dunkum Ronald & Mary

Mailing Address: 682 Allens Lake Rd

Physical Address: _____

Tax Map Section: 113-12 Parcel: _____ Lot: _____ Subdivision: _____

6. Name: Dunkum W Eldon

Mailing Address: 895 Allens Lake Rd

Physical Address: _____

Tax Map Section: 113-13 Parcel: _____ Lot: _____ Subdivision: _____

7. Name: Dunkum Eldon

Mailing Address: 895 Allens Lake Rd

Physical Address: _____

Tax Map Section: 113-5 Parcel: _____ Lot: _____ Subdivision: _____

8. Name: Allen Kendon & Katherine

Mailing Address: 853 Twin Creek Rd (Buckingham)

Physical Address: _____

Tax Map Section: 112-78 Parcel: _____ Lot: _____ Subdivision: _____

9. Name: Wharm Curtis & Vonda

Mailing Address: 273 Allens Lake Rd Dillwith

Physical Address: _____

Tax Map Section: 112-80A Parcel: _____ Lot: _____ Subdivision: _____

10. Name: Corinas Benjamin & Alice

Mailing Address: 167 Allens Lake Rd

Physical Address: _____

Tax Map Section: 112-75
112-76 Parcel: _____ Lot: _____ Subdivision: _____

11. Name: _____

Mailing Address: _____

Physical Address: _____

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

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 30th day of Aug, year 2021
I John E Yoder hereby ^{Affirm} ~~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)

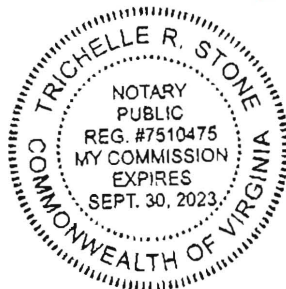
John E Yoder
(owner) contract purchaser / authorized agent – please circle one)

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Buckingham
STATE OF Virginia

Subscribed and sworn to me on the 30 day of August
of the year 2021 My Commission expires on 9/30/2023

Notary Public Signature: Trichelle R Stone
Stamp:



434-505-3439

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: John E Yoder

Location: 541 Aliens Lake Rd Dillwyn VA 23938

Proposed Use: Summ. II

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: C. D. Edwards

Printed Name: Charles D. Edwards Date: 9-27-21

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

Case Number / File Name: _____

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

House, barn, shed, & sawmill building.

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

I purchased this property from Michal Haines in 2019
for a residence for my family

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: John E Yoder Date: 8-20-21

Printed Name: John E Yoder Title: Owner

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

I (John Yoder) am requesting an SUP to operate a Sawmill on my property 541 Allens Lake Road, dillwyn VA 23936, Tax parcel 113-10 9.48 acres. My house which is on the same property is only for the use of my family, and will not be used for employes, unless we were to move to a different location and rent the house to someone who might be an employee. I currently have a 40 x 60 pavillion type building to use for this sawmill.

My goal is to have work at home for me and my family, however, I may still want to have additional employees, do custom sawing for the cummunity, People may bring in their logs to have cut for their lumber, or buy lumber from logs that I purchased, building lumber for the local contractors, Fence boards, or any custom orders or contracts, railroad ties, mat Timbers, pallet stock, or any and all type of lumber local or anywhere in the states. This also creates sawdust and firewood available to the public. Looking into the future, I may want to put in a seperate entrance to the sawmill for the safty and wellbeing of my family, or truck drivers beside tax parcel 113-9. The traffic this sawmill will cause will be log trucks, mostly semis, some straight jobs, Pickups With trailers, And flat beds hauling lumber away. The estimated amount of trucks ,on average (But not limited to) 3 trucks daily. I will also want to add 1 or 2 additions to the 40 x 60 building, and may also want to add 1 to 3 seperate buildings (dry kilns, storage or anything that goes with the sawmill industry) or to make pallets. A word about Fire and rescue, The buildings are all against or surrounded by truck accesible driveway, Fire extinguishers are in all buildings and on all the equipment, the sawmill building has a metal ceiling to reduce the risk of fire.

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.

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

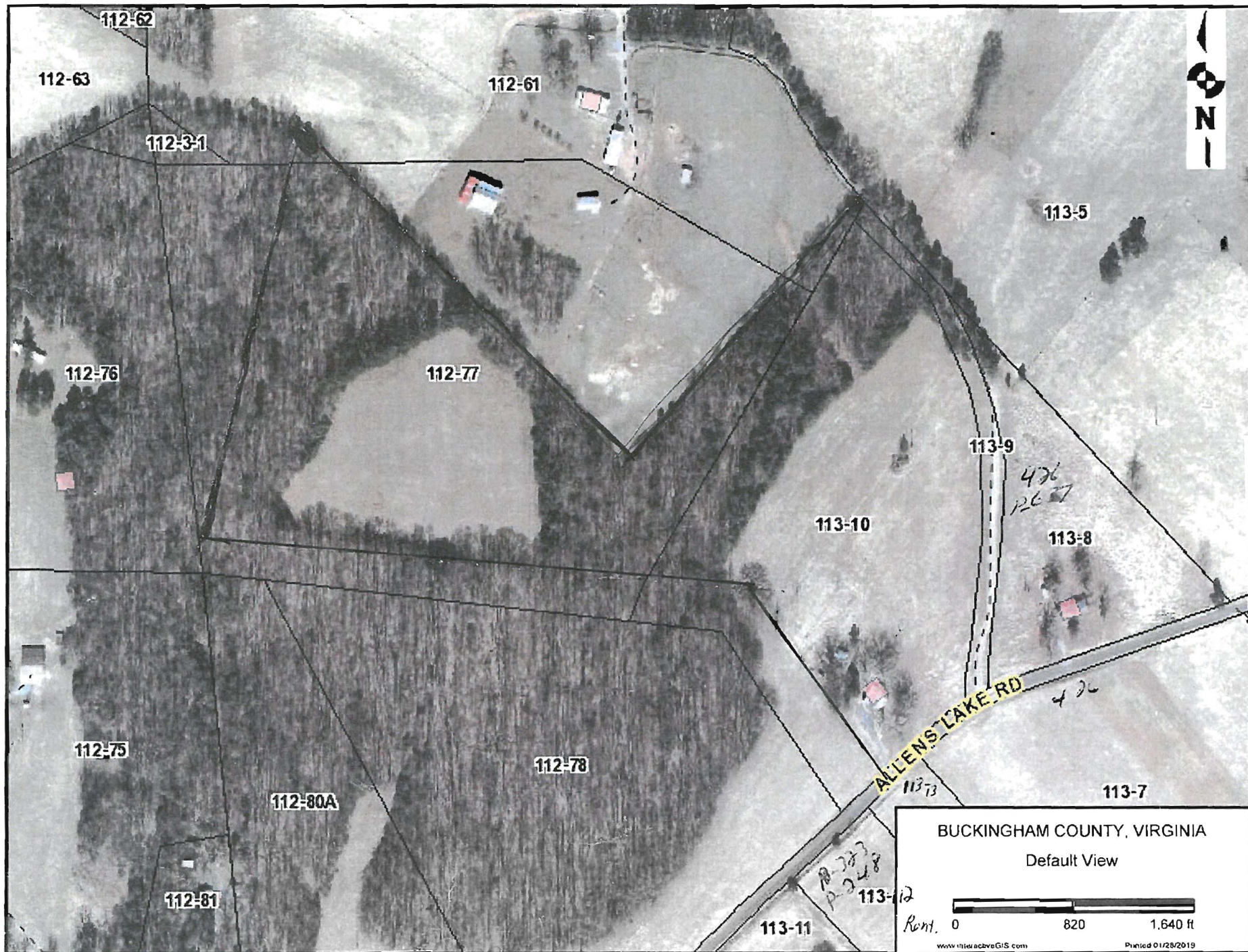
The applicant in any case which requires a public hearing shall post signs furnished by the agent on each parcel involved at least 21 days prior to the public hearing indicating that a public hearing is eminent, the date, a rezoning issue, and a County contact number. The signs shall be placed on the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

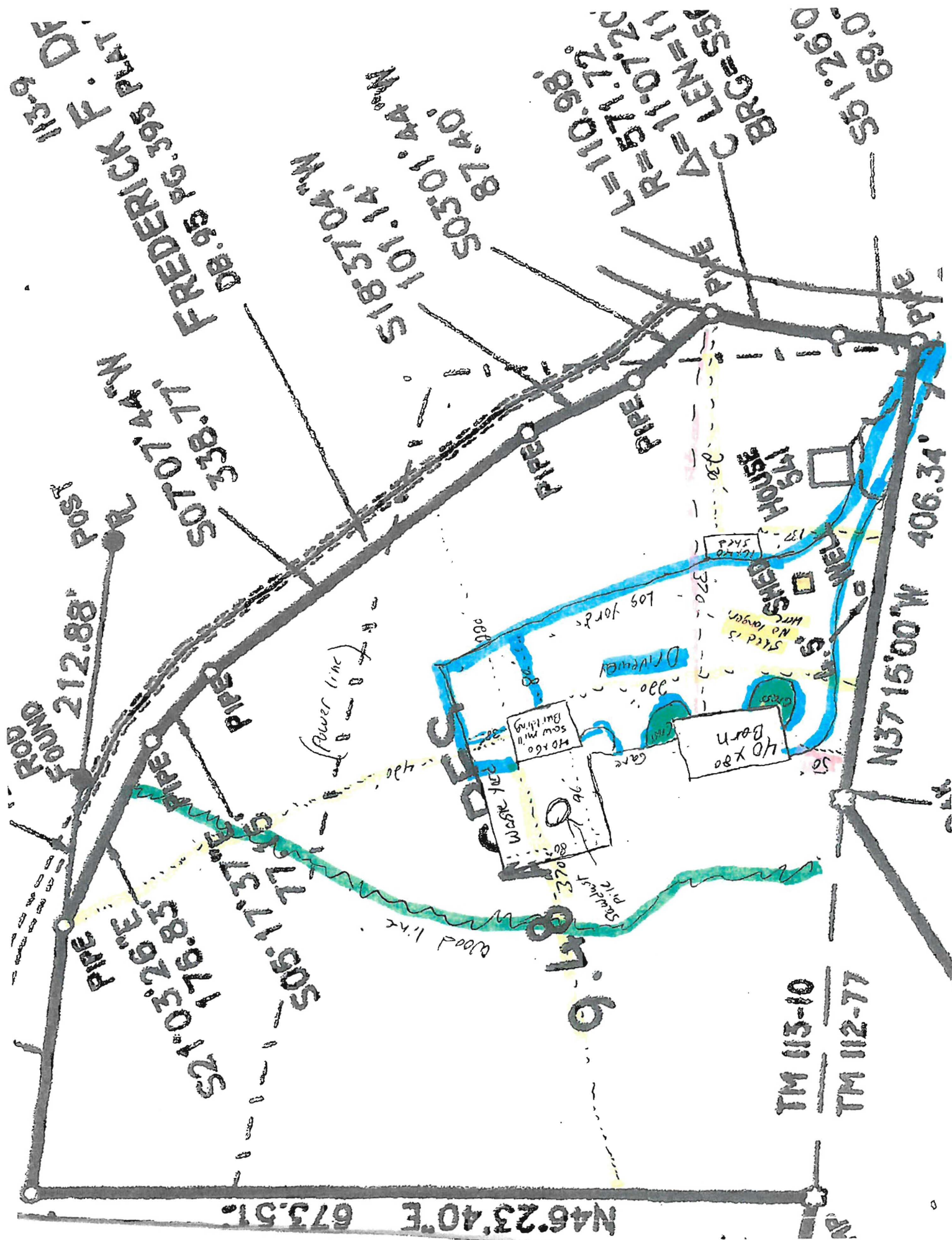
I have read, understand and agree to the above requirements.

Applicant/Owner: John E. Gaden

Date: 8-28-11



Book 432, 216



#19-840

BOOK 461 PAGE 11

THIS DEED, made this 17th day of June, 2019, by and between MICAH L. HAINES, party of the first part (grantor), and JOHN E. YODER and SYLVIA B. YODER, husband and wife, parties of the second part (grantees).

WITNESSETH: that for and in consideration of the sum of \$20.00 and other good and valuable consideration paid by the parties 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 parties of the second part, as tenants by the entireties with the right of survivorship as at common law, all the following described real estate, to-wit:

All those two certain tracts or parcels of land, with improvements thereon and appurtenances thereunto belonging, situated in Curdsville Magisterial District, Buckingham County, Virginia, containing in aggregate Twenty and forty-one/hundredths (20.41) acres, more or less, said lands fronting on Virginia Secondary Route# 732 (Allen lake Road) and being more particularly described as the aggregate of "TM112-77" of 10.93 acres and "TM113-10" of 9.48 acres by a plat of survey prepared by Gregory A. Watson, L.S., dated February 23, 2006 and revised June 7, 2019, which plat is attached hereto, made a part hereof, and recorded herewith, to which plat reference is hereby made for a more complete and accurate description of said lands. Said lands being the aggregate of "TRACTS 1 & 2" conveyed unto Micah L. Haines by deeds as follows: first, a deed from Terry M. Dunkum dated January 19, 2016 and recorded in the Clerk's Office of the Circuit Court of Buckingham County in Deed Book 429, at page 398 et seq; and second, a deed from Micah L. Haines et al dated November 15, 2016 and recorded in Deed Book 436, at page 769 et seq. TOGETHER WITH all the right, title and interest of the party of the first part in and to the use for the purposes of ingress and egress, of the private road running from said Rt.#732 in a general northwesterly direction

All those two certain tracts or parcels of land, with improvements thereon and appurtenances thereunto belonging, situated in Curdsville Magisterial District, Buckingham County, Virginia, containing in aggregate Twenty and forty-one/hundredths (20.41) acres, more or less, said lands fronting on Virginia Secondary Route# 732 (Allen lake Road) and being more particularly described as the aggregate of "TM112-77" of 10.93 acres and "TM113-10" of 9.48 acres by a plat of survey prepared by Gregory A. Watson, L.S., dated February 23, 2006 and revised June 7, 2019, which plat is attached hereto, made a part hereof, and recorded herewith, to which plat reference is hereby made for a more complete and accurate description of said lands. Said lands being the aggregate of "TRACTS 1 & 2" conveyed unto Micah L. Haines by deeds as follows: first, a deed from Terry M. Dunkum dated January 19, 2016 and recorded in the Clerk's Office of the Circuit Court of Buckingham County in Deed Book 429, at page 398 et seq; and second, a deed from Micah L. Haines et al dated November 15, 2016 and recorded in Deed Book 436, at page 769 et seq. TOGETHER WITH all the right, title and interest of the party of the first part in and to the use for the purposes of ingress and egress, of the private road running from said Rt.#732 in a general northwesterly direction to the private residence situated on the aforesaid 9.48 acre portion of the lands hereby conveyed, said private road being depicted on the aforesaid plat as "Drive" and said residence being depicted thereon as "House 541".

Prepared By:
J. ROBERT SNODDY, III
Attorney and Counselor at Law
P.O. BOX 325
DILLWYN, VIRGINIA 23936
VSB No 13494

Consideration: \$175,000.00

Assessed Value \$101,800.00

Return to:

J.R.SNODDY, III

TM#s 112-77 & 113-10

Title Ins.:

-1- FIDELITY NATIONAL TITE INS



BILL NUMBER	TAX RATE	LAND VALUE	BUILDING AND OTHER VALUES	DESCRIPTION	MAP NUMBER	ACREAGE	TAX DUE
13008	.520	32600	63200	RT 732 - 2 MI E OF ALPHA 9.48 AC	113 10	9.480	249.08
					TOTAL NOW DUE :		249.08
IT IS THE OBLIGATION OF THE TAXPAYER TO SEE THAT THE PROPER TAX BILL IS RECEIVED AND PAID ON TIME.							



COUNTY OF BUCKINGHAM
CHRISTY L. CHRISTIAN, TREASURER
P.O. BOX 106
BUCKINGHAM, VA 23921
Phone: (434) 969-4744

2021 REAL ESTATE 1ST INSTALLMENT

**THIS BILL IS
DUE JUNE 7, 2021**

IMPORTANT TAX INFORMATION

1. If Real Estate has been sold please forward this bill to the new owner or the Treasurer's office.
2. If your mortgage company is responsible for payment of real estate tax and you received this bill, please forward to your mortgage company.
3. The County Treasurer has no authority to make any assessments or adjustments. If you feel there is an assessment error, please address your inquiry to the Commissioner of the Revenue at (434) 969-4181.

*004544/2--S 16--B 1



YODER JOHN E & SYLVIA B YODER
541 ALLENS LAKE RD
DILLWYN VA 23936-2008

DUE DATE: 06/07/2021

CURDSVILLE

PENALTY - 10.00% AFTER 06/07/2021

INTEREST - 10.00% PER YEAR BEGINNING 07/01/2021

BILL NUMBER	TAX RATE	LAND VALUE	BUILDING AND OTHER VALUES	DESCRIPTION	MAP NUMBER	ACREAGE	TAX DUE
13066	.520	32600	63200	RT 732 - 2 MI E OF ALPHA 9.48 AC	113 10	9.480	249.08
			Annual Tax Amount	\$498.16	TOTAL NOW DUE :		249.08
IT IS THE OBLIGATION OF THE TAXPAYER TO SEE THAT THE PROPER TAX BILL IS RECEIVED AND PAID ON TIME.							

DETACH AND RETAIN THIS PORTION FOR YOUR RECORDS

DUE DATE: 06/07/2021

CURDSVILLE

PENALTY - 10.00% AFTER 06/07/2021

INTEREST - 10.00% PER YEAR BEGINNING 07/01/2021

BILL NUMBER	TAX RATE	LAND VALUE	BUILDING AND OTHER VALUES	DESCRIPTION	MAP NUMBER	ACREAGE	TAX DUE
13065	.520	14200		OFF RT 732 - 2 MI E OF ALPHA 10.93 AC	112 77	10.930	36.92
			Annual Tax Amount \$73.84		TOTAL NOW DUE : 36.92		

IT IS THE OBLIGATION OF THE TAXPAYER TO SEE THAT THE PROPER TAX BILL IS RECEIVED AND PAID ON TIME

This conveyance is made expressly subject to any and all easements, restrictions, conditions and reservations which are: contained in duly recorded deeds, plats, and/or other instruments constituting constructive notice in the chain of title to the property hereby conveyed which 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.

Micah L. Haines (SEAL)
MICAH L. HAINES

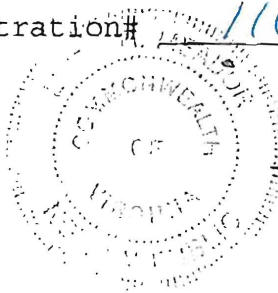
STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, to-wit:

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

Given under my hand this 25 day of June, 2019.

My commission expires 8-31-2022.

My registration# 110434.



Linda N. Meador
NOTARY PUBLIC

035 Rec Fee	1.00	VIRGINIA: CLERK'S OFFICE OF THE CIRCUIT COURT OF BUCKINGHAM COUNTY
St. R. Tax	437.50	
Co. R. Tax	145.00	
Transfer	1.00	
Clerk	14.50	
Lib.(145)	1.00	
	5.00	

The foregoing instrument with acknowledgement was admitted to record on June 25 20 19, at 3:55 P.M. in D.B. 461 Page(s) 710-712

CLERK

Witness the following signature and seal.

Micah L. Haines (SE)
MICAH L. HAINES

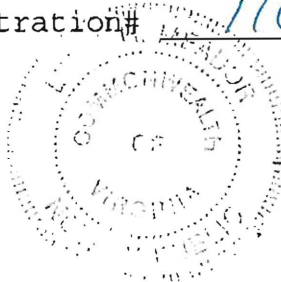
STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, to-wit:

I, Linda N. Meador, a notary public in
for the county aforesaid, State of Virginia, do hereby certify to
Micah L. Haines, whose name is signed to the writing above,
acknowledged the same before me in my county aforesaid.

Given under my hand this 25 day of June, 2019.

My commission expires 8-31-2022.

My registration# 110434.



Linda N. Meador
NOTARY PUBLIC

035 Rec Fee	1	00
St. R. Tax	437	50
Co. R. Tax	145	85
Transfer	1	00
Clerk	14	50
Lib.(145)	1	50
T.T.F.	5	00
Grantor Tax	175	00
036 Proc. Fee	20	00
Total \$		

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

The foregoing instrument with acknowledgement
was admitted to record on June 25 20 19,
at 3:55 P.M. in D.B. 461 Page(s) 710-712

Teste: JUSTIN D. MIDKIFF, CLERK

BY: Sarah W. Mitchell, DEPUTY CLERK

See next pg for plot

Grantee's Address:

3006 Irishtown Rd
Ronks, PA 17572

Prepared By:
J. ROBERT SNODDY, III
Attorney and Counselor at Law
P.O. BOX 325
DILLWYN, VIRGINIA 23936
VSB No. 13494



**OFFICIAL RECEIPT
COUNTY OF BUCKINGHAM CIRCUIT COURT
DEED RECEIPT**

DATE : 06/25/2019 TIME : 16:02:07 CASE # : 029CLR190000840
 RECEIPT # : 19000002706 TRANSACTION # : 19062500011
 CASHIER : DFJ REGISTER # : D729 FILING TYPE : DBS-PL PAYMENT : FULL PAYMENT
 INSTRUMENT : 190000840 BOOK : 461 PAGE : 710 RECORDED : 06/25/2019 AT : 15:55
 GRANTOR : HAINES, MICAH L EX : N LOC : CO
 GRANTEE : YODER, JOHN E; ET UX EX : N PCT : 100%
 RECEIVED OF : SNODDY, J ROBERT; III
 ADDRESS : 3066 IRSHTOWN ROAD RONKS, PA 17572
 DATE OF DEED : 06/17/2019
 CHECK : \$626.33 CHECK NUMBER : 1080 CHECK : \$175.00 CHECK NUMBER : 4263
 DESCRIPTION 1 : 20.41 AC CURDSVILLE PAGES : 003 OP : 0
 NAMES : 0
 CONSIDERATION : \$175,000.00 AVAL : \$101,800.00 MAP : 112-77; 113-10 PIN :

ACCOUNT CODE	DESCRIPTION	PAID
035	VOF FEE	\$1.00
036	DEED PROCESSING FEE	\$20.00
038	DEEDS OF CONVEYANCE	\$87.50
039	DEEDS AND CONTRACTS	\$437.50
106	(TTF) TECHNOLOGY TRUST FUND FEE (CIRCUIT COURT)	\$5.00

ACCOUNT CODE	DESCRIPTION	PAID
145	VSLF	\$1.50
212	TRANSFER FEES	\$1.00
213	COUNTY GRANTEE TAX	\$145.83
220	GRANTOR TAX	\$87.50
301	DEEDS	\$14.50

TENDERED : \$ 801.33
 AMOUNT PAID : \$ 801.33

Buckingham County Planning Commission

September 27, 2021

Administration Building

7:00 PM

Introduction of Case 21-ZTASUP292

Owner/Applicant: Landowner Historic Buckingham Inc.
P O Box 152
Buckingham, VA 23921

Applicant Historic Buckingham Inc.
Martha Louis, President
P O Box 152
Buckingham, VA 23921

Property Information: Tax Map 124, Parcel 90, containing approximately 40 acres, located at 84 Lee Wayside Road Buckingham VA, 23931, Maysville Magisterial District.

Zoning District: Village Center (VC-1)

Request: The Applicant wishes to Obtain a Special Use Permit for the Purpose of Holding Public Events at the Historic Village location to include, but not limited to; Indian Relic Show, Fall Farm Fest, Spooky Hollow Drive Thru, Village Christmas Market, Vino in the Village, Primitive Technology Day, and Mayfest. At this time, there is not a use provided for this request. The Zoning Administrator is asking the Planning Commission to add a Zoning Text Amendment to Add Community Service Organization Programs to a list of Special Uses in a Village Center (VC-1) Zoning District. By nature, the Public Events listed by the Applicant would be defined as Programs held by a Community Service Organization. The Applicant is asking the Planning Commission to recommend a Public Hearing date to hear this request.

Background/Zoning Information: This property is located at 84 Lee Wayside Road Buckingham, VA 23921 in the Maysville Magisterial District, Tax Map 124 Parcel 90 containing approximately 40 acres. The landowner and applicant is Historic Buckingham Inc. This property is zoned Village Center (VC-1). The Zoning Ordinance does not permit Public Events, as listed by the applicant, as a By Right Use or as permitted by Special Use in a Village Center (VC-1) Zoning District. In an effort to encompass Historic Buckingham Inc. and other similar type groups and activities related to Public Events, the request to Add Community Service Organization Programs as a Zoning Text Amendment to the List of Uses Permitted by Special Use Permit in a Village Center (VC-1) Zoning District is requested and Apply for a Special Use Permit for that purpose. Historic Buckingham Inc. has held many events over the past years, and only recently was it discovered that additional documentation was needed for the variety of community events held. This property was rezoned

from A1 to VC1 in 1999. Historic Buckingham Inc. has been gracious to work with the Zoning Administrator to ensure compliance for all public events held.

Below are conditions that you may consider attaching to the request if 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. That the applicant pursues a commercial solid waste container and follow the County Solid Waste Ordinance.
5. That all documentation submitted by the applicant in support of this special use permit request becomes a part of the conditions except that any such documentation that may be inconsistent with these enumerated conditions shall be superseded by these conditions.
6. Nothing in this approval shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
7. The County Zoning Administrator and one other County staff member, as appointed by the County Administrator, shall be allowed to enter the property, with proper notice, if a complaint is registered against the property for noncompliance with this permit. Any complaints not solely related to this permit will be given to the appropriate department or agency.
8. In the event that any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable
9. That any infraction of the above mentioned conditions could lead to a stop order and discontinuation of the special use permit, if it be the wishes of the Board of Supervisors.
10. That the applicant(s) and landowner(s) understands the conditions and agrees to the conditions.

What are the wishes of the Planning Commission?

Set a hearing, date and time?

October 25, 2021 7pm?

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

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

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

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

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

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

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

Fees: YES NO

Deed: ☒ YES NO

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

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

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

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

1. Vicinity Map – Please show scale: ☒ YES NO N/A
2. Owner and Project Name: ☒ YES NO N/A
3. Parcel Identification numbers, name, present zoning, and zoning and use of all abutting or adjoining parcels: ☒ YES NO N/A
4. Property lines of existing and proposed zoning district lines: ☒ YES NO N/A
5. Area of land proposed for consideration, in square feet or acres: ☒ YES NO N/A
6. Scale and north point: ☒ YES NO N/A
7. Names of boundary roads or streets and widths of existing right-of-ways :
☒ YES NO N/A
8. Easements and encumbrances, if present on the property: ☒ YES NO N/A
9. Topography indicated by contour lines: ☒ YES NO N/A
10. Areas having slopes of 15% to 25% and areas having slopes of 25% or greater clearly indicated by separate shading devices (or written indication of "no areas having slopes of 15% to 25% or greater"): YES NO ☒ N/A
11. Water Courses to include the approximate location of the 100 year floodplain (if applicable) based on FEMA maps (or written indication of "not in floodplain"):
YES NO ☒ N/A
12. Delineation of existing mature tree lines or written indication of "no mature tree lines":
☒ YES NO N/A
13. Proposed roads with right-of-way width that will connect with or pass through the subject property:
YES NO ☒ N/A
14. General locations of major access points to existing streets: ☒ YES NO N/A
15. List of the proposed density for each dwelling unit type, and/or intensity of each non-residential use: YES NO ☒ N/A
16. Location of any open space and buffer areas, woodland conservation areas, storm water management facilities, and community and public facilities: YES NO ☒ N/A
17. Location of existing and proposed utilities, above or underground: ☒ YES NO N/A
18. Vehicular and pedestrian circulation plan, including traffic counts and typical street sections, right-of-way improvements, access points, travel ways, parking, loading, stacking, sidewalks, and trails:
YES NO ☒ N/A
19. Layouts and orientation of buildings and improvements, building use, height, setbacks from property lines and restriction lines: YES NO ☒ N/A
20. Location and design of screening and landscaping: YES NO ☒ N/A
21. Building architecture: YES NO ☒ N/A
22. Site lighting proposed: YES NO ☒ N/A
23. Area of land disturbance in square feet and acres: YES NO ☒ N/A
24. Erosion and Sediment Control Plan submitted (10,000 square feet or more):
YES NO ☒ N/A
25. Historical sites or gravesites on general site plan: ☒ YES NO N/A
26. Show impact of development of historical or gravesite areas: YES NO ☒ N/A
27. A copy of the current status of all real estate taxes of all property owned in Buckingham County. If real estate taxes are not current, an explanation in writing and signed by the owner shall accompany this application. Any liens or other judgments against property shall also be explained in writing and signed by the owner: ☒ YES NO N/A

APPLICATION FOR A SPECIAL USE PERMIT

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

DATE OF APPLICATION: Sept. 8, 2021

Special Use Permit Request: Historic Buckingham, Inc. is requesting to hold public events at their Historic Village at Lee Wayside, located Route 690, 84 Lee Wayside Road.

Purpose of Special Use Permit: Approval for Historic Buckingham Inc to hold public events at their Historic Village to include but not limited to: Indian Relic Show, Fall Farm Fest, Spooky Hollow Drive Thru, Village Christmas Market, Vino in the Village, Primitive Technology Day, and Mayfest.

Zoning District: VC-1 Number of Acres: 40

Tax Map Section: 124 Parcel: 90 Lot: _____ Subdivision: Magisterial Dist.: Maysville

Street Address: 84 Lee Wayside Road, Buckingham, VA 23921

Directions from the County Administration Building to the Proposed Site: Proceed on Rt 60 east 1.4 miles, turn right onto Lee Wayside Road. Historic Village is located immediately on the right and the additional portion of the site is on the left side of Lee Wayside Road adjacent to Lee Wayside Park.

Name of Applicant: Historic Buckingham Incorporated

Mailing Address:
P. O. Box 152 Buckingham, VA 23921

Daytime Phone: _____ Cell Phone: 434-547-2296

Email: marthalouis60@gmail.com Fax: _____

Name of Property Owner: Historic Buckingham Incorporated

Mailing Address:
P. O. Box 152 Buckingham, VA 23921

Daytime Phone: _____ Cell Phone: 434-547-2296

Email: marthalouis60@gmail.com Fax: _____

Signature of Owner: HISTORIC Buckingham Inc. by Martha P. Louis HBI President Date: 9-3-2021

Signature of Applicant: (same) Date: 9-3-2021
Martha P. Louis, President

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: Mary Louise Webb Stout

Mailing Address: 318 S Boundary St Williamsburg, VA 23185

Physical Address: _____

Tax Map Section: 123 Parcel: 95 Lot: _____ Subdivision: _____

2. Name: Michelle M. Cabiness

Mailing Address: P. O. Box 229 Buckingham, VA 23921

Physical Address: _____

Tax Map Section: 124 Parcel: 95 Lot: _____ Subdivision: _____

3. Name: Dennis W. Duty

Mailing Address: 305 Lee Wayside Rd Buckingham, VA 23921

Physical Address: _____

Tax Map Section: 124 Parcel: 92 & 81 Lot: _____ Subdivision: _____

4. Name: Shawn N. McLain & Diane G McLain

Mailing Address: 392 Quarter Ln Buckingham VA 23921

Physical Address: _____

Tax Map Section: 124 Parcel: 91 Lot: _____ Subdivision: _____

6. Name: Norma B Gregory

Mailing Address: 14728 W James Anderson Hwy Buckingham, VA 23921

Physical Address: _____

Tax Map Section: 123 Parcel: 64 Lot: _____ Subdivision: _____

7. Name: F. Acie Allen, Jr & Robyn B. Allen

Mailing Address: P. O. Box 502 Dillwyn, VA 23936

Physical Address: _____

Tax Map Section: 124 Parcel: 87 & 88 Lot: _____ Subdivision: _____

8. Name: James E & Brenda B Carter

Mailing Address: 14783 W James Anderson Hwy Buckingham, VA 23921

Physical Address: _____

Tax Map Section: 124 Parcel: 85 Lot: _____ Subdivision: _____

9. Name: James Lyle Blanks

Mailing Address: P. O. Box 203 Dillwyn, VA 23936

Physical Address: _____

Tax Map Section: 124 Parcel: 83 Lot: _____ Subdivision: _____

10. Name: H. Spencer Adams

Mailing Address: 15103 W James Anderson Hwy Buckingham, VA 23921

Physical Address: _____

Tax Map Section: 124 Parcel: 79 & 80 Lot: _____ Subdivision: _____

11. Name: _____

Mailing Address: _____

Physical Address: _____

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

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 3rd day of September, year 2021

I Historic Buckingham, Inc. 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)

Historic Buckingham, Inc.
by Martha P. Lewis, President

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

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Buckingham

STATE OF Virginia

Subscribed and sworn to me on the 3rd day of September

of the year 2021. My Commission expires on 8/31/22

Notary Public Signature: J. Robert Snoddy

Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA

COUNTY OF BUCKINGHAM, VIRGINIA

On this 3rd day of September, of the year 2021

I Martha P. Louis, President, Historic Buckingham Inc. (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)

HISTORIC BUCKINGHAM INC.
Martha P. Louis, President

NOTARY PUBLIC

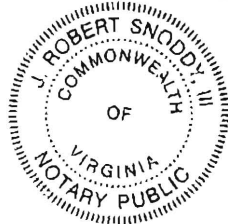
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 3rd day of September

of the year 2021. My commission expires 8/31/22

Notary Public Signature: J. Robert Snoddy III

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):

The village includes nine historic structures: country store, one-room schoolhouse, post office,
slate company office, blacksmith shop, tobacco barn, slate roofed privy, smokehouse, and
corncrib. There is also an outdoor stage/amphitheater, pavilion, Morgan Museum, restroom
facilities, cemetery, and walking trail.

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

Land transferred from United Daughters of the Confederacy trustees to Historic Buckingham
Incorporated. Deed signed December 5, 1983. Recorded 12/8/1983 Deed Book 130, p 365-367

Land transferred from Commonwealth of Virginia to Historic Buckingham Incorporated. Deed
signed July 24, 1992. Recorded 8/20/1992 Deed Book 179, pages 402-403

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

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

The Word-Shepherd family cemetery is located in the middle of the village park area with
tombstones dating to the mid-1800s. Cemetery has been maintained in good condition since
Historic Buckingham Inc acquired the property.

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

If yes, please explain any impact:

Owner/Applicant Signature: HISTORIC Buckingham, Inc.
by Martha P. Lewis, President Date: 9-3-2021

Printed Name: Martha P. Lewis Title: President

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: Historic Buckingham Incorporated

Location: 84 Lee Wayside Road Buckingham, VA 23921

Proposed Use: Community events at the Historic Village

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: _____

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

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
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3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
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12. Schools
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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

WRITTEN NARRATIVE

Historic Buckingham Incorporated is requesting approval to hold multiple public family orientated events at their Historic Village which is considered a living history park. Historic Buckingham Inc. is a 501c3 organization that strives to serve the citizens of Buckingham County as well as visitors to the area. The village is set in a natural environment on 40 acres, striving to preserve the historic and cultural nature of Buckingham and provide its citizens with a safe location to enjoy this history. The historic buildings were moved to the village over a period of 10 years and are set up with museum type displays to emphasize the historic value of these structures within Buckingham County. The Village is identified as a "Local Historical Site" in the County's Comprehensive Plan. The village is open on weekends and is staffed by volunteers to lead visitors on tours.

One of the Village buildings is Union Grove School, a one-room schoolhouse, built in 1925 for African American students. The school closed in 1964. Informational signage about the school is available at the site. This is one of only two structures in the county listed on the Civil Rights in Education Heritage Trail for southside Virginia. This is also included in the County's Comprehensive Plan.

While there is no formal library within the Village, each building provides a glimpse into Buckingham's history and culture. Many school and community groups tour the Village as well as local citizens and tourists, enjoying the facilities and the hiking trail. The village is a contributor to the cultural and economic development within the county.

The events held within the Village are scheduled throughout the calendar year, many promoting seasonal awareness/significance. Many businesses and organizations are supportive of the events, contributing monetarily or through participation. The Village has restroom facilities, water, designated parking areas, marked entrances and exits as well as regular clean-up and trash disposal after each event. Parking is directed during larger participation events. Village is conveniently located for fire, rescue, and law enforcement if needed. The only event allowing alcohol is Vino in the Village. A description of each public event proposed follows:

Primitive Technology Day – Activities include longbow shooting, atlatl demo, flint knapping, flintlock rifle demo, tomahawk, trapping and blacksmithing. Considered an educational event with no admission. There are typically 70 participants during the 4-hour event held in April. Event advertised by Village signage on Rt. 60.

Indian Relic Show – Held second Saturday in October. Activities include Indian relics displayed by collectors from across Virginia and from out of state. Considered an educational event, there is no admission. There are typically 125 participants over the 4-hour event. Event advertised by Village signage on Rt. 60.

Fall Farm Fest – Family orientated event including farm related displays, informational booths, kids' activities, vendors, panning for gold, farm animals, antique tractors, food, water, and music. The 4-hour event is held the first Saturday in October with no admission. Typically attended by 125 participants. Event advertised by Village signage on Rt. 60.

Spooky Hollow Drive Thru – Held October 30th, 7-9 p.m. Vehicles drive thru the Halloween theme decorated Village with costumed volunteers along the route. Admission is \$10 per vehicle collected at the entrance. Traffic control is assisted by the County sheriff's staff and the State Police. Approximately

150 vehicles attend. This is a major fund raiser for the Village. Event advertised by Village signage on Rt. 60.

Village Christmas Mart – Held first Saturday in December. Village and buildings are decorated with Christmas theme. The 5-hour event include vendors in a festive atmosphere. Attendance is typically 100 participants with no admission charged. Event advertised by Village signage on Rt. 60.

Vino in the Village – Held in mid-September. Admission is \$15 for wine tasters and \$10 for non-tasters, children free. At least three vineyards participate. Additional activities include fine art displays, food, and music. Considered a family event with the Friends of the Library sponsoring children's activities. Approximately 100 participants during the 4-hour event. Fund raiser for the Village. Event advertised by Village signage on Rt. 60.

Mayfest – Family orientated event held first or second Saturday in May. Includes exhibits by community organizations, kids' games, food, antique vehicles, blacksmithing demo, panning for gold, vendors, and the Miss Buckingham court. Dogs allowed only on leash. No admission fee. Typically attended by 125 participants. Event advertised by Village signage on Rt. 60.

As noted, only two events charge admission. The funds raised from these events and from donations comprise the operating funds for the Village. Historic Buckingham Inc. is dependent on these funds. Historic Buckingham Inc. attempts in every way to serve Buckingham as an asset to the County and surrounding areas by maintaining public access to open spaces, providing educational and cultural opportunities, and enriching the sense of community.

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: HISTORIC BUCKINGHAM, INC.
by Martha P. Lewis, President

Date: 9-3-2021

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 POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

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

I _____ the owner of _____
(printed name of landowner) (Tax Map Number)

Hereby make, constitute, and appoint _____
(printed name)

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

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

NOTARY PUBLIC

County of _____ State of _____

Subscribed and sworn before me on the _____ day of _____

in the year _____. My commission expires _____.

Signature of Notary Public: _____

Stamp:

TAX RECEIPT

Ticket #100040000001

BUCKINGHAM COUNTY
CHRISTY L CHRISTIAN
(434) 967-4744
POST OFFICE BOX 106
BUCKINGHAM VA 22921

Date : 2/16/2021
Registered: 181/1801
Trans. #: 21000
Dept #: 00000000
Acct# : 00

MISCELLANEOUS BILLING SYSTEM
SERVICE CHARGE

Previous
Balance \$ 00.00

Principal Being Paid \$ 635.48

Penalty \$ 0.00

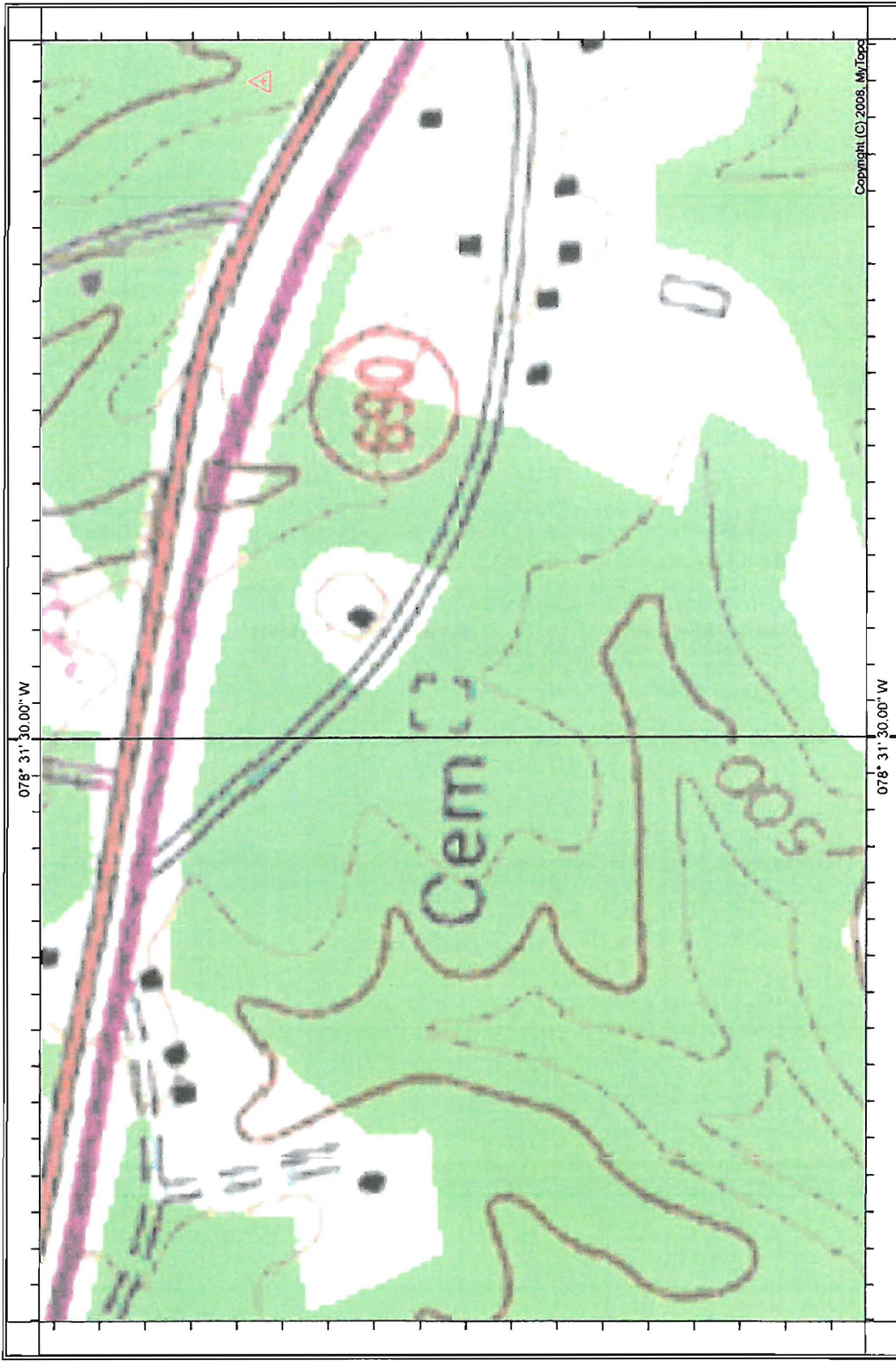
Interest \$ 0.00

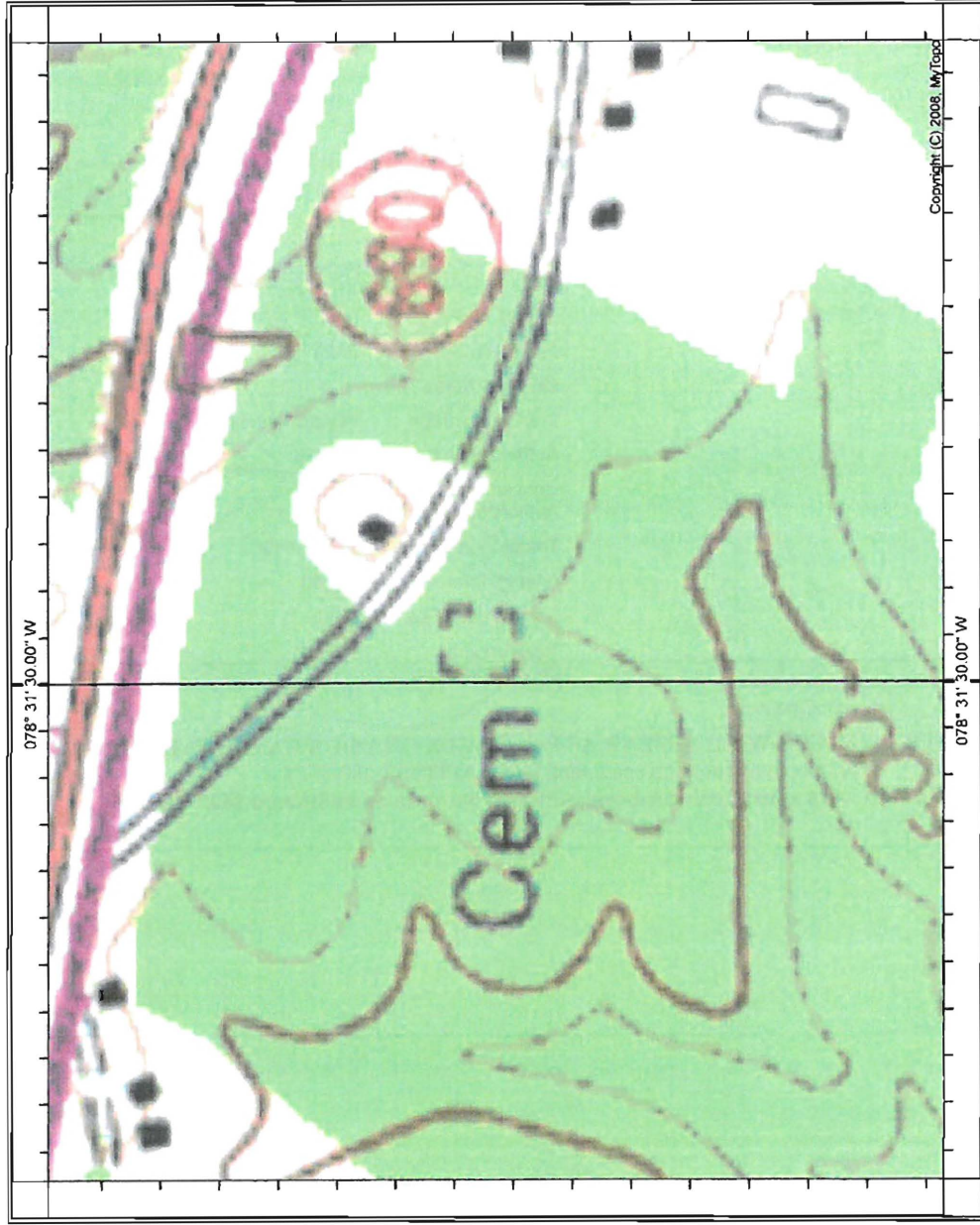
HISTORIC BUCKINGHAM INC
P.O. BOX 152
BUCKINGHAM VA 22921

Amount Paid \$ 635.48

*Balance Due \$ 0.00

Paid by HISTORIC BUCKINGHAM INC (check 635.48 # BB&I 1476
BALANCE DUE INCLUDES PENALTY/INTEREST THRU THE MONTH 2/2021





Expiration Date	0323
Operator Name	
Transaction Time	9/8/2021 10:14:24 AM
Authorization Code	052426
Convenience Fee	
Authorization Code	052343
Transaction ID	1949210156
Agency Total	200.00
Convenience Fee	\$5.00
Total Amount	205.00
Charged to Card	

____Customer Signature

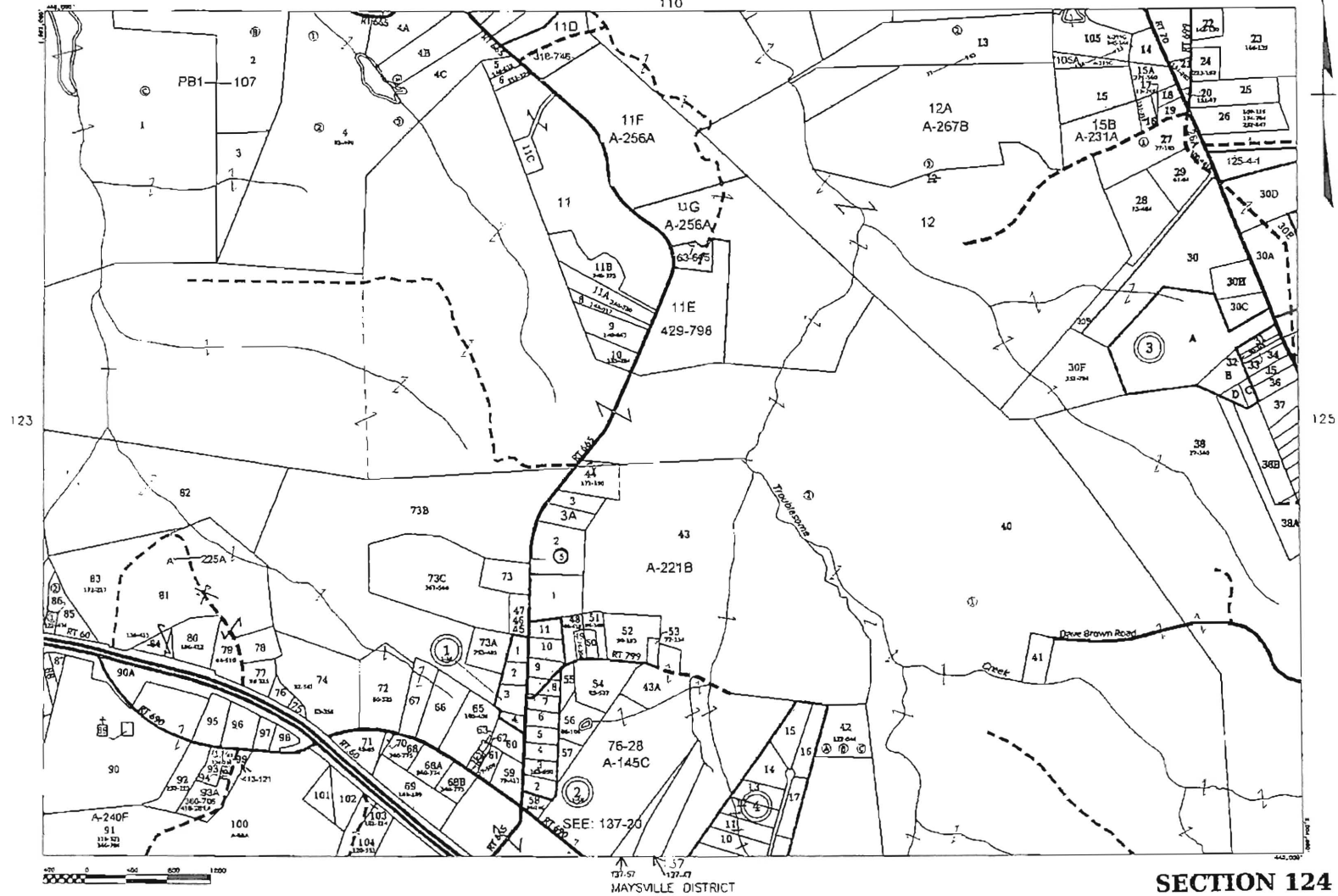
ONE OR BOTH CHARGES WILL APPEAR AS PAYGOV.US ON YOUR CARD STATEMENT.

For questions about this payment, please call (866) 480-8552.

Disputing a charge with your credit card company may result in an additional \$40.00 charge.

BUCKINGHAM COUNTY

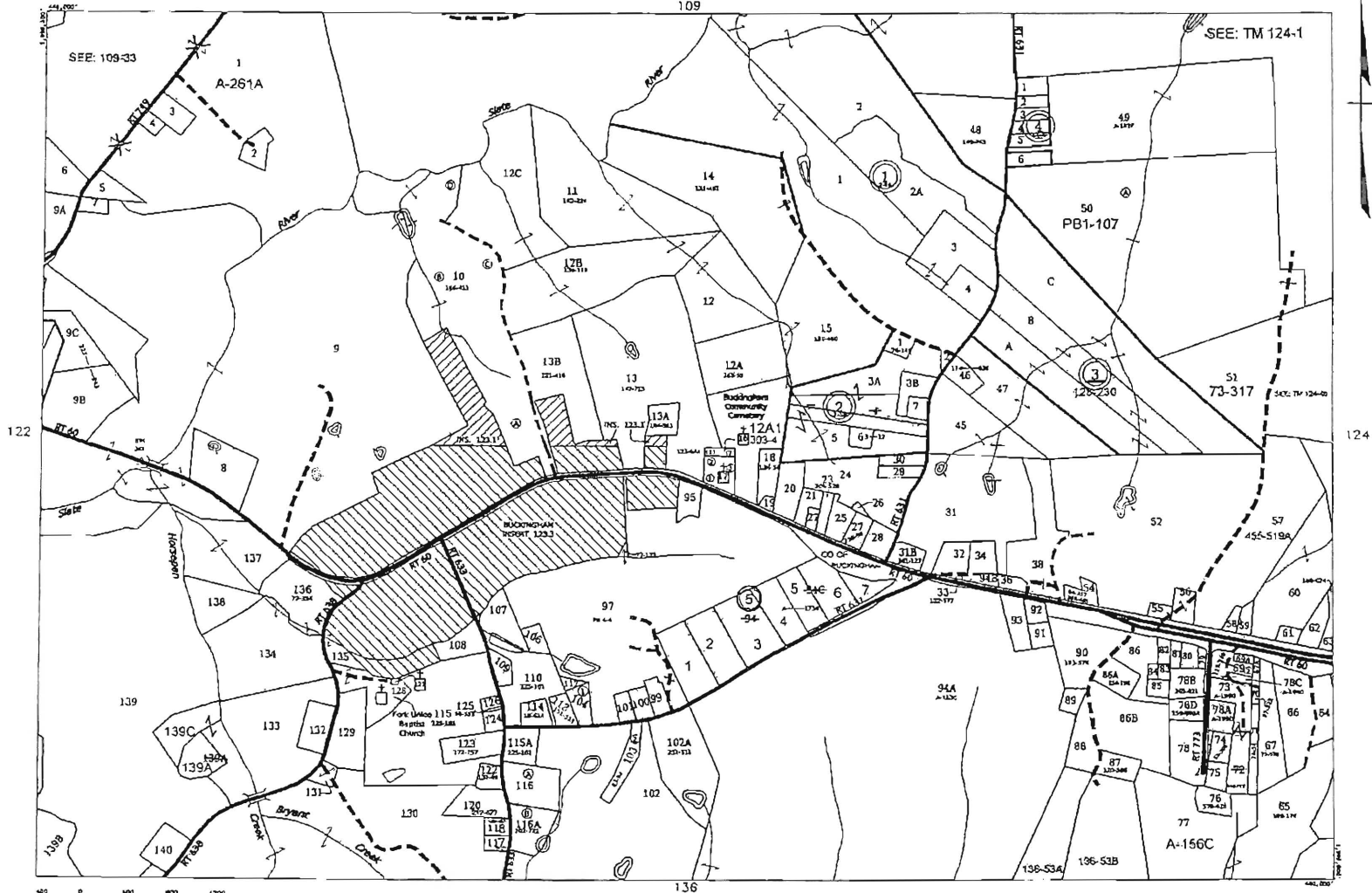
110



SECTION 124

BUCKINGHAM COUNTY

109



MAYSVILLE DISTRICT

SECTION 123

DEED

1108
THIS DEED, made this 21st day of November, 1983,
by and between GRACE M. RAINEY, LORNA S. SCOTT, MARY L. GLOVER
and CHARLENE D. SNODDY, Trustees, of the Buckingham County Chap-
ter #1889, United Daughters of the Confederacy, parties of the
first part, and HISTORIC BUCKINGHAM, INCORPORATED, party of the
second part.

WHEREAS, by decree of the Circuit Court of Buckingham
County, Virginia, entered and recorded in the Clerk's Office of
said Court prior to the execution hereof in Chancery Order Book
19, at page 178 et seq. the hereinabove named Trustees of Buck-
ingham County Chapter #1889, United Daughters of the Confederacy,
were empowered to convey the hereinafter described lands unto
the party of the second part; and,

WHEREAS, it is now the desire of the parties of the
first part to convey the hereinafter described real estate as
aforesaid to the party of the second part.

NOW, THEREFORE, WITNESSETH: that for and in con-
sideration of the premises, the parties of the first part do
hereby grant and convey, with Special Warranty of Title, and
subject to the reservations hereinafter set forth, unto the
party of the second part all the following described real
estate, to-wit:

PARCEL A: All that certain tract or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Maysville District of Buckingham County, Virginia, containing Five and eight-tenths (5.8) acres, more or less, hereby conveyed in gross by the boundary and not by the acre, being bounded on the south by the northern margin of U. S. Route #60, on the east by lands of Adams, and on the north and northwest by lands of Duty; said lands being more particularly described by a drawing thereof which is recorded in the Clerk's Office of the Circuit Court of Buckingham County in Highway Plat Book 3, at pages 233 and 234. Said lands being in all respects the same conveyed unto United Daughters of the Confederacy, Buckingham Chapter #1889, from the Commonwealth of Virginia by deed dated June 30, 1977 and recorded in the aforesaid Clerk's Office in Deed Book 106, at page 56 et seq.

PARCEL B: All that certain tract or parcel of land, with improvements thereon and appurtenances thereunto belonging, situated in Maysville District of Buckingham County, Virginia, containing Thirty-Three and four hundred nineteen/thousandths (33.419) acres, more or less, hereby conveyed in gross by the boundary and not by the acre, said lands lying on both sides of and abutting the centerline of Virginia Secondary Route #690, said lands being bounded on the north by the lands of the Commonwealth of Virginia (Robert E. Lee Wayside), on the east by the lands of Dunevant, on the southeast by the lands of Rice, on the south by the lands of Vannoy, and on the west by the lands of Steger. Said lands being the residue of the lands conveyed unto Buckingham County Chapter No. 1889 of the United Daughters of the Confederacy, Incorporated from Mollie B. Peile et al by deed dated August 2, 1932 and recorded in the aforesaid Clerk's Office in Deed Book 35, at page 166 et seq.

This conveyance is made expressly subject to the following reservations, to-wit: first, said Buckingham County Chapter #1889, United Daughters of the Confederacy hereby reserves in its own favor the right to use the building located on said real estate, known as the "Rose Cottage" as its meeting place for so long as said Buckingham County Chapter #1889 continues to exist; and second, said Buckingham County Chapter #1889 further reserves in its own favor the right to maintain, in their present location and condition, the "Rose Cottage" museum room and its contents.

BK 130 367

This conveyance is further made subject to any and all existing conditions, restrictions, easements and/or rights of way which are a matter of public record or which are apparent on the ground.

WITNESS the following signatures and seals.

Grace M. Rainey (SEAL)
GRACE M. RAINEY, Trustee

Lorna S. Scott (SEAL)
LORNA S. SCOTT, Trustee

Mary L. Glover (SEAL)
MARY L. GLOVER, Trustee

Charlene D. Snoddy (SEAL)
CHARLENE D. SNODDY, Trustee

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 GRACE M. RAINEY, LORNA S. SCOTT, MARY L. GLOVER and CHARLENE D. SNODDY, whose names are signed as Trustees of the Buckingham County Chapter #1889, United Daughters of the Confederacy, have acknowledged the same before me in my county aforesaid.

Given under my hand this 5th day of December, 1983.

My commission expires 3-6-86.

Linda H. Meador
NOTARY PUBLIC

JOHN H. WOODS, JR.
Register and Commissioner of Land
Office of the Clerk of the Circuit Court
Buckingham County, Virginia

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

St. R. Tax	
Co. R. Tax	
Transfer	1.00
Clerk	10.00
Grantor Tax	
Total \$	11.00

The foregoing instrument with acknowledgments was admitted to record on 12-8-1983 at 9:30 A.M. in D.B. 130, Page(s) 365-367.
Recording cost paid as shown.
Teste: MALCOLM BOOKER JR., CLERK

BY: Ann B. Cyrus, DEPUTY CLERK

#1480 THIS DEED, Made this 24th day of July, 1992, by and between the COMMONWEALTH OF VIRGINIA, acting by and through the Commonwealth Transportation Commissioner, Grantor, and HISTORIC BUCKINGHAM, INC., Grantee;

WITNESSETH: THAT WHEREAS, the hereinafter described property was acquired in conjunction with the State Highway System, and

WHEREAS, said property has been deemed no longer necessary for this purpose, and

WHEREAS, accordingly, this conveyance was authorized in accordance with the provisions of Section 33.1-149 of the Code of Virginia (1950), as amended, at a meeting of the Commonwealth Transportation Board held on December 19, 1991, by a resolution duly adopted and recorded in the minutes of the said meeting.

NOW, THEREFORE, for and in consideration of the sum of ONE DOLLAR (\$1.00) and other good and valuable consideration, receipt of which is hereby acknowledged, and the affidavit of the Grantee that it is the owner of the adjacent property and that the adjacent property is free from liens and/or deeds of trust, the Grantor does hereby grant and convey without warranty unto the Grantee the hereinafter described lot or parcel of land, all of which lies in Haysville Magisterial District, Buckingham County, Virginia;

Being as shown on Sheets 4 and 5 of the plans for Route 60, State Highway Project 0060-014-101, RV-201, and lying south of and adjacent to the south proposed right of way line of Route 60, from the lands now or formerly belonging to Jordan M. Taylor at a point approximately 58 feet right of approximate Station 84+16 (EBL centerline) to the west right of way line of Route 60 at a point approximately 400 feet right of approximate Station 91+43 (EBL centerline), containing 2.62 acres, more or less, land and being a portion of the lands acquired from the United Daughters of the Confederacy-Buckingham County Chapter No. 1889 by deed dated May 4, 1942, recorded in Deed Book 41, Page 480 and from James D. Dunnavant by deed dated September 1, 1944, recorded in Deed Book 43, Page 215. These deeds are recorded in the Office of the Clerk of the Circuit Court of Buckingham County.

BOOK 179 PAGE 403

For a more particular description of the land herein conveyed, reference is made to the photocopies of said Sheets 4 and 5, showing outlined in RED the said land, which photocopies are hereto attached as a part of this conveyance and are to be recorded simultaneously herewith in the State Highway Plat Book. *Bk #5 Pg 3+4*

It is understood and agreed by and between the parties hereto, that this conveyance is subject to any right, privilege, or easement encumbering the herein described land, whether located above, upon, or under the surface, either presently in use or of record.

IN WITNESS WHEREOF, the Commonwealth of Virginia, acting by and through Ray D. Pethtel, Commonwealth Transportation Commissioner, has caused this deed to be executed in her name as of the day, month, and year first above written.

COMMONWEALTH OF VIRGINIA

BY *Ray D. Pethtel* (SEAL)
Commonwealth Transportation Commissioner

COMMONWEALTH OF VIRGINIA

City of Richmond, To-Wit:

I, *John E. Donley*, a Notary Public in and for the State of Virginia at Large, do certify that Ray D. Pethtel, Commonwealth Transportation Commissioner, whose name is signed to the foregoing writing bearing date on the 24th day of July, 1992, has acknowledged the same before me.

My commission expires *April 30, 1996*

Given under my hand this *27th* day of *July*, 1992.

John E. Donley
Notary Public

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

Sl. R. Tax	_____	The foregoing instrument with acknowledgment was admitted to record on <u><i>8/20</i></u> , 1992, at <u><i>10:30 AM</i></u> in D.B. <u><i>179</i></u> Page(s) <u><i>403-403</i></u> Teste: <u><i>MALCOLM BOOKER, JR.</i></u> , CLERK BY: <u><i>Ann Blythe</i></u> , DEPUTY CLERK
Co. R. Tax	_____	
Transfer	<u><i>1.00</i></u>	
Clerk	<u><i>13.00</i></u>	
Lib. (145)	<u><i>7.00</i></u>	
Grantor Tax	_____	
Total \$	<u><i>15.00</i></u>	

Line Data:		
LINE	DIRECTION	DISTANCE
L1	S55°18'00"E	165.44'
L2	N05°47'01"E	10.72'
L3	N19°33'45"E	149.25'
L4	S20°22'00"W	150.00'
L5	S69°38'00"E	168.66'
L6	S32°57'21"E	184.16'
L7	S37°34'31"E	150.72'
L8	N34°13'13"E	42.17'

Curve Data:					
CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	846.74'	207.72'	207.20'	N62°19'40"W	14°03'21"
C2	2354.62'	186.14'	186.09'	N53°02'07"W	04°31'46"
C3	722.22'	107.02'	106.92'	N46°31'32"W	08°29'23"
C4	2663.79'	284.72'	284.58'	N66°34'17"E	05°07'27"
C5	846.74'	18.15'	18.15'	N69°58'12"W	01°13'42"

Mag. North
1990

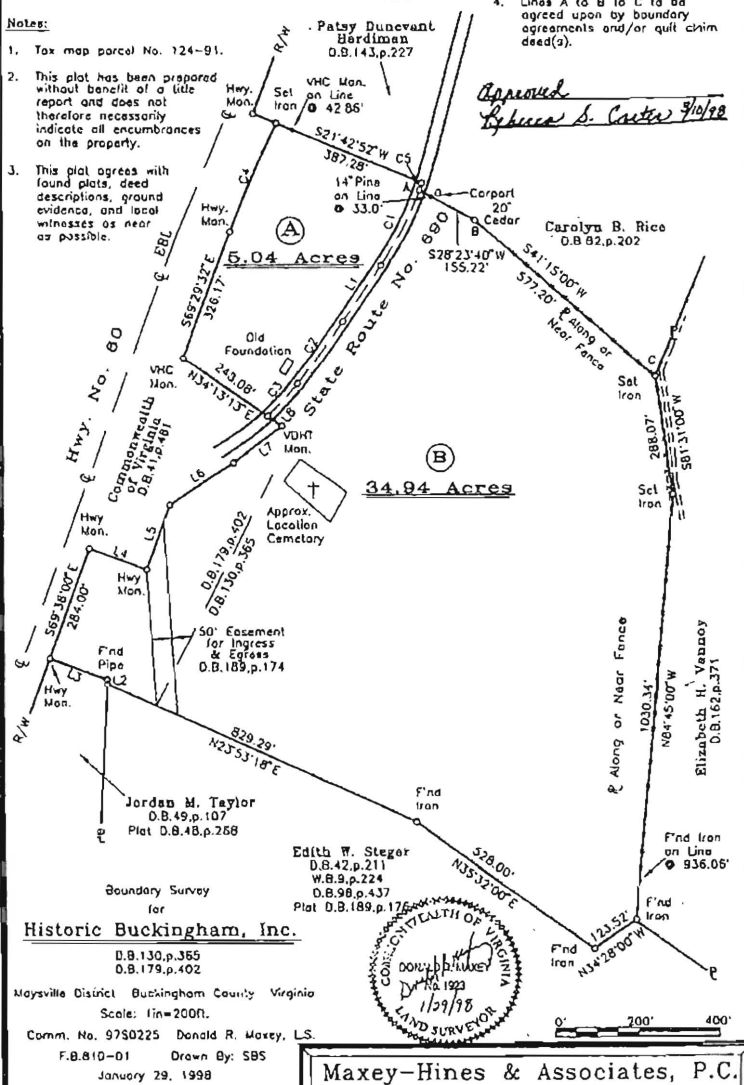
Notes Continued:

- Notes:

1. Tax map parcel No. 124-91.
2. This plot has been prepared without benefit of a title report and does not therefore necessarily indicate all encumbrances on the property.
3. This plot agrees with found plats, deed descriptions, ground evidence, and local witnesses as near as possible.

4. Lines A to B to C to be agreed upon by boundary agreements and/or quit claim deed(s).

Approved
Lybica S. Carter 7/10/98



Maxey-Hines & Associates, P.C.
Land Surveyors • Engineers • Planners • Consultants
P.O. Box 90 • Farmville • Virginia • 23901 • Tel:804-392-8627

SPECIAL USE GENERAL SITE PLAN

Line Data:

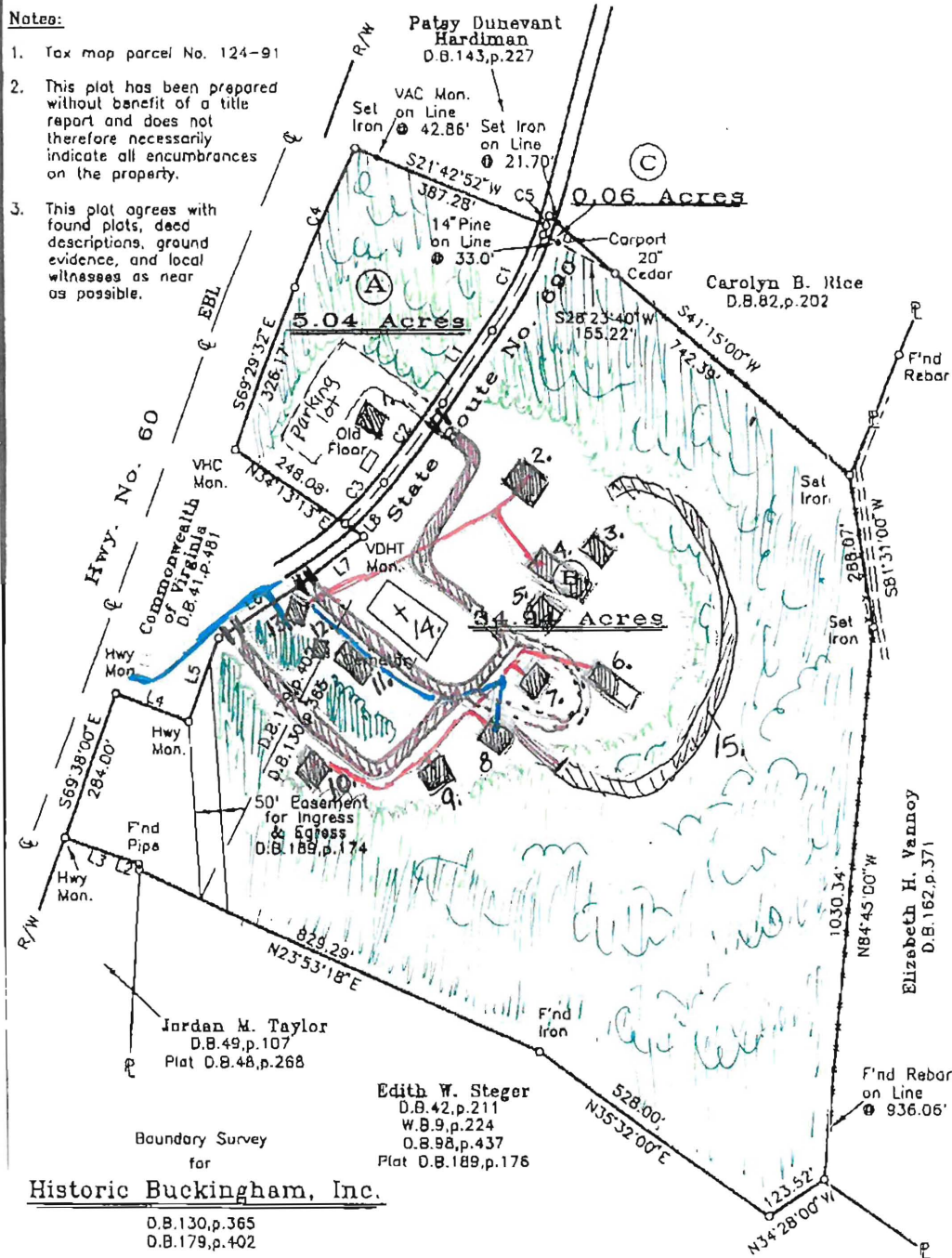
LINE	DIRECTION	DISTANCE
L1	S55°18'00"E	165.44'
L2	N85°47'01"E	10.72'
L3	N19°33'45"E	149.25'
L4	S20°22'00"W	150.00'
L5	S69°38'00"E	166.66'
L6	S32°57'21"E	184.16'
L7	S37°34'31"E	150.72'
L8	N34°13'13"E	42.17'

Curve Data:

CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
C1	846.74'	225.87'	225.20'	N62°56'31"W	15°17'03"
C2	2354.82'	188.14'	185.09'	N53°02'07"W	04°31'46"
C3	722.22'	107.02'	106.92'	N46°31'32"W	08°29'25"
C4	2663.79'	284.72'	284.58'	S66°34'17"E	06°07'27"
C5	846.74'	19.06'	19.06'	S71°13'45"E	01°17'24"

Notes:

1. Tax map parcel No. 124-91
2. This plot has been prepared without benefit of a title report and does not therefore necessarily indicate all encumbrances on the property.
3. This plot agrees with found plots, deed descriptions, ground evidence, and local witnesses as near as possible.



= Forest
 = underground water
 = Buried Electric

Legend:

1. Smokehouse
2. Village stage
3. Corn Crib
4. Adams Pavilion
5. Tobacco Barn
6. Morgan Museum
7. Abbott Forge
8. Restroom Facility
9. State office
10. Post Office
11. Union Grove School
12. Privy
13. Toney-Hudgins Store
14. Word-Shepherd graveyard
15. Nature Trail

Moysville District Buckingham County Virginia
 Scale: 1in=200ft.

Comm. No. 9750225 Donald R. Maxey, L.S.
 F.B.10-01 Drawn By: S8S
 January 29, 1998

Maxey-Hines & Associates, P.C.
 Land Surveyors • Engineers • Planners • Consultants
 P.O. Box 90 • Farmville • Virginia • 23901 • Tel: 804-302-8827

47 Building Permits were issued in the amount of \$ for the month of August 2021

Permit No.	District	Name	Purpose	Cost of Construction	Cost of Permit
18458	Marshall	Putney Mechanical	Electrical	\$4,000.00	\$25.50
18605	James River	Richmond Enviornmental	Underground Storage Tank	\$1,500.00	\$25.50
18612	Francisco	Split Creek Farm	Modular Unit	\$135,000.00	\$186.31
18615	James River	Shawntay Pushard	Doublewide	\$148,000.00	\$513.92
18617	Marshall	Randal Daves	Farm Building- Exempt	\$10,000.00	\$10.00
18621	Marshall	George Woodson	Demolition	\$0.00	\$25.50
18622	Francisco	Lyn Hill	Sqaure Footage Change	\$4,000.00	\$39.27
18623	James River	Parker Oil	Mechanical	\$650.00	\$25.50
18624	Maysville	Ellington Energy	Mechanical	\$1,120.00	\$25.50
18625	Slate River	Allen T Herndon	New Dwelling-Stickbuilt	\$347,000.00	\$1,000.05
18626	Marshall	Matthew Anderson	New Dwelling-Stickbuilt	\$200,000.00	\$400.17
18627	Maysville	Glenn Schoettlin	Electrical	\$1,400.00	\$25.50
18628	James River	Top Notch Contracting	New Dwelling-Stickbuilt	\$150,000.00	\$595.56
18629	Marshall	Annie Lee	Mechanical	\$100.00	\$25.50
18630	Town of Dillwyn	Trimble Contracting	Commerical Remodel	\$34,000.00	\$117.50
18631	James River	Carl Burmaster	Residential Remodel	\$15,000.00	\$641.86
18632	Slate River	Moxie Solar	Addition Residential	\$5,321.00	\$51.00
18633	Slate River	Moxie Solar	Addition Residential	\$5,321.00	\$51.00
18634	Slate River	Moxie Solar	Addition Residential	\$3,635.00	\$51.00
18635	Curdsville	Lam Electric	Electrical	\$1,400.00	\$25.50
18636	Francisco	Marie Helen Baker	Electrical	\$0.00	\$25.50
18637	James River	Century Link	Electrical	\$800.00	\$25.50
18638	Curdsville	Denise Matthews	New Dwelling-Stickbuilt	\$50,000.00	\$296.70
18639	Curdsville	Mitchell Homes	New Dwelling-Stickbuilt	\$230,000.00	\$564.30
18640	Slate River	Willie and Deborah Smith	Demolition	\$0.00	\$25.50
18641	Curdsville	Marion Coblentz	New Dwelling-Stickbuilt	\$120,000.00	\$635.87
18642	James River	Angela Ayers	Electrical	\$300.00	\$25.50
18643	Slate River	Wilbert Smith	Electrical	\$1,000.00	\$25.50
18644	Slate River	Jerry Wingfield	Electrical	\$0.00	\$25.50
18645	Slate River	Jerry Wingfield	Electrical	\$0.00	\$25.50
18646	Slate River	CMH Homes	Doublewide	\$144,000.00	\$439.25
18647	Marshall	CMH Homes	Doublewide	\$170,000.00	\$524.81
18648	James River	Phil Sandridge	Electrical	\$700.00	\$25.50
18649	Slate River	Stephen Winkler	Detached Garage	\$42,000.00	\$96.16
18650	Curdsville	Main Eventz LLC	Use Change	\$1,000.00	\$25.50
18652	James River	John Frusciante	Electrical	\$1,595.00	\$25.50
18653	Marshall	Janet Bates	Electrical	\$13,400.00	\$25.50
18654	Marshall	Janet Bates	Mechanical	\$1,000.00	\$25.50
18655	Maysville	Amalie Kay Ragland	Residential Remodel	\$1,000.00	\$51.00
18657	Slate River	Mitchell Homes	New Dwelling-Stickbuilt	\$238,000.00	\$638.89
18656	Curdsville	Hill Brothers Construction	Farm Building- Exempt	\$72,000.00	\$10.00
18658	Curdsville	American Showcase Modular	New Dwelling-Stickbuilt	\$270,275.00	\$791.44
18661	Marshall	Michael and Sons	Mechanical	\$6,000.00	\$25.50
18662	Marshall	Richard Shumaker	Detached Garage	\$15,000.00	\$90.80
18663	James River	Craig White	Electrical	\$12,600.17	\$25.50
18664	Marshall	Cotton Alley Trucking	Electrical	\$100.00	\$25.50
18439		Brent Cahoon	Re-Inspection Fee		\$50.00
47					
Cost of permit is calculated based on square footage of structure				\$2,458,217.17	\$8,433.36