

Buckingham County Planning Commission Monthly Meeting Packet



February 28th 2022



Buckingham County Planning Commission Agenda
Monday, February 28, 2022 6:00PM
County Administration Building
Peter Francisco Meeting Room
www.buckinghamcountyva.org

You may view the meeting by logging on to <https://youtu.be/8vcX4zPKook>

1. Call to Order by Zoning Administrator
 - Invocation
 - Pledge of Allegiance
 - Establishment of Quorums
2. Adoption of Agenda
3. Approval of Minutes
 - A. January 24, 2022 Regular Meeting
4. Public Comment
5. Old Business
 - A. Joint Public Hearing Case 22-SUP299 Apex Riverstone Solar
6. Planning Commission Recess
7. New Business
 - A. Introduction Case 22-SUP300 Aaron Beiler
 - B. Introduction Case 22-SUP301 Amos Smucker
8. Reports
 - A. Building Permits Report
 - B. Zoning Administrator Report
9. Commission Matters and Concerns
10. 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 Eastern Standard Time the day of the meeting.

**Buckingham County
Planning Commission
January 24, 2022**

At a regular meeting of the Buckingham County Planning Commission held on Monday, January 24, 2022 at 7:00 p.m. in the Peter Francisco meeting room, located within the Buckingham County Administration Complex, the following members were present: John Bickford; James D. Crews III; Patrick Bowe; Stephen Taylor; Ashley Shumaker; Joyce Gooden and Board of Supervisors' representative Danny Allen. Also present were Nicci Edmondston, Zoning Administrator, and E.M. Wright, Jr., County Attorney. Steve Dorrier was absent.

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

Zoning Administrator Nicci Edmondston called the meeting to order. Joyce Gooden gave the invocation, James Crews III led the Pledge of Allegiance and it was said by all who were in attendance. Zoning Administrator Nicci Edmondston certified there was a quorum- seven of eight members were present. The meeting could continue.

Edmondston: The next item on the agenda is to consider the vote for the seating of the chairman of the Planning Commission. Do we have any nominations from the floor?

Bickford: I like to make a motion that Pat Bowe remain chairman for this coming year.

Allen: Second. Pat you alright with that?

Bowe: Yes.

Edmondston: Any further discussion? If not, we will take vote by show of hands. Pat your vote?

Bowe: Yes.

Edmondston: Its unanimous. Mr. Chairman I will let you take it from here.

Commissioner Bickford moved, Supervisor Allen seconded and was unanimously carried by the Commission to appoint Pat Bowe as chairman for 2022.

Bowe: We will take consideration for the vice chair. Nominations are now open.

Allen: I nominate Mr. Bickford for vice chair.

Crews: I second that.

Bowe: We have a first and a second are there any additional nominations? If no additional we will vote. All in favor raise your right hand.

Edmondston: Mr. Chairman we will need your vote as well.

Bowe: Yes.

Edmondston: Mr. Chairman the vote for Johnny Bickford as vice chair is unanimous.

Supervisor Allen moved, Commissioner Crews seconded and was unanimously carried by the Commission to appoint John Bickford as vice-chairman for 2022.

Bowe: Thank you. We will now do approval of 2022 by laws and produces. Any discussion?

Allen: So moved.

Bickford: Second.

Edmondston: Mr. Chairman we have a motion to approve the 2022 by laws by Mr. Allen and a second by Mr. Bickford. Im sorry if that connection is not coming through.

Bowe: Okay my vote is yes.

Edmondston: That would make that approval unanimous Mr. Chairman.

Supervisor Allen moved, Commissioner Bickford seconded and was unanimously carried by the Commission to approve 2022 bylaws and procedures with changes.

Bowe: Okay at this point I would like to apologize to everyone for not being there in person but the pneumonia has a hold on me and I fully intend to be back by next month. At this point Johnny I'd like to turn it over to you to see if you can't help me out on this one.

Bickford: I'd be glad too and I hope that you're feeling better too.

Bowe: Thanks Johnny. Thank y'all im signing off.

Patrick Bowe left meeting

Bickford: With that we will move to adoption of agenda. Nicci is there any changes to the agenda?

Edmondston: Yes, sir I recently distributed an amended agenda. The change is to new business. Last week at the Board of Supervisors meeting our county attorney brought up a couple of item

that the Board asked to be brought to the attention of the Planning Commission and those would be under item 6B consider action regarding amendment to the Buckingham county zoning ordinance in regard to one signage and two site plan. So that is the only change to the agenda.

Bickford: Okay do I have a motion to approve?

Allen: Motion to approve with changes.

Gooden: Second.

Bickford: Any further discussion? All in favor raise your right hand. Passed. December 27th minutes. Do I have a motion to approve?

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

Allen: So moved.

Crews: Second.

Gooden: I did have a question. In the part where we discussing the property on 24. The lake property. It should be Peter Francisco disctrict, it just has Francisco district. That was my only change.

Bickford: Nicci do you have that?

Edmondston: Yes we will change that.

Bickford: Okay do we have a motion with changes?

Allen: Motion with changes.

Crews: Second.

Bickford: Any further discussion? All in favor raise your right hand. Passes unanimous. That will lead us to public comment. Do we have people signed up?

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

Edmondston: Yes, we do. This evening we have one individual Warren Faultier.

Bickford: Please state your full name and district sir.

Warren Faultier: Warren Faultier 177 spring meadow lane district three and my comment is on the proposal by Mr. Kauffman. To me it is a safety issue. I have had a couples of near accidents on this road from traffic going to fast. The road I live on has a curve there and when im pulling out of the yard on to the road its very difficult to see around the curve and the traffic is going to fast all the time. Since ive lived there 18 years the traffic has increased and as far as this proposal goes I think it would be a safety issue for me because it would increase the traffic on the road. This country road is too narrow for log trucks for one and the more traffic the more repair is needed on the road. Basically it's a safety issue.

Bickford: Thank you sir.

Edmondston: Mr. Vice chair we also have virtual comments that were submitted for the public comment period. I believe there are 14 and we are going to commence those.

Cassel Adams: I am a property owner in District 1, about 3 miles from the proposed solar field. During the first round of Planning, I was not notified via mail which is a state due diligence action. I have spoken several times against the Industrialization of this area of Buckingham County. This is a rural agricultural area that needs to be maintained that way. I have already been approached by other developers looking to develop other large (1000 plus acres tracts) for solar. These developers see Buckingham as cheap land that can become a solar waste land with little respect to the actual environment implication. If solar is the best way to generate energy why doesn't Buckingham County look into setting up a solar field and taking all of its residents solar? There are a little over 16,000 people that live in the county. The proposed field can support 30,000 homes according to Apex. What would this system cost each family or business? We could be one of the first in the nation to be truly green! My thought is that it would cost an unfathomable amount of money. A cost that is only doable when tax credits, corporations looking to simply up their ESG scores, and greedy developers get involved. Over and over Apex stated that they would be giving the county over a million dollars over the life of the property, yet to "rent" the 1000 acres they will be paying between \$500-1000 per year to the land owners. There are numerous large timber holding companies that own property in Buckingham, don't you think they are going to be quick to evaluate their holdings? The county would go from a forest of trees to a desolate sea of glass panels. How much will Apex be profiting off of Buckingham County- Goochland, Albemarle, and other counties aren't inviting them in their counties. Apex was sneaky trying to pass this through without neighbors knowing, without true facts. Without regard to anything in our county. Thank you again. V.Cassel Adamson 6549 Bridgeport Road Arvonnia, VA

Stephanie Olansen: I am writing in opposition to the Riverstone LLC SUP request. Apex has created Riverstone Solar LLC to protect themselves from any liability or disaster that can occur. Because the SUP will be held by the LLC. Apex will not have any risk or accountability once their proposed plan fails. If Apex has so little confidence in their proposed

project that the company needs to shield itself from possible liabilities, why should the County even want to do business with Apex? When asked about disastrous runoff and sediment problems at Apex's Campbell County's project, Mr. Merrick blamed the Depcom contractors that Apex hired for the job. And this is his quote to the board of Supervisors meeting "The Campbell County project, which for one, we weren't associated with the construction of that project, so we developed it, but somebody else built that project. And so we didn't have a role in that.... And so what you have happen out, there are sort of bad contractors where what's out in the field is not in accordance with the approved plan" End of quote. Mr. Merrick was sure quick to distance Apex from the Campbell County project debacle even though they were the developer of the plan. Do you really want Buckingham County left to clean up their mess if Apex is so quick to pass the blame to the Depcom? Was it really the contractor's fault or was it Apex's faulty DEQ approved plan that failed? Please keep this in mind when considering this project. Sincerely, Stephanie Olansen

Laurie Collins: I am Laurie Collins, Blue Heron Lane Scottsville. District One. Please hear us and stop this project. Without proper notice and inadequate time to prepare, many people wrote to the Board of Supervisors. So many people came that we had to leave the meeting after speaking so others could come into comment. Residents had concerns about flooding and erosion, destruction of wildlife habitats and inadequate emergency preparedness. Our police department doesn't have enough manpower and fire departments are too far away to be effective in emergencies. To pass this special use permit without protecting the residents and our first responders is negligence. The roads cannot be safely maintained during the year of construction. fixing them later doesn't address safety during construction. The promise of 300 jobs for our county residents is ridiculous. We can't even fully staff the Food Lion. Looking at the yearly budget and estimated utility tax revenue since 2015. It is difficult to see any substantial increase from the solar farms in existence now. Where is all the big money from the route 60 project. These companies make money at our expense and the power goes elsewhere. The county will need to reappraise all the properties bordering this mess and lower their taxes and compensate them for damages. The financial benefits of this project are questionable. Please hear us.

Lindsay Constable: To the Buckingham County Board of Supervisors. I sincerely hope that all of you took the time to drive from Francisco rd. to 460. To experience what it would be like for the many residents of Crump town rd. to have multiple encounters with loaded logging trucks while driving. Just last week, I witnessed an almost wreck when I was following a box truck from 460 a peak slash Crump town. He took up the middle of the road almost the entire time having little other choice due to how narrow it is. At one point, and oncoming car had to quickly go in the ditch in a blind curve because there was no room on the road. The one lane tilting bridge was entirely taken up by the truck. There would have been nowhere for an oncoming car to go except the river. I hope you take into account that school buses will be encountering these trucks and make a decision that is best for all of the residents of Crump town rd. There is already one business that requires semi-trucks on this road. There are many miles of excellent roads in Buckingham County designed for heavy traffic with the appropriate yellow and white lines with signage and properly maintained with little potholes or crumbling to accommodate semi-trucks

Crump town rd. is not one of those roads. We already have an enormous amount of logging and bio solid traffic. Thank you for your time. Sincerely, Lindsay Constable

Mallory Stone: My Family has land adjoining the proposed Apex Riverstone , I have real concerns about the lack and vagueness of the decommissioning plan as listed in section 2.8 of SUP 299. Apex claims that the solar components will still have significant market value and are able to be reused or recycled. They claim the estimated salvageable value should be considered in the decommissioning bond. Salvage value is only seen if the panels are recycled. If you fact check their claim. you will find that it is impossible to predict what a solar panel or it's components will be worth in 40 years. Many counties do not include salvage value but instead require an additional percentage to cover these tremendous decommissioning costs. Currently, a company called We Recycle Solar spends \$25 per panel in processing costs to yield between \$2 and \$4 dollars. This does not include the labor and transportation of the panels to the recycling facility. A March 2021 report from the National Renewable Energy Laboratory and the Electronic Power Research Institute concluded that the cost of recycling is often outweighed by cheaper disposal options. Again, many counties do not include salvage value but instead require an additional percentage to cover these tremendous decommissioning costs. For example, Augusta County, VA requires the bond to cover decommissioning costs plus 20%. For this project, Dr. Herbert Eckerlin, an emeritus Mechanical Engineer professor at NC State estimated the cost of decommissioning of the proposed 149.5 megawatt solar power facility to be over 11 million dollars and that does not include cost of reclamation of the land once the panels and equipment are removed. Can you guarantee that this amount of money will be available when the facility is abandoned and no longer in operation? nIn addition, We Recycle Solar tests their solar panels prior to recycling and found that two-thirds of panels are considered hazardous waste under the federal Resource Conservation and Recovery Act because of their lead or silver concentrations. What happens if these panels break during the life of this solar power facility? Apex only specifies that the panels will not have cadmium telluride and gives no other information. Will these panels have toxic lead, silver, cadmium, other toxins? Will this affect the safety of our well water? Some counties, require on going ground water monitoring as part of their solar ordinances because of the risk of water contamination in the ground water near solar facilities. The lack of a proper decommissioning plan are just one of many land use issues that are not addressed in this proposal. There are too many to list in 500 words. I ask you to please review Apex/River stone's proposal with scrutiny. There are too many unanswered questions and potential problems with this massive project. Let's ask the right questions here and now, because I guarantee you that no payout will justify your choices when the residents of our county start seeing the consequences of this project. Thanks, Mallory Stone

Jennis Pickens: Good evening. My name is Jennis Pickens, District 1 and I am commenting on 22-SUP 299 Apex Riverstone Solar Project. I am Co-Owner of Property #3, directly adjacent to the proposed Apex solar project. I respectfully ask you to deny the Special Use Permit and put it on a ballot – allowing the voters who live in Buckingham County to decide. Agricultural land is a poor place to site utility-scale solar. Encompassing over 3 square miles of land, the project is too large, and is sited in an area adjacent to ponds and streams that feed directly into the James River. As the trees and vegetation are removed on 2,000 acres, the runoff during the construction

phase estimated to take at least a year, has the potential to destroy the surrounding waterways. This includes the historic mill pond located on our property – Paynes Mill Pond – that has been enjoyed by residents of Buckingham for over a hundred years. It would be devastating for that beautiful pond to be filled with silt and runoff. Once in place, research suggests solar panels channelize water, causing it to leave the site faster, and infiltrate neighboring properties. Other counties in Virginia suffered erosion and sediment issues with construction and operation of “solar farms.” The restoration of trees to areas that are clear-cut is still the most effective strategy for climate change mitigation. Apex downplays the environmental and ecological impact in their proposal. Unfortunately, the overseeing governmental entities do not have the resources to enforce the standards. The fines they impose will be a slap on the wrist to Apex and will not compensate for the damage to neighboring properties. Please reject 22-SUP 299 Apex Riverstone Solar Project because it is not in keeping with the Comprehensive plan and significantly changes the character of the land.

Jane Moss: Good evening. My name is Jane Moss, District 1 and I am commenting on 22-SUP 299 Apex Riverstone Solar Project. I own 384 Blue Heron Ln., Property #4, with a residence located 355 feet from the closest planned solar panels. This bears repeating. The residence I own is located 355 feet from the solar panels. My property is directly adjacent to the proposed Apex solar project. I am opposed to the project because it will affect the view shed and use of the residence and surrounding property. The home on my 2.5 acres is located 355 feet from the proposed solar panels. The adjacent 2,000-acre property now proposed for Industrial Use has been used for timber production for the last 60 years. The home has been rented for the past 10 years and I signed a 1-year lease with a new tenant last July. When this massive solar project was introduced last fall, my tenant expressed concerns about the noise of the pile driving. My tenant is a first responder who must sleep during the day. According to the Apex plan, pile driving would be permitted from sunup to sundown six days a week - with Sundays included as needed. No amount of ambient noise will block the deafening sound of pile-driving. The tenant specifically chose my house to rent in this quiet rural area- surrounded by trees- so they could sleep during the day. This tenant has terminated the lease and the house is vacant. I cannot in good faith advertise the home for rent when I expect the ear-splitting construction noise – 355 feet from the home -- to last for at least a year. This project has already negatively impacted the value of my property. If you look at the map of the proposed project, there will be solar panels running the length of Blue Heron Lane and there is no vegetative buffer included in the proposed plan for Blue Heron. I have pointed out the potential impacts during construction, but without a buffer it will also affect my view shed once construction is completed. This 2,000-acre project is massive, and it will significantly change the character of the land. This project is opposed by those who live adjacent to it. Please slow this process down and put the proposed project on a ballot and let the voters decide whether to change the use of the land from Agriculture to Industry. Please deny the Special Use Permit 22-SUP 299 Apex Riverstone Solar Project.

Kelly Franz: Kelly Franz, District 1, 511 Blue Heron Lane I am vehemently opposed to the approval of APEX/Riverstone SUP being reintroduced this evening and respectfully ask that you deny the SUP on the following grounds. 1) Approval goes against Buckingham County Comprehensive Plan. The following quotes reinforce this statement. Continuing to recognize that

one of its richest assets is agricultural, forestry and rural lands, Buckingham wants to continue to protect these areas and natural resources to ensure that a rural quality of life is maintained." "Protecting and preserving farmland, forest uses, livestock operations, wetlands, significant wildlife habitats, and water resources are of primary importance to these areas." 2) This SUP does not preserve the character of our district and adjoining land owners and those of us in close proximity are NOT in favor, and studies suggest we stand to lose up to 25% of our property values! 25%!! 3) DEQ standards are outdated and subpar for this size solar project, even DEQ admits the 1991 standards are "inadequate for any project over 10 acres". 10 acres? We are looking at almost 1800 acres!! APEX track record is certainly as not squeaky clean as they tend to portray. Campbell County is proof that all the fast talk does not necessarily come to fruition, and there is no reason to think this project, with all the same major players will be any different. Please protect the landowners and the county from making the same mistakes. The following quotes are from a discussion I had with a BOS member from Campbell County. "I can tell you from experience every BOS will regret a yes vote "Solar sounds good but it's not what we think ""PS: these people are SLICK; they make it sound great" The following quotes are from the Campbell County Environmental Manager. "They treated it like the Wild West" "Their mentality was that they were going to do what they wanted to do-production only-and otherwise did not care" DEPCOM said they "Were used to just going to a site and doing whatever they wanted, how they wanted "Promises of hundreds of local jobs also did not ring true, hundreds of non-local people were brought in to do the work. Why anyone would want to take the environmental risks in a richly historical, ecologically fragile area is beyond my understanding, especially knowing the tract record of so many large solar projects, not only in Virginia but all over the United States of America. Why would the results here be any different? Because Jimmy Merrick says so? Please visit and talk to those of us who stand to lose so much, not only financially but our rural peace and quiet, and our overall mental and physical well-being. This decision is for 40 years, please vote no and maintain our rural quality of life and protect the history, beauty and natural resources of Buckingham County and show us the voices of Buckingham residents mean something. Thank-you.

Ian Dickinson: Buckingham County Planning Commission: I am submitting the following Public Comment regarding 22-SUP299 on behalf of Buckingham County resident Emmanuel Zunz, residing at 991 Paynes Road (immediately north of the proposed Apex project), for consideration at tonight's Planning Commission Meeting: Mr. Zunz objects to the Special Use Permit for the same reasons that were submitted during prior Planning Commission and Board of Supervisor meetings. The Planning Commission should reject the SUP because of the environmental harm caused by the project, the property rights issue regarding Apex's inability to access the power lines that are on Zunz property, and the other concerns raised by neighbors and residents. Thank you.

Bradley Pickens I'm Bradley Pickens, District 1, 384 Blue Heron, landowner that shares a mile of border, and most of the watershed with the proposed Apex solar project. 3 minutes is not enough, so I urge you to come see my property before considering Apex' proposal. I strongly urge you to reject this SUP for the following reasons: 1) NONE of the affected residents are in favor. 2) This SUP is NOT in keeping with the Comprehensive Plan. 3) This does not preserve

the character of District 1, so it should be decided by a voter referendum. 4) The cost of this project will be borne by the adjacent property owners who will receive NO compensation or benefit. 5) DEQ's 1991 standards are, by DEQ's own admission, "inadequate for any project over 10 acres." Virginia countries have learned the hard way that Apex' promises are empty and dangerous. Campbell County used Apex and Depcom, and regret their decision. They got the same fiscal assurance, the same "good neighbor" promises, and have now established severe restrictions on future solar following Apex' debacle. Campbell County was "sold something different than what they got." According to their Environmental Manager, "they did not know better" and "did not ask the proper questions." They were told by Apex that Depcom would "cut a few trees" and "move a little dirt" "instead, site work moved 1.5 million cubic yards of dirt. (1.5 MILLION!). One hill had 25 ft. taken off the top. They changed topography to fit the solar equipment. Campbell's Inspector said, "they treated it like the wild west." with a "We're going to roll" attitude. "Their mentality was that they were going to do what they wanted to do production only - and otherwise did not care." "Pound and build" was how they operated, they brought in hundreds of outside people. The grading contractor worked 7 days a week, 24 hours a day. Used banks of lights, and had 25 pieces of machinery running at 3 and 4am and only stopped when the Sheriff intervened on noise complaints. Workers were NOT local. Most Depcom workers were Haitian, Dominican and Jamaican. The grading contractor and workers were from Alabama. The County Inspector couldn't keep up and eventually bought a drone. Depcom did not like him using it and said "they were used to going to a site and doing whatever they wanted, how they wanted." You cannot afford to get this wrong. The District will be destroyed and our ponds will become sediment traps for Apex' runoff. Our whole way of life will be horribly disrupted for decades. \$12 to \$14 million over 40 years is not worth it. I guarantee the County will pay more than \$250k a year for inspections, lawsuits, and damages. Please slow this process so we can learn from Campbell and others. Please call and visit. You will see firsthand what is at stake. Anything else is simply negligent. Respectfully, Colonel Bradley Pickens, USAF (retired) 434-806-3636

Allison Purcell: Dear Members of the Planning Commission: I am writing to respectfully ask the board to vote NO on Apex/Riverstone LLC SUP request. My family has enjoyed hunting and fishing on our property since the 1960s when our grandfather first came to Buckingham. Our land has two clear running streams with the Little George flowing directly from the Apex site through our property to the James River. Any sediment from the solar plant will be carried through our streams and property and flow directly into the James River. We have no evidence from Apex that our property rights have been considered and that we will continue to be able to use our land as we have for the past 60 years. Apex currently has completed only three solar plants according to their website. A 1.2 MW in Colorado, a 15 MW in Texas and most recently an 80 MW plant in Campbell County, VA. Apex's project has numerous documented issues with sediment, runoff and erosion issues. In a May 2021 article in the News & Advance, Ken Jones, a Campbell County resident that lives near the Apex project, complained that the solar plant has devastated his property with excessive amounts of water, eroding away the creek beds and tracking mud onto the roads, creating hazardous conditions. With Apex's track record, we have a right to be concerned. The current trend across Virginia is to pause solar applications until a solar ordinance is adopted by the Board of Supervisors in order to protect the county and the rights of

the citizens and landowners. How is it possible that in Buckingham a 100 foot square cell tower site gets more professional scrutiny than a 2000-acre industrial solar plant? To grant Apex a special use permit now without the proper oversight and review is negligent. Apex's internal employees developed the proposed plan and there has been no independent third-party review to determine the validity of their plan. Apex is applying for a 149.5 Megawatt solar facility because a 150 megawatt facility will trigger a SCC review which is a more rigorous process to receive approval. This Point 5 Megawatt difference will allow Apex to avoid all the checks and balances that should be completed prior to the County approving and putting the burden on Buckingham County to oversee a massive industrial power project. Please protect the County residents and landowners by voting no to Apex's application. Too many rural counties in Virginia have had catastrophic results with construction and operation of industrial solar plants at the hand of developers. Sincerely, Allison Purcell.

John Purcell: Hi, this is John Purcell. I'm making the statement with regards to the apex Energy's Solar Farm plan and the Planning Commission's decision over this change in land use, though the story has been written before time and time again. And million dollar developers like Apex claiming their proposal is a win win deal but in reality, they are taking advantage of our community for their financial gain. So let's be honest here this is not about Apex fighting climate change for the greater good. This is about apex, by the way, now owned by Aries, a Los Angeles based hedge fund billion dollar hedge fund type company making more money by selling energy to a multi billion dollar company like Facebook so you can all profit from government tax credits subsidies and get richer and we're paying for it. So you think they really care about the future of Buckingham County if they truly cared about fighting climate change. Apex would be choosing sites located in commercial and industrial zoned lands or on rooftops for their solar panels. Apex wouldn't be asking the planning commission here for their permission to take 2000 acres of agricultural land tearing down trees to build an industrial power plant this require 1700 acres' of rolling hills wilderness and wildlife habitat located less than a half a mile from the James River to be stripped down to nothing but clay, even if Apex claims that just 25% of the 17165 acres will be cleared at one time that's still over 400 acres of barren Earth left exposed. Now this proposed site is not the right site for an industrial solar power facility. This is a land use issue and the proposed industrial power facility will have a negative impact on my family's property and the 42 adjoining land owners and will forever change the rural character of Buckingham Apex will be long gone once they close this deal and Buckingham will be left with hundreds of acres of solar panels, damaged roads, dangerous amounts of runoff and sediment flowing in our creek and the James River and surrounding neighborhoods unable to use their lands as they once did. Now tell me is this really worth \$14 million stretched over 40 years it is really even \$14 million in future dollars. This number is far less than what it seems using net present value calculations. \$300,000 a year in an annuity stream does not equal \$14 million in today's dollars. I ask you this with a solar facility even be operating it forward in 40 years when technology changes. Most recent reports in the life of a solar panel is 30 years or less will state tax dollars even be there in future general assemblies or federal governments.

Scott Flood: Dear Mr. Supervisor, Chairman and Members of the Planning Commission, The County has a rare opportunity to revisit a rushed decision. The last Riverstone SUP was

approved without enough time to investigate and comprehend the impacts of a truly massive commitment. Now the wrong can be set right. It is not in accord with the Comprehensive Plan to change the zoning of 2,000 acres from agricultural to industrial. Adjacent properties are families and farmers. They will suffer through construction, will sacrifice property value, quality of life and land use will change forever. Industrial solar does not belong in this location. We have learned so much about the environmental harms these industrial projects cause and removing everything from vast areas is certainly not “green”. The environmental plans have failed in many counties. Failure here also damages the James River. Let’s talk with and learn from the officials of counties with utility scale solar. Campbell, Essex, Louisa, Mecklenburg, Spotsylvania have all had major harms. Many problems were related to sediment, erosion and runoff. Creeks were silted in. Adjacent properties washed out. Roads damaged and rendered dangerous. There were violations, stop work orders and fines. Continuing issues year after year. There is the cost of having your community damaged and disrupted by hundreds of out of state workers up and down local roads daily. Thousands of truck trips and the unending noise day and night. Why did this happen to these counties, because they did not know better. Now, they know better and the counties that were burned by smooth talking solar sales teams, are strictly controlling or denying future projects. They have conditions that far exceed those in the Riverstone SUP. They know what questions to ask and what to look out for. Nobody wants to be taken advantage of. Let the hard lessons learned elsewhere keep us from being harmed. I respectfully recommend calling Campbell County first, but please, call the others too. There is nothing to lose by using due diligence. We have only to gain. I know money is not a land use issue, but the County could end up losing money on this deal. Have a second economic analysis, not just the one the developer pitched. Digging into the numbers will show the true costs, it will be eye opening. Require independent review of everything. The County chooses the reviewers. The developer pays for the reviews. The reviews are before the approval of the SUP. There is so much more...this project and proposal are so massive. Does anyone truly feel they had adequate time to review the Packet and proposal for tonight’s meeting? A Public Hearing certainly should not be scheduled.

Theodore Smith III: Hello, Buckingham County Board of Supervisors My name is Theodore Smith the third and I'm calling to express my opposition to the proposed Riverstone Apex solar facility located on the north side of Bridgeport road. My family has owned property between the James River in the northeast corner of the proposed project for the past 55 years. For decades, we have enjoyed the serenity and natural beauty of the property and are deeply concerned from an environmental standpoint that the proposed solar facility will destroy our stream beds surrounding wildlife corridors and have a detrimental impact on sediment release into the James River and the Chesapeake Bay watershed. I'm a 2001 Graduate of Virginia Tech with Bachelor of Science degree in crop and soil environmental science, have worked as a golf course superintendent for the past 20 years and multiple properties in the state of Virginia and have two decades of experience establishing and maintaining turf grass and working with erosion control projects. The proposed site in question has a high percentage of slope and is very susceptible to erosion. The 2019 Dominion Energy's Solar Energy report to the governor of Virginia states, generally usable land should not exceed 8% slope, it should require only minimal grading as well as clearing and grubbing. Clearly, the proposed property does not meet them and energies recommendation in any form or fashion. There are other solar facilities in the state that have

been built on sites with similar topography or surrounding properties, streams, wetlands and rivers have been ruined by runoff and erosion, most notably solar projects that have been recently completed in Campbell and Louisa counties in a grasshopper Solar Site in Chase City during the construction process on such large scale projects on similar terrain, erosion control is impossible due to the amount of time it takes for turf grass to salvage from seed and fully form a dense, root structure strong enough to stand runoff from heavy rainstorms. Also, once the panels are installed, due to the lack of sunlight and irrigation, establishing and maintaining a dense stand of Turf under and around the solar panels is virtually impossible, especially on north facing slopes in the upcoming weeks before making this all important decision that will directly and indirectly transform the natural landscape of 1000s of beautiful acres and Buckingham County forever. I implore you to delve deeper into the environmental ramifications that other counties in Virginia have encountered with solar facilities that have been built on unsuitable lands, namely, Campbell and Louisa County and Chase City, again at the cost of environmental reclamation in damage to private and public property due to their hasty decisions to approve the solar sites far exceeds the \$370,000.

Edmondston: Vice Chairman that concludes comments for the public comment period.

Bickford: I will then close the public comment period and move to the old business. First case is Joseph Kauffman.

Edmondston: Yes, sir we will have a public hearing for case 21 ZTA/SUP 294. Landowner an applicant is Joseph S Kaufmann. He's at 2968 Buckingham Springs Road Dillwyn Virginia. property information tax map 188 Parcel 1 lot 3 Rainey acre subdivision. This is located on State Route 635. In the Curdsville magisterial district, it's currently zoned a one and the applicant wishes to add a zoning text amendment for construction, manufacturing and retail sales of these structures to include add small garages and other utility buildings and obtain a special use permit for that purpose. As I mentioned, the property is located at 2968 Buckingham Springs Road Dillwyn Virginia 23936. And it's currently zoned a one. Mr. Kauffman seeks to be able to operate a business to include but not limited to wholesale manufacturing of storage sheds business plans are included in the narrative submitted by Mr. Kaufman. Please note that a completed Vdot that traffic impact determination study has not been submitted by Mr. Kauffman. You will see that our local vdot representative Mr. Edwards did submit an email stating the necessary requirements that Vdot have in place and I'll read this email. Vdot has asked him to submit an engineered commercial insurance plan in accordance with current Vdot standards for his proposed use to include verification by a professional engineer of the necessary minimum sight distance requirements for such application. The zoning administrator received calls regarding the land clearing on this property and the zoning enforcement officer was sent to make a determination. At this time Mr. Kauffman explained that the clearing was for an agricultural project which may include building a barn for future use. Again, a zoning complaint was called in and after another visit by the zoning enforcement officer Mr. Kauffman explained that he would be proceeding with a rezoning application to operate a business to manufacture sheds and related items and not an agricultural barn project. This area zoned a one with many residences neighboring the subject property and as part of the rainy acres subdivision. Mr.

Kaufman's case was initially introduced on October 25 2021, but due to issues with setbacks, his request for a zoning map amendment was amended to a zoning text amendment and a special use permit application. Below are 10 conditions that you may consider attaching to the request. If this were to move forward, you may want to amend add, delete change those proposed conditions. Our landowner and applicant Mr. Kaufman is here with us this evening to address Comments, questions and your concerns.

Bickford: Okay, thank you Nicci. Mr. Kauffman. Do you want to speak briefly before I open the public hearing?

Kauffman: Do we have any questions?

Bickford: Commissioners have any questions before we open the public hearing?

Inaudible

Bickford: Nicci you said... the question is about the covenants on the subdivision and you found out there were no covenant.

Edmondston: Yes, sir. Mr. Vice Chairman I did contact the circuit court clerk's office worked with one of the clerks there and this individual was able to research quite a few of the parcels within the subdivision and there was no record of any covenants recorded for this subdivision.

Bickford: Thank you.

Allen: How about an agent. It was somewhere in our zoning it says that the agent is supposed to sign off before you make any big changes in subdivision. Do we know of an agent for that subdivision? I don't im just saying what the paperwork says.

Edmondston: There was nothing recorded other than the plat for the subdivision. I think the year was 1977. No agent listed there's no homeowner's association, there are no restrictions or covenants within the deeds subdivision. Not only nothing recorded with Mr. Kaufman's parcel, but none of the others that were researched.

Bickford: Any other questions for Mr. Kaufman before we open up the public hearing? You can sit down Mr. Kaufman, I will now open up the public hearing. Nicci, do we have any people signed up to speak?

Edmondston: Yes, sir. This evening. We have five individuals that have signed up and are in the audience to speak this evening. We also have voicemails, emails and a handwritten letter.

Bickford: Okay you say we have someone in the audience?

Edmondston: Yes, sir. The first individual is Anthony Taylor, followed by Brenda Senger.

Anthony Taylor: Good evening. My name is Anthony Taylor. I live at 2799 Buckingham springs road in Dillwyn. Basically, just to the northwest of the Kauffman property on the other side of the road, I actually have known him since the family bought and moved there a few years ago, I'm actually engaged him in conversation when he started doing some of the clearing and the improvements. He made it known he didn't try to, to glaze over what he was trying to do. said that he eventually wanted to have his business here, and I didn't have any... didn't have any feeling one way or the other about it. However, you know, once he did what he did last year, it actually improved the property and the appearance as well as the drainage. I wasn't aware of any of the problems that he that he was doing that that weren't in compliance with the county. But given the opportunity, I think to remediate this, a lot of a lot of what we're going through is I honestly believe the Amish community just doesn't realize all the hoops they have to go through. And I think he's willing to do what needs to be done. However, he's just running into a buzz saw with people that come out and say they're against something, you know, we have several other businesses on that road. Right next door to him directly across the street from me, is a trash removal. There are trucks that come and go out of there all hours of the day and night. They have their business there. They don't have customers come there, but they have the trucks to constantly come and go. We have at least two logging trucks that tare residents They go up and down that road several times a day, right past our houses and past everything. There's nothing that's ever been said about that. So far as the traffic goes, you know, it is what it is. It's a, it's a secondary road that goes out the Curdsville road that you have the bishop Creek Ranch that has numerous trucks and trailers, with horses coming and going all hours of the day. I don't see where what he's trying to do is going to adversely affect them. And it's not a commercial or a business going to have customers. I just think that if you give them the opportunity to come in compliance, and follow the plan, I think it's a win win for him as well as for the community. I just honestly don't see, you know, where what's usually good for the goose is good for the gander was good. For one, it's good for all you have all these other places and businesses and people that are there that are conducting their business on that road up and down that road several times a day. I managed three different farms on that road. So I'm up and down with tractors and trucks, and I've never had any problems you just have to be careful. It's a secondary road where he is plenty of sight distance I don't see where there's going to be a problem. Thank you. sir.

Edmondston: Brenda Senger, and Philip Fenaux will be after.

Brenda Senger: Hi, my name is Brenda Senger. I live at 3610 Curdsville Road, Farmville Virginia 23901 Buckingham district three, I want to express my opposition and changes to the zoning ordinance and approval of this SUP. One of my many concerns with the proposed facility is traffic, traffic and public safety. This directly affects me and many other residents of the community. Old Curdsville Road is the route for highway 15 to Buckingham Springs Road. This is the route tractor and trailers with loads of lumber and other trucks hauling wide load furnished buildings will likely come and go to the facility, a combination of wide loads and tractors and, and trailers. Daily you will see members of the community walking jogging and riding horse and buggy on Old Curdsville road and Buckingham Springs Road. I am one of those walkers. There are always many children. Also many children that reside in these three rural housing

developments in the area as well as special need individuals. The increase in truck traffic especially wide loads will make our foot travels more dangerous as well oppose increased safety risks and normal vehicle traffic on the secondary roads are Amish neighbors have frequent horse and buggy traffic on these roads as well. And I greatly fear for their safety. While walking I can step in the woods if needed to avoid traffic. I do this on many occasions now because the road is so narrow. The horse and buggies do not have this option and neither do the vehicles. Public Safety should always be our highest priority on any consideration. You should not consider for approval matters that would compromise the safety of citizens. This public safety concern cannot be changed without major vdot improvements on this road. On these facts alone the SUP should be denied. Please exercise your moral civic duty and do not allow this hazard to be a frequent occurrence. Thank you Brenda W Senger

Phillip Fenaux: Good evening. My name is Philip Fenaux. I live at 3276 Buckingham Springs Road, district three. My property or our property is adjacent to the Kauffman property. We lived here for over 30 years. I want to express my strong opposition to the SUP 294 rezoning proposition. Most residents of this neighborhood are completely opposed to the idea of having an industrial facility in the middle of an agricultural residential area, causing serious traffic and safety problems destroying local wildlife habitat and definitely lowering property values of existing community. traffic and safety of pedestrians are major areas of concern. Several residents walk on a daily basis on the section of the road considered to be used for heavy wide load trucks coming from and going to the applicant's property. The road is narrow with several blind curves and is not adequate for frequent wide Load traffic. Another issue that also does not seem to be adequately considered is the noise. With houses so close to the proposed site, and a valley where noise travels freely. The noise produced by diesel generator and manufacturing equipment would be unacceptable for this rural community. Property values are likely to go down in the area if a manufacturing plant is installed in the middle of our community. An industrial plant isn't consistent with the neighborhood developed in the area. If the proposed area were to be rezoned, as proposed by Mr. Kauffman, more aspiring entrepreneurs may be attracted by the low property prices. An application for rezoning their property would likely be approved again. Finally, what is the environmental impact of an industrial facility in the proposed area? Is there an impact study for this site, is everybody is everything coming from the plant go into run in the little Willis river or not? I urge you to disapprove the proposed rezoning and as you can see, my opinions are shared by many of my neighbors who have signed the several petitions that we have submitted to you. Thank you.

Edmondston: Next, we have Paul Senger, followed by Marie Flowers.

Paul Senger: My name is Paul Senger I live at 361 Old Curdsville Virginia district three, which is zoned a one. Im presenting and representing a petition signed by 57 individuals who reside in district three who are opposed to the SUP and zoning change. Regarding the zoning change, this industrial manufacturing facility does not meet the Comprehensive Plan, or the effective community at large. The facility will change the character and the land use pattern of the area. The facility is incompatible with the current land use. You guys are more familiar with comprehensive plan than me but I do want to highlight a couple of issues that plan vision

maintain the desired rural character of the county objective, regulate future development to protect existing land patterns. Ensure compatibility with existing land uses, and preserve and promote rural land uses, discourage the random scattering of residential, commercial and industrial uses. Again, this facility does not meet the comprehensive plan. It's entirely opposite of it this approval would set a precedence from a zoning from a one to m one that you may not want to have a precedence going to future could affect everyone in this county. Regarding public safety, you've heard the concerns. Old Curdsville road is not lined 17 18 feet wide, deep ditches wide loads, this will be a wide load building. There's just not room there for this type of development. Noise and air pollution. The applicant states he will use a diesel generator, diesel generators depending on the year make and model are not regulated by the EPA, for emissions and for sound. Regardless of the EPA regulations. There'll be a lot of noise pollution and loud diesel odors, unacceptable. Sanitation. Applicant projecting workforce will be 15 employees with no sanitation facilities. You know OSHA regulates this, regardless of OSHA. I can't imagine having a facility with 15 employees with no bathroom. I probably don't need to say more about this. A few issues with the applicant's middle appears joining landlords have all been contacted. The property across the road is not included the package. Vdot has not made the termination. The hand composite drawing is larger in size than the surveyed plat size. They just don't line up they don't match. Setbacks are probably a problem if you rezone it to M1. And just for your information a site visit was done by Virginia DEQ on January 13, and the site is currently out of compliance.

Edmondston: Marie Flowers.

Marie Flowers: Marie Flowers Third District, I've come here to support some of my friends and neighbors who are against this operation, from what I read in the packet, it's going to be a fairly big thing. It's not just going to be in a mom and pop thing. But we all know that the, the Amish are pretty good people, they work very hard. But they started preparing this property before even going to the planning department to ask for zoning. And I think the, the Amish people are pretty astute. And I'm just guessing that he probably knew he needed to have a zoning change. But anyway. But my thought is, you know, they're hard working people. Is there some way that the county can work with the people who can't hold their operations where they want, I know, the county has some areas where it's designated for industrial and businesses and what not. And I'm sure that Nicci would be, you know, pleased to work with the people. I don't, I don't want to see the Amish not being able to do the jobs that they can, that they can do. But they need to abide by the rules and conditions that they moved into when they moved here. So I hope that makes sense to you all. And also talking about the solar thing reminds me of the pipeline meetings and the board. The boards did not protect the people to the utmost. I know this has nothing to do with it. But I keep telling everybody the boards did not protect the people the way they should have. Thank you.

Edmondston: Next comment is from Glen Moore says, Dear sir, and he is at 277 old Curdsville Road Farmville Virginia 23901. His letter states dear sir, it has come to our attention when speaking to our neighbors that a permanent Request to open an industrial business has been submitted to the planning board on Buckingham Springs Road. This is the residential area. While

we would like to have new business entities in our county, but not in a residential area. Our concerns as you know Amish people do not use electricity. Thus either diesel or gas generators would be used to build the houses. This would be very noisy and many trucks would be using our road. It was bad enough that all summer we had wood trucks running up and down our road at excessive speed should be 35 miles an hour. Also school buses in the morning and afternoon. We have been living here since 1991. And this is a very quiet neighborhood industrial business should not be allowed in residential areas. We are do not to approve this permit. Please read this letter at your upcoming meeting sincerely Glen and Kathleen Moore.

Anna Baughn: Board of Supervisors and Planning Commission. My name is Anna Baughn and have been a resident on Buckingham Springs Rd. since 2004. We have new neighbors who are Amish on our road and one would like to have his shed built and run on his property. I am in support of this as I know it will be built and kept in a pristine condition, and is just a small shed shop, not a massive production type of business. I understand there are concerns of noise and truck traffic. From my knowledge of working for a shed shop in the past and speaking with Mr. Kaufman, the sheds will be built inside his shop limiting any major continuous noise. His work hours are during a normal working hour day, when most other are also at work. With the spacious countryside we reside in, I would really doubt there would be any type of severe, constant noise, that would a hardship to any residents. Truck traffic is also a concern from my knowledge of the situation. Here on this road, we have a tractor trailer driver who keeps his truck at home when he is there. We also have had timbering trucks cause much travel difficulties and dangerous muddy conditions for quite some time. We have horse trailer traffic on the east end coming off of Old Curdsville Rd onto Bishop Creek. If traffic is of concern, designate a delivery truck route using Francisco Rd to New Store, and come in Buckingham Springs from the west end, where less residents live and the road is wide and less traveled. In closing I of course trust that all things would be considered before a final decision and I wanted to show my support of my neighbors. We have much worse things on this road than a shed shop. Thank you Anna Baughn 4012 Buckingham Spring Rd 434-547-7777.

Cynthia Starkey: Please read at the meeting. January 24, 2022 Case number 21-ZTA-SUP294-Joseph Kauffman My name is Synthia Starkey – Fenaux. I live with my husband at 3276 Buckingham Springs Road, District 3. Our property is adjacent to the Kauffman property. We have lived here for 31 years. I am opposed to the construction of this industrial/manufacturing facility as described by the applicant in any area in the county zoned A-1. As per Mr. Kauffman's proposal he will use a diesel generator to power his nail guns and sawing equipment during 10 hours a day times 6 days a week, thus producing an extreme level of constant noise, including air pollution from diesel exhaust. I live within half a mile of Mr. Kauffman, along with 21 other households on either side of his property. The continuous noise and air pollution is deeply worrisome for me and my neighbors. Another pressing concern is the additional traffic. According to the applicant's proposal there will be more or less 50 trucks a week carrying a wide load to and from his property. There are 6 blind curves and 42 residential households from Route 15 to his proposed facility. All will be affected by dangerous driving conditions and increased road surface noise from heavy trucks. When considering a planned expansion in 1 to 3 years, this road becomes a nightmare. I, as well as several other neighbors walk this road every day and

know this is a major problem. Our community is primarily housing and farming. We are a neighborhood. Mr. Kauffman should consider the industrial Park in Dillwyn.

Bonnie Kragh: Good morning, my name is Bonnie Kragh. I live on Buckingham Springs Road just a short distance from Joseph Kaufman and his family. I just wanted to make it clear that I'm in full support of his zoning request for their shed business. Also my mother Barbara Kragh lives on old Curdsville Road which connects to Buckingham springs. She requested that I also voiced her support to the Kauffman's. Thank you. Bye.

Joseph Dowdy: My name is Joseph Dowdy from the Curdsville District. I live on Buckingham Springs Road. I've lived there for the last 18 years, just wanted to call in support of Joseph Kaufman and his zoning request just showing support for him and I hope he's allowed to have his shed business there at his residence. Thank you

Ken Jackson: Case two one ZTA/SUP 294 My concern is that old Curdsville Road approximately 400 yards from route 15 There is a blind Summit. And if buildings over more than eight feet wide are going to be transported down that road. That could be a serious traffic hazard.

Edmondston: There are no further comments Mr. Vice Chairman.

Bickford: Okay. Mr. Kauffman, would you like to come forward to address some of the issues that have been raised? Might want to address the main ones of course was the traffic that you're going to have. Could you reiterate what your plans are. The amount of truck traffic you think you'll have.

Kauffman: Yeah, I'm figuring on eight vehicles per day at an average.

Bickford: What size vehicles?

Kauffman: I mean, at the most would probably be like two Most of them are like the lowboy trailers, like 40 foot trailers and some 20 footers probably two loads a day at you know, not first for a first couple years. But then it's probably cars my employees for them in the morning and the evening.

Bickford: Any tractor trailers you expect to bringing in lumber?

Kauffman: Yeah. I mean, I can't imagine an average more than I wanted... at least I mean that I just gave some high numbers. I want to cover myself, but I guess it was plenty.

Bickford: So you if you're talking about eight vehicles of some form five days a week, so your talking 40 vehicles. And then possibly one tractor trailer load a week?

Kauffman: No, I had eight vehicles figured in that with a tractor trailer per day.

Bickford: Right. I'm just saying if you're talking about eight vehicles...

Kauffman: Well, let's say seven vehicles and one tractor trailer then.

Bickford: Another concern was noise from your generator, your diesel generator? Are you going to have that covered or are you going to have that open?

Kauffman: No, it's going to be in a diesel shed with mufflers and everything on.

Bickford: Older model or newer model?

Kauffman: Newer model.

Bickford: Have any idea the volume it's going to put off?

Kauffman: I mean, I can I know about how much noise but I can't really say how loud it's going to be.

Bickford: Any of the other Commissioners have anything to want to ask Mr. Kaufman?

Allen: I see that your counting on increasing in the size of the business. Says within the next two to 10 years, you will build another building 60 by 120 for more stuff into. Is that going to increase your traffic to? Will have more?

Kauffman: That's what I have in my narrative is I figured that in. And no more than 15 employees at the most with my children. And as far as the bathroom goes, I don't have any problem putting the bathroom in which I wanted to anyway.

Bickford: Any commissioners have anything else they want to ask Mr. Kauffman? one question and I may have over looked it. Have you had the highway department approve that?

Kauffman: No, I was actually just going to wait.

Bickford: That would be nice to have.

Edmondston: Mr. Vice Chairman, I have given you all copies of the statement from our local vdot representative that has asked him for an engineered commercial entrance plan. entrance If you choose to move this forward, either, you know with whatever your recommendation may be to the board, you may add a condition specifically relating to that completed engineered commercial entrance plan. like to add that, and I would like to just address from the bathroom standpoint. Please note that if this case or any case were to move forward and were approved for a commercial structure, what would happen is with the county would receive a zoning building permit application. It would be approved for zoning if an SUP was granted for a case of this nature hypothetically and then at that point, your applicant would move forward with the design

the plans for the building to be constructed there would also need to be an approval from the health department along with that entrance plan before anything could take place or any building permit can be issued. I'm not a building inspector and I don't pretend to be but if there are employees and different things relating to commercial structures that come into play, our building inspector does ask those questions to make sure that things such as bathrooms are included per code and approved per the health department before, once again, a building permit would be issued. So I just wanted to try to explain that process a bit better to offer a bit of education for all of us because it is a learning process, something that's organic, we can continue to learn from.

Bickford: Thank you. Would it be better to have some type of general plan to address that before?

Edmondston: General plan for the construction of the entrance?

Bickford: Well the entrance is one thing but also to what you're referring to with the health department right now we don't have anything.

Edmondston: Well, what will happen, this special use permit would grant this particular activity if that were to happen. I have no idea what's going to happen through the remainder of this process. If Mr. Kauffman were to come in to obtain a building permit, these are the same steps that we would take for any building, whether it's residential in nature or commercial in nature, but yes, sir. To add, to add to your question, we could specifically or the planning commission could direct me to add a condition specifically for that.

Comment from Crowd

Bickford: I'll entertain it yes, ma'am

Comment from Crowd

Bickford: I'll give you a quick answer. The comprehensive plan is a living document. It changes as needs be. But yes, you try to as a county you try to follow that as closely as possible, and only make adjustments when absolutely needed. That's a quick answer to your question. Do we have any other concerns or questions? Right now, we do not have an approved entrance permit for Mr. Kaufman this can be voted on and if you are moving forward, it can be stipulated that, that has to be done before the Board of Supervisors makes a decision. Or we have the opportunity to say we want that prior to us making a decision. Or you can make a motion to turn this down. What is the favor of the Commission would like to do?

Kauffman: If it's a problem with you guys, I don't mind putting it on hold and get my stuff straight first. If it's a problem. Is that okay?

Edmondston: Mr. Kaufman are you asking the Planning Commission to...

Kauffman: Well just basically....

Edmondston: Suspend the consideration of your application until more information is gathered?

Kauffman: If you would like to have that, I mean, I'm not in a big rush. But...

Bickford: I can only speak for myself I personally would like to see the approval of a entrance. And that might also help the surrounding neighbors they would know a little bit better. They also see that you're attempting to do everything that you're asked. So if you're willing to suspend it until you can get that. We will ask the Planning Commission if they will accept that. Yeah, well go ahead and suspend it till you get that information? And you may want to also talk to the building inspector about just some preliminary plans, what they can give you as far as you know, what you're going to be required as far as Health wise.

Kauffman: I put in two calls today for engineers for the property So I got that in place or working on it, not in place yet but

Bickford: Very good. Well what we'll do is when you're ready to come back before the Planning Commission you notify Nicci here and then we will schedule it.

Kauffman: Right thank you very much.

Bickford: Thank you sir.

Comment from Crowd

Bickford: Yes sir. No more public hearings he's been through the process when he gets his other information together he will call and we will go back whatever meeting that is we will entertain it with more questions and a decision made at that time.

Comment from Crowd

Bickford: Yes, sir That brings us to Ike Yoder.

Edmondston: Yes, sir. The next item of business under old business is case 21 SUP 298. Our landowner an applicant is Ike Yoder at 7041 Crump town Road Farmville Virginia 23901 tax map 194 parcel 15. This parcel contains approximately 122.5 acres and it's once again located at 7041 Crump town road and the Curdsville magisterial district. The applicant wishes to obtain a special use permit for the purpose of operating a sawmill. Mr. Yoder was here the month of December at the December 27 2021 meeting. At that time, he was asked questions and is working with his engineer to try to address the concerns of the Planning Commission. He did on January the 10th. submit a written document. I will read it to you now it says Dear Miss Edmondston. In order to provide a complete presentation that will address the Planning

Commission's concerns stated at the December 27 2021 meeting, I request that the county agreed to suspend the consideration of my application case 21 SUP 298 until further notice, upon sufficiently gathering the requested data and information to address the commissioners concern, we will provide a written request to unsuspended the case and submit documents to you on the due date for the plant following Planning Commission meeting. I appreciate your consideration in this matter. Sincerely Ike Yoder

Allen: Do we need a motion to suspend it? Or is it just a we understand.

Bickford: Im not sure do need a motion to continue that or suspended?

Edmondston: Ill defer to legal counsel for that. But we just took Kaufman's request and did not make a motion.

Allen: Right that would be two things we'd have to do.

Edmondston: Yeah, we'd have to go back and backtrack.

Inaudible

Bickford: So we really don't need to take action Thank you, sir. Moves us to our planning commission calendar for 2022. I would like to suggest i talked to Nicci in regard to but wanted to bring it before the Planning Commission. We have a December 26 regular meeting I suggested to move that to our December 19 date for the work session away from Christmas.

Allen: I agree with that. I was thinking the same thing.

Bickford: It would get us away from Christmas. We're going to need a motion on that one right?

Edmondston: Yes, sir.

Allen: So moved that we move the last meeting back to the 19th from the 26th for December.

Shumaker: Ill second that.

Bickford: Any further discussion? All in favor, raise your right hand. That passes unanimously. Brings us to our new business introduction of the Apex Riverstone solar.

Supervisor Allen moved, Commissioner Shumaker seconded, and was unanimously carried by the Commission to move December 26th meeting to December 19th.

Edmondston: Yes, sir. Our introduction for case 22 SUP 299 our landowner is Wyerhauser and our applicant is Apex clean energy out of 310 4th Street, Charlottesville, Virginia, the property

information before you tax map 17 Parcel eight contains approximately 520 plus acres' tax map 17 Parcel nine that contains 97 plus acres' tax map 17 parcel 13 containing approximately 59.5 acres and tax map 18 parcel two it contains 1200 86.43 acres. The parcels are north of Bridgeport road east of route 20 west of Hardware road and they're in this slate river magisterial district. It's currently zoned a one. The applicant wishes to obtain a special use permit to allow for the construction and operation of a 149.5 megawatt utility scale solar facility on approximately 1996 acres in Buckingham County. The zoning ordinance does not permit a public utility generating plant as permitted as a permitted use however, within the a one agricultural District Public Utility generating plants, public utility, booster 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 a recommendation by the Planning Commission and this ordinance of the Code of Virginia. The Planning Commission may recommend that 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 request a special use permit to allow for the construction and operation of a 149.5 megawatt utility scale solar facility known as the project on approximately 1996 acres of private land in northern Buckingham County, referred to as the property. The project is being developed by Apex Clean Energy, a renewable energy development construction and operations company based in Charlottesville, Virginia. The Board of Supervisors approved case 21 SUP 290 Apex Riverstone solar LLC on November 8 2021. Condition seven limited the solar equipment and accompanying storm water features to no more than 1729 acres of the incorrectly stated acreage of the project as 1966 and should have stated 1996 the application for case 22 SUP 299 was received due to ongoing studies and evaluations necessitating the request for the additional 35 acres that will be used by the applicant as additional space that will permit flexibility in the design and construction of the project. The applicant states that while the project can still be constructed in accordance with the 21 SUP 290 approval, the additional 35 acres will permit that flexibility to avoid cultural or environmental sensitive areas that may be identified during environmental studies, or maybe use for an alternative internal access to the interconnection switching station, staging of construction equipment or additional solar equipment area. The conditions listed are the exact same conditions, the 29 conditions that were approved prior in the November 8 meeting for 21 SUP 290. As you probably all or remember and are familiar with Jimmy Merrick, the representative from Apex clean energy he is here in our audience this evening to address any comments, questions or concerns that you may have in regard to this application.

Bickford: Would you like to come forward and address some of the comments that were made earlier? If you choose to.

Jimmy Merrick: Good evening, Commissioners. As you know my name is Jimmy Merrick. I work with Apex clean energy, and I'm representing Riverstone solar tonight. I'm mainly here tonight to answer any questions that you all may have. This project, as you all know, has been well reviewed, by you all, county staff, and the board of supervisors. We first introduced our original application back in August, we had two more special sessions after that and a public hearing with the planning commission, you all recommended approval to the Board of

Supervisors along with 29 conditions. So we carry those conditions forward to the Board of Supervisors. And again, the Board of Supervisors took the pen to that. You know, after a couple community meetings and some public hearings, we continued to improve our application. And so we've finalized the 29 conditions in November, the Board did vote to approve the project and those conditions were codified with our request. As Nicci mentioned, these are the exact same conditions that are included in this application. This is a substantially similar application. However, we're making some improvements to it. It's on the same exact property, same exact conditions. Basically same exact proposal however we're making a request to expand the actual development envelope within the property that the project is to be located on by 35 acres, this will just allow for some additional flexibility for design, could be used as alternative internal access to the interconnection switching station where the project will be interconnected in the grid could be used for additional laydown yard area or for additional solar facilities. And so all the facts of the project before remain the same. We updated our request to include additional information and diligence that we had done during the previous process. And so, you know, some of the comments that were made during the general public comment period are similar to a lot of the comments that were received, I myself received and the Commission and the Board received during the last process, we've done a lot to try to address those concerns. There's a tremendous amount of screening that's been committed to the project to make sure that the rural character of the community and the surrounding areas, you know are maintained and there's a lot that we've done with those conditions. So, you know, we still, you know, even with the additional requests would be happy to consider any additional improvements that can be done. We're always looking to make sure that we can be a good neighbor and bring forth the best project that we can to the community. So with that, you know, I don't I don't have a presentation prepared tonight, but I'll certainly be prepared at the following meeting for the public hearing to provide a more in depth representation for folks.

Bickford: Well, you heard most of the comments were really directed towards the water quality issue to make sure there's no runoff. So I think if I had to focus on a area, I think that would be it to reassure the public that, you know, you've got enough catch basins, catch ponds, things of that sort to make sure that there was no issue with that. I did have one question that came up in the comments and I think that were for clarification. The little private road Blue Heron. That will also have a 50-foot buffer correct?

Merrick: I need to confirm where Blue Heron road.

Bickford: That the little side road. It comes like if you're proceeding...

Merrick: Its north of the project, right?

Bickford: Yeah. it's located on the west side. Going down you're heading towards Paynes Mill Creek. There's a little private road right at property line that goes back in and that's where several of the people live off of. And I want to make sure... I was just for clarification; I think we included that.

Merrick: so I guess my clarification question was just whether Blue Heron Lane actually joins, like abuts our property line or not? I'd like to look into that.

Bickford: I believe it but I would have to look but it is very close.

Merrick: That'd be fine. I mean, in either scenario, we've committed to a 50-foot buffer along right always and along property lines. And we've additionally, committed to maintaining vegetative screening along right a ways and along property lines, and so are their directly abuts our property line or not in that vicinity, it would still have a 50-foot buffer there.

Bickford: Right. That's why I felt that we had left it but that was a question that I had, that they brought up and I wanted to make sure with clarification that's all I had for right now to any other commissioners have any questions for the applicant here?

Allen: Well the erosion stuff like going into creeks and ponds is the biggest thing that look like to me people complaining about. I'm just wondering if we need to put something else in saying that, you know, if, if something happens that people don't do what they ought to do and we do have erosion that goes into lakes or ponds or whatever, that maybe somebody in the county will fix it and then you know, charge you for it, you know, if you don't if you're not working toward getting it fixed is what I'm saying. other words, now we're being on top of fixing things and getting things right all the time. I don't know if we want to put that in but that's just a thought because the people's thoughts are they worried about the extra sediment running into the creeks in the pond and it's a big issue.

Bickford: that's a result directly from some of the other projects that have issues with the sediment ponds blowing out and going into the Creek. Or perfect example is the Louisa project, which we weren't involved in. But that's that was a big issue there. Because there was a main creek Blue Line stream it blew out and got into it. Yes Joyce.

Gooden: I don't have a question. Im just listening to you.

Allen: I'm looking at the setbacks too, the setback of 50 feet. Yes. And then the next thing is, you supposed to put a 50-foot buffer of trees. So to me, it's going to hang over the line, both ways, if you really do it so im just wondering do we need to put a 70-foot setback and then 50-foot buffer of trees to have a little gap.

Merrick: So the 50, just to clarify the 50-foot buffer, from the solar panel facilities, that vegetative screening is meant to be within that. And so we would maintain, and we preserve all existing vegetation within that.

Allen: Yeah, I'm just saying you got 50 feet in you go do a 50 feet of vegetation.

Merrick: Correct?

Allen: It's no gaps at all there. That's all I'm saying. You know, 10-foot gap from the property line and 10-foot gap from your fence. And then you that's all I was saying you probably would do it anyway.

Merrick: I see what you're saying.

Allen: To me 50-foot buffer of vegetation and a 50-foot setback? It's the same size.

Merrick: I mean, realistically, you will have to set back off of that a little bit. But during our, our previous process, we performed a visual simulation performed by Stantec at third party engineering firm. And they provided sort of a before and after of what the project would look like, what the property looks like now, and then what it looks like, in five to 10 years and then 10 to 15. And, you know, with that 50-foot buffer, it's pretty clear, the evidence is conclusive that, you know, the, the project will be very well obscured from the public. So, we're happy to make that 50-foot commitment, I mean, going back through the original process, we came up from 25. And then, you know, committing to leaving vegetation around the entire perimeter of the project is a big commitment for us.

Allen: I was just saying it didn't leave you no gap to work with. And, you know, looking at the one 350 foot from someone's dwelling, if their dwelling is 350 foot from their property line then its taken care of, in a way so but it also says a 350-foot buffer of vegetation. So that mean, if the house was 350 feet off of that line, it's going to be 700 feet to the end of your buffer.

Merrick: Right, so that that condition for the residential dwellings, that that increased tremendously from sort of where it started from and it was included, you know, we agreed to that to basically, you know, give some space to some folks that had existing residential dwellings in and around the project area, although limited, there are houses around the project. And so to your question, basically, you would draw a line from where the existing residential dwelling is into our property line. And, you know, say that houses is built 100 feet from their property line, and then that imaginary line extends 250 foot even further into our property, that's what would be set back off of and buffered in that instance.

Allen: I'm just trying to understand because it still says even with a 350-foot buffer, it shall retain at least a 350-foot buffer of existing vegetation and timber. That's what I'm saying its both together. They're not one they are two separate things.

Merrick: Perhaps some more clarification language could be added to that condition?

Allen: I would. I'm just trying to make sure... have y'all looked at it? Did you see what I'm saying? you're saying 350 foot from residential dwelling like he was just talking about 100 foot from the property line. That means they don't have to do but 250 foot. But the actual paperwork says 350 foot from existing vegetation, which will make it 450 foot would be a setback from a house.

Merrick: Not sure I followed that but I'd be happy to discuss language that might clarify the condition.

Allen: I just want to make sure I'm not missing...

Bickford: That probably would read better if it was 350 feet from the property line rather than the house because if you go from your property line, you know, you got 350 feet, and then a house could be 50 feet on the offset or 100 feet. So in reading it I would believe that it would be a lot simpler for you and a lot clearer for the public that if it was just 350 feet from your property line. If you follow my train of thought here

Merrick: Is that only where existing residential dwellings are?

Bickford: Yeah, where the requirement is where Mr. Allen's referring to the 350 foot buffer.

Allen: You got 350-foot buffer plus a 350 foot of existing vegetation, which that's not going to be on the other person's property. It's going to be within their property.

Merrick: The intent of that condition was to use that to back off of residential dwellings 350 feet,

Bickford: Right and maintain a buffer.

Merrick: However far that extends in our property line. In each of those specific instances, we would maintain a buffer screening vegetation within that. And I think I think the difficulty is if you modify the language to be the property line it becomes difficult as far as like where do you pull already pull your line from. Because you could go up and down the property line, that sort of measurement has to be pulled from the residential dwelling. Otherwise, in every scenario, it's a discretionary call as far as where you choose to measure.

Bickford: If that's the case that the house was off set 100 feet into their own property, then your buffer was only 250 feet. Whereas if you go over your property line its 350. It never changes.

Merrick: Correct. If the house was built, right on the property line, it would be 350 feet.

Bickford: I guess what Mr. Allen's brought to attention is do you want it.. If you want 350 feet, just come off the property line it clears it up. If you want a buffer that's less because a house is 100 feet off the line, then you got to ask, I think you'd be better rather than working. I know what you're doing. You're trying to work with existing houses. To me, I'd like it. To clarify to make it simpler for you, as well as trying to for the public consumption would be to word off your property land may not require 350 feet, it may just want to require 200 feet. But if you go maintain it as a buffer, that's a pretty good screen. So my suggestion would be to give this some thought. Just to clean it up. And you do the same and we'll see what we can come up with it that makes sense?

Merrick: Yeah, I think we can make improvements.

Allen: Yeah, all together it would be 750 feet if you done exactly this at 350 feet back. But I would I would think it'd be no less than 100 feet from their property. We make sure that no matter how close a part was to make it no less than 100 feet from their property. Anyway, just a thought

Bickford: Is any other questions or comments for this?

Crews: Do you think it's reasonable to say that you're going to actually finish this thing in 12 months?

Merrick: Yeah, that's the typical constructions schedule for a project of this size. Of course, you know, weather pending, it could take a little longer 14 months. And, but certainly the project will be operational. And sometimes, after the project is operational, there could be some, you know, final, final cut list activities, you know, just revisiting any areas that might need additional work, seeding or, you know, improvements to storm water retention ponds, things like that. before everyone leaves but yes 12 months is a realistic construction schedule for this project.

Allen: Is that working seven days a week?

Merrick: Six, six days a week,

Allen: Working all day Saturday too?

Merrick: For the most part, yes.

Allen: I know I have some complaints about that too, the pile driving but anyway,

Crews: So if you can only disturb 25...

Merrick: I'm sorry, I want to make a correction to my statement, it would be seven days a week, we just committed to no pile driving on Sundays. So construction would be seven, seven days a week.

Crews: So if you can only clear 25% of the land, you know, at a time, when is that 25% deeded done before you move on to the next 25%?

Merrick: So the way that we drafted the original condition was it was to limit the initial land disturbance. Now that much of the property has already been cleared by wyerhauser company, it's a timber investment management organization that they grow trees for a living. And this property, a lot of it has already gone through a lot of land clearing. Now, when this project starts construction, the first 25% would be cleared. So the first the really the first thing we would do is

we would build roads into that 25% area. And then once we have access with our equipment, the second thing that we would do is actually construct all the erosion, sediment control and storm water ponds, as the very first thing we do. So erosion, sediment control is prioritized from the get go. And then once all those version seven control and storm water features are established, then we would go in and start the rest of the land clearing for that 25% section. Let's just call it 500 acres for simplicity. Now, once that full site has been cleared, you know, the grade has been softened, and it's ready to start the implementation of the rest of the solar facility, we would stabilize that area per the erosion sediment control handbook. There's a lot of different means and methods within that guidebook that you can use to stabilize and we would work in coordination with the County Environmental Programs Manager, as well as the third party inspectors that we've committed to compensating the county for. And so we would coordinate with all them to establish that area, and then move on to the next 25%. And so it what it does is it creates a sequential, you know, progression of land disturbance. And we included that condition, you know, to really help put at ease some concerns that folks had, you know, not wanting to have a full, you know, the full site, you know, disturbed at any one time in the event that there is a large rain event or something like that. So, you know that we included that to kind of help out against that

Bickford: Any other question for the applicant? Yes, go ahead.

Shumaker: So in those comments, we heard the long term commitment of 40 years being brought up on different aspects. One of those was about the emergency response in their counties preparedness to handle those sort of things. So in conditions 18 and 28. We talk about materials and also training of our emergency services. but I was hoping to bring up maybe some discussion about how to keep number 18 from being so vague and does Apex, have any other projects or localities where you need to keep MSDS sheets on file with emergency department so that they know what's in these all the time and to have chemicals or whatnot in case there is a fire, that sort of thing. So that we could adequately handle an emergency situation. That's what I'd like to see is something that, you know, in 40 years, technology can change a good bit. So something in our conditions that give us a mechanism to always have updated information on file about the contents of those panels.

Merrick: Sure. So I guess I'll talk a little bit about kind of just safety in general. So once we, once the project is constructed, and deemed operational, we actually will operate it remotely from our Charlottesville facility. And we'll have folks that'll be on site, occasionally, doing landscaping activities and things like that. But it's a generally benign facility that really doesn't require too many people to operate, and can be really operated completely remotely. But in the event that there are emergencies, we put together a full Emergency Action preparedness plan, we'll act we've actually already started coordinating with County EMS and volunteer firefighter groups. We've been meeting with them a couple times now. And we basically set forth all the procedures, make sure that they can access the site, you know, they're familiar with all the internal access roads, we'll even run drills with them, too. So once the site's operational, we'll run protocols so that their staff is familiar with how to address various emergencies that might be might be common. Now, I say that, but for the most part is unlikely for there to be any issues.

These are very safe, docile facilities with very little moving parts. And we'd be happy to provide some literature.

Shumaker: And we would hope that would be true. But in 20 years, if you guys are trying out new technology, and you decide to replace a row of panels, are you going to give updated information to those same departments? Is that something you do annually? Or as needed?

Merrick: I see your point. So it's our goal to have the same panels, they're 35-40 years from now they're installed, you know, the day of, they have very long energy guarantees. And they can actually generate quite a bit of energy even when in year 40. They're entering tremendous amount of power now, sure, if a panels damaged or something like that, we will replace them. And if there's something in here that we can add, where, you know, if we end up going with a different panel manufacturer or something like that, you know, gives you all the surety that that you're familiar with what's in them, but they are silicone based panels are what we've committed to by facial panels. You know, we're not doing cadmium telluride panels, so they're very safe, proven technology. That's been around for generations.

Shumaker: Yeah, I wasn't thinking there should be a new condition, but maybe just something added on to number 18. That said, you know, an update with any material changes over the life of the project that would cover all intentions. Good on your side as well.

Bickford: Thank you, Ashley. Anymore questions that we have? Motion to move this on?

Allen: So moved.

Edmondston: Mr. Chairman, the request from the applicant before you is to actually move this forward to a February 28. Joint public hearing with the Board of Supervisors. If that would be your pleasure.

Bickford: Y'all understand that it's been requested that we have a joint public hearing with the supervisors. What date did you say Nicci February 28?

Edmondston: February 28 2022. I know that typically our Planning Commission meets at 7pm. The Board of Supervisors has requested in the past that they are to be included in a joint sessions to hold that meeting at 6pm.

Bickford: If we do it, they want it at seven or six?

Edmondston: They would want it at 6pm. Over the last few years, they've notated to me that they appreciate those 6pm meetings, if at all possible.

Bickford: What's the favor of the Planning commission on it? Do we have a joint public hearing meeting on the 28th starting at six?

Crews: How does that exactly work?

Bickford: When the process is over, we would discuss it the Planning Commission would vote first then the Board but it would all be completed that night to expedite the matter for applicant

Allen: It saves them another month or two.

Bickford: Yeah, definitely. Well, being its has been approved already one time and I have no problems with it. But I'm just wanted to clarify.

Allen: I make a motion we have a joint meeting on February 28 Six o'clock.

Gooden: Second.

Bickford: Any further discussion? All in favor? Raise your right hand. See you on the 28th sir.

Merrick: Thank you.

Supervisor Allen moved, Commissioner Gooden seconded, and was unanimously carried by the Commission to move 22-SUP299 on to a joint public hearing.

Bickford: That brings us to the Buckingham County Zoning Ordinance to include one signage and two site plans.

Edmondston: Yes, sir. Mr. Vice Chairman in our county attorney, Mr. Wright brought up to the Board of Supervisors at their January 2022 meeting. The need to take a look at some amendments to our zoning ordinance regarding signs that are placed for public hearings or rezoning's. Mr. Wright may be able to add a bit more to that due to I believe it's a Dillon's rule state, but he has more terminology behind that. And also, just in regard to the volume of applications that we've received, and lots of the comments and concern and discussions that have been held with our applicants regarding site plans. Our citizens have made quite sophisticated applications these days to the counties which kind of necessitates taking a look at a full comprehensive site plan that would include traffic flow and commercial entrance and safety of ingress and egress of individuals visiting those particular business. I don't have anything to offer you to review as far as taking action on immediately this evening. And I was wondering if the commission would see it fit possibly if it would be your pleasure to possibly refer this back to staff such as myself, county attorney, possibly County Administrator to review this and actually formulate something for you to review more formally. Or maybe you'd like to comprise a committee of staff and a couple members of the Planning Commission. With that up to you.

Bickford: We have the option of your talking about basically a subcommittee.

Edmondston: Yes, sir.

Bickford: We have the option of a subcommittee, if you choose to which two Planning Commission members will sit down with Nicci and I assume Mr. Wright. And I'm not sure who else but in a way to sort of come up with some preliminary information regarding both of these for us to then discuss and vote on or we can allow them the latitude to do it themselves, and then make adjustments after they presented it to us. Which if you want to go the route of having a subcommittee meeting that's fine. Probably need to two volunteers

Allen: Or could do the just have another meeting on 21st? Like we usually have used to have our planning workshops work session and just work on it.

Bickford: We could do that we could entertain it and Nicci would you have an opportunity to have any information for us by that point?

Edmondston: I would believe that...

Bickford: February 21.

Edmondston: We could have information prepared for a work session on February 21st.

Bickford: All right. Everybody's fine with that on the commission. We'll set that up as a work session at seven o'clock to go over these two items. We don't need a vote for that do we?

Edmondston: I don't believe for a work session, and we will have those discussions and if it's something you would like to take action that evening we could.

Bickford: We actually have on that on the schedule, we approved, we do have a work session, if necessary on the 21st of February. So we should be fine.

Edmondston: And we may need to check is that could be a holiday. I think it does say tentative, which means it moves to February 22. At seven

Bickford: Oh, that'd be Tuesday. Yes.

Allen: That's Presidents Day. Yep.

Bickford: That's right. All right. Everybody on that commission fine with that? Very good time. We'll set that up for work session on February 22.

Allen: I think you also have one of the Buckingham meetings with Cody Davis. It's 6:30am on that night too. I don't know if that bothers anybody

Edmondston: Is that held at this location?

Allen: I don't know where he's going to hold it.

Edmondston: Mr. Shumaker back there. Are you aware of a meeting schedule for that?

Allen: It was; it may be done got changed.

Inaudible

Edmondston: and what's the location of that?

Bickford: If we delay till March for work session, does that put us to fall behind the curve?

Edmondston: That may be a better question for Mr. Wright.

Inaudible

Bickford: That'd be March 21st for the work session. Okay change of plans. That will give you extra time Nicci. That brings us to your reports.

Edmondston: Mr. Vice Chairman, I actually don't have any reports for you other than the building report. Monthly, I would just like to say thank you to everyone for a great 2021 year I look forward to serving with each of you throughout the 2022 calendar year. We've had some interesting cases where you know, we've learned quite a great deal and the conversations that I have on a daily regular basis with citizens. They are creative, they are thinking of ways to work at home and work from different areas within this county, but it's definitely an exciting pivotal time for Buckingham County. So I just want to tell each of you how much I appreciate your hard work and diligence towards the cases and then I look forward to the rest of this year.

Bickford: Any Commission matters or concerns they like to bring up at this point?

Gooden: I have a question. It was my concern. We've had a lot of talks about the roads. And I was thinking Vdot was going to be here too. We had requested Vdot come so we could talk about the roads because in the past we've had our citizens going out and doing their own measurements of roads and there's a pothole here and there's an I really would like to have v dot weigh in on that, you know, I measure a road and Nicci measures a road. I'm just saying that it's that's not what I measure. I measure fabric you know, other things but we're not qualified to measure our road. And I would like to know, after having driven Crump Town road, you know, what that official status is? If they clear a road for traffic, does that mean any traffic? Because when they put weight limits up, truck weight limits up, that means one thing if there is no truck weight limit on there, does that mean any vehicle can go on that road? And see I want clarification from Vdot, not from citizens who are concerned about something heavy on their road.

Allen: Most time they don't, the only time that they have weight limits is a bridge. And they say the bridge allows that.

Gooden: Yeah, and that's what I'm saying. But what we're getting is no, I measured the road here and I measured the road over here. That's, that's not an official statement. What I would like to something from Vdot. Are we going to have a speaker from vdot, some input from vdot Nicci? How does that?

Edmondston: Miss Gooden I will tell you that in December after our December 27 meeting, I spoke with Scott Frederick, the resident engineer. He did have plans to attend this evening. He did let me know in December when I spoke with him that he did have a conflict. It was a family situation he was going to try to attend this evening, it must not have worked out for him. He did state that he would definitely be more diligent in attending the planning commission meeting so I let him know of course he could attend virtually or in person, because we have had lots of questions, more questions than answers when it comes to concerns of the citizens, you know, regarding the cases. So yes, I've made contact and I will reach back out to him again tomorrow. I'll send him our schedule too.

Bickford: Any other Commissioners have anything they want to address? I would like I was not here for the December meeting. And I'd like to welcome our two new Commissioner and look forward to working with you starting tonight, actually, Do I have a motion to adjourn?

Allen: So moved.

Gooden: Second.

Bickford: Okay, good. I got a motion a second I assume no discussion. All in favor, raise your right hand. We are adjourned. Thanks everyone.

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

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

ATTEST:

Nicci Edmondston

Patrick Bowe

Zoning Administrator

Chairman

Buckingham County Planning Commission
February 28, 2022
Administration Building
6:00 PM
Public Hearing Case 22-SUP299

Owner/Applicant:

Landowner	Weyerhaeuser Company 220 Occidental Ave S Seattle, WA 98104
Applicant	Apex Clean Energy Inc 310 4 TH 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 to allow for the construction and operation of a 149.5 MW utility scale solar facility on approximately 1,996 acres in Buckingham County.

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 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 Board of Supervisors approved Case 21-SUP290 for Apex Riverstone Solar LLC project on November 8, 2021. Condition #7 limited the solar equipment and accompanying storm water

features to no more than 1,729 acres of the incorrectly stated acreage of the Project as 1,966, and should have stated 1,996 acres. The application for Case 22-SUP299 was received due to ongoing studies and evaluations necessitating the request for the additional 35 acres that will be used by the Applicant as additional space that will permit flexibility in the design and construction of the project. The Applicant states that while the Project can still be constructed in accordance with the 21-SUP290 approval, the additional 35 acres will permit flexibility to avoid cultural or environmental sensitive areas that may be identified during environmental studies or may be used for an alternative internal access to the Interconnection Switching Station, staging of construction equipment, or additional Solar Equipment area.

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

Version 2.23.22 (Updates and Revisions necessary, as determined by Public Feedback, since Introduction on January 24, 2022)

1. **Inspections.** Riverstone Solar, LLC or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy facility (the "Applicant") consent to annual administrative inspections by Planning Department Staff for verification of compliance with the requirements of this SUP after the completion of the construction of the Project. During construction of the Project, the County and its assigns and designees shall have access to the site for inspections and to assure compliance with the conditions of the SUP.
2. **Compliance with Conditions.** The Applicant shall sign the list of the adopted conditions for this SUP signifying acceptance and intent to comply with these conditions.
3. **Compliance with Laws; Erosion and Sediment Control and Stormwater.** That all federal, state, and local laws, regulations, permit requirements and ordinances will be adhered to including but not limited to:
 - a. All active solar systems and solar equipment used in this Project shall meet the requirements of the National Electrical Code (NEC), National Electrical Safety Code (NESC), American Society of Civil Engineers (ASCE), American National Standards Institute (ANSI), Institute of Electrical and Electronics Engineers (IEEE), Underwriters Laboratories (UL), or International Electrotechnical Commission (IEC) as applicable and comply with state building code and shall be inspected by a County building inspector through the building permit process.
 - b. An Erosion and Sediment Control Plan must be submitted to the County and approved by the Soil and Water Conservation District and the Virginia Department of Environmental Quality prior to any land disturbance. Prior to Applicant's submission of the Erosion and Sediment Control Plan, the Applicant will contact the County's erosion and sediment control reviewer and use reasonable efforts to arrange a meeting on the Property with the Applicant's engineer. The County may obtain an independent third party review of the Erosion and Sediment Control Plan at the expense of the Applicant.
 - c. The erosion and sediment control plan shall be prepared in accordance with the Virginia Erosion and Sediment Control Handbook. As an additional precaution, the erosion and sediment control plan will be implemented as a sequential progression, demonstrating that not more than 25% of the Maximum Extents (a "Phase") be initially disturbed during construction without temporary seeding or

other stabilization in accordance with the Virginia Erosion and Sediment Control Handbook. Temporary seeding or other stabilization in accordance with the Virginia Erosion and Sediment Control Handbook shall be implemented as soon as possible, and no more than 7 days after final grading in a Phase is complete. As soon as the stabilization of a phase, as referenced in sentence 2 of this condition, has been completed, construction activity (disturbance) may commence in a subsequent Phase. This condition shall not prevent continued construction activities in a previous Phase after a previous Phase has been stabilized in accordance with the Virginia Erosion and Sediment Control Handbook, and such stabilized areas will not be subject to the 25% limitation of sentence 2 of this condition; however continued construction activities, excluding maintenance of erosion and sediment control and stormwater management features or associated activities, shall not be re-initiated in a previous Phase until at least 50% vegetative cover (as determined by an independent inspector) has been established in that Phase or 60 days after a Phase has been temporarily stabilized, whichever is sooner. During this period, the applicant shall take continued action implementing best management practices to promote successful establishment of vegetative cover in a Phase. The erosion and sediment control plan will provide the means and measures in accordance with the Virginia Erosion and Sediment Control Handbook to achieve stabilization of the disturbed areas and to comply with this condition.

- d. During the construction of the Project, the Applicant shall require the following:
- (1) All Erosion and Sediment Control facilities will be inspected by a qualified third party inspector: (i) at least every four calendar days; or (ii) at least once every five calendar days and within 48 hours following any runoff producing storm event. Any discrepancies should be noted and corrective action should be taken to ensure facilities are operating properly. Corrective measures include regularly cleaning out sediment basins and traps, stabilizing eroded banks or spillway structures, cleaning inlets and outlets and repairing damaged silt fence shall be prioritized.
 - (2) Runoff at stormwater outfalls will also be observed just as often for characteristics listed in the land disturbance permit (clarity, solids, etc.).
 - (3) A record of the amount of rainfall at the Project during land disturbing activities.
 - (4) A record of major land disturbing activities, including dates when clearing, grading and excavating occurred in each Phase. Dates when construction activities are either temporarily or permanently ceased in the Phase should be recorded along with stabilization areas.
- e. The County may inspect the Project during construction as determined by the County and shall retain all enforcement rights under applicable law.
- f. A Stormwater Management Plan must be submitted to the Virginia Department of Environmental Quality (VDEQ) and approved by VDEQ prior to any land disturbance. The Applicant will obtain approval of a Stormwater Pollution Prevention Plan ("SWPPP"). The Applicant and its contractor will have operational day-to-day control of the Project and must implement the SWPPP measures. The Applicant will cause the active up-to-date SWPPP to be made publicly available either electronically or at a location viewable not less than once per month upon request by the public. The Applicant and its contractors will ensure that the applicable subcontractors are trained on appropriate best management practices and requirements in the SWPPP.
- g. The Project shall fully comply with all applicable provisions of the Buckingham County Zoning Ordinance, to the extent not modified herein, throughout the life of this SUP.

4. **Expiration.** The building permit application must be submitted within 2 years of obtaining the Special Use Permit and the commercial generation of solar electricity shall begin within 24 months of

the approval of the building permit or this SUP shall be null and void. The building permit deadline will be extended for 12 months (3 years total), and the construction time period extended by 12 months (30 months total) by administrative approval of the County Administrator after consultation with the Board of Supervisors due to delays in state permits, interconnection approval, or other good cause demonstrated by the Applicant. Any timeframe under which the Commonwealth is under an Executive Order of the Governor declaring a statewide emergency will toll the timeframe specified in this condition.

5. **Definitions.** All racking, solar modules, inverters, breakers, switches, cabling, communications components, and other ancillary components necessary to convert solar energy to electricity and interconnect to the electrical transmission are considered "Solar Equipment" and subject to the requirements for such, together with setback requirements of that district and other requirements, unless otherwise stated in these conditions. Solar Equipment shall not include access roads and transmission lines and poles. "Project Area" shall include all areas within the Property line boundary that include, but not limited to the following: Solar Equipment, ingress/egress, access roads, fencing, parking, laydown areas, setbacks, buffers, storage area, wetlands, erosion and sediment control features, storm water management features, and other ancillary components. Battery storage and other energy storage methods are not approved as part of this SUP and will require separate special use permitting. The "Maximum Extents" shall not exceed 1,765 acres and is depicted on the General Plan. The "Property" is defined as 1,992-acres consisting of Tax Map Section: 17, Parcel 8, Tax Map Section: 17, Parcel 9, Tax Map Section: 17, Parcel 13, and Tax Map Section: 18, Parcel 2.

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

7. **General Plan.** The construction of the Project shall be in substantial conformance with these conditions and in general conformance with the Special Use Preliminary Site Plan prepared by Apex Clean Energy dated January 12, 2022 (the "General Plan"). The Solar Equipment and accompanying storm water features shall be limited to no more than the 1,765 acres of the 1,992-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 comply with these conditions.

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

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

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

9. **Noise.** After completion of construction, the solar energy facility, during normal operation, but excluding maintenance, shall not produce noise that exceeds 50 dbA as measured at the property lines

of the Project Area boundary, unless the owner of the adjoining affected property has given written agreement to a higher level.

10. **Setback from Existing Residential Dwellings.** A minimum three hundred and fifty (350) foot setback shall be maintained from Solar Equipment to any adjoining or adjacent residential dwellings (and not the property line) that exist at the time of the approval by the Board of Supervisors. This requirement may be reduced or waived for the life of the solar energy facility, if agreed to, in writing, by the owner of the residence. Transmission lines and poles, security fence, and project roads may be located within the setbacks only where necessary. During construction, the setback may be used for the staging of materials and parking if the buffer is not disturbed. The Applicant shall retain and maintain existing vegetation and timber in the setback that are under the control of the Applicant and located on the Property.

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

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

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

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

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

13. **Buffer.**

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

b. Along existing public right-of-way (ROW) where there is existing timber, the Applicant shall retain at least a fifty (50) foot buffer of existing vegetation and timber with the intent to substantially obscure from view the Solar Equipment and security fence from the public right-of-way. Along existing public rights-of-way where there is not at least 50' of vegetation and timber remaining to substantially obscure from view the Solar Equipment and security fence, the Applicant will create a buffer of at least fifty (50) feet. The new buffer will include timber, evergreens, cedars or other vegetation as determined by the Applicant with the advice of a professional arborist and subject to the prior written approval of the Zoning Administrator prior to the issuance of a building permit. All plantings installed in the buffer

shall have an anticipated five-year height of six (6) to eight (8) feet after planting and an anticipated mature height of at least twenty (20) feet. Any new plantings shall be planted during the appropriate time of year after the completion of construction of the Project. The buffer may be included in the setback area.

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

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

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

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

16. **Interconnection.** The Project shall not receive 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.

17. **Decommissioning.** If the solar energy facility is inactive completely or substantially discontinuing the delivery of electricity to an electrical grid for a continuous twelve (12) month period it shall be considered abandoned. The Applicant shall provide notice to County Administrator immediately upon the Project becoming abandoned, inactive and/or shutting down operation. The Applicant or its successor and/or assign ("Project Owner") shall decommission the Project within twelve (12) months abandonment, inactivity, or substantially discontinuing the delivery of electricity to an electrical grid, whichever occurs first. The decommissioning shall be in accordance with a Decommissioning Agreement between the Applicant, Project Owner and the County. If the Project (or relevant part) is not removed within the specified time, the County may cause the removal of the Project with costs being borne by the Project Owner as will be provided for in the approved Decommissioning Agreement. The costs of decommissioning shall be secured by an adequate surety in a form agreed to by the County Attorney, including but not limited to a bond, letter of credit, cash, or a parent guarantee by an investment grade entity. The Applicant's cost estimate of the decommissioning shall not include the salvage value of the Solar Equipment. The cost estimate of the decommissioning shall be updated by the Applicant every five (5) years and be provided to the County. At its option, the County may require the surety amount be increased based on the new cost of decommissioning. The Decommissioning

Agreement shall be agreed upon and the surety shall be provided before the issuance of the building permit.

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

19. **Training of Emergency Services.** The Applicant shall coordinate with the County's emergency services staff to provide materials, education, and/or training to the departments serving the solar energy facility regarding how to safely respond to on-site emergencies. Prior to construction, the Applicant shall ensure that emergency services staff has keys and other access to the Property and the Applicant shall provide the County and emergency services with safety data sheets (SDSs) on the Solar Equipment for the life of the project.

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

21. **Construction Management.** The following measures will be taken:

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

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

c. During construction, the Applicant will hold a Townhall every quarter within the County, inviting county officials, neighboring landowners, and the broader Buckingham community. During these townhalls, the Applicant will provide a report on the Project's construction progress from the previous quarter and summarize construction activity to occur in the subsequent quarter, and provide an opportunity to receive citizen comments.

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

23. **Glare.** All panels will use anti reflective coatings. Exterior surfaces of the collectors and related equipment shall have a non-reflective finish and solar panels shall be designed and installed to limit glare to a degree that no after image would occur, towards vehicular traffic and any adjacent building.
24. **Height.** No aspect of the Solar Equipment shall exceed 17 feet in height, as measured from grade at the base of the structure to its highest point. Such height restriction shall not apply to electrical distribution facilities, substations, or transmission lines.
25. **No County Obligations.** Nothing in this SUP shall be deemed to obligate the County to acquire any interest in property, to construct, maintain or operate any facility or to grant any permits or approvals except as may be directly related hereto.
26. **Severability of Conditions.** If any one or more of the conditions is declared void for any reason whatever, such decision shall not affect the remaining portion of the permit, which shall remain in full force and effect, and for this purpose, the provisions of this are hereby declared to be severable.
27. **Enforcement.** 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. **Road Use Restrictions.** The Applicant will be restricted from using Paynes Road, Georgia Creek Road, Quail Run Lane and the portion of Paynes Pond Road from the intersection of Route 20 to the northern boundary of the Project Area for access to the Project Area during the construction and decommissioning phases of the Project. The Applicant will be restricted from using Paynes Road and Quail Run Lane during the operations and maintenance phases of the Project.
29. **Solar Panel Technology.** The Applicant will be restricted from utilizing photovoltaic panels with internal components containing cadmium telluride. Only silicon type panels, or those other panels that have been established as optimal standard best practice shall be utilized by the Applicant.
30. **Ground Cover; Pollinators.** Prior to the start of construction, the Applicant will perform no less than 10 soil tests in areas across the Project Area to achieve an appropriate sample size of Project Area. The soil tests will be used to inform and develop a comprehensive and detailed vegetative management plan with the intended effect to revegetate the Project Area with ground cover. The vegetative management plan may include the optimal seed types, fertilizer rates, and liming rates (if necessary) to be used for temporary and permanent stabilization. Once operational, the Applicant will maintain ground cover in good condition throughout the operation of the Project. Where grubbing is not required for the construction or operation of the solar farm, or for the installation of erosion control and stormwater management features, existing stumps shall remain in place. The Applicant will consider implementation of Pollinator Habitats where appropriate and in accordance with applicable laws and regulations.

Buckingham County Planning Commission

February 28, 2022

Administration Building

7:00 PM

Introduction Case 22-SUP300

Owner/Applicant: Landowner Aaron Beiler
257 Sprouses Lane
Dillwyn VA 24590

Applicant Aaron Beiler
257 Sprouses Lane
Dillwyn VA 24590

Property Information: Tax Map 124, Parcel 12, containing approximately 121.63 acres, located at 257 Sprouses Lane Dillwyn, VA 23936, Maysville 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 hold a public hearing to hear this request.

Background/Zoning Information: This property is located at 257 Sprouses Lane Dillwyn VA 23936, Maysville Magisterial District. The landowner and applicant is Aaron Beiler. 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 commercial sawmill was operating. Staff has been working with Mr. Beiler since August 2021 for a completed application to submit for review.

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?

March 28, 2022 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

TAX RECEIPT

Ticket #:00001390001 @@

BUCKINGHAM COUNTY
CHRISTY L CHRISTIAN
(434) 969-4744
POST OFFICE BOX 106
BUCKINGHAM VA 23921

Date : 1/28/2022
Register: RR1/RR1
Trans. #: 31568
Dept # : SPUSE
Acct# :

SPECIAL USE PERMIT - ZONING
SPECIAL USE PERMIT
MAP 124-12

Previous
Balance \$.00

Principal Being Paid \$ 200.00
Penalty \$.00
Interest \$.00

BEILER AARON

Amount Paid \$ 200.00

*Balance Due \$.00

Pd by BEILER AARON & MALINDA Check 200.00 # FARMERSBK 1179
BALANCE DUE INCLUDES PENALTY/INTEREST THRU THE MONTH 1/2022

APPLICATION FOR A SPECIAL USE PERMIT

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

DATE OF APPLICATION: 12/3/21

Special Use Permit Request: To operate a commercial sawmill
as a part time application.

Purpose of Special Use Permit: same as above

Zoning District: A-1 Number of Acres: 121.63

Tax Map Section: 124 Parcel: 12 Lot: _____ Subdivision: _____ Magisterial Dist.: Marysville

Street Address: 257 Sprouses Lane

Directions from the County Administration Building to the Proposed Site: RT60 east to
RT 15 north to RT 20 north 1/2 mile to Sprouse Lane

Name of Applicant: Aaron B. Beiler

Mailing Address: 257 Sprouses Lane Dillwyn VA 23936

Daytime Phone: 434-983-1358 Cell Phone: _____

Email: _____ Fax: _____

Name of Property Owner: Aaron B. Beiler

Mailing Address: 257 Sprouses Lane Dillwyn VA 23936

Daytime Phone: 434-983-1358 Cell Phone: _____

Email: _____ Fax: _____

Signature of Owner: Aaron B. Beiler Date: 12/1/21

Signature of Applicant: Aaron B. Beiler Date: 12/1/21

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: Mark Steinrock

Mailing Address: 5805 N. Central Ave. Tampa FL 33604

Physical Address: 1367 S. Constitution RT.

Tax Map Section: 124 Parcel: 30 Lot: _____ Subdivision: _____

2. Name: Britnik Rentals LLC

Mailing Address: 409 Forest Chapel RD Pamplin VA 23958

Physical Address: Taylor's Park Lane

Tax Map Section: 124 Parcel: 27 Lot: _____ Subdivision: _____

3. Name: ~~409~~ 409 Forest Chapel RD Pamplin VA 23958

Mailing Address: ~~409~~ Britnik Rentals LLC

Physical Address: unknown

Tax Map Section: 124 Parcel: 28 Lot: _____ Subdivision: _____

4. Name: Britnik Rentals LLC

Mailing Address: 409 Forest Chapel RD Pamplin VA 23958

Physical Address: 1481 S. Constitution RT

Tax Map Section: 124 Parcel: 29 Lot: _____ Subdivision: _____

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: Bennet & Ruth King

Mailing Address: 324 Spruces Lane Dillwyn VA 23936

Physical Address: Same

Tax Map Section: 124- Parcel: 12-A Lot: A-267B Subdivision:

2. Name:

Mailing Address:

Physical Address:

Tax Map Section: Parcel: Lot: Subdivision:

3. Name:

Mailing Address:

Physical Address:

Tax Map Section: Parcel: Lot: Subdivision:

4. Name:

Mailing Address:

Physical Address:

Tax Map Section: Parcel: Lot: Subdivision:

6. Name: Chamblers Shallon Tierra

Mailing Address: 1452 S. Constitution RT Dillwyn VA 23931

Physical Address: Same

Tax Map Section: 125 Parcel: 4-1 Lot: _____ Subdivision: _____

7. Name: Giffin Barry Keith & Jay Walker

Mailing Address: 1623 S. Constitution RT Dillwyn VA 23936

Physical Address: Same

Tax Map Section: 124 Parcel: 15B Lot: _____ Subdivision: A-231A

8. Name: Weyerhaeuser Company

Mailing Address: 100 Professional Center Brunswick GA 31525

Physical Address: ~~the~~ Vacant Land

Tax Map Section: 124 Parcel: 40 Lot: _____ Subdivision: _____

9. Name: Jordan M. Sprouse 1062 Fanny White RD Dillwyn VA 23933

Mailing Address: ~~32~~ 

Physical Address: Same

Tax Map Section: 124 Parcel: 11-G Lot: _____ Subdivision: A-256-A

10. Name: ~~Ruby Sprouse~~ Will be To: Wendy Talbert 1610 Fanny White R

Mailing Address: ~~147 Deans Lane Dillwyn VA 23936~~ Dillwyn VA

Physical Address: vacant Land 23936

Tax Map Section: 124 Parcel: 11-F Lot: _____ Subdivision: A-256-A 7

11. Name: ~~Ruby Sprouse~~ Same as above

Mailing Address: ~~147 Deans Lane Dillwyn VA 23936~~

Physical Address: vacant Land

Tax Map Section: 110 Parcel: 107-C Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 26th day of January, year 2022,
I Aaron B. Beiler hereby make ^{affirm}~~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)

Aaron B. Beiler

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

NOTARY:
COMMONWEALTH OF VIRGINIA

COUNTY OF Buckingham

STATE OF Virginia

Subscribed and ^{affirmed}~~sworn~~ to me on the 26th day of January

of the year 2022. My Commission expires on 02/28/2025.

Notary Public Signature: Kara Queen Kitchen

Stamp:



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this 26th day of January, of the year 2022

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

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

Aaron B Beiler

NOTARY PUBLIC

COUNTY OF Buckingham STATE OF Virginia

Subscribed and ~~sworn~~ ^{affirmed} to me on this 26th day of January

of the year 2022 My commission expires 02/28/2025

Notary Public Signature: Kara Queen Kitchen

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):

Farm use / sawmill and Timber use

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

Farm use / Motorcross race track / Timber

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: Aaron B Beiler Date: 1/3/22

Printed Name: Aaron B Beiler Title: Owner

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: Aaron Beiler

Location: TAX MAP # 124-12

Proposed Use: Sawmill

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:

Existing entrance does not meet min. sight distance requirements for the proposed application. Applicant has been issued a VDOT Land Use Permit to construct a low volume commercial entrance at an adjacent location that will satisfy those requirements. Applicant has been informed of risks created and legalities of continued use of existing entrance.

Signature of VDOT Resident Engineer: C. D. Edwards

Printed Name: Charles D. Edwards Date: 1-25-22

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

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

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

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

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

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

NOTARY PUBLIC

County of _____ State of _____

Subscribed and sworn before me on the _____ day of _____

in the year _____. My commission expires _____.

Signature of Notary Public: _____

Stamp:

WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

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

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

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

Applicant/Owner: Arion B. Beitz

Date: 2/1/22

Commonwealth Of Virginia

Department Of Transportation

Land Use Permit



Permit No 319-35316

Status APPROVED

This permit only grants permission to use whatever rights the Commonwealth Transportation Board and the Department of Transportation have in the right of way and no more, and it is the obligation of the permittee to secure any other releases or permission that may be needed in order to perform the work.

Effective Date Dec 07, 2021

Expiration Date Dec 07, 2022

Reinstatement Date

Permittee Information		Your Job#	Surety & Account Receivable Information
Owner & Address	Aaron Beiler 257 Sprouses Lane Dillwyn Virginia 23936	Agent	Name Aaron & Malinda Beiler Surety Account 1114 Surety Type Cash/Check Amount 500.00 Obligation Amount 500.00 Surety Holder CUSTOMER
Contact	Aaron Beiler	Contact	
Phone#	4349831358	Phone#	
Fax#		Fax#	
24 Hr#		24 Hr#	

AUTHORIZATION: In compliance with your application, permission is hereby given insofar as the Commonwealth Transportation Board has the right, power, and authority under sections 33.2 - 210;33.2 - 240;33.2 - 241 of the Code of Virginia as amended, to grant by Special Agreement and/or by Land Use Permit for you to perform the work and or activity(s) described below:

Location

County/City/Town	Buckingham County	Highway Route(s)	20 - S. Constitution Route
From Route Number	15	From Route Name	James Madison Hwy.
To Route Number	699	To Route Name	Darbytown Rd.

Work Description


Install an entrance to serve property that provides better sight distance than existing

Payment Reference	Payment Date	Payment Type	Payment Amount
1114	12/7/2021	Check	\$100.00

Applicant has complied with VA Code Section 56-265.15 Affidavit is attached.

TERMS: Applicable as stated in the VDOT Land Use Permit Regulations (current edition) and/or as per approved plans, and/or regulatory instructions, including but not limited to the LUP-SPG and/or agreement(s) attached hereto.

COMMONWEALTH TRANSPORTATION BOARD

By:  Dec 07, 2021
C. Daryl Edwards

- C** Call before you dig
- A** Allow the required time for marking
- R** Respect and protect the marks/flags
- E** Excavate carefully



Call Miss Utility
811

[] When checkbox is marked, by approving this permit, the issuing official certifies that the entrance was designed in accordance with Appendix F of the Road Design Manual

FINAL INSPECTION & SURETY REQUIREMENTS: Upon completion of the work or activity(s) authorized under this Land Use Permit, the permittee shall contact the following office in writing or by electronic communication to request final inspection and release of the surety obligation for this permit.

Farmville Residency
637 Commerce Road
Farmville VA 23901

Permit No.319-35316

VDOT's Web Site: www.vdot.virginia.gov

Permittee Copy

Note: All entrance design and construction shall accommodate pedestrian and bicycle users of the highway in accordance with the Commonwealth Transportation Board's "Policy for Integrating Bicycle and Pedestrian Accommodations".



Note: All entrance design and construction shall accommodate pedestrian and bicycle users of the highway in accordance with the Commonwealth Transportation Board's "Policy for Integrating Bicycle and Pedestrian Accommodations".

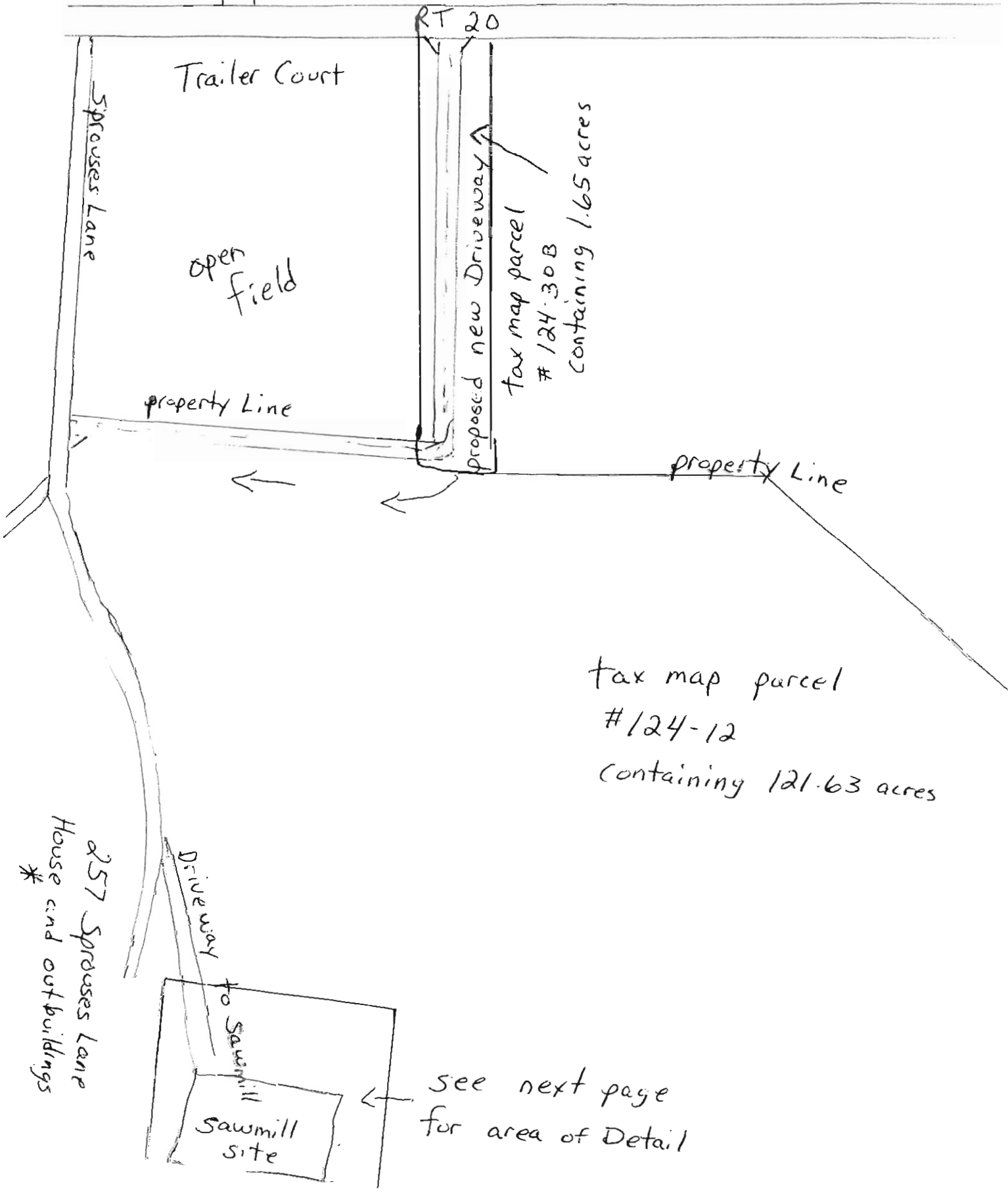
Written Narrative for Application for Special Use Permit to operate Commercial Sawmill: Having obtained a building permit to build a 28x60 opensided pole building in the Spring of 2018 to house a portable sawmill with the purpose of harvesting timber off My farm, milling the logs into Lumber (railroad ties, grade and pallet lumber etc.) and selling the lumber, This practice continues today. However, as early as summer 2019 some outside logs were purchased offsite. I was not aware of this being in violation of the Zoning Ordinance until recently it was brought to my attention.

A brief description of My operation: Self-employed with no employees, Weekly hours of operation: 35 hrs + or - 4 to 5 days a week. 10,000 + - bd. ft. of lumber produced weekly which amounts to roughly 1 load of finished lumber weekly. It takes about 2 loads of logs to produce 1 load of lumber (semi-trucks). At this time there are no plans for expanding, However if lumber markets continue thriving some expansion may be done in the form of expanding the building by 25% and increasing production by up to 50%, but the main purpose of the sawmill operation will be the ongoing select cut of timber onsite.

o o o o o o o o

North
Prison

Scale = 1" = 300ft



tax map parcel
#124-12
containing 121.63 acres

see next page
for area of Detail

N ↑ scale $\frac{1}{2}'' = 10\text{ft.}$

Sawmill site

← 110ft →

Driveway
to Sproules Lane

80ft

Gravel area used
for truck turn around
and log and lumber storage

containing 10,625 sq.ft. + or -

← 45ft →

28' x 60'
opensided pole
Building *

* Engineer approved building

← 125' →

← 85ft →



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

2021 REAL ESTATE 2ND INSTALLMENT

**THIS BILL IS
DUE DECEMBER 6, 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.

000006/4--S 0--B 0

BEILER AARON B & MALINDA S BEILER
257 SPROUSES LN
DILLWYN VA 23936-8771

DUE DATE: 12/06/2021

MAYSVILLE

PENALTY - 10.00% AFTER 12/06/2021

INTEREST - 10.00% PER YEAR BEGINNING 01/01/2022

BILL NUMBER	TAX RATE	LAND VALUE	BUILDING AND OTHER VALUES	DESCRIPTION	MAP NUMBER	ACREAGE	TAX DUE
1013	.520	200600	112700		124 12	121.630	814.58
TOTAL NOW DUE :							814.58
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

PLEASE BRING IN OR MAIL THIS STUB WITH YOUR PAYMENT BY: December 6, 2021



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

2021 REAL ESTATE 2ND INSTALLMENT

**THIS BILL IS
DUE DECEMBER 6, 2021**

IMPORTANT TAX INFORMATION

1. If Real Estate has been sold please forward this bill to the new owner or the Treasurer's office.
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*000006/4--S 0--B 0



BEILER AARON B & MALINDA S BEILER
257 SPROUSES LN
DILLWYN VA 23936-8771

DUE DATE: 12/06/2021

· MAYSVILLE ·

PENALTY - 10.00% AFTER 12/06/2021

INTEREST - 10.00% PER YEAR BEGINNING 01/01/2022

BILL NUMBER	TAX RATE	LAND VALUE	BUILDING AND OTHER VALUES	DESCRIPTION	MAP NUMBER	ACREAGE	TAX DUE
1015	.520	5800			124 30B	1.650	15.08
TOTAL NOW DUE :							15.08
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

PLEASE BRING IN OR MAIL THIS STUB WITH YOUR PAYMENT BY: December 6, 2021

Maxey-Hines & Associates, P.C.

P.O. BOX 90 FARMVILLE VIRGINIA 23901

TEL: 804-392-8827

Line Table:

LINE	DIRECTION	DISTANCE
L1	N53°10'00"E	20.21'
L2	S08°43'00"E	40.25'
L3	S38°50'00"E	35.52'
L4	S08°43'00"E	119.58'
L5	N38°50'00"W	81.02'

Legend:

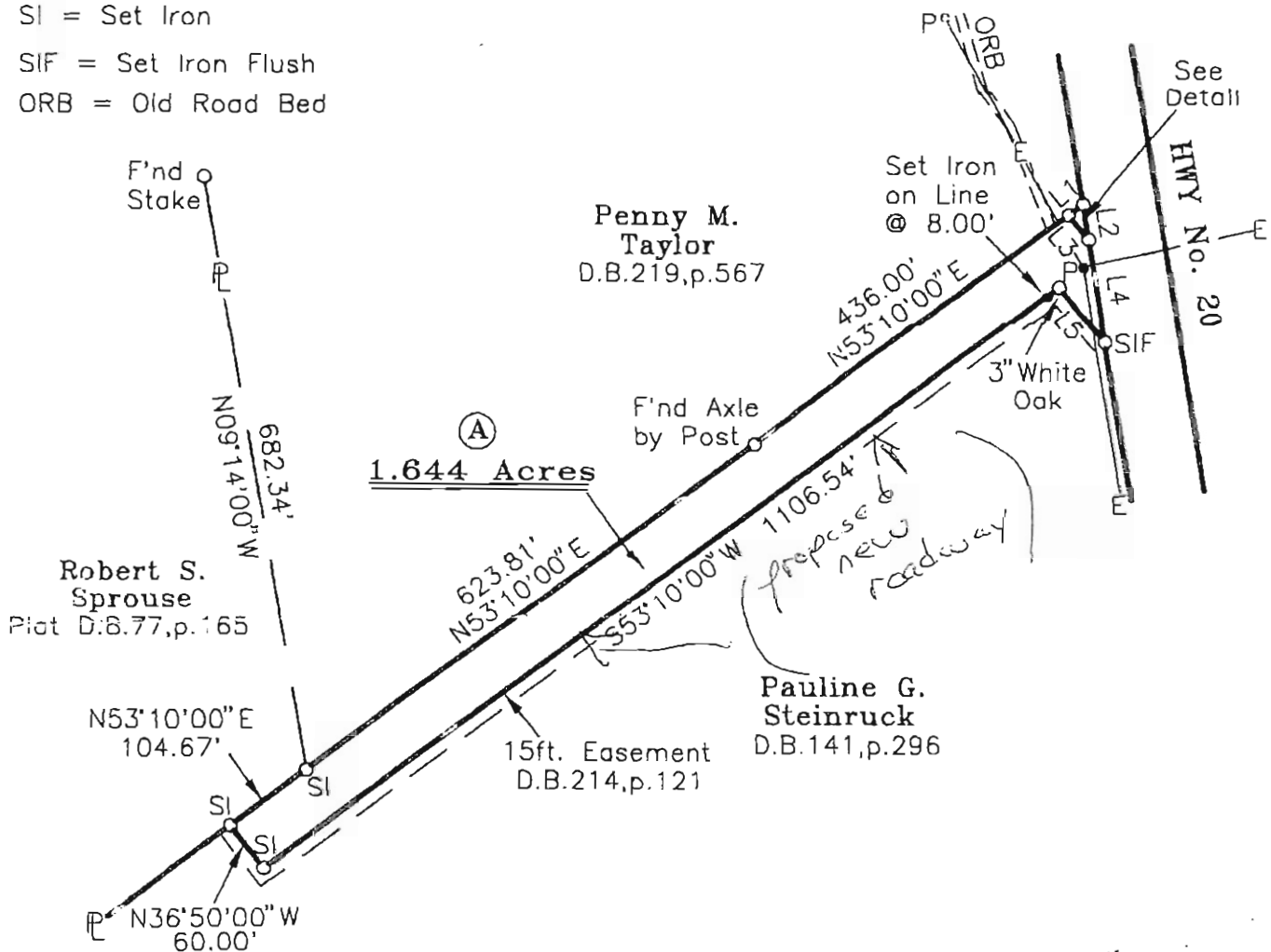
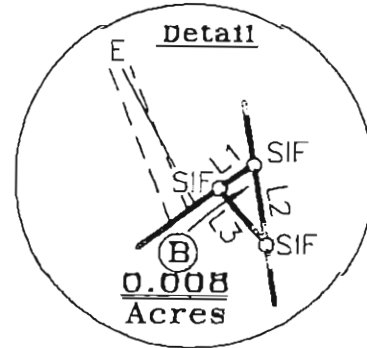
P = Utility Pole

E = Overhead Electric Line(s)

SI = Set Iron

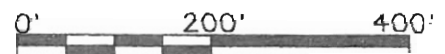
SIF = Set Iron Flush

ORB = Old Road Bed



Notes:

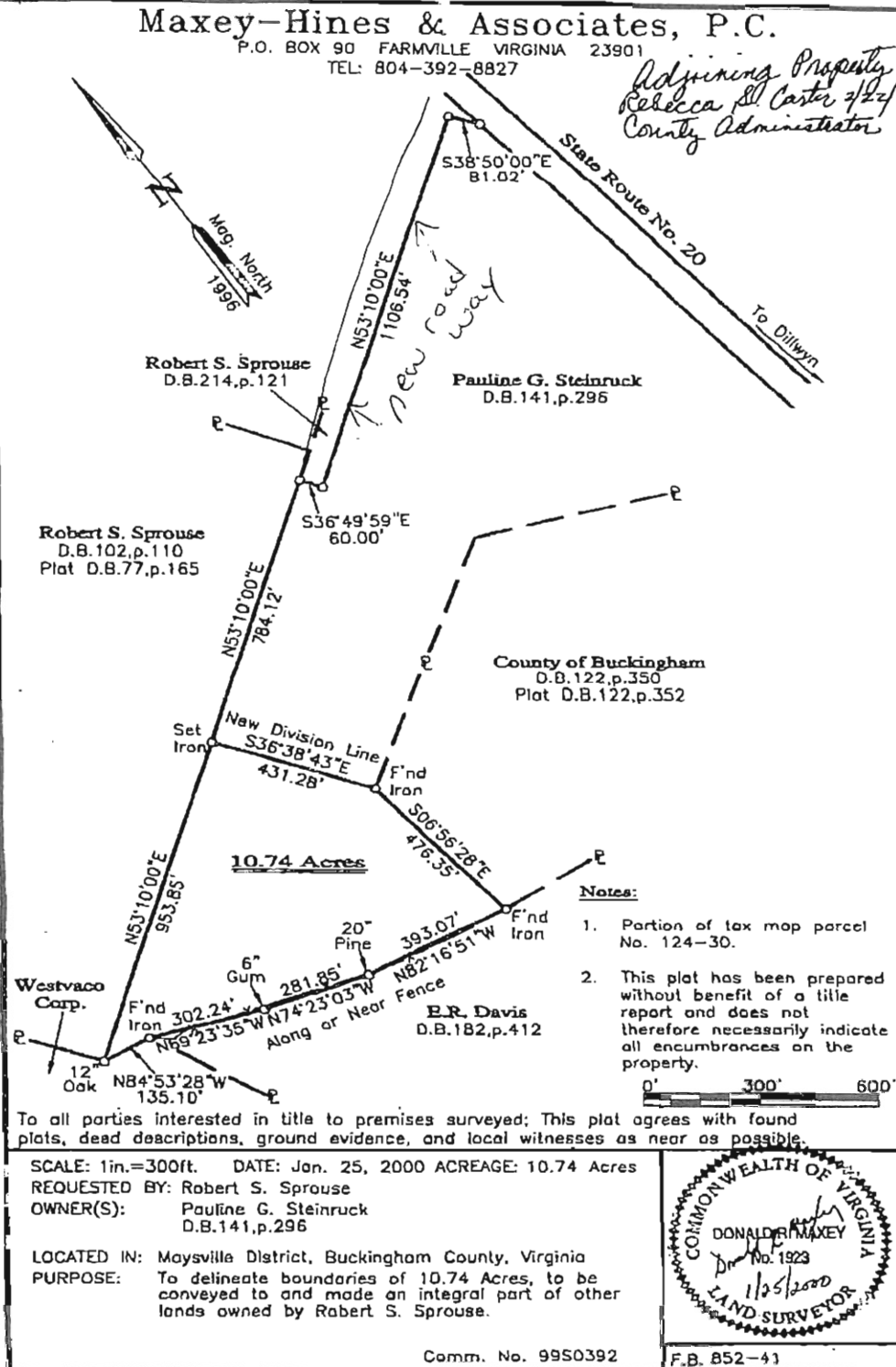
1. Tax map parcel No. (Parcel A) 124-30B and (Parcel B) portion 124-26A.
2. This plat has been prepared without benefit of a title report and does not therefore necessarily indicate all encumbrances on the property.



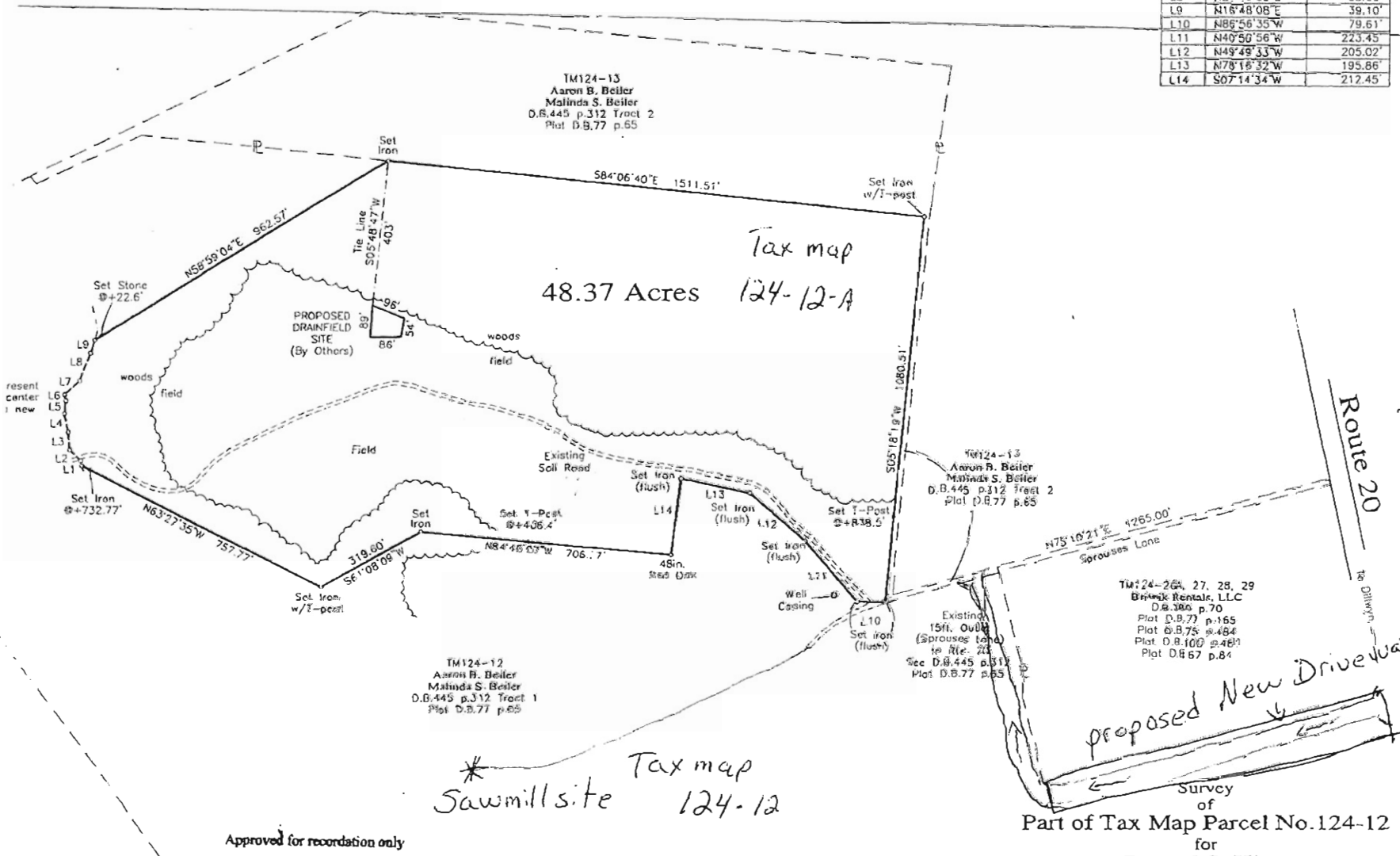
Maxey-Hines & Associates, P.C.

P.O. BOX 90 FARMVILLE VIRGINIA 23901
TEL: 804-392-8827

*Adjoining Property
Rebecca S. Carter 7/22/00
County Administrator*



LINE	BEARING	DISTANCE
L1	N14°59'18"W	13.91'
L2	N44°43'17"W	43.22'
L3	N08°15'40"W	49.27'
L4	N12°08'24"W	54.08'
L5	N07°00'25"E	35.27'
L6	N11°05'25"W	17.54'
L7	N47°18'44"E	55.93'
L8	N21°40'55"E	63.66'
L9	N16°48'08"E	39.10'
L10	N86°56'35"W	79.61'
L11	N40°56'56"W	223.45'
L12	N49°49'33"W	205.02'
L13	N78°16'32"W	195.86'
L14	S07°14'34"W	212.45'



* Sawmill site Tax map 124-12

Tax map # 124-130B for roadway

Approved for recordation only

Benue S. King
Ruth Ann King
November 20, 2017
4125118
Maysville District, Buckingham County, Virginia
November 20, 2017
Scale: 1 in. = 200 ft.



Part of Tax Map Parcel No. 124-12 for Benue S. King Ruth Ann King

Current Owner: Aaron B. Beiler and Malinda S. Beiler
D.B. 445 p.312
Maysville District, Buckingham County, Virginia
November 20, 2017
Scale: 1 in. = 200 ft.
Maxey & Associates, P.C.
Land Surveyors • Engineers • Planners • Consultants
P.O. Box 00 • Farmville • Virginia • 23901 • Tel: 434-392-8827

No. 124-12. Compared without the benefit of a title does not necessarily indicate all property, road plots, deed descriptions, ground masses, or near as possible, a current field survey, on lines with the exception of those Map Parcel No. 124-13.

D. H. A. Slide 267B

17S0152
FB1272-27

bind par-



190-acres - \$450,000

Drawings for existing Building used for sawmill



Builder Direct Design Services

Construction
Maestro
Estimating Software
Palm Beach, California & Seattle

QUOTATION FOR:

Aaron Beiler
Strouses Lane
Dillwyn, VA 23936

CONTACT:

Crit's Construction
Crit Petershelm
2160 School Rd
Farmville, VA, 23901
540-983-9677

CONSTRUCTION:

DIMENSIONS:

Post Frame

28' X 60' X 12'

SPECIFICATIONS FOR 28' X 60' X 12' POST FRAME PACKAGE:

• **MATERIAL PACKAGE**

- Pre-Engineered Wood Trusses (4/12 Pitch, 4' O/C)
- 6 x 6 Treated Eave Posts (20' O/C)
- 2 x 4 Roof Purlins (24" O/C)
- 1.75 x 16" Microlam LVL Double Top Girt Truss Carriers
- 29 Gauge Panel-Loc Plus - Central Guard Steel Siding
- 29 Gauge Panel-Loc Plus - Central Guard Steel Roof
- Two Bags of Concrete Mix per Post Hole

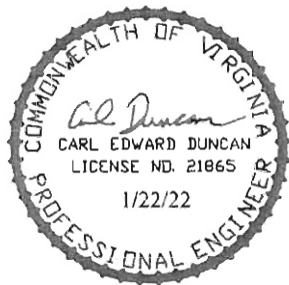
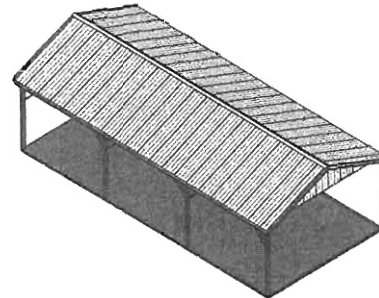
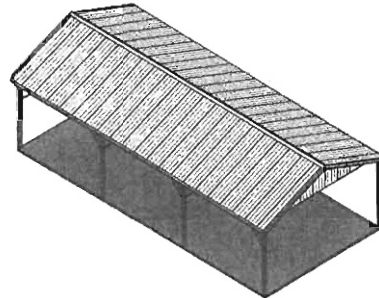
• **DOORS & WINDOWS**

- Open Wall On Eave 2
- Open Wall On Eave 1
- Open Wall On Gable 2
- Open Wall On Gable 1

• **12" OVERHANG ON ALL SIDES - NO SOFFIT**

• **FASTENERS**

• **DETAILED BUILDING PLANS**



QUOTATION DATE: 1/11/2022

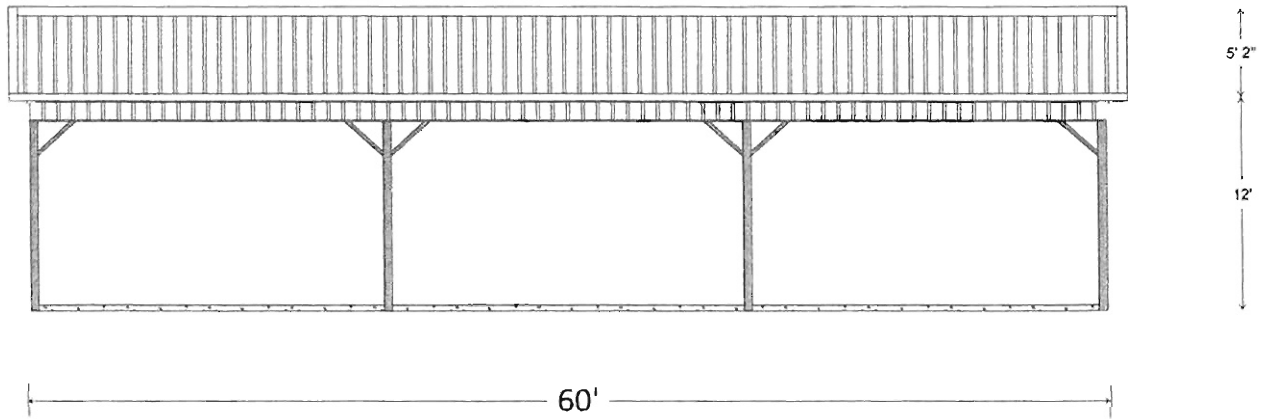
ESTIMATE NUMBER: 2706

Prices are good for 30 days, until 2/10/2022

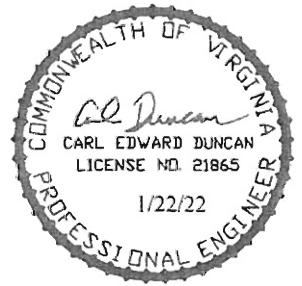
22-0210



EAVE SIDE 2 ELEVATION

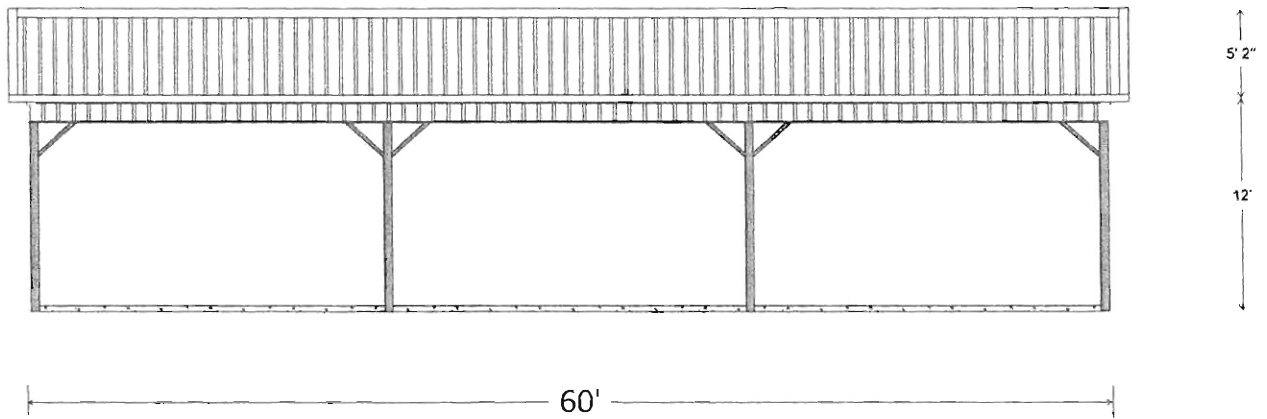


Aaron Beiler
Estimate Number: 2706
1/11/2022

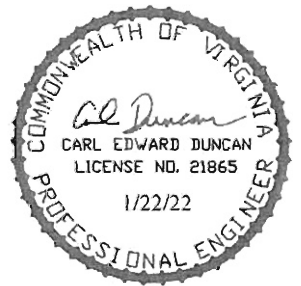




EAVE SIDE 1 ELEVATION



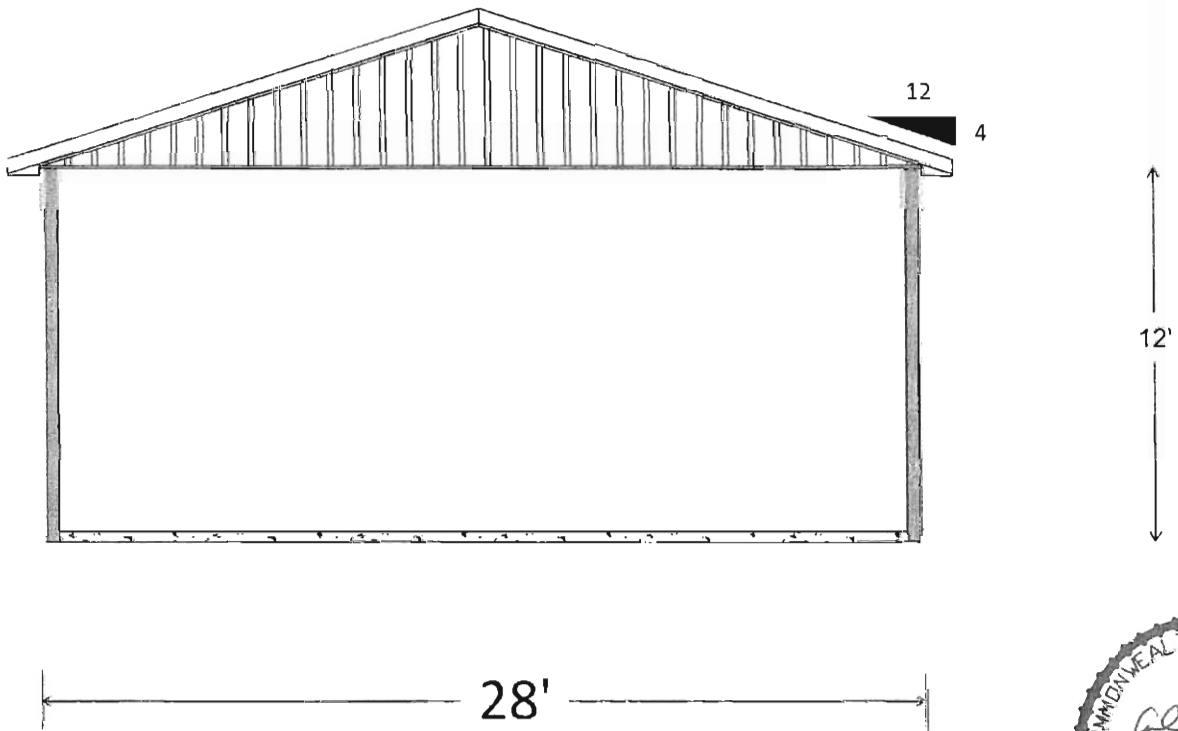
Aaron Beiler
Estimate Number: 2706
1/31/2022



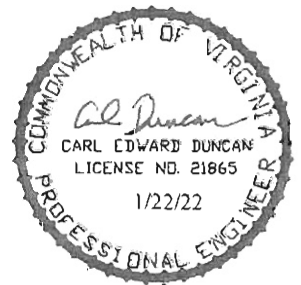


GABLE SIDE 2 ELEVATION

Construction
Maestro
Estimating Software
Auto Quotes, Drawings & Details



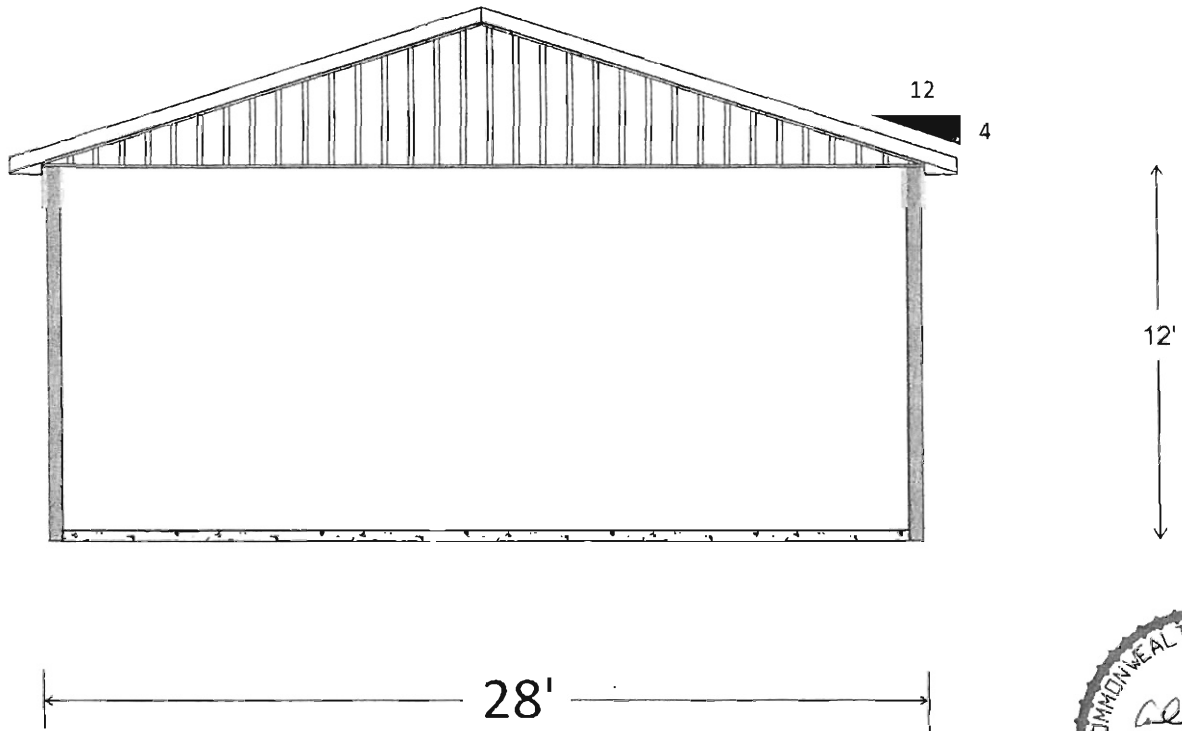
Aaron Beiler
Estimate Number: 2706
1/11/2022



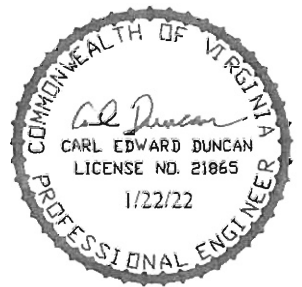


GABLE SIDE 1 ELEVATION

Construction
Maestro®
Estimating Software
Pole Barns, Garages & More



Aaron Beiler
Estimate Number: 2706
1/11/2022





Cross Section Detail

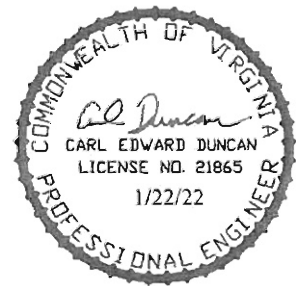
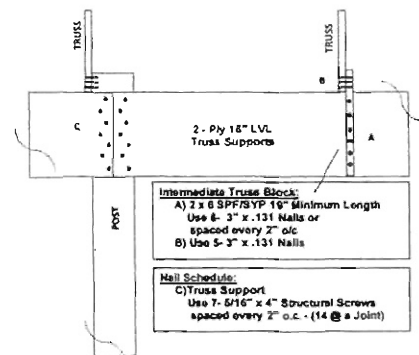
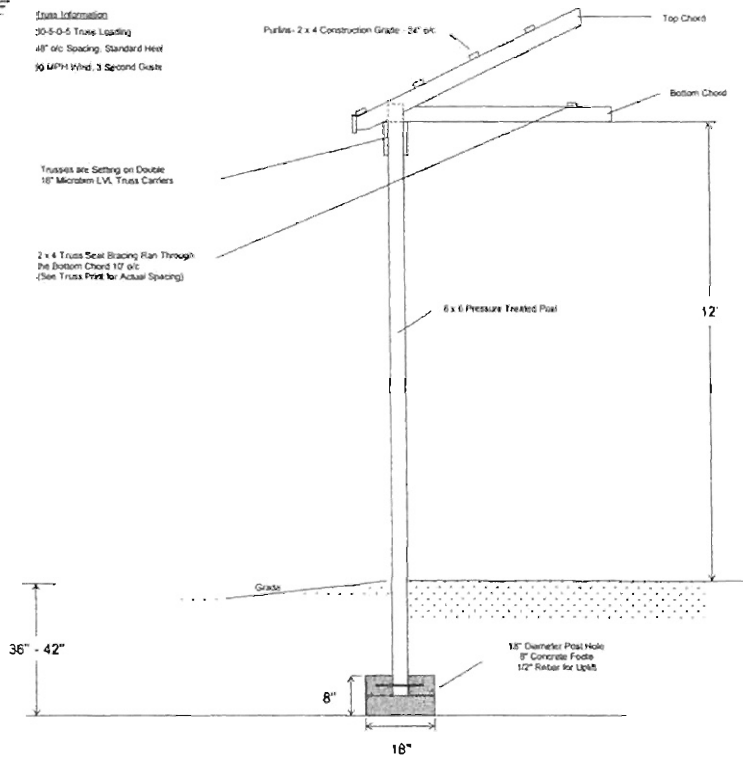


Truss Information

30-5-0-5 Truss Loading
48" o/c Spacing, Standard Head
90 MPH Wind, 3 Second Gust

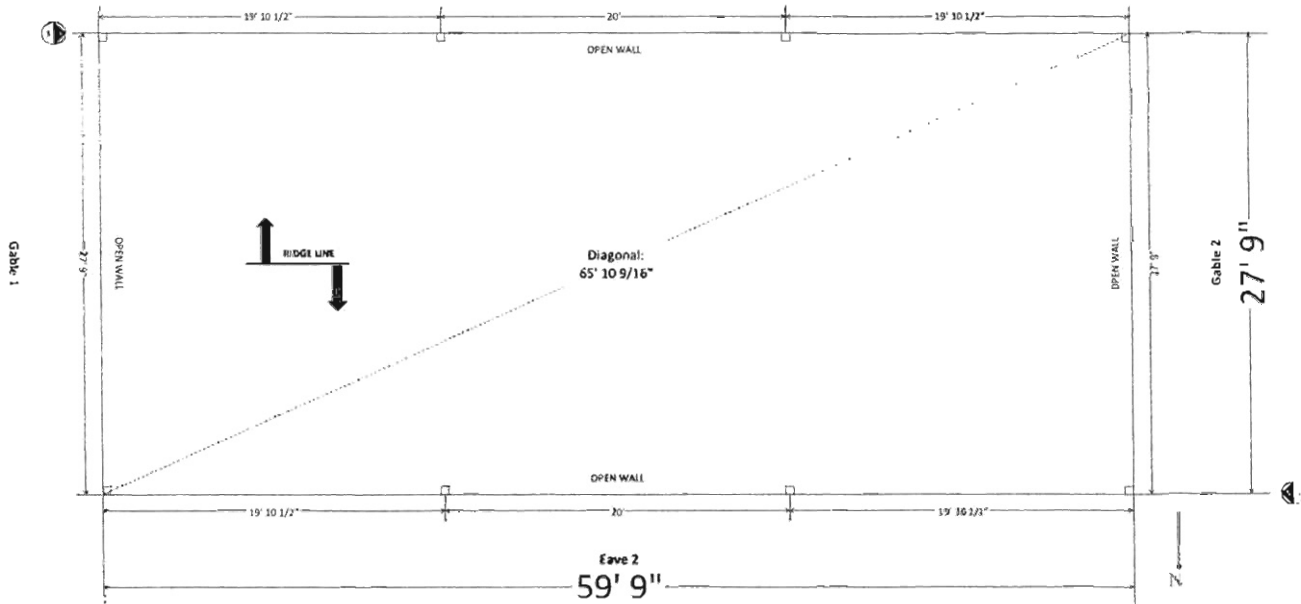
Trusses are Setting on Double
18" Microban LVL Truss Carriers

2 x 4 Truss Seal Bracing Run Through
the Bottom Chord 10" o/c
(See Truss Print for Actual Spacing)





POLE LAYOUT
Agricultural Use, 1680 sq. ft.
Eave 1



Aaron Bailey
Estimate Number: 2706
1/11/2022





BUCKINGHAM COUNTY

0 250 ft 500 ft

Sources: Esri, DigitalGlobe, Earthstar, Geographics, CNES/Airbus DS, GeoEye, USDA FSA, USGS, AeroGRID, IGN, IGP, and the GIS User Community

www.interactivegis.com

Printed 01/28/2022

Introduction Case 22-SUP301

Applicant Amos Smucker
17 Bear Branch Road
Farmville VA 23901

Property Information: Tax Map 124, Parcel 12, containing approximately 121.63 acres, located at 257 Sprouses Lane Dillwyn, VA 23936, Maysville Magisterial District.

Zoning District: Agricultural District (A-1)

Request: The Applicant wishes to Obtain a Special Use Permit for the Purpose of Operating a Private School, One Room School House. The Applicant is asking the Planning Commission to hold a public hearing to hear this request.

Background/Zoning Information: This property is located at 257 Sprouses Lane Dillwyn VA 23936, Maysville Magisterial District. The landowner and applicant is Aaron Beiler. This property is zoned Agriculture (A-1). The Zoning Ordinance does not permit a Private School as a Permitted by Right Use Agricultural A1 Zoning District. However, Within the A-1 Agricultural District, a Private School 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. Mr. Smucker has submitted his Special Use Permit Application for review.

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?

March 28, 2022 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 Private School

Purpose of Special Use Permit: One Room Parochial School

Zoning District: A-1 Number of Acres: 121.6 A.

Tax Map Section: 124 Parcel: 12 Lot: _____ Subdivision: _____ Magisterial Dist.: Maysville

Street Address: 257 Sprouses Lane Dillwyn VA 23936

Directions from the County Administration Building to the Proposed Site: Go East to 15 N

to Rt. 20 west to 257 sprouses lane on left

Name of Applicant: Amos L. Smucker

Mailing Address: 17 Bear Branch Rd Farmville VA 23936

Daytime Phone: 434-391-3551 Cell Phone: _____

Email: _____ Fax: 434-391-3552

Name of Property Owner: Aaron Beiler

Mailing Address: 257 Sprouses Lane Dillwyn VA 23936

Daytime Phone: 434-983-1358 Cell Phone: _____

Email: _____ Fax: _____

Signature of Owner: Aaron B Beiler Date: 1/28/22

Signature of Applicant: Amos L Smucker Date: 1-28-22

Please indicate to whom correspondence should be sent:

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

☒ Applicant

ADJACENT PROPERTY OWNER'S LIST

(Required)

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

1. Name: Mark Steinrock

Mailing Address: 5805 N. Central Ave. Tampa FL 33604

Physical Address: 1367 S. Constitution RT.

Tax Map Section: 124 Parcel: 30 Lot: _____ Subdivision: _____

2. Name: Britnik Rentals LLC

Mailing Address: 409 Forest Chapel RD Pamplin VA 23958

Physical Address: Taylor's Park Lane

Tax Map Section: 124 Parcel: 27 Lot: _____ Subdivision: _____

3. Name: ~~409~~ 409 Forest Chapel RD Pamplin VA 23958

Mailing Address: ~~409~~ Britnik Rentals LLC

Physical Address: unknown

Tax Map Section: 124 Parcel: 28 Lot: _____ Subdivision: _____

4. Name: Britnik Rentals LLC

Mailing Address: 409 Forest Chapel RD Pamplin VA 23958

Physical Address: 1481 S. Constitution RT

Tax Map Section: 124 Parcel: 29 Lot: _____ Subdivision: _____

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: Benuel & Ruth King

Mailing Address: 324 Spruces Lane D. Hwy VA 23936

Physical Address: Same

Tax Map Section: 124- Parcel: 12-A Lot: A-267B Subdivision: _____

2. Name: _____

Mailing Address: _____

Physical Address: _____

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

3. Name: _____

Mailing Address: _____

Physical Address: _____

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

4. Name: _____

Mailing Address: _____

Physical Address: _____

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

6. Name: Chamblers Shallon Tierra

Mailing Address: 1452 S. Constitution RT Dillwyn VA 23936

Physical Address: Same

Tax Map Section: 125 Parcel: 4-1 Lot: _____ Subdivision: _____

7. Name: Giffin Barry Keith & Joy Walker

Mailing Address: 1623 S. Constitution RT Dillwyn VA 23936

Physical Address: Same

Tax Map Section: 124 Parcel: 15B Lot: _____ Subdivision: A-231A

8. Name: Weyerhaeuser Company

Mailing Address: 100 Professional Center Brunswick GA 31525

Physical Address: ~~00~~ Vacant Land

Tax Map Section: 124 Parcel: 40 Lot: _____ Subdivision: _____

9. Name: Jordan M. Sprouse 1062 Fanny White R.D Dillwyn VA 23936

Mailing Address: ~~824~~ →

Physical Address: Same

Tax Map Section: 124 Parcel: 11-G Lot: _____ Subdivision: A-256-A

10. Name: ~~Ruby Sprouse~~ Willed To: Wendy Talbert 1610 Fanny White

Mailing Address: 147 Deans Lane Dillwyn VA 23936 Dillwyn VA 23936

Physical Address: vacant Land

Tax Map Section: 124 Parcel: 11-F Lot: _____ Subdivision: A-256-A

11. Name: ~~Ruby Sprouse~~ Same as above

Mailing Address: 147 Deans Lane Dillwyn VA 23936

Physical Address: vacant Land

Tax Map Section: 110 Parcel: 107-C Lot: _____ Subdivision: _____

ADJACENT PROPERTY OWNERS AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

This 28th day of December, year 2022

I Amos Smucker 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)

Amos L Smucker

(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 28 day of January
of the year 2022. My Commission expires on 1-31-2023.

Notary Public Signature:
Stamp:

Jennifer B. Lann



INTEREST DISCLOSURE AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM, VIRGINIA

On this 28 day of January, of the year 2022

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

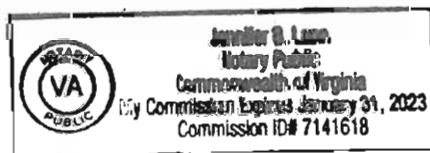
Signature of Owner: (to be signed in front of notary public)

Aaron B. Becker

NOTARY PUBLIC
COUNTY OF Buckingham STATE OF Virginia

Subscribed and sworn to me on this 28 day of January,
of the year 2022. My commission expires 1-31-2023.

Notary Public Signature: Jennifer B. Lane
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):

farm use / sawmill and timber use

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

Farm use / Motorcross race track / Timber

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: Amos L Smucker Date: 1-28-22

Printed Name: Amos L. Smucker Title: Applicant

SPECIAL POWER OF ATTORNEY AFFIDAVIT

STATE OF VIRGINIA
COUNTY OF BUCKINGHAM

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

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

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

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

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

NOTARY PUBLIC

County of _____ State of _____

Subscribed and sworn before me on the _____ day of _____

in the year _____. My commission expires _____.

Signature of Notary Public: _____

Stamp:

WRITTEN NARRATIVE

The Written Narrative shall describe the relationship of the proposed project to the relevant components of the Comprehensive Plan. Please be very detailed and describe in depth each and every component 1 through 15. The following outline is provided to aid you in preparing the written narrative:

1. Land Use
2. Community Design
3. Cultural Resources
4. Economic Development
5. Environment
6. Fire and Rescue, Law Enforcement
7. Housing
8. Libraries
9. Parks and Open Spaces
10. Potable Water
11. Sewage
12. Schools
13. Telecommunications
14. Transportation
15. Solid Waste

If this proposal is for an event, describe the handling of the entire event, including but not limited to: number of participants, schedule of events, police, security, food, beverages, water, sanitation, emergencies, crowd control, entrances and exits, traffic control, signage, advertisement, parking, fee collection, control of animals, trash disposal, site clean-up, fighting, alcohol, abuse of alcohol and/or illegal substances

SIGNAGE AT PROPERTY

The Buckingham County Zoning Ordinance requires the following:

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

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

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

Applicant/Owner: Amor L. Smuck

Date: 1-28-22

Written Narrative

1. One room Amish Parochial School
2. School size is 30 x 47 which includes a 8' x 20' porch
3. 3/4 acre fenced in playground area.
4. One teacher per school
5. Max students per school (35)
6. Our schools usually start around the last week of Aug and end 2nd or 3rd week of May
7. Ages of school children going to school is 5 yrs 10 month to 13 years
8. Hours of Operation 8:00 AM to 2:30 PM Mon-Fri

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.

18
42
60

North
↑

155'

old concession stand
to be torn down

Ball
Diamond

Bennet Kings Driveaway
324 Sproules Lane

Driveway

mens
toilet
big
horse
shelter
womens
toilet

↑
325'
↓

105'

30
x 42
School house

20'
existing
well
50'

old
Block Building
to be torn down

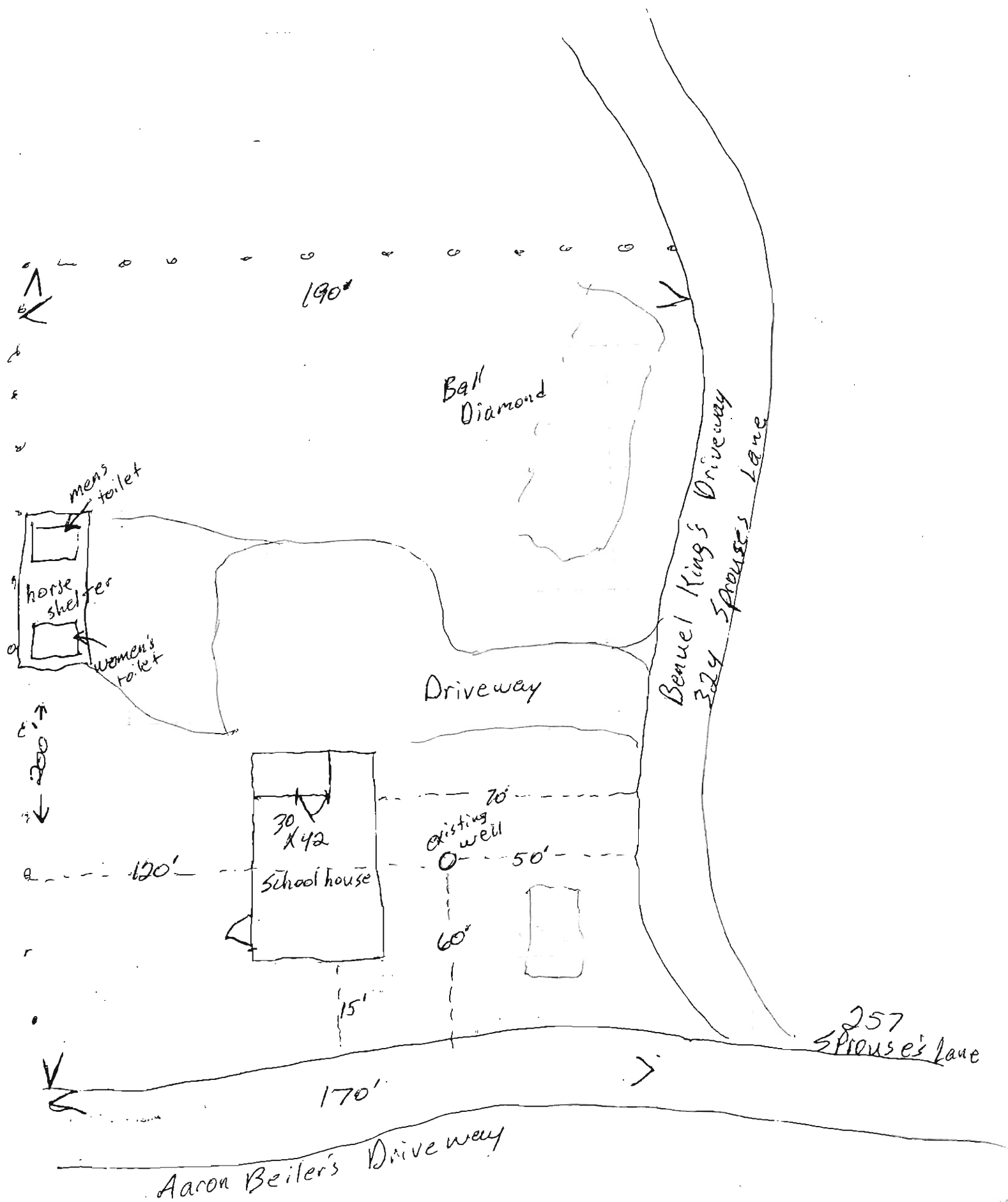
60'

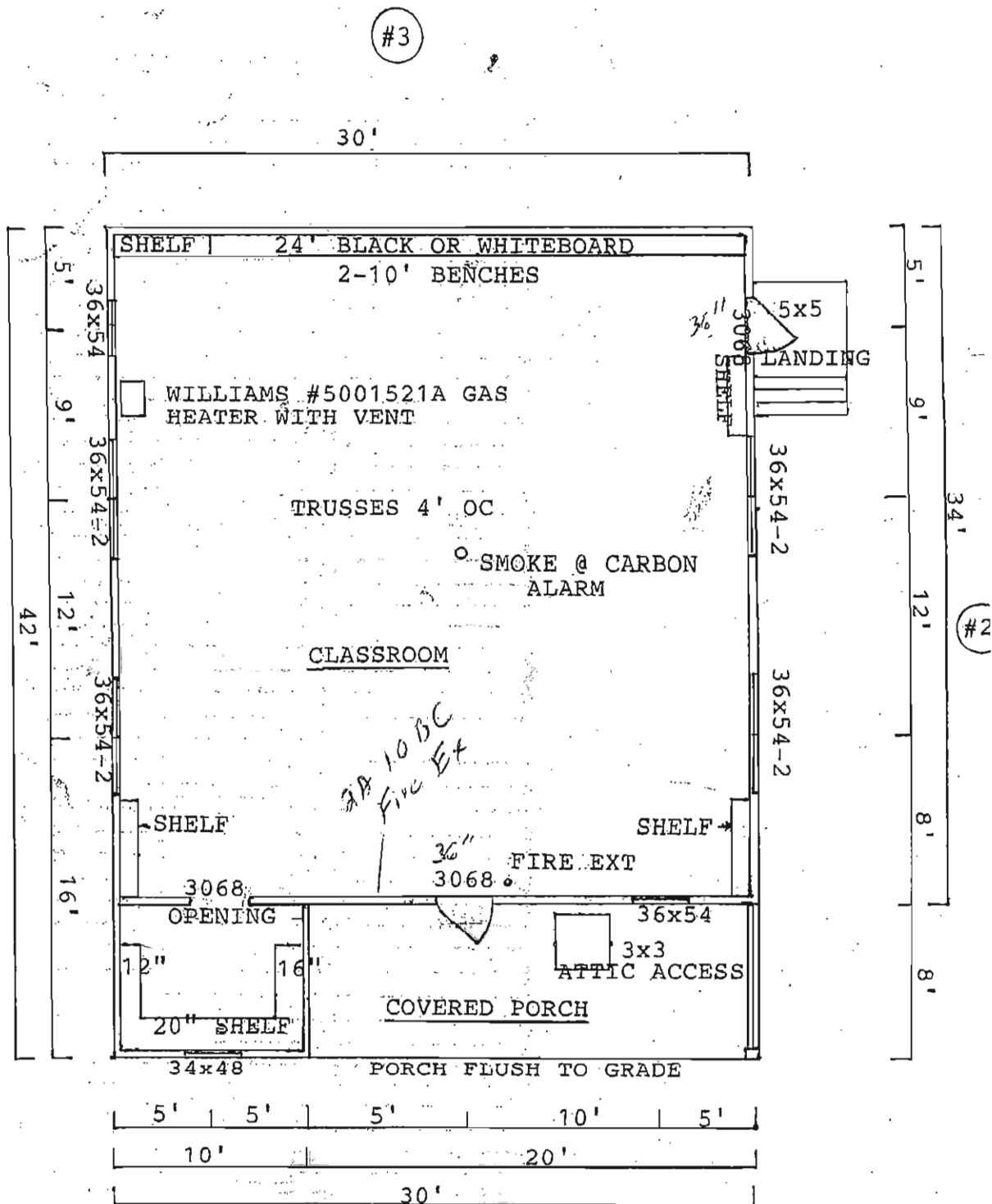
15'

155'

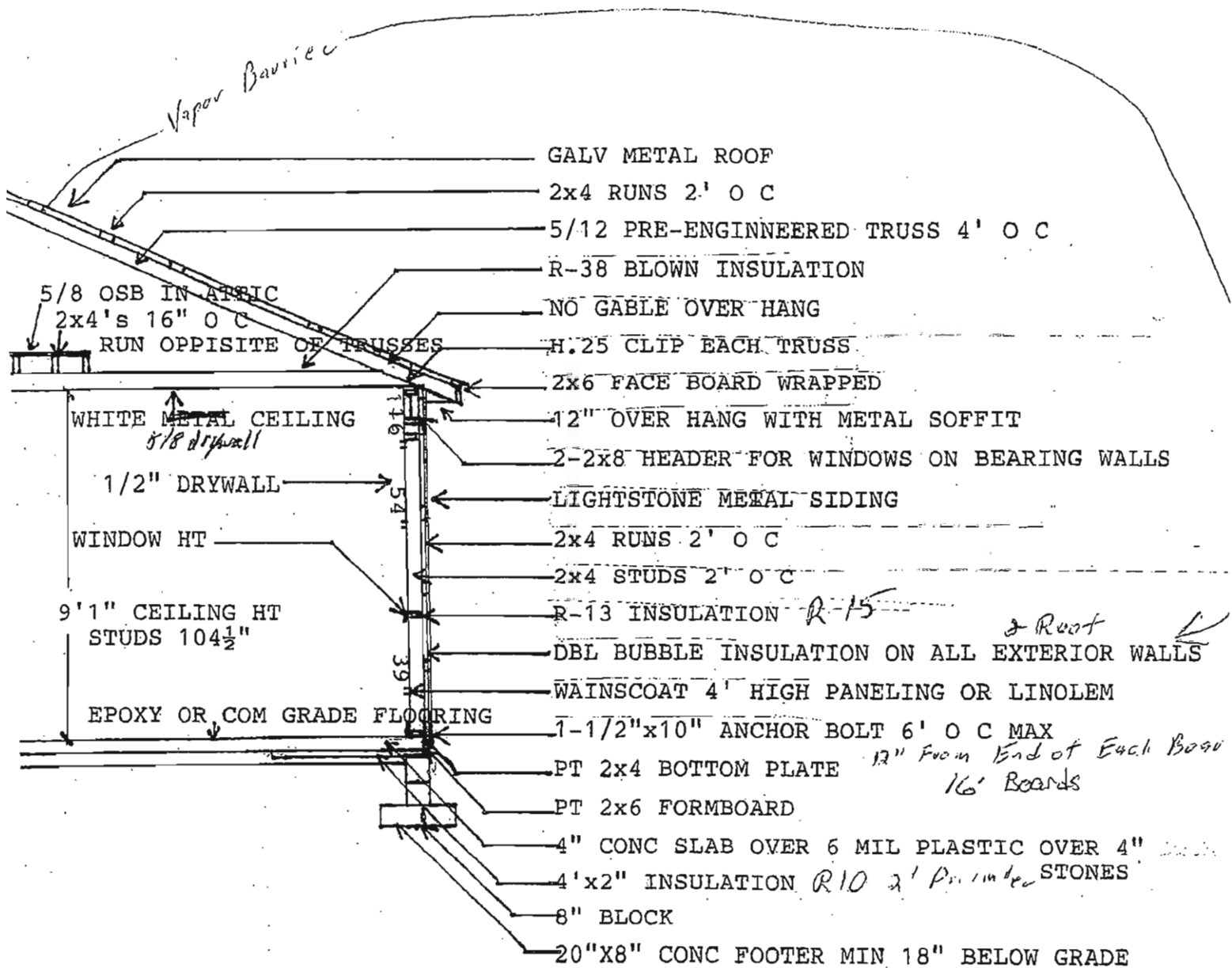
257
Sproules Lane

Aaron Beiler's Driveaway

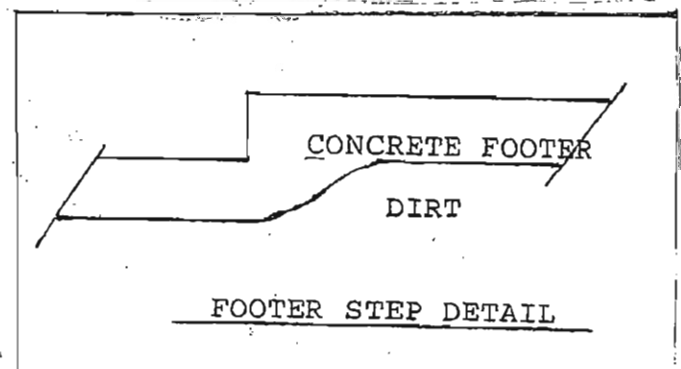


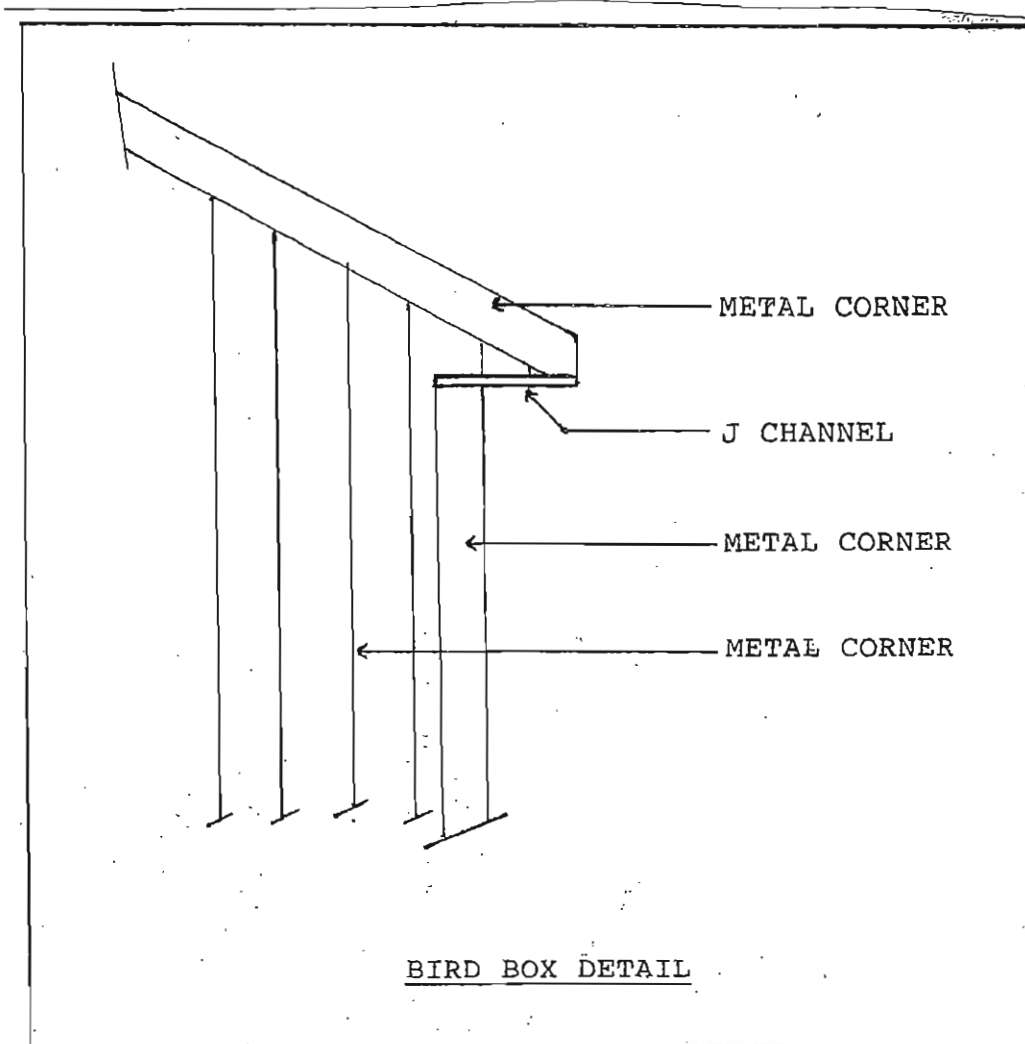
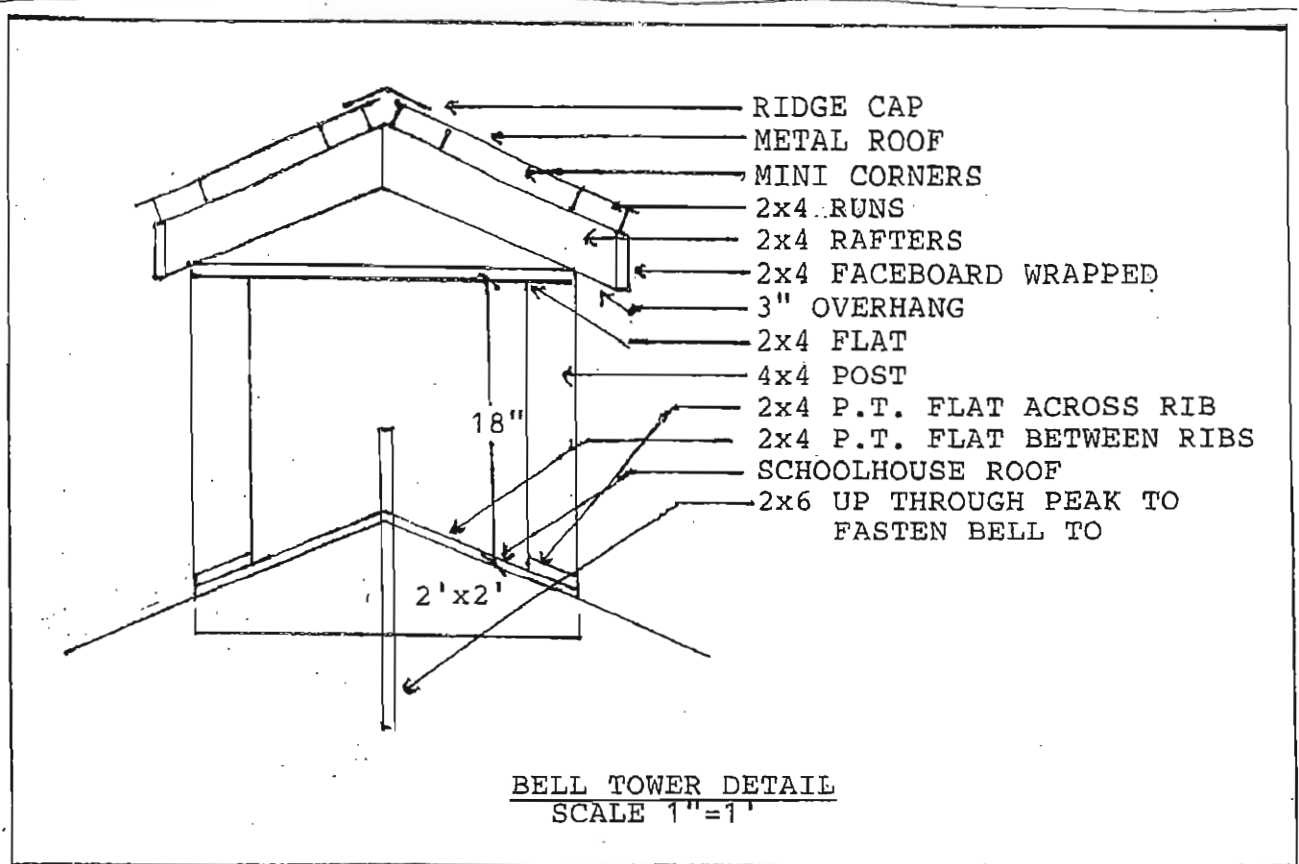


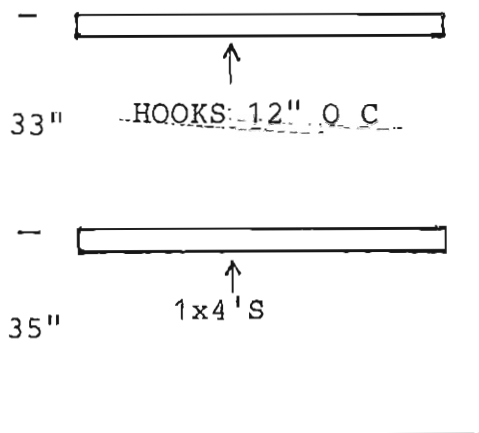
FLOOR PLAN
SCALE 1/8"=1'



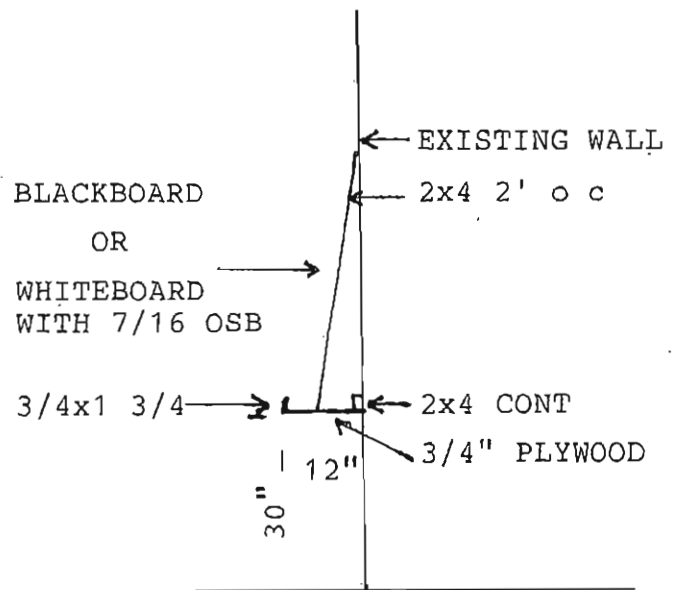
SCHOOL DETAIL



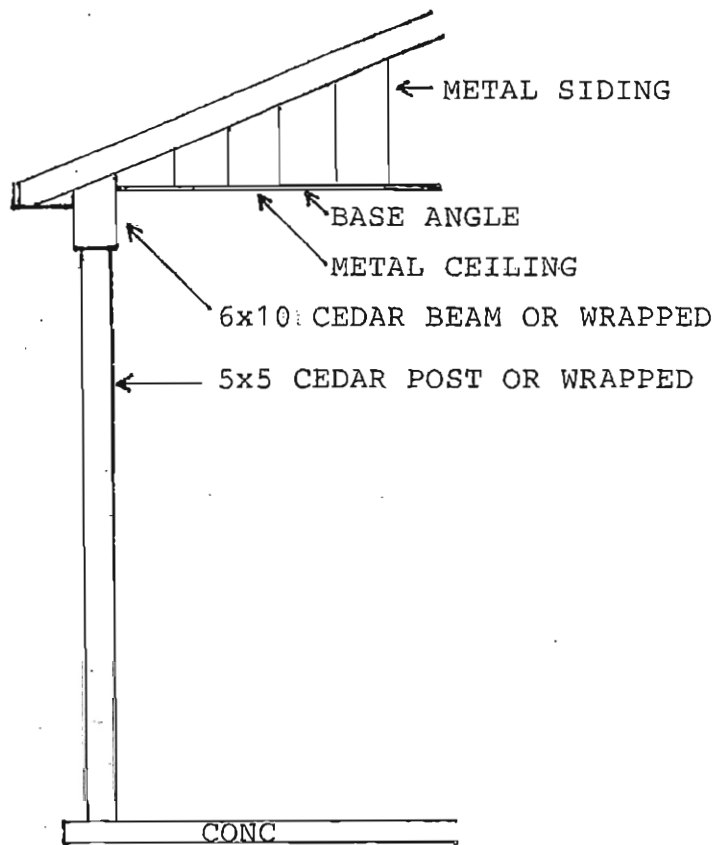




CLOTH HOOKS



BOARD DETAIL



PORCH DETAIL

NOTES

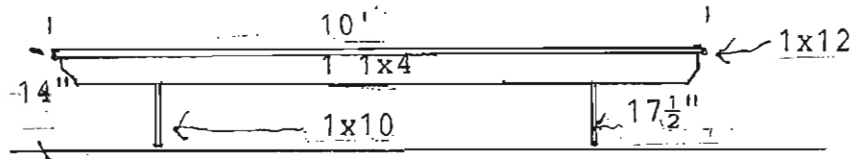
EXTERIOR

GALVANIZED ROOF
 LIGHTSTONE SIDES
 WHITE SOFFIT AND TRIM
 CEDAR POST AND HEADER IF
 AVAILABLE
 CEDAR SHIPPLIPPED PROVY DOORS

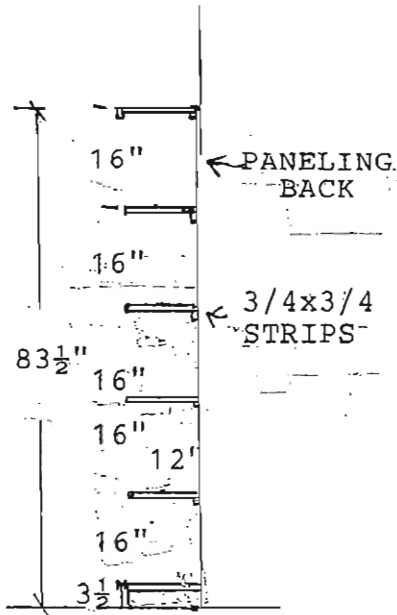
INTERIOR

SIGNATURE GLOSS # HGSW4047
 WALLS AND SHELF
 DUNCAN CHESTNUT #HGSW2471
 TRIM
 GRAY EPOXY FLOOR WITH SPECKLES
 FROM KINGS OR SHERWIN
 OR COMMERCIAL GRADE VINYL
 LAMINATE
 LEVER LATCHES ON EXTERIOR
 DOORS

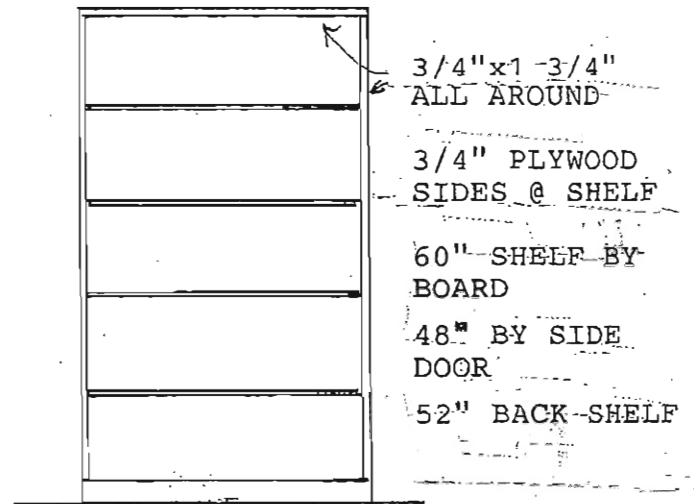
5 of 23



2-10' BENCHES

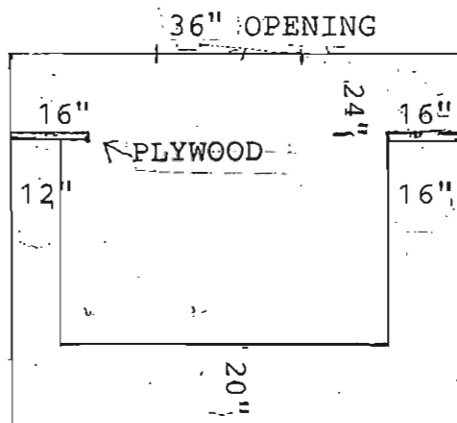


SIDE VIEW

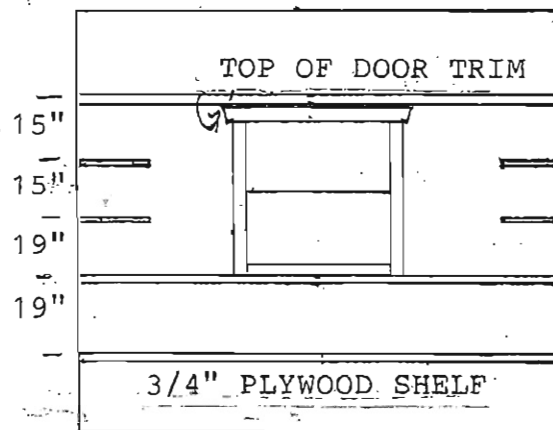


FRONT VIEW

SHELF IN CLASSROOM



TOP VIEW

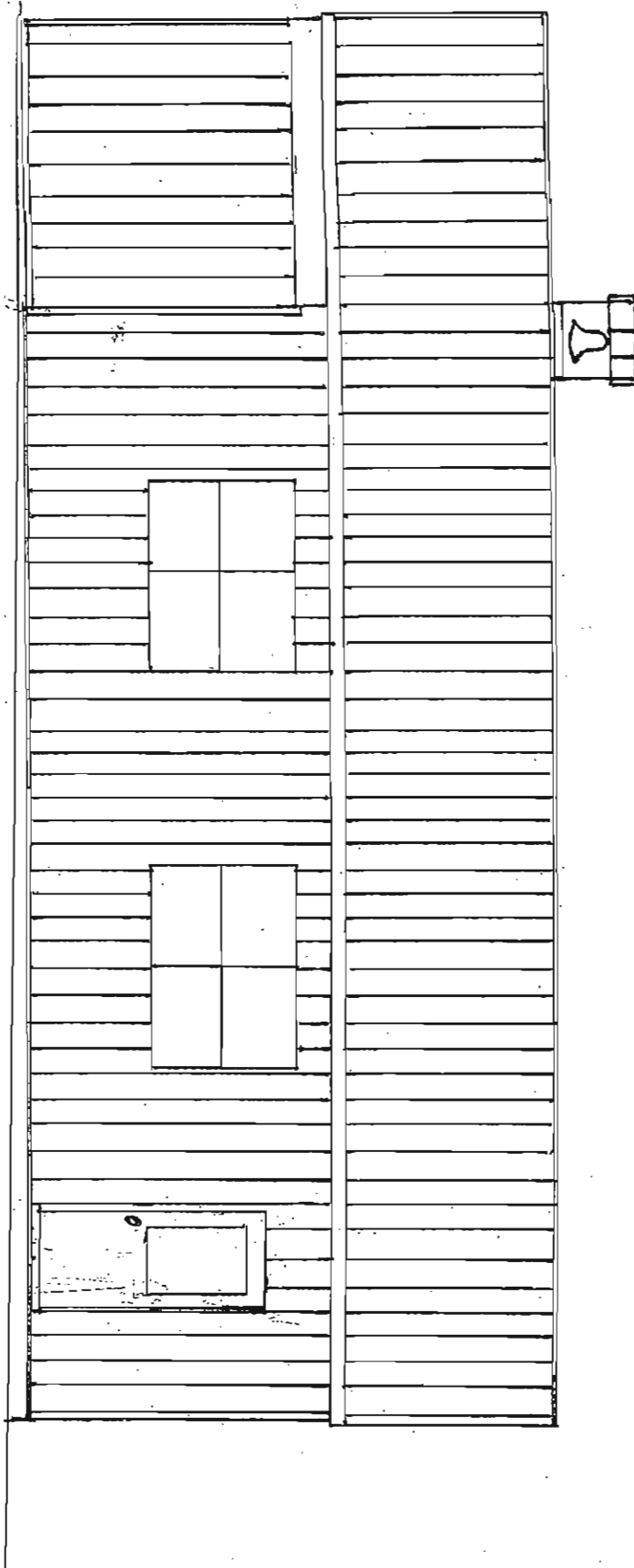


FRONT VIEW

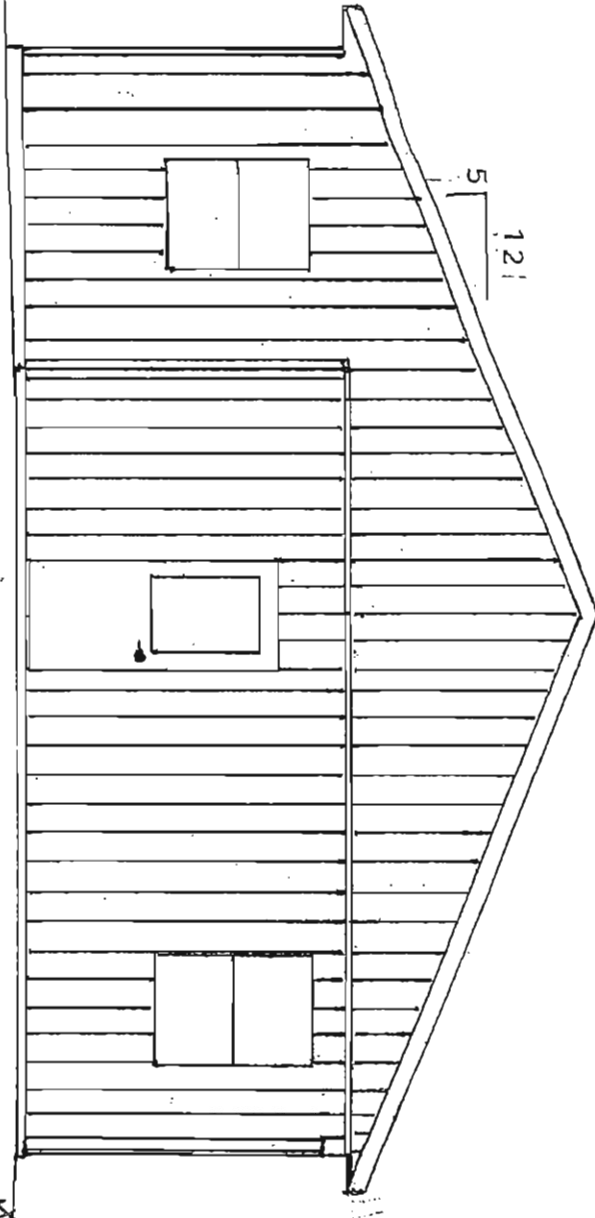
SHELF IN STORAGE ROOM

60423

#2 ELEVATION

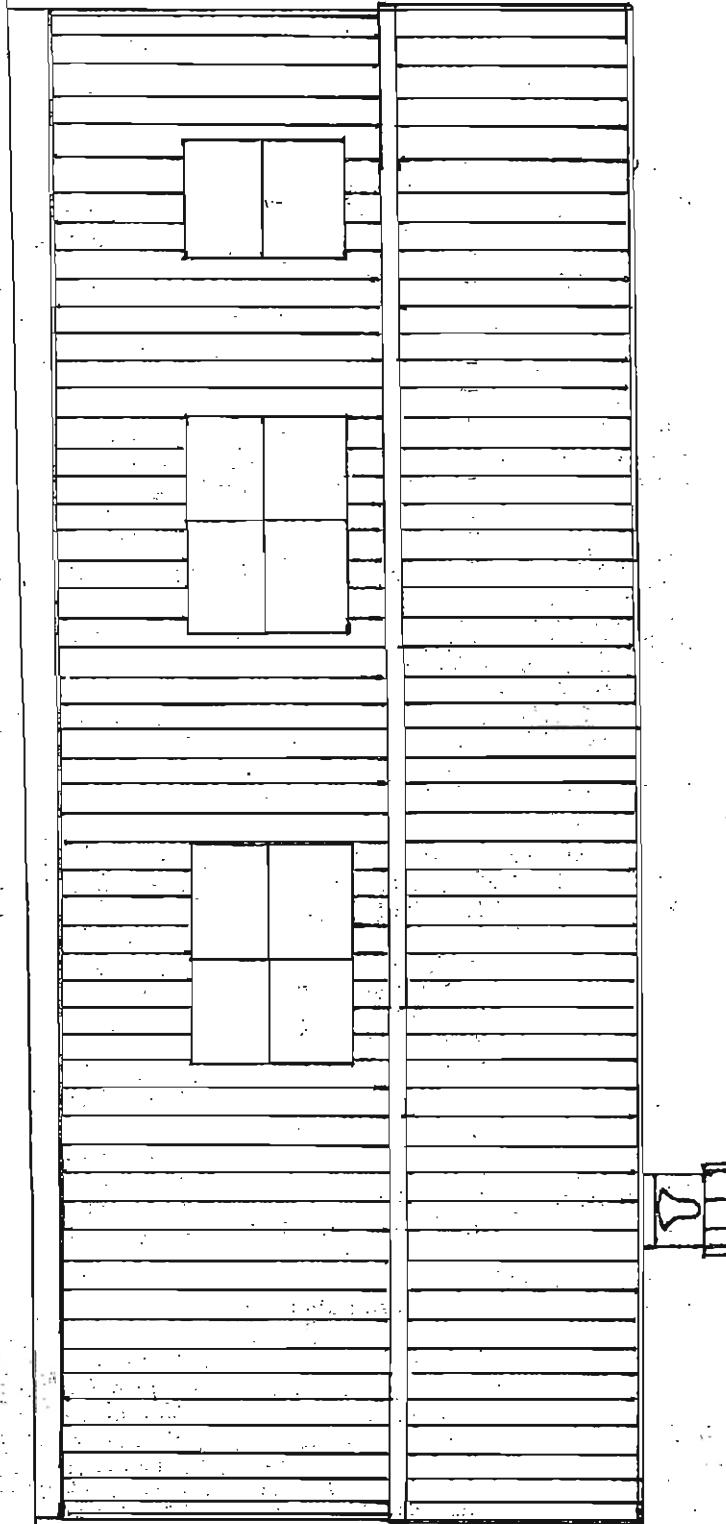


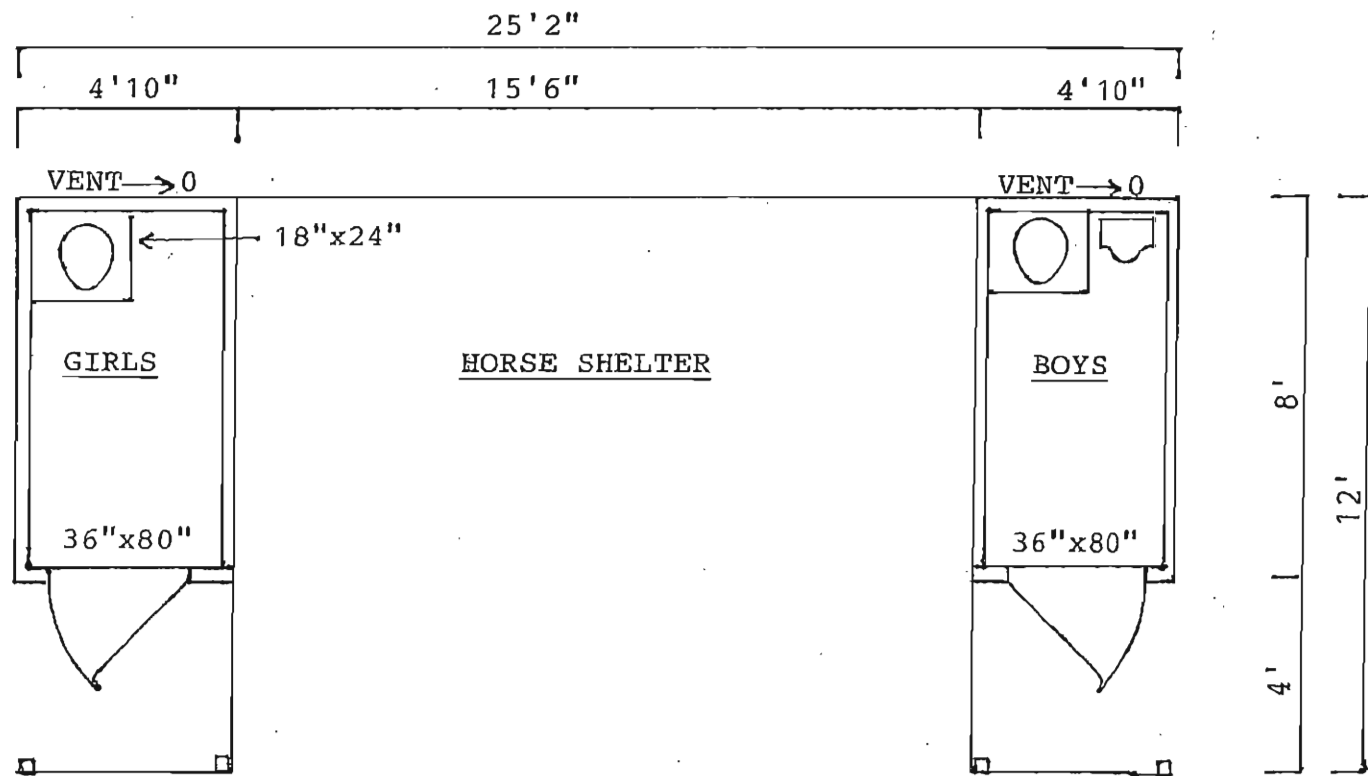
#1 ELEVATION



pos 911 #

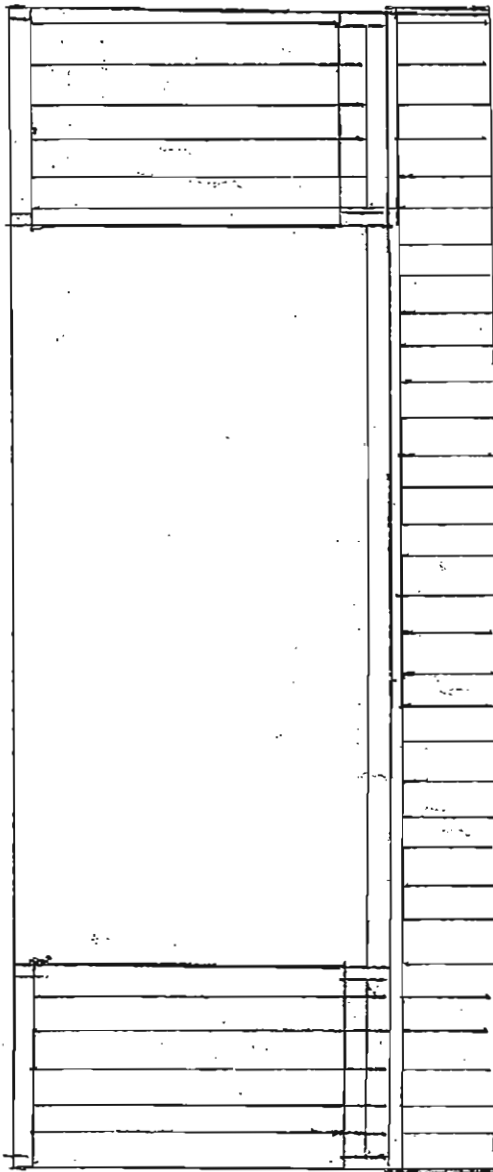
#4 ELEVATION





PRIVY FLOOR PLAN

PRIVY HORSEBARN ELEVATION



Job	Truss	Truss Type	Qty	Ply	Job Reference (optional)	
10055q	4	FINK	12	1	<i>school</i>	136687032

Diamond Truss Co. Inc., Cumberland VA 23040

8/22/2016 Nov 16 2016 MiTek Industries, Inc. Fri Apr 26 09:08:22 2019 Page 1
ID: rBTptV GghF xhU76BOLA6xVzpsl0-j1aYgVvS8yJ0ri4Xi1kbNur5lVEq8SAEVLy4qzMuJd

0-10-8 8-0-5 15-0-0 21-11-11 30-0-0 30-10-8
0-10-8 8-0-5 6-11-11 6-11-11 8-0-5 0-10-8

Scale = 1/50.0

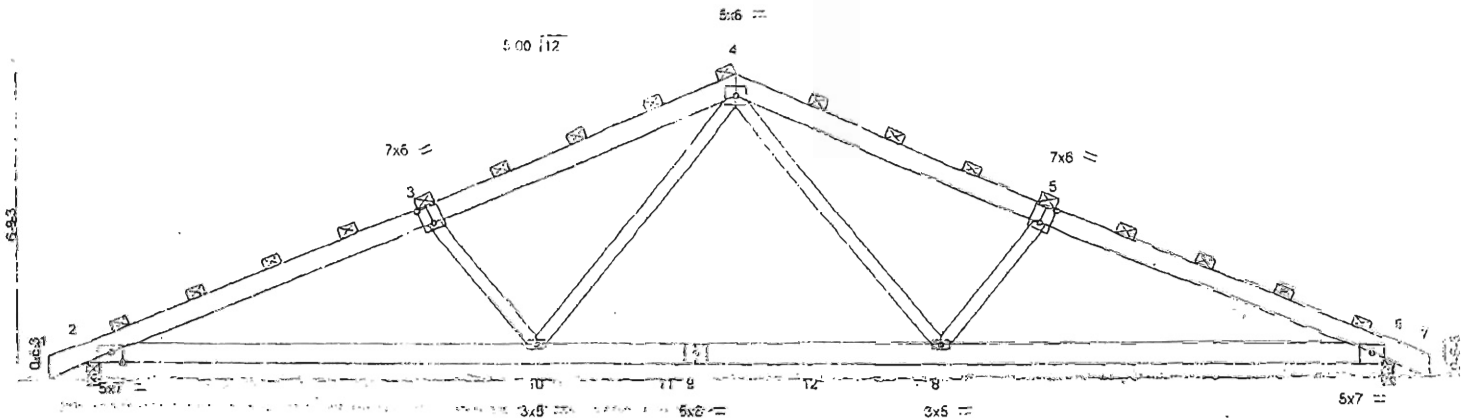


Plate Offsets (X,Y) --	10-4-3	19-7-13	30-0-0
	10-4-3	9-3-10	10-4-3

LOADING (psf)	SPACING-	4-0-0	CSI	DEFL.	in	(loc)	l/defl	L/d	PLATES	GRIP
TCLL 20.0	Plate Grip DOL	1.15	TC 0.62	Vert(LL)	-0.21	8-10	>999	360	MT20	244/190
TCDL 6.0	Lumber DOL	1.15	BC 0.70	Vert(TL)	-0.36	8-10	>992	240		
BCLL 0.0	Rep Stress Incr	NO	WB 0.42	Horz(TL)	0.10	6	n/a	n/a		
BCDL 6.0	Code IRC2012/TPI2007		Matrix-R	Wind(LL)	0.14	2-10	>999	240	Weight: 185 lb	FT = 20%

LUMBER-

TOP CHORD 2x6 SP No.1
BOT CHORD 2x6 SP No.1
WEBS 2x4 SP No.1

BRACING-

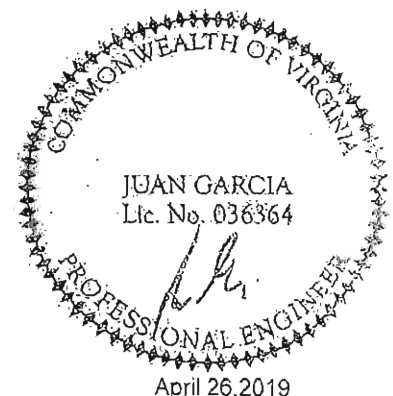
TOP CHORD 2-0-0 oc purlins (3-4-0 max.)
(Switched from sheeted: Spacing > 2-8-0).
BOT CHORD Rigid ceiling directly applied or 7-0-14 oc bracing.

REACTIONS. (lb/size) 2=2008/0-3-8, 6=2008/0-3-8
Max Horz 2=233(LC 13)
Max Uplift 2=687(LC 8), 6=687(LC 9)

FORCES. (lb) - Max. Comp./Max. Ten. - All forces 250 (lb) or less except when shown.
TOP CHORD 2-3=-3807/1212, 3-4=-3322/1119, 4-5=-3322/1120, 5-6=-3807/1213
BOT CHORD 2-10=-1173/3365, 8-10=-558/2292, 6-8=-940/3365
WEBS 3-10=-786/596, 4-10=-448/1126, 4-8=-449/1126, 5-8=-786/597

NOTES-

- Unbalanced roof live loads have been considered for this design.
- Wind: ASCE 7-10; Vult=115mph (3-second gust) V(IRC2012)=91mph; TCDL=3.6psf; BCDL=3.6psf; h=25ft; Cat. II; Exp C; Enclosed; MWFRS (envelope) gable end zone; cantilever left and right exposed; end vertical left and right exposed; Lumber DOL=1.33 plate grip DOL=1.33
- This truss has been designed for a 10.0 psf bottom chord live load nonconcurrent with any other live loads.
- * This truss has been designed for a live load of 20.0psf on the bottom chord in all areas where a rectangle 3-6-0 tall by 2-0-0 wide will fit between the bottom chord and any other members, with BCDL = 6.0psf.
- Two RT4 USP connectors recommended to connect truss to bearing walls due to UPLIFT at jt(s) 2 and 6. This connection is for uplift only and does not consider lateral forces.
- Graphical purlin representation does not depict the size or the orientation of the purlin along the top and/or bottom chord.



April 26, 2019

WARNING - Verify design parameters and READ NOTES ON THIS AND INCLUDED MITEK REFERENCE PAGE. MIT-7-173, page 10-012015 BEFORE USE.

Design valid for use only with MiTek's connectors. This design is based only upon parameters shown, and is for an individual building component, not a truss system. Before use, the building designer must verify the applicability of design parameters and properly incorporate this design into the overall building design. Warning indicated is to prevent buckling of individual truss web and/or chord members only. Additional temporary and permanent bracing is always required for stability and to prevent collapse with possible personal injury and property damage. For general guidance regarding the fabrication, storage, delivery, erection and bracing of trusses and truss systems, see ENR/TPI Quality Criteria, ENR-89 and ECSI Building Component

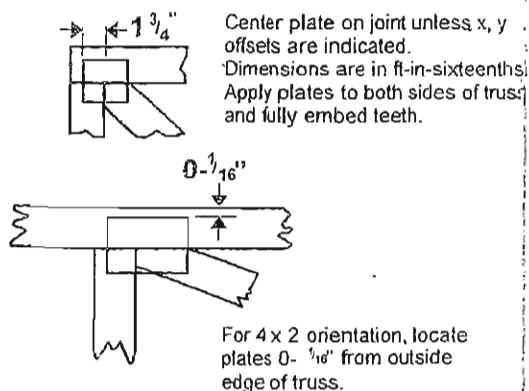


16023 Springdale Ring Rd
Greensboro, NC 27409

12 of 23

Symbols

PLATE LOCATION AND ORIENTATION



This symbol indicates the required direction of slots in connector plates.

* Plate location details available in MiTek 20/20 software or upon request.

PLATE SIZE

4 x 4

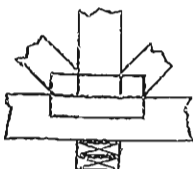
The first dimension is the plate width measured perpendicular to slots. Second dimension is the length parallel to slots.

LATERAL BRACING LOCATION



Indicated by symbol shown and/or by text in the bracing section of the output. Use T or I bracing if indicated.

BEARING

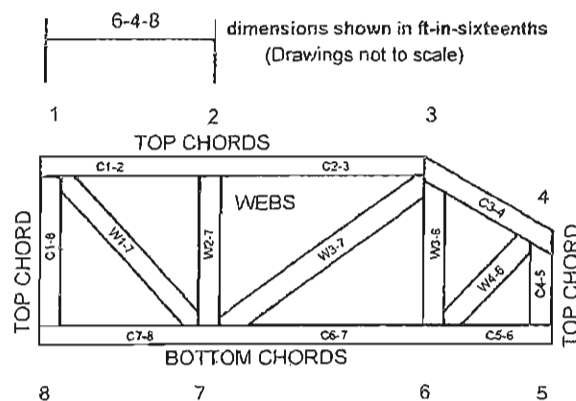


Indicates location where bearings (supports) occur. Icons vary but reaction section indicates joint number where bearings occur. Min size shown is for crushing only.

Industry Standards:

- ANSI/TPI1: National Design Specification for Metal Plate Connected Wood Truss Construction.
DSB-89: Design Standard for Bracing.
BCSI: Building Component Safety Information, Guide to Good Practice for Handling, Installing & Bracing of Metal Plate Connected Wood Trusses.

Numbering System



JOINTS ARE GENERALLY NUMBERED/LETTERED CLOCKWISE AROUND THE TRUSS STARTING AT THE JOINT FARTHEST TO THE LEFT.

CHORDS AND WEBS ARE IDENTIFIED BY END JOINT NUMBERS/LETTERS.

PRODUCT CODE APPROVALS

ICC-ES Reports:

ESR-1311, ESR-1352, ESR-1988
ER-3907, ESR-2362, ESR-1397, ESR-3282

Trusses are designed for wind loads in the plane of the truss unless otherwise shown.

Lumber design values are in accordance with ANSI/TPI 1 section 6.3 These truss designs rely on lumber values established by others.

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MiTek Engineering Reference Sheet: MII-7473 rev. 10/03/2015



General Safety Notes

Failure to Follow Could Cause Property Damage or Personal Injury

- Additional stability bracing for truss system, e.g. diagonal or X-bracing, is always required. See BCSI.
- Truss bracing must be designed by an engineer. For wide truss spacing, individual lateral braces themselves may require bracing, or alternative Torl bracing should be considered.
- Never exceed the design loading shown and never stack materials on inadequately braced trusses.
- Provide copies of this truss design to the building designer, erection supervisor, property owner and all other interested parties.
- Cut members to bear tightly against each other.
- Place plates on each face of truss at each joint and embed fully. Knots and wane at joint locations are regulated by ANSI/TPI 1.
- Design assumes trusses will be suitably protected from the environment in accord with ANSI/TPI 1.
- Unless otherwise noted, moisture content of lumber shall not exceed 19% at time of fabrication.
- Unless expressly noted, this design is not applicable for use with fire retardant, preservative treated, or green lumber.
- Camber is a non-structural consideration and is the responsibility of truss fabricator. General practice is to camber for dead load deflection.
- Plate type, size, orientation and location dimensions indicated are minimum plating requirements.
- Lumber used shall be of the species and size, and in all respects, equal to or better than that specified.
- Top chords must be sheathed or purlins provided at spacing indicated on design.
- Bottom chords require lateral bracing at 10 ft. spacing, or less, if no ceiling is installed, unless otherwise noted.
- Connections not shown are the responsibility of others.
- Do not cut or alter truss member or plate without prior approval of an engineer.
- Install and load vertically unless indicated otherwise.
- Use of green or treated lumber may pose unacceptable environmental, health or performance risks. Consult with project engineer before use.
- Review all portions of this design (front, back, words and pictures) before use. Reviewing pictures alone is not sufficient.
- Design assumes manufacture in accordance with ANSI/TPI 1 Quality Criteria.

APPLICATION FOR A TRAFFIC IMPACT DETERMINATION

Please fill out the following information before presenting to VDOT:

Case Number / File Name: _____

Applicant: Amos Smucker

Location: TAX MAP #

Proposed Use: Schoolhouse

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:

A VDOT Land Use Permit for construction of a new Low Volume Commercial Entrance has been issued to Aaron Beiler to provide safe access to the property and meet Sight Distance requirements for the proposal. VDOT does not condone building of schoolhouse until new entrance has been constructed and completed according to VDOT Standards.

Signature of VDOT Resident Engineer: Charles D. Edwards

Printed Name: Charles D. Edwards Date: 1-31-22

31 Building Permits were issued in the amount of \$3724.97 for the month of January 2022

Permit No.	District	Name	Purpose	Cost of Construction	Cost of Permit
18651	Francisco	Christopher Rowe	New Dwelling- Stickbuilt	\$18,280.00	\$88.82
18809	Curdsville	Sam Gowin	Electrical	\$9,600.00	\$25.50
18813	Curdsville	Mt Rush Structures	Residential Addition	\$120,000.00	\$440.80
18814	Francisco	Matthew Land	Detached Garage	\$30,000.00	\$144.64
18815	James River	Russel Brown	Residential Addition	\$400.00	\$61.00
18816	James River	David Cobb	Electrical	\$0.00	\$25.50
18817	Curdsville	Energy Air and Electrical	Electrical	\$8,000.00	\$25.50
18818	Curdsville	Michael McAtee	Residential Addition	\$80,400.00	\$51.00
18819	Maysville	Timothy Lann	Mechanical	\$500.00	\$25.50
18820	Slate River	Joyce Jarratt	Electrical	\$0.00	\$25.50
18821	Marshall	Marc Jones Construction	Residential Addition	\$62,719.00	\$61.00
18822	Curdsville	MBS Construction	New Dwelling- Stickbuilt	\$251,450.00	\$488.05
18823	Slate River	Bradley Pickens	New Dwelling- Stickbuilt	\$200,000.00	\$271.32
18824	Slate River	Jeffrey and Kimberly Leonard	Mobile Home- Doublewide	\$186,000.00	\$441.94
18828	Curdsville	Sleepy Meadow LLC	Mobile Home- Singlewide	\$60,000.00	\$232.38
18829	Curdsville	Sleepy Meadow LLC	Residential Remodel	\$25,000.00	\$164.22
18830	Curdsville	Sleepy Meadow LLC	Mobile Home- Singlewide	\$60,000.00	\$232.38
18831	Slate River	Louis Diantale	Shed	\$140,400.00	\$144.64
18832	James River	Energy Air and Electrical	Electrical	\$8,000.00	\$25.50
18833	Curdsville	Energy Air and Electrical	Electrical	\$8,000.00	\$25.50
18834	Curdsville	Energy Air and Electrical	Electrical	\$8,000.00	\$25.50
18835	Marshall	Property Loss Specialist	New Dwelling- Stickbuilt	\$160,000.00	\$371.28
18837	Curdsville	Mitch Crickenberger	Mechanical	\$1,000.00	\$25.50
18838	Slate River	Top Notch Contracting	Electrical	\$1,000.00	\$25.50
18839	Slate River	Top Notch Contracting	Mechanical	\$1,000.00	\$25.50
18840	Maysville	Ellington Energy	Mechanical	\$776.00	\$25.50
18842	Francisco	WJ Smith	Electrical	\$2,750.00	\$25.50
18409		Huezoa Construction	Re-Inspection Fee		\$50.00
18511		Jessica Tucker	Re-Inspection Fee		\$50.00
18549		Mitchell Homes	Re-Inspection Fee		\$50.00
18549		Mitchell Homes	Re-Inspection Fee		\$50.00
31					
Cost of permit is calculated based on square footage of structure				\$1,443,275.00	\$3,724.97