

**Buckingham County
Planning Commission
June 27, 2022**

At a regular scheduled meeting of the Buckingham County Planning Commission held on Monday, June 27, 2022 at 7:00 p.m. in the Peter Francisco meeting room, located within the Buckingham County Administration Complex, the following members were present: John Bickford; James D. Crews III; Stephen Taylor; Steve Dorrier; Ashley Shumaker; Joyce Gooden, Pete Kapuscinski, and Board of Supervisors' representative Danny Allen. Also present were Nicci Edmondston, Zoning Administrator, and E.M. Wright, Jr., County Attorney.

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

Chairman Bickford called the meeting to order. Steve Dorrier gave the invocation, James D Crews III led the Pledge of Allegiance and it was said by all who were in attendance. Chairman Bickford certified there was a quorum- eight of eight members were present. The meeting could continue.

Bickford: Nicci are there any changes to the agenda?

Edmondston: No Sir.

Bickford: Do I have a motion to approve as presented?

Allen: So moved

Dorrier: Second.

Bickford: All right, have a motion and second, any discussion? All in favor? Raise your right approved. That brings us to approval of minutes. We have the May 23 regular meeting. Do I have a motion to approve as presented?

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

Allen: So moved.

Gooden: Second.

Bickford: All right, motion and a second. Any further discussion? All in favor? Raise your right hand. Approved. All right. Before we start to public comment, do we have any?

Edmondston: Yes sir we do.

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

Bickford: Would ask if everybody... just a reminder, please silence your phone. We have a lot to go over tonight on the docket I think its 5 public hearing, so if you would make sure that's done. Public comment period you have three minutes, please come forward to the podium state your full name address. And your speaking on anything or matter you want other than the public hearings we have. They have their own designated time. Okay, I will start it off Nicci who's first?

Edmondston: Yes sir. Mr. Chairman, first, we have David Ball, followed by Ivan Davis.

David Ball: Good evening, David Ball district three. I just got to be brief here. I haven't been to one of these meetings in probably a few months. And just wanted to let everybody know that at Curdsville Community Center, we're going to be having our Fourth of July potluck dinner. And that's going to have a pulled pork entree that's provided by Peter Kapuscinski and his son so they're doing they're going to do a great job. And we're looking to have as many people come and visit us at 630 Curdsville Community Center. Thank you.

Edmondston: Ivan Davis.

Ivan David: I would like to comment on the new business case from the Atlantic Investment Corporation about the housing development in Dillwyn. If this development proceeds, I would like it taken into consideration by the Planning Commission, a buffer zone or privacy fence of some type between the housing development and the adjoining property owners. One side you've got Lesueur street, you have many homeowners, this will be right in their backyards. Part of the housing development there's been talks of building possible walking trails. And of course, you'll have new roads and lights. And all this will invade people's privacy. Nobody wants to sit in their backyard and have random people come walking through the woods. But along with that also, I'm a adjoining property owner. And I have a working farm next to this possible development and I don't want people straying onto my land causing possible harm to my property or themselves. Example, somebody walking along this trail wanders off the trail and pops over the fence and I get chased by a cow and next thing you know, they want to sue me. So Buckingham is a fence out County. So it's the adjoining landowner's responsibility to keep my cattle off of their land. So I think this is just something that might be in everybody's best interest if something could be done about this. Another point that I have is this development is not in keeping with the county's comprehensive plan. And the plan it states that we should keep Buckingham a rural county. This development is meant to urbanize Dillwyn, not to bring homes for Buckingham citizens are those wanting a rural lifestyle but for people who prefer urban life, and I just don't want to live in the middle of a big city. Also, I've heard of a possible combined Planning Commission Board of Supervisors public hearing for this project. I hope that's not the case. But I hardly see how that's fair to give this project and advantage over anyone else. All the people back

here that go through this process. And it's a three step process. I've gone through it myself. And last board meeting, I told the Board of Supervisors that they were picking a path a direction by allowing this project to proceed. It's bad business in the current economy and it's not what the citizens of Buckingham want. So let's not let the one a direction of a few be the path that we take. Thank you for your time.

Edmondston: Next signed up is Donald Dorrier

Donald Dorrier: Donald Dorrier 14546 South Constitution Route Scottsville district one. I'm here today to talk about what's going to be coming up in a little bit later on as far as on the agenda, which will be under a new business about the solar panels. It's coming up. A solar company will come in here in a few minutes and talk about another 2276 acres of agriculture and farm land that they want to put solar panels on, a place where we don't have a solar panel policy or solar power ordinance. We don't have any guidelines of our own that we've made up that they can be adhered to. This project will end up affecting in 99 adjoining property owners these property owner's properties then will be changed from what they are now to what it can be if this is proposed. Values will go down for one thing. I don't know what else to do with the land but it will affect 99 At least 99 property owners this 2276 Acres is going to be if approved will be also added to the 2000 acres that was already approved that's six square miles. It's hard to believe that its six square miles' land of agricultural and farmland taken up with solar panels in the northern part of this county. They will be pile driving that they say this on this new one pile driving from eight o'clock in the well sunrise, they say from sunrise to sunset, Monday through Friday. Other constructions will be done, major constructions can be done. Sunday through Saturday, day light to sunset. Um, I guess the big thing we got here is we got two big jobs going on at same time. Two major jobs and the problem we have now is safety. Got school buses, we got people going back and forth to work. And now we've got two big projects that could be working simultaneously. Hundreds and hundreds of trucks hundreds and hundreds of tractor trailers hundreds of dump trucks, vehicles on a road with buses and pedestrians trying to have a way I just think it's reckless for the planning commission to approve something like this. I know that the solar people will give you a good speech, that's their job, that's their job to sell this to you. But they can't guarantee all this stuff. They can't guarantee the air quality from the burning they can't guarantee anything else they can't guarantee erosion. And they can't definitely can't guarantee the safety. Thank you for your time.

Edmondston: Last speaker we have signed up is Brian Davis.

Brian Davis: Brian Davis 10035 West James Anderson Highway. I'm speaking on the case coming up for Atlantic Investment Corporation. The proposed subdivision. I would just ask that the planning commission take their time and really think about the safety of that area. As a resident I'm concerned, I have children that go to the school. I frequent those ball fields and I know what it looks like when there's soccer games going on to the entrances to this work traffic that not only goes by it'll get by those ball fields and it's game day, so I just asked you to really take your time and think about the safety of kids and that intersection. There's plenty of accidents that happen to that intersection. I don't know if anybody's talked vdot about their thoughts on

traffic in that area. But there is we all live here, we know what happens that that intersection with 20. Then also, I don't know, you know, comprehensive plan has been mentioned a couple of times that comprehensive plan is very dated. We have some Amish gentlemen in the room there weren't Amish here, there wasn't COVID here when that comprehensive plan was written, the county looks a lot different. The challenges that are before you as a Planning Commission are very different from what they were 10 15 years ago, I would ask that you be fair with the process. I know that I didn't know until Ivan spoke about a joint meeting. It's not fair to everyone else that comes before you to streamline things. So I would ask you to just to be fair to all involved. And if you move forward with public hearing, you know, let this development take the same steps that everyone else has to take. Lastly, I would just say, you know, as you think about the direction that you move forward with the county, think about the demands on our first responders, the Board of Supervisors talked at length about the need for more revenue because of demands, put on emergency services and having to pay for that adding more people brings in more demands to put on the county It doesn't it doesn't work where you bring in more people and you spend less money. So I would just ask you to think about that demands potential demands on schools think about, you know, what, all this could touch and how it could impact the county. And I look forward to your wisdom and just hope that you do take your time and work through these challenges. Thank you.

Bickford: Thank you Mr. Davis. Nicci that's all?

Edmondston: Yes, sir. That's all public comment.

Bickford: I will close the public comment period and move to our old business. Public hearing case for John Yoder.

Edmondston: Yes, sir. The first public hearing tonight is for case 22 SUP304 our landowner and applicant is John Yoder and the property is at 2750 Ranson Road, Dillwyn Virginia tax map 65 parcel 13. This parcel does contain approximately 154 acres. The applicant, of course, is requesting to obtain a special use permit for the purpose of operating a sawmill. We do have four individuals lined up to speak and I believe Mr. Yoder he wasn't here at first but yes, Mr. Yoder is here our applicant to address questions comments concerns as well.

Bickford: Before I open public hearing on his case does the committee have anything that they would like to ask the applicant before we start. Okay. We'll go ahead and open a public hearing for this. I will give Mr. Yoder an opportunity to answer your questions at the end. So let's start with the people that want to speak.

Edmondston: Yes, sir. First individual signed up is Deborah Jones followed by Carson Warner.

Bickford: All right, very good. It's the same please come forward to the podium, state your full name address the same criteria as before you have three minutes we have a lot to do so we'll keep you right on time.

Deborah Jones: Hello, my name is Deborah Jones. And I live on 2759 Ranson road across from the sawmill operation that wants to be built. And I'm speaking out today on my behalf of the saw mill I think it's too close to my residents because I'm right across the road from them. And for the safety of my children and grandchildren, noise, and just dust and you know, all of that. So we I've been there for 59 years. And for the first reason, the road is too small. It's got like two you can pass you know like two people, but it's too small. You barely can drive through with two car, so if tractor trailers, dump trucks and all that is allowed to come through there its too much. I think it's very dangerous. But I came out today to speak out today for it, I mean, it's been a quiet neighborhood. No problem. We don't have no domestic stuff going on. It's just quiet. It's mostly it's in a family area. Yep. So and I just I just, I am against it against this matter for safety of the people in the community and especially for me my residence, I'm right across the road from them and I have to work and I don't want to be up all hours of the night trying to go to sleep because with a operation like that it's probably going to run about six days a week and you know, early in the morning and probably 6 7 or whatever at night I got this letter from the zoning department and the lady told me to come up here and sign the paper and speak out if I'm against it and I am strongly against it. Thank you.

Bickford: Thank you, madam.

Kapuscinski: Chairman, are we allowed to make comment or can I ask your question?

Bickford: Normally we don't. The criteria would be to save it for the applicant. Have you signed up? Oh, yes ma'am. What is your name?

Inaudible

Barbara Warner: My name is Barbara Warner. And I live next door, my yard next door to the road I live close to the road. The tractor trailers and the dust and the noise will be too much. We live in a big community houses on both sides of the road close together all down the road on both sides from 659 all the way to 705. I'm against it.

Bickford: Are you through ma'am? Okay, thank you.

Carson Warner: Evening, my name is Carson Warner. And I'm at 30 Warner place just off Ranson road. It's in my neighborhood as well that I'm here to talk against the saw mill. In recent years we've had a mega church right up the road from a which brings tremendous traffic, trucks traveling all the time along with our pulp wood trucks, which has always been here. And as alluded to before our road is narrow, very narrow. And you have to get over nearly in the ditch sometimes just to pass a car let alone these big trucks and the adjacent to where this thing will be that noise is going to be unbearable, along with the traffic and they have all these acres of land but I can assure you I'm quite sure that if they build their home on it so I understand it's supposed to be it's going to be way away from the sawmill not on top of us like it is if they intend to put it there. As my cousin alluded to her home is right in front of the driveway, it's immediately across from her home. She got to deal with that kind of traffic and noises I don't want to hear it either

because I'm immediately right across a small group of trees from where this thing is going to be all so my entire family neighborhood is adjacent to it. And I just don't see where it's fair. If they have all this money and all this land why do you have to bring it right adjacent to where all of us live. Been living there for all of our lives. I was born on that place and they have a lot of alternatives different than where they trying to put it. Their are resources which they obviously have, they can find a plot of land far away from where we are to put this sawmill in. Thank you. Thank you sir.

Edmondston: Greg Bingman.

Greg Bingman: My name is Greg Bingman and I own a piece of land behind them on Spencer road and I'm kind of concerned with what the other people are talking about because those roads are about as narrow as they can be and I almost get run over almost every time and I just visit the place I own land in Powhatan and it's hard for me to get down Ranson road now halftime and Spencer roads almost just as bad. I don't know that I'd want to have to hear that noise either because I'm right behind them so I don't think it's the right place for a saw mill. Maybe do something different with it or I'm not sure how much noise we're talking about but I would say there's too many people there's houses all the way around.

Edmondston: That's all we have signed up for public hearing.

Bickford: Okay. All right. I will close the public hearing on that. Mr. Yoder would you come to the podium and we'll give you a chance to comment on some of the things that people have said.

John Yoder: Good evening everybody. Guess what I heard most was noise. Noise is very minimal. Hardly. I have a hard time believing any of those houses will be hearing much noise for one thing there's buffers there. There's pine, pine trees all around it. Few places on the west side more will be added. As far as trucks that will be very minimal too its a family operation. Don't have much more to say.

Bickford: You know approximately how far the sawmill will be from the people across the road. The distances.

Yoder: The proposed site is about 800 feet.

Bickford: Okay. As far as your sawmill what? You're going to have a generator correct?

Yoder: No. The sawmill has a diesel on it.

Bickford: Okay. Is that going to be enclosed to a certain degree?

Yoder: Yes.

Bickford: That would be your main noise not to saw mill itself with the diesel?

Yoder: Edger and your diesel or even the edger will probably be the most. Which that will still be enclosed.

Bickford: Okay. And I don't have it right here in front of me. But would you tell us again, you think the number of tractor trailers that you have weekly? Now this is coming and going those trips, please.

Yoder: You're asking a truck coming in and driving coming out?

Bickford: You might as well figure in and out because they're still going to be on the road. And that's a concern for safety.

Yoder: I really don't know. I mean...

Bickford: I can't recall what the estimate was,

Yoder: Now when we're talking about trucks are we talking about...?

Bickford: Tractor trailers, what I'm more concerned with not tandems.

Yoder: Three a day or less, it really won't be more than three per day.

Bickford: So somewhere in the neighborhood of a week, probably 15 to 20 Coming and going correct?

Yoder: It would be a pretty comfortable number.

Bickford: As far as I know, you have the young pine on the property because it was timberland it's cut and replanted. Would you be opposed to putting some buffering say in front of your sawmill to...

Yoder: I can. I'm willing to work whatever.

Bickford: Okay. I think even something as simple which would go up quickly would be you have a saw mill if it goes forward. You could put privacy fence you know leave it open where trucks can come in and out but that would serve two purposes it would block the view from the neighbors but it also would cut down on the sound and that would certainly be a compromise to help them. I've said all I need what about some of the other Commissioners here?

Allen: Did you put your saw mill on lot number one?

Yoder: Yes.

Allen: Were talking about all these people and the noise? I don't know if it's possible or not but if he were back on a lot three which is backend to me you got more trees around the lots and it's further away from all homes if there was a noise problem and if that wasn't a big problem to you maybe you could put it back further. That's up to you im just talking.

Yoder: The house is already built on lot one.

Allen: The building for your saw mill.

Yoder: No my house.

Allen: Oh your house. So wait a minute. Where you going to put the saw mill at then?

Yoder: On the same one. On the same lot.

Allen: So the rest is family subdivision.

Yoder: It's all family but you know the subdivision doesn't really have anything to do with the sawmill.

Allen: No I'm just trying to get a location and then look wherever to know as you get farther away you could come back to the back end but since you already started on it or you just go to the far back on number one as you can and put your saw mill. I hadn't looked at it so I don't know.

Yoder: I mean the engineering is already done but it could be changed and we can... we can change those...

Allen: Like he said your biggest noise is going to be your generator. Diesel generator that saw mill wont make that much noise.

Yoder: No noise is very minimal I mean...

Allen: Let's see so you still have to do something about a driveway coming in? Vdot hadn't signed off on it.

Yoder: Yeah VDOT has signed off. Steve signed off.

Allen: Okay existing entrance meets vdot requirements he has it no. He has a no on it.

Yoder: The existing entrance does not, that one will be changed.

Allen: Okay. That's all I'm asking you that you understand.

Bickford: When you say the entrance will be changed have they already showed you an appropriate place to put it in?

Yoder: Yeah, you have that in your packet.

Bickford: Okay. Well, would you be willing to put the privacy fence in front of your sawmill? I know you need to leave opening but that will help some. We will have to make that as a condition if agrees to do that. It would just be six foot board fence.

Yoder: I can do that.

Bickford: Keep as much of the other vegetation the pines that are coming up at all as they grow they'll serve to cut off the dust and also the sound as they get taller each year. Any other Commissioner have anything at this time?

Dorrier: Yes, has VDOT signed off on an impact of the road. I'm hearing about a road problem with the narrow roads and things like that So that's a safety issue and im just concerned you know if VDOT was okay with that. Do you know Nicci?

Edmondston: VDOT Steve Snell the assistant resident engineer actually did sign on page nine the application for traffic impact determination for Mr. Yoder. It does state that he'll need a new commercial entrance with proper sight distance and showing it meets truck term movements that will be necessary to address the safety of ingress and egress on his property. Mr. Snell is with us again the questions raised would probably be answered most in their best terms by Steve Snell but of course this roadway Ranson road is vdot maintained it is open. It is not restricted to any type of vehicles with numbers of axles and those type of things. If there's any other update to those roadways. I'm going to ask Mr. Snell to come forward and address any further traffic safety conditions for Ranson road. Mr. Snell.

Bickford: Mr. Yoder you can go back and sit down if we need you we will call you back.

Steve Snell: Hello, I'm Steve Snell from v dot. You have questions for me?

Dorrier: I just wondered this road. The citizens live there now are worried about the, you know, the road itself? And how safe is it with tractor trailers? I know you have trucks and log trucks and things going up down this road all the time, but he's going to add 15 or 20 a week now. How do you consider that? Would that be your safe environment for the people to live where they live?

Snell: Yeah, it would be as safe as it is now. I mean, currently, you already have logging trucks and tractor trailers using the road. And this for us is such a minimal amount, it doesn't actually have an impact on the function of the road, it would function just as it functions now.

Kapuscinski: You have any idea how much traffic does go down the road right now?

Snell: Off the top my head, I do not

Kapuscinski: You have no idea how much more traffic this represents?

Comment from Crowd

Bickford: Not at this time, sir.

Snell: I would say it'd be less than 1%. I mean, you know, you're only talking a couple of tractors a day.

Allen: Normally, they take a road count.

Snell: Yeah, there is a road count.

Allen: Do you have it? With you? That's more or less what he's asking?

Snell: Yeah, the count would be in the 1000s. So a few vehicles will not make a difference.

Bickford: Any other questions for Mr. Snell?

Allen: I guess the answer to his question is anyway, before our next meeting, you could get that answer to us.

Snell: Yes I could.

Allen: We can say both road the road in front and road beside it.

Bickford: Any other? Thank you Mr. Snell. What is the pleasure of the Commission, we do have one issue and that's that VDOT has not signed off on the entrance. We can delay or we can move it forward with the understanding that that highway count would be presented to the board of supervisors as well as the vdot sign off on it or deny. So what would be pleasure of the commission?

Gooden: I would move that we delay until we get all the information. It's no need of us passing something on to the board of supervisors that is incomplete from us. And as far as I'm concerned, this is incomplete.

Bickford: It is let me ask you, Nicci the hold up has been not getting the information back from VDOT or?

Edmondston: Well, no, Steve Snell did complete this forum. I think it's important to understand too that Mr. Yoder our applicant, he's working very closely with an engineering firm hurt and

profit. I don't know that his engineers available with him this evening. But certainly I've been in conversation with Andy Clepak the engineer so he is addressing the design standards for this particular sawmill. Of course at this time, once again, we don't require an engineered plan. If we did all of that would be formally included with this packet at this time Mr. Yoder's application, it is complete.

Shumaker: And that is predicated on condition one that all federal, state and local regulations that includes VDOT. So if they were to avoid their compliance with the Vdot that would also void their planning commission approval.

Edmondston: That is correct. So if this is to move forward, then we know that Mr. Yoder has not taken any steps to develop a building our sawmill itself, if this application would move forward and be approved, it would be like any other development project, it will go through the necessary steps, I believe he's over one acre. So that has to be turned into DEQ for review, and the necessary storm water and come back to the county and Peter Francisco for ens. He'd be issued an ens permit if all of those things fall in. And at that time, the Vdot entranceway would be reviewed as part of the engineering plan and the requirements with vdot it does fall under the first condition. But at this time, Mr. Yoders application, it is complete at the county standards.

Gooden: Thank you.

Bickford: Do you want to make that a motion? Yes.

Kapuscinski: I have to tell you. I mean, I think. I think it's concerning to me that the people are concerned about this, obviously, the safety I mean, I've heard two, three people now stand up. And I have to respect that. And listening to vdot that we still don't know what the traffic count on that road is. And I think that makes for incomplete information. All due respect, Mr. Yoder, I don't want to have him hold up much longer than he has to but I think the people that live in that community have to be treated with some degree of fairness as well. But I think that information ought to be brought forward so that there could be a valid argument made either in favor of what they're saying, or, you know, something that we could tell them to assure them that they would be safe. And I just don't think there's enough information here at this point in time to do that. So I would like it delayed as well.

Bickford: Okay. That is an option. As I spoke at the beginning, it's up to the commission. If that's the pleasure of the commission, we'll have to vote on that to delay to getting that information from the highway department. That's what you choose to do. It needs to be put in a formal motion.

Allen: I make a motion on whatever you want to do.

Kapuscinski: I move we delay this until we get more information on the road a second.

Taylor: I second.

Bickford: Okay, we have a motion and second to put this on hold until when we get the hopefully get the information from the highway department on the count. Is that the only concern?

Edmondston: Would it be helpful to bring Steve Snell back from vdot this application could be very similar to one that we just passed to the Board of Supervisors on Crump town road those two roads are very similar their secondary roads vdot maintained in the county of Buckingham and if my memory serves me correct, the number of traffic vehicles that could be increased on Crump town road was well above 2400, I believe, including the increased traffic impact with the proposed sawmill you know, in an effort to maintains as much fairness as possible to the applicant. The Vdot representative is here to possibly address more of what happens on Ranson road. But that's up to the commission. I just wanted to provide as much information as possible.

Bickford: Well, Mr. Snell has already indicated that he thought the additional 15 or 20 tractor trailer loads was not going to be an issue at all.

Kapuscinski: I think the issue here, Mr. Chairman, is that we asked specifically how much more traffic is going to be, are these people faced with I mean, there's obviously some concerns with these people here. And I mean, without either we're going to have something that we can hand these people in terms of a statistic, or we're going to give them an opinion. If I were sitting in their chair, I I'd probably tell you to keep your opinion, and give me some statistics. So I would, that's why I'm recommending that we delay this thing, until we have something that's statistical that we can offer these people who are concerned to give them some reason to be more secure in their particular. I mean, they've lived here for a long time. I think they deserve that.

Bickford: Yeah, I understand your concern. And that's why I put it the way I did it initially, when Miss Nicci is indicating that the actual application is complete. That information will be given to the Board of Supervisors when they do the public hearing from the highway department and they can choose you know; they'll act on it at that point. But again, if that's what the pleasure of the commission is, that's what we do. We have more motion in a second, if I understand correct. Okay. Any further discussion before we vote? All right, all in favor to the delay of 30 days to get the information from the highway department. Raise your right hand. Okay, all in favor? It passes. It is a stay on till next month, July. Now there will not be another public hearing that is that's been completed. It'll just be a decision made once we get the information from the highway department. And then it'll either be going forward or move back. Thank you Mr. Yoder. That brings us to public hearing case for Jonathan King.

Supervisor Allen moved, Commissioner Shumaker seconded, and was unanimously carried by the Commission to table Case SUP22-304.

Edmondston: Yes, sir. Mr. Chairman, the case is 22 SUP305. Our landowner is Jonas Fisher at 1039 Banton shop road Dillwyn. The applicant is Jonathan king and he resides at 328 Johnson

station road Dillwyn. The property in request tonight is tax about 95 parcel 39 Lot a it's approximately 108 acres. It is currently zoned a one and of course our applicant submitted an application and wants to obtain a special use permit for the purpose of operating a private school a one room schoolhouse. I've attached conditions similar to the four other private schools that have been through the special use permit case here. Mr. King and Mr. Fisher are both present to address questions or concerns regarding their request this evening. And we do have one individual signed up for the public hearing.

Bickford: Thank you Nicci. Do any commissioners have any questions anything they would like to ask prior to the public hearing? All right, seeing none we'll go ahead and move open this public hearing. Our first please.

Edmondston: Ivan Petershiem.

Bickford: Would you come forward sir and state your full name and address as before we got three minutes.

Ivan Petershiem: Good evening Board. I wont take three minutes. I'm just here to support the school my two kids can go to school such as this and I'm just here to support that and I don't really have anything but as we know the project or the application has been pushed back several times. So there was some talk about joint hearings and all I don't know what I think about that. But is there something that can be done for special use permits because there'll be more coming up and can it be made easier? I guess put that out there that's all I have. Ivan Petersheim district two. Sorry.

Bickford: Okay, thank you sir. That was the only speaker?

Edmondston: Yes sir.

Bickford: Okay, I'm going to close the public hearing and turn it back over to the commission. Do anyone have questions for the applicant?

Allen: I think we'd asked before but just to make sure there wasn't a whole lot of horse and buggies on the road bringing the kids back and forth that they would have vans carrying the kids back and forth I just don't see nothing written down on it maybe I missed it. I don't know if we want to write that as a condition. We did talk about it before might want to add it to the conditions.

Bickford: Can the applicant come up? If you would sir full name, address.

Jonathan King: Jonathan King 328 Johnson Station road you all have some questions?

Bickford: Yes. Mr. Allen wanted to know about the transportation.

Allen: We talked about before I just want to make sure it brought up.

King: You had asked about the children and to be brought by van. There probably be some occasion brought in by horse and buggy, rainy days and such for the closer ones that want to walk.

Allen: I just mainly wanted them to be brought by vehicles. But I mean, so much going on on the road, I tell you, it would be if you had 20 horse and buggies coming down the road every morning.

King: Shouldn't be 20.

Allen: Well, I don't know. I'm just saying like, I hadn't looked.

King: It wouldn't be on a regular basis. I don't think I guess there's a possibility that some of the closer ones might.

Allen: But right now you got in mind of getting like vans to go pick them up? I think it'd be a good idea. How about restrooms?

King: Yes.

Allen: Somebody said before there won't. So I thought I would ask.

King: It should be in the plan. Out house style.

Allen: Okay. What else y'all want to know?

Bickford: Any other commissioners have any questions? Thank you sir you may sit down appreciate it sir. What is the pleasure of the commission?

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

Taylor: Second.

Bickford: I have a motion and second to approve this application and move forward. Any further discussion? All in favor raise your right hand. Okay, that passes to move forward for Board of Supervisors. That brings us to long Laurens and Anne Marie Prinsloo. I hope I pronounced that correct.

Commissioner Crews moved, Commissioner Taylor seconded, and was unanimously carried by the Commission to move Case SUP22-305 on to the Board of Supervisors.

Edmondston: Yes, sir. This is case 22 SUP 306. And it's Laurens and Anne Marie Prinsloo. At 781 Bransford road Arvonnia Tax map 41, parcel 11. There's 235.6 acres. This particular property is zoned a one and our applicant wishes to obtain a special use permit for the purpose of operating an Airbnb Bed and Breakfast campsite and Event Center. Events to include but not limited to weddings, reunions, business functions and up to 1500 attendees. I do believe Mr. Mrs. Prinsloo are with us this evening. And we do have one individual signed up for the public hearing.

Bickford: Before opening public hearing commissioners have any question for the applicant? Okay, we have none at this time. So open up the public hearing.

Edmondston: David Ball.

David Ball: Good evening, David Ball district three. While in general, I'm not opposed to the Airbnbs I think it's a good opportunity for people. However, I wonder if there's a threshold two things to kind of really keep in mind. We've had a lot of Airbnb here over the last several years. And while somebody's relocating to this area, it's a great opportunity for a little extra income. But it's also a great tax deduction. Which means that it may not actually be generating revenue, but writing down the cost, things that can be written off the taxes and lower your tax threshold. So they may actually on the long haul with all the Airbnbs that are coming in here. And I think there was three last month or recently they just went before the Board of Supervisors kind of wonder if there's been any study to figure out, what's the threshold for how many Airbnbs can the county really sustain mean to where they're actually going to be functional, where people will actually come and use them? To the point where you got to wonder how much is it worth having 20 100 1000 Airbnbs pop up in the county. I mean, it's kind of a real consideration in terms of the economic stability of the area. If somebody wants to relocate here, put up like house, maybe they got a second house. So they want to put up a second house or modify their house so they can have an air b&b? Well, that's great. But there's expenses, write offs and everything custom to that type of operation. And if those expenses exceed the profitability of what they're proposing, it's actually a tax loss for the county as well as the state. So, I wonder, at what point has anybody in the county ever stopped to do a study to figure out how many Airbnb's that the county could legitimately sustain? And what would the economic impact be to the county? Thank you.

Bickford: Thank you Mr. Ball. Okay, that was the only one correct?

Edmondston: Yes, sir. All right. I'll close the public hearing and I turn back to the commissioners have any questions for the applicant?

Kapuscinski: I vote we move this thing forward.

Crews: Second.

Bickford: I have a motion and second to approve and move forward to the Board of Supervisors. Any further discussion? All in favor Raise your right hand. Okay, that is approved and moved forward. That brings us to piedmont companies.

Commissioner Kapuscinski moved, Commissioner Crews seconded, and was unanimously carried by the Commission to move Case SUP22-306 on to Board of Supervisors.

Edmondston: Yes, sir. This case 22 ZMA 307. landowners are Elam, Emma, Eli and Jacob Stoltzfus at 25766 North James Madison Highway. Our applicant is Piedmont companies. The tax map in question is 69 49. This entire property consists of 96 and a quarter acres Piedmont companies is to purchase two acres from the Stoltzfus landowners, this is part of their sales contract purchase contract that is in the packet for you, that survey on that land transaction has not taken place. Larry Bardon is with us this evening. So he may be able to describe a bit more if that survey and land transaction has closed at this point. And he did agree to give us the copies of that deed the survey and the new tax map that would be associated with that two acres at that time. So the zoning map amendment is strictly for that two acre piece of this tax map. And again, the zoning map amendment is a request to rezone from a one to be one specifically for the two acres for the purpose of building and operating a Family Dollar Tree. Our applicant is with us this evening to address questions and concerns. And we have one individual sign up for the public hearing.

Bickford: Okay, thank you Nicci being that the applicant is here do we any questions before the public hearing from the commissioners? All right, seeing none Ill open up the public hearing. You may call the first person

Edmondston: David Ball.

David Ball: Yeah, David Ball district three. Again, with the dollar stores and the dollar trees, I think I mentioned last year or two years ago, when we had the one that was up on 15 or just off 15 that they should try something out 60 Because that area of the western part of the county is so under served, but we seem to be hitting pretty much up and down this 15 corridor or 20. You know, there's got to be, I guess, a limit to how much competition for these small affordable stores. I mean, Farmville is not that far away. There's plenty of retail there. If you're out 20 towards the north end of the county, Charlottesville is not that far. And I know when you go on the north side of 15. There's not a whole lot of stuff when you get across the border until you get to 250 and 64. So, I mean, while these are affordable options for people to get goods and stuff, there's probably a limit to how many that you can saturate into an area before that the retail capacity to make money and sustain now is going to be workable, and considering that a few years ago Carl Icahn sort of pulled the rug out from under Family Dollar. And basically it was bought up by the two competitors Dollar General Dollar Tree that you have to look and wonder what is the capacity of these stores to actually make a good solid profit and sustain you know, for the area of that community. So those are considerations. I think that should be under your purview. But that's about all I have to say.

Bickford: Thank you Mr. Ball. Okay, I'm going to close the public hearing on that and turn it back to the commission. Do you want the applicant to come forward and ask questions? Okay, would you come forward, sir? State your full name.

Laurence Bearden: Im Laurence Bearden.

Kapuscinski: What exactly how are you related to this project?

Bearden: I'm the developer. And we developed probably 10 or 15 of these stores in this region, West Virginia, Virginia, North Carolina, South Carolina.

Allen: Your head of Piedmont?

Bearden: Yes, exactly. That's my partner.

Allen: We've talked about two acres. So if you go right in the corner all the way up to the road. Two acers going to be plenty for you?

Bearden: Yes, more than enough, probably we can reduce it. In terms of disturbance area, the stores are profitable. We have a lease with the tenant right now. So it is a fine deal on our part in terms of being able to build the store develop the store. We haven't subdivided the property yet, because we haven't gotten zoned. So you know, we're waiting to get that done. But we do have survey, we've been working with the DOT. And we were going to pick a driveway him properly. And meet all safety standards and concerns that you might have on a highway basis. We've been doing all our homework in terms of landscaping and due diligence with regards to the title. And then we'll subdivide the property and start construction once zoning is complete, we know that we have to go to DEQ. To get approval on that we've been working on all our landscaping, to meet your codes. And basically, that's in a nutshell, just a point of clarification. Family Dollar was purchased by Dollar Tree. Dollar General is a separate entity. And they're a separate competitor to ours. This is a new concept. This is a 10,000 square 10,500 Square Foot store that incorporates both Dollar Tree products and Family Dollar product. So what you have is a store that's slightly larger than the Family Dollar you see in Dillwyn, and a little bit larger than the Dollar General you'll see it further up the road. And it'll have both products from Dollar Tree which are really dollar products. And then you'll have Family Dollar products much like you see in \$1 General or typical Family Dollar Store. We think it's a vibrant neighborhood vibrant area, we feel like this at least Dollar Tree and Family Dollar to feel like it's an investment and we're going to be there for a long time and be good citizens and take care of the property so that's our role is to provide that and work with you to make sure everything is correct and in good order. If you have any further questions, I'd be delighted to answer if you want.

Gooden: Yes, how does it compare in size to the one that's on 60 and Cumberland?

Bearden: I'm not sure.

Gooden: It is a combination store.

Bearden: It will be about the same size then it should be it's 10,500 square feet, your dollar general stores are about 9100 square feet. And they look different because they got different sizes on the front. But it'll be about the same size. They're pretty standard the footprint.

Kapuscinski: but y'all do your studies before you put decided put a store up I mean, you know where it's profitable. It's not exactly right. So I can't imagine company like you're just going to put something up there just to lose money.

Bearden: I've got to get a lease from Dollar Tree and Family Dollar. I mean they got to approve it. Before I'm gone go out and purchase a piece of property go through rezoning go through the due diligence of everything that we have to satisfy. And so they know it's going to be profitable. And it's going to have a customer base. So that's how I get a loan and how we were able to develop. Right now we're facing a interesting time in our country, with the economy. Interest rates are going up, and it's going to put gas prices are going up, I have to pay them too. And so we do well, in those markets, because we provide ease of access for a lot of people at a lesser cost, and you don't have to drive as far to get it.

Kapuscinski: So this economic condition that we have right now is not going to that's not going to prohibit you from moving forward, correct? In fact, it would probably enhance your situation.

Bearden: Yes exactly.

Bickford: Any other questions for the applicant?

Allen: Well, one thing I would just want to say is right now it says 96 acres is what we're putting into a b one. But what I wanted to say is, since you don't need to acres, two acres is all we need to make to be one. I just want to be straight.

Bearden: That's it. We're not doing 96 acres. Which we want to bring jobs to this area. We want to bring people in here that bring a tax base. That's it.

Gooden: I don't have I don't have any problem with the location. Because it's next to the health center. And it's next to the village down there. And I just think of all the employees going for lunch or going for what to fix for dinner.

Bearden: Whatever. Honey can you grab some paper towels?

Gooden: A location as a, you know, working parent, that would be it's right next door. I'll get it on the way home.

Bearden: I'll tell you this. We've enjoyed working with Nicci and all of you here. I've been up here before. Look forward to finalizing this. Anything we can do to help you let us know.

Bickford: Appreciate you working with the county. Any other question for this applicant before I ask him to sit down? Okay, thank you, sir.

Bearden: Thank you. Appreciate it.

Kapuscinski: I'd like to make a motion move this forward.

Dorrier: Second.

Bickford: I have a motion and a second to move us forward. Any further discussion? Seeing none all in favor raise right hand. That passes moved forward. That'll bring us to Aaron Revere and Tiger fuels.

Commissioner Kapuscinski moved, Commissioner Dorrier seconded, and was unanimously carried by the Commission to move Case SUP22-307 on to Board of Supervisors.

Edmondston: Yes, sir. This is case 22 ZTA SUP 309. The landowners James Madison Highway LLC and the applicant is J Aaron Revere. He is actually on the line with us and has joined us virtually this evening. The property information is tax map 125 Parcel five lot five. It's just under an acre at .99 tenths of an acre. Its located at Buckingham center drive deal when the zoning district is currently b one when this case was introduced last month. We discussed a bit about rezoning adding a zoning text amendment to an M one for the natural and LP gas storage and distribution after the meeting last month and some discussion that took place along with Aaron and Kelsey being very understanding and agreeable to the conversation that was held last month at the Introduction This case has come back as a zoning text amendment and an SUP in a b one. So there is no zoning map amendment for an M one for the Tiger fuel case, what the applicant is requesting is to add the zoning text amendment and this is why the public hearing was held as a result of last month's introduction, the applicant is requesting to add a zoning text amendment to a list of special uses in a b one zoning district which is currently what the property is in that Dillwyn area along Route 15. But in a b one zoning district, there is no use provided for LP and natural gas storage and distribution. So it is their request to add this zoning text amendment to a list of special uses in a b one and apply for a special use permit for that specific purpose. And we do have one individual signed up for the public hearing.

Bickford: Any of the commissioners have any questions? Before we...

Kapuscinski: Chairman, it was my understanding. I mean, when this thing came up, there were some conditions that were discussed including the landscaping that was protected area. So those are all still conditions in this?

Bickford: Right.

Crews: I think we said last time privacy fence just on the, you know, if you're looking at from down at the Christian school is that the only privacy fence we're talking or?

Bickford: At the time, that's what we were probably referring to was that but we may want to do where it's up both sides.

Crews: That's kind of what I was thinking

Edmondston: I think there is privacy fence around the whole thing the entire compound,

Bickford: The fencing was not going to be where you, you obstruct your view, right? So we can either change the privacy fence to something that's solid and blocks of view and serves as a buffer and then they wouldn't have to plant the trees or require that they do the buffering on all three sides.

Kapuscinski: It was my understanding there was going to be security all the way around. And then on three sides, he was going to plant trees for buffer isn't that was basically the condition wasn't?

Bickford: Well, when we asked for that it was only on the back side facing the Christian school.

Kapuscinski: I thought there was all three sides. My mistake.

Bickford: Good thing is we can clarify tonight. Any other questions or concerns for the applicant?

Dorrier: I'm just wondering enlighten me again, how tall tanks will I forgot what they say it will be on the height of the tanks.

Edmondston: Aaron, are you with us? Can you hear the conversation this evening?

Aaron Revere: Oh, yes, I am. And I can and sorry for not being there in person, I appreciate you giving me the opportunity to call in. The height of the tanks are less than the height of a truck, because there they will be ground mounted. So they will be at about I don't know, exactly eight to 10 feet, it might even be shorter than that. Because our trucks will pull up to it. And this will be below them.

Dorrier: The buffer around and will cover that and will take up the sight of those tanks?

Revere: Yes, and we were going to put buffer on I believe, as we discussed, and we marked up landscaping on at least two sides. The third side is actually our own property that ultimately we may, you know, we've looked at concepts for, you know, self storage or other things that could kind of tying into that as well. But we're open to what is amenable with our neighbors for sure.

So if that's fencing or landscaping or both. We're open to that concept, just as we were at last meeting, thank you.

Kapuscinski: I recommend that becomes a condition. I mean, I thought it was agreed to all due respect, I thought that was what was agreed to in the last meeting because I thought it was going to be an enclosed secured area. And that would be buffered with trees on all around. So that so that what was going on inside that property would be obscured from students at the, you know, the school and everything else. So I think that should still be a condition would that be acceptable?

Edmondston: Aaron?

Revere: Yes, it? It was I had it on mute, just so that I wouldn't make a noise on you. Yeah, absolutely. We can do that. One of the clarifications we had, and we've been discussing with regards to the security piece is for the perimeter fence, along the sides, but in terms of the front, mainly what we lock and secure is the equipment and facility itself. That way, because we have drivers, they hop out and they unlock it themselves, and then they re lock it after they either add fuel to or take fuel out to go distribute if the gate is locked on the door, or not on the door on the gate next to the road. And the driver would need to park in the right away which is not safe. So usually what we do is driver comes into the site pulls up next to our tanks, gets out then unlocks the equipment so that they can either fuel or de fuel whichever is coming in. So yeah just to kind of clarify that.

Kapuscinski: I'm not familiar with the design of these things. Is that what's customary?

Revere: Yes, sir, it is. On the site plan, we can still put privacy fence and and or perimeter screening along those back corners. But in terms of the security, the security is really right there around the tanks themselves that way that the trucks don't stop in the street to unlock the gate, but everything will be locked and secured. And then of course there is as we discussed last time, a light that would chime there on that did photo sensors just for safety and security and, you know as a deterrent that's helped all of our facilities.

Dorrier: Would you have any type of fire suppression system that may go with these tanks? Worst case scenario, you know, anything can happen it will happen transferring fuel. And I'm wondering if anything was to happen, what would what could we do? Well, what could you do to protect that

Revere: In terms of all of the equipment, well, first off, there's definitely safety pieces on each side to avoid any overflow or spillage that goes on each one of the whether we're filling or un filling the tanks. So again, we will have probably two trucks come in to hopefully your businesses is as we expect two trucks to come in and fill those tanks each week. And so those are trucks that are the smaller but tractor trailer size, they come in and fill in probably twice a day we have what's called the Bobtail these are with you have seen probably either to residential facilities that it's kind of a fixed back, they will come in probably twice a day to fill those tanks

on that. So each driver they have a code they unlock it fill it is a vapor recovery system and everything on it. It's all standard and regulated with regards to that. And of course if for some reason something happened, it has automatic shutoff valves, but the great thing about propane is is you don't often have spills if you have a few dribbles. More often than not they vaporize before anything else. That's just the nature of propane itself. So very, very user friendly in that regard.

Dorrier: Okay, I was just concerned of anything would happen. What do you what protection devices would you have they on site they would take care of that?

Revere: Well, oh yeah. Well on site on site we have fire suppression. So of course we have tanks on with the truck, but also they are on site with it should any flame break out. We will give you sites and full details on all of that if you need those full standards inspect is regulated by the state.

Dorrier: Yeah, I'd like to see that. Yeah. Okay.

Allen: So it'd be like an overhead fire suppression system. That what you talking about?

Revere: No, there's no overhead the extinguishers and everything but I'll get you the full detail.

Allen: Back to yall talking about a fence. A fence just to lock up are you talking about a fence you don't want to see through it? If that's the truth you got to add those pieces to it.

Revere: No, sir. This is a fence. So at the end of the tank is the equipment that is actually helping handle the movement of the fuel either into or out of the tank, that equipment and everything it is locked in padlocks within a cage and everything's good, you cannot get to it or reach it. And so that's what we lock and unlock each time we come in, in and out the we'll come off of the road into the gravel pad that is around the site, the driver pulls up to the tank and unlocks it the equipment does what he needs to do re locks it before he goes

Allen: Right it's just a fence but we need to talk about whether can you see through the fence or not I don't know if that's what was asked of him when we talked about adding a fence?

Kapuscinski: I thought there was going to be a tree buffer?

Revere: Yeah, that fence, you can you can see through and see that there is equipment in there. If you're talking about the any privacy fence, it would be on one of the sides or two in the back. Of course that would be whatever we designated here to do you know whether that's in kind of in concert with planting or just privacy fence or both of the problems we liked the idea of the of the planting as well.

Allen: If the privacy fence has that those I don't know exactly what you call it, but it's a little like green ribbons go through it. And really from a distance you just see one big green fence. You don't see the chain fence.

Revere: That's right, if there's a preference for that kind of of wooden fence, you know, but our plan is to do some kind of fence like you're talking about it would blend in with the landscaping. Maybe it's the back with it but again, we're open to what you all think might be most suitable. And I know it was mainly the South East southwest corner this this slide kind of fits on an angle both of those corners did have but they want the other side is the street and then the other side on the top northeast This is also our, you know, our property of which that I mentioned before.

Allen: Yeah, I just thought they didn't want to see through it. And that'd be something I want to add in right now.

Revere: Yes.

Shumaker: One more question for the applicant and I apologize. I don't know the chain of command for the gas industry, who is responsible for the regular inspections of your equipment? Is that a federal or state agency?

Revere: Yes, state agency does that. And we can get to the full detail on that. This is all regulated through DEQ.

Shumaker: I just wanted to make sure that our first condition there about federal and state, and local regulations would cover it and make sure we didn't need to specify if there was a specific industrial agency, but if it is federal or state, I think that covers it.

Allen: How many gallons are both the tanks? How many gallons of LP gas do they hold?

Revere: These are these tanks are 20 to 30,000-gallon tank. The one large one that they can try to fill multiple bobtails, you know, for the week, because that truck comes and goes to go out and serve the commercial or residential customers.

Bickford: Any other questions at this point? Okay. All right, Lexi can you call the person up for the public hearing. I'm going to open up the public hearing.

Baird: David Ball.

David Ball: David ball district three. Well, I think it's about time that somebody starts developing the commercial industrial property that we have. And I'm glad to hear that they're doing this because honestly, the little tanks that they have that sit out there on the corner of the gas station that are visible to the world, don't have enough capacity to service everybody that comes through there. I know I like to go there. Because they're good service people, they take good care of you. They give you the what you need. And you get it and you get out quick. So if

they have a market that needs to be served, and I do believe they do, and the competition in the natural gas or LPG market would be great to have another competitor here that can easily distribute the gas to the community to the residents. I think that would be a good improvement. But you do want to have it clear between their gas station and that facility so that not only our cameras going to monitor that station, but people can see it. Because security and safety is between where they have their gas station facility here and that service station, they're side by side on that little service road that goes between them where all these tractor trailers tend to park. So hopefully, that would clear up. Once it has a functional, practical, ongoing commercial use, I'm kind of hoping that that section of road there will get improved because there's a lot of potholes, it's pretty well deteriorated. So that really needs to be picked up and improved. And not beaten, used as just a parking storage lot for tractor trailers. Some that aren't even currently legal to drive on the road. So that's another concern. It's sort of like a junk stop. So I think it's a good practical use, but you also have to keep in mind, the Christian School is down here down by the swamp down to the low area and this is sitting up here on top of the hill. So the visibility from that school is decreased because of the angle of slope between where that's going to be established and where the school is physically located. They have a probably a better view of James River equipment and all of this setting up On that hill. So keep that in mind. And when you've got the battens that criss crossed through the fence, even if it's a chain link, chain link fence, it's going to pretty much obscure the even visibility from anybody, but it also allows for airflow and airflow is what you want to have.

Bickford: Thank you Mr. Ball. Alright, I'll close public hearing and turn it back over to the committee. Pleasure of the board. Anybody have any further questions?

Kapuscinski: Motion to move ahead.

Allen: Second.

Bickford: All right. motion and a second. Any further discussion? All in favor, raise your right hand. That is approved and moving forward to more so brings us to the public hearing case for Brian Shaw. Thank you, sir.

Commissioner Kapuscinski moved, Supervisor Allen seconded, and was unanimously carried by the Commission to move Case 21-ZTA/SUP309 on to Board of Supervisors.

Edmondston: Next public hearing is for case 22 Sep 310. The landowner is Shah Jee LLC. Brian Shaw is the manager. The landowner and the applicant is Brian Shaw. This property is located at 2626 West James Anderson highway in the James River magisterial district. It's tax map 132. Parcel four does contain 2.91 acres. The applicant wishes to obtain a special use permit for the purpose of operating a convenience General Store in an A one district. Mr. Shaw is available to address Comments; questions concern this evening. And there's no one signed up for this public hearing.

Bickford: No one signed up. Commissioners do you have any question for Mr. Shaw?

Kapuscinski: No questions just a comment Mr. Chairman. I went out to see the site. I honestly think it's great idea. I mean, you're out there. We're absolutely nobody is. And the only thing I ask you is how you're going to keep the place from getting burglarized.

Brian Shaw: 13 miles to the west and 14 miles to the east. There is no store just for one gallon of gas. It is 36 miles round trip.

Kapuscinski: Do you own the house too?

Shaw: Yeah I own the house.

Kapuscinski: I gotta tell you, I thought it was an excellent idea. Excellent location, there was a store there. So if there are no issues id move to move it ahead. I don't have any questions here. Mr. Chairman.

Bickford: Okay. I have a motion to move forward.

Allen: You gotta close the public hearing.

Bickford: I'm sorry. I did not close the public hearing my fault. We'll close the public hearing.

Allen: Now you make the motion.

Kapuscinski: I move that we move this thing right along a second.

Taylor: I second.

Bickford: Have a motion and a second to approve and move forward to the Board of Supervisors. Any further discussion? All in favor, raise your right hand? Approved. Yes, sir. Good luck, sir. All right. Our last public hearing case Elam Stoltzfus.

Commissioner Kapuscinski moved, Commissioner Taylor seconded, and was unanimously carried by the Commission to move Case SUP22-310 on to Board of Supervisors.

Edmondston: Yes, sir. This case 22 SUP 311. Our landowners are Elam Emma Jacob and Eli Stoltzfus at 25766 North James Madison highway New Canton. Our applicant this evening is Elam Stoltzfus this tax map is 69 parcel 49 and contains approximately 99 or 96 acres located at 25766 North James Madison Highway Marshal magisterial district. It is a one and our applicant Mr. wishes to obtain a special use permit for the purpose of operating an agricultural based

business to consist of feed and supplies. Mr. Stoltzfus is here with us this evening. And we do have one person signed up for public hearing.

Bickford: One person. All right. Do we have any commissioners have any questions for Mr. Stoltzfus prior to public hearing? I will open up the public hearing for this case. Who do we have?

Edmondston: David Ball

Bickford: Okay. Mr. Ball Would you come forward sir?

David Ball: David Ball district three considering we're in nice agricultural community, I think it's a good idea to have more competition. And if he wants to open a feed shop, I think it would be great. More competition we have maybe a little bit better we can get control of some of the prices considering how much everything has gone up in the last year and a half. With price of stuff. Doubling tripling and quadrupling and who knows where it's going to end. Competition is good. More competition out there to produce more products offer more products in the general area would be benefit and I think that I'm pretty sure you're going to approve it. Thank you.

Bickford: Thank you Mr. Ball. All right, I will close the public hearing and turn it back over to the planning commission. Anyone have questions for the applicant?

Allen: I would like him to explain a little bit more what all he's selling, what feed and supplies itself.

Bickford: Mr. Stoltzfus would you come forward please and answer Mr. Allen's question.

Elam Stoltzfus: Good evening. Elam Stoltzfus 25766 North James Madison Dillwyn. What's your question sir?

Allen: Yeah what are you selling? you grind feed corn and all?

Stoltzfus: Currently, I'm just buying supplies and reselling.

Allen: Bales of hay?

Stoltzfus: Im buying in bags and reselling yes the future i might install a small mill and grind some.

Allen: and it says farm supplies?

Stoltzfus: Yes some...

Allen: What kind of supplies you talking about? A tractor or? I'm just trying to check out what you got.

Stoltzfus: Minerals, fly control things like that.

Allen: More handheld things.

Stoltzfus: Yeah, nothing major or too big. Maybe horse straw in the future. Soley were based on grains and things.

Allen: Yeah I just wanted to kind of get an idea what you were making and selling. You going to grow it on your property or not?

Stoltzfus: No.

Allen: You can have other people's grow and bring it in.

Stoltzfus: Yes.

Allen: Okay. That's fine with me just checking. Thank you.

Dorrier: Would you be handling any petroleum products or fertilizer, bulk fertilizer?

Stoltzfus: Possibly fertilizer. No petroleum products.

Bickford: Any other question? Mr. Stoltzfus I saw on a narrative that you might have to move your entrance has that been settled?

Stoltzfus: I have not I have asked about what the measurement is for distance.

Bickford: Between two commercial entrances.

Stoltzfus: And nobody has answered that question for me. So I have no idea if I have to or if I don't have to.

Bickford: Okay. Any other questions?

Stoltzfus: Anyone here know what that distance is?

Bickford: We do have a representative from the highway department. Mr. Snell could you comment on that sir?

Inaudible commenting from crowd

Bickford: There was an existing logging road?

Stoltzfus: I wouldn't have to go down that far.

Bickford: No you wouldn't have to but at least the base is there if

Stoltzfus: That wouldn't be out question to go that far. I wouldn't be I would only have to move down to about the tree line I'm guessing.

Bickford: Do you know how far from the entrance of the Dollar General Dollar Tree excuse me to your driveway now?

Stoltzfus: I don't know where their proposed entrance is. What corner of if it's in the center or right I'm surprised they can get enough distance with the medical center.

Allen: The health center and their driveway is 116 feet.

Stoltzfus: Yes I have more distance between their proposed driveway and mine.

Allen: I don't think you're going to have 600 feet.

Stoltzfus: No I don't. It's roughly probably 300.

Allen: You probably got that but might need 600 feet. You said something about 400 feet What was that?

Inaudible comment from crowd

Allen: So what would be the waiver?

Inaudible comment from crowd

Stoltzfus: I was just curious you were looking at the distance there. They can't even get 400 feet from Medical Center.

Inaudible comment from crowd

Allen: So who would give them a benefit?

Inaudible comment from crowd

Stoltzfus: I was just curious if that driveway is approved already for? I know we're not on that.

Allen: I'm trying to look but I missed it. All that distance is going to make a change.

Stoltzfus: Its going to make me change my driveway a little bit.

Allen: Yours and the other guy.

Stoltzfus: My drive I wouldn't be as close.

Allen: But he's talking about the distance between your driveway and the other and we really need to get down on road and map measurement.

Stoltzfus: That's why I didn't...I have not heard, I've asked a couple people that question.

Allen: Would you would you be able to go down sometime soon and check it out. Or send someone there?

Inaudible Comment from Crowd

Stoltzfus: DD has been there and looked at it but he just said he can't say for sure to me.

Allen: According to this paper, it's 168 feet from the property line to the health center. That's where the first one is going. Well looks like somebody has to look at.

Bickford: Any other questions for the applicant? Okay thank you Mr. Stoltzfus you can sit down. Pleasure of the commission?

Kapuscinski: The driveway going to be a problem or can we move this ahead?

Bickford: Well, you have the choice of either holding it here until he gets a decision on the entrance from VDOT or moving forward to the board of supervisors with the understanding they all have to have it before they make a decision.

Kapuscinski: Mr. Stoltzfus how much business are you doing right now? You're not You're just starting into this thing, right? So if we if we delayed this, would we be giving you would be causing the problem.

Inaudible

Bickford: I feel more inclined to move forward being that he's asked and didn't receive it back from VDOT. If he hadn't made the effort, I'd be more inclined to say no, let's hold it here. But but he's made the effort. He just hadn't gotten the information back.

Kapuscinski,: Well, then I'll make a motion move it.

Dorrier: Second.

Bickford: Motion and a second. Any further discussion? Okay, all in favor, raise your right hand. Passes unanimously. Okay. All right. That will bring us to new business.

Commissioner Kapuscinski moved, Commissioner Dorrier seconded, and was unanimously carried by the Commission to move Case SUP22-311 on to Board of Supervisors.

Edmondston: Yes sir. We have the introduction of case 22 ZTA SUP 312. The landowners are Eric and Janet Winslow at 2599 Deer Run Road Farmville, Virginia. The applicant is Angela Winslow, excuse me with Northern manufacturing and firearm sales LLC. The property information tax map 208 Parcel one. It does contain just a little over 26 acres and it is at the 2599 Deer Run road address in the Curdsville district. It's currently zoned a one. The applicant wishes to add a zoning text amendment for the purposes of manufacturing and sales of ammunition firearms and accessories to a list of special uses in an agricultural a one zoning district and apply for a special use permit for that purpose. The applicant is asking the Planning Commission to recommend a public hearing date to hear this request. Miss Winslow is here with us this evening to address concerns of the planning commission.

Bickford: Miss Winslow would you come forward and just give us a quick overlay of what you would like to do.

Angela Winslow: Angela Winslow 2599 year Run Road Farmville. I actually started the business two years ago and I have *inaudible* it was in Prince Edward County and I was going to buy the business that was there and the deal fell through so now I would like to do it at my home basically I want to do wholesale and government contracts no retail space.

Bickford: So in other words, you wouldn't have a store or retail space.

Winslow: No I do not want to have a store.

Bickford: Would you be selling over I assume internet?

Winslow: I probably would do some internet sales.

Bickford: And as far as the material they come and pick it up so whoever buys it or you ship it?

Winslow: I would take it to the shipper for that.

Bickford: What kind of just one quick question more for me what kind of security would you have for this?

Winslow: I'm going to have a camera system and I have a gate that's at the end of my driveway so I can lock it when I need to and I have beside my house my driveway is like really small so if

I needed to I could even park a car there to block it and the shop is behind my house and I have pictures of the driveway if you need to look at it.

Bickford: Didn't mean to monopolize any other questions from anyone?

Kapuscinski: I think you need to make clear that you already have a manufacturing facility?

Winslow: I have a manufacturing facility. Have a have both ATF licenses for selling firearms and manufacturing ammunition. Every bit of paperwork is done

Kapuscinski: and it would be in a locked building.

Winslow: Yes, definitely. And if any of you needed to come out and see it you're very welcome to just contact me.

Gooden: I have a question your manufacturing, ammunition and firearms?

Winslow: Right now we're not doing the firearms but we will be in the future. But it'll be like basically special order like a mass manufacturing of firearms.

Gooden: What type of ammunition?

Winslow: Small caliber. Right now we're doing nine millimeter I have the potential to make 556 380 308 that sort of thing.

Shumaker: Does ATF have requirements for you for security in terms of locks and safes?

Winslow: Actually I talked to the agent today and he said that my location at the house is probably a lot more secure than the place I work for.

Shumaker: No specifics on security systems?

Winslow: No they suggest just having cameras which we will, i have some now so.

inaudible comment from crowd

Winslow: At the moment, as far as my research has been done, I am the only private owned ammunition manufacturer at the time, that I have found. So if I do the government contracts, I will be able to 15% of the *inaudible* which would be nice for the county.

Bickford: Any other commissioner have questions?

Allen: What is it? What would the wording be that we would have to change Nicci?

Edmondston: We'd have to add the manufacturing and sales of ammunition firearms and accessories to a list of special uses. There currently is not a use provided for the request that Miss Winslow is asking for in an A one, zoning district, any of them actually.

Bickford: If no further questions from the commissioners Miss Winslow you can go ahead and shit down. Thank you. Commission want to move us forward?

Kapuscinski: I'll make that motion. Mr. Chairman.

Taylor: I Second.

Bickford: Motion and second, move it forward to public hearing any further discussion? All in favor, raise your right hand then. We'll see you in July 25th. Thank you. All right. That brings us to new business.

Commissioner Kapuscinski moved, Commissioner Dorrier seconded, and was unanimously carried by the Commission to move Case ZTA/SUP22-312 on to public hearing.

Edmondston: Yes, sir. Our next case for introduction is case 22 SUP 313. The landowners Freddie Snoddy, Lester and Cynthia Lacey and Wyerhauser company. The applicant is Virginia Electric and Power company doing businesses as Dominion Energy Virginia for the Pine side solar facility. Edwin Geraldo will be the individual addressing you specifically tonight with a presentation the property's concerned are tax map 16 parcel 81 containing approximately 93.87 acres tax map 26 parcel 67 containing approximately 157 acres in the Marshall magisterial district tax map 26 parcel 72 containing approximately 315.07 acres tax map 26 parcel 75 1,430.08 acres tax map 38 parcel 74 15 acres tax map 26 parcel 26 containing 49.08 acres tax map 38 parcel 70 And just over 63 acres tax map 26 parcel 73 containing approximately 49.47 tax map 26 Parcel seven lot six with approximately 64.27 acres tax map 26 Parcel seven lot seven with just over 2.93 acres these are all on the slight river magisterial district. The parcels on North of Bridgeport east of route 20 west of hardware 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 74.9 megawatt utility scale solar facility on approximately 2276 acres in Buckingham the applicant is asking the Planning Commission to hold a joint public hearing with the Board of Supervisors to hear this request. There are a list of conditions that have been offered by the applicant, please review and consider amendments and adjustments to ensure the protection and integrity of the zoning district. Our applicants are with us this evening with a presentation and would it be the wishes of the planning commission to set a joint public hearing inviting the Board of Supervisors on July 25 2022 at 6pm.

Bickford: I'd like to turn it over to you sir if you would introduce yourself and start with your presentation.

Edwin Geraldo: Good evening Planning Commission members. My name is Edwin Geraldo with Dominion. I'm the Senior Business Development Manager. I'm here tonight with several of my colleagues. I'll just introduce really quick. In the back the shy ones, we have Todd Flowers. He's a Director of Business Development for regulated renewables. We have Felix SarfoKantanka legend his own right. You guys are very familiar with Felix. He's our manager External Affairs. We have Dutch Bumgardner. He's our deputy general counsel for Project acquisitions and development construction, as well as James Gross from our legal department counsel, project construction, and develop construction as well. We have James Orrell, here to my right. He's from Stantec. That's our owners engineer doing a lot of the due diligence on the site itself. And we have Sterling Turner, I think he's in a back as well. He's going to be addressing some of our environmental questions to the extent that we have. He's an environmental compliance consultant. And then there's Ian Hartman. He's from our project construction team. So he'll be able to address a lot of our everything from site plan layouts, the buildability, and so on, and so on. So this is a team that hopefully will be able to address any concerns questions that members might have tonight on the on this project. Okay, so Dominion. So Dominion energy is not new to Buckingham County, fortune 500 company, we serve over two and a half million customers in a Commonwealth second largest solar fleet in the United States. The company has, since almost 12 17 years now has substantially reduced its carbon emissions initiative, committed to net zero generation, you know, so it's done a lot over the last 70 years on its own, aside from the renewable standard that's in place by the state. So the company has already been committed for many, many years to reduce its carbon footprint. All this while keeping obviously, the electric grades as compared to national state, regional level. So it's been very effective implementing a zero carbon strategy while maintaining that your grades to low level as compared to other peer companies and regions. Now at Buckingham, we have you know, the company serves over 3800 customers right now. It's a good percentage. When you look at the whole I think Buckingham County has just a bit over 19,000 individuals that reside here. The bear gardens, power station, you're all very familiar with been in operations now. Bit over 11 years, 622 megawatts which powers approximately 150,000 homes and general terms of benefits, you know, the power plants, as you all very well know look at the last couple years have averaged roughly about \$2.4 million to the county per year. So it's, it's a very large, I think, contributor to the local economy. So the project. We've been working on this project now for just a little over a year. A lot of work has gone into it a lot investments and lots of land and a lot of due diligence. The project is we're targeting just shy of 75 megawatts. That's enough to power just over 18,000 homes with peak output. It's located roughly 10 miles to the north of here, it's just to the east around 20 Just south of Bridgeport road. And with today's supply costs and so on, we're looking at a capital investment of about 140 150 million. As such, we'll talk a little bit more about the interconnection with PJM. That's really, that's, that's going to be the driving factor when this project goes operational. So right now we're targeting early 28 2028, for commercial operations. In terms of the interconnection. The interconnection for this project has kind of a twostep process, you know, we're going to be connecting to the local Co Op, the Central Virginia energy Co Op cvec, is commonly known. And also we would have to deal with PJM, as well, to bring the full interconnection to fruition. And the line that we're currently looking at tapping is runs parallel to route 20. From the cvec delivery point, there's a 46 kV line that goes north up to Scottsville existing substation, the AAP territory, in terms of land, we have

roughly 2,276 acres under option of which, as you'll see in the site plan, you know, we're planning on effecting surveying roughly about 900 acres. So that puts us to about roughly 40% of the total project that would ultimately be affected by the construction, roughly 365 acres under panels and about 515 acres within the project fence line. So in terms of benefits, sorts of benefits, there are many. Here, I just want to highlight, in addition to the obvious environmental benefits to this type of generation, we have the economic benefits to the county, I want to draw your attention to the graph on the upper right. It does a comparison of the existing use land use. These estimates are based off the 515 acres, which is basically everything that's within the fence. So that's 515 acres, and based on that we did this calculations, so the column to the left 140,000 that you would see there, that would be today the kind of the tax revenue that the county is getting with the assessed value, right, so roughly \$4,000 per year, when you compare that to the column to the to the right, the lower portion, the light blue, the 900 was just shy of a million dollars, is that's just by virtue of converting the 515 acres to two different industrial use, where, you know, we're targeting 10,000, our 10,000 per acre the as the new assessed value. So you can see immediately the increase and just that piece alone on the assess portion. Where it gets really interesting as we factor in the ordinance that was already enacted by Buckingham back in October of 21. The revenue share, okay, so the top portion, the dark blue is just shy of 5.6 million, that's what we would expect this project to generate over the 35 year useful life of it. This includes what's already enacted, you know, the 10% escalator that takes place immediately in 2026. And I think every five years thereafter. So when you look at the two, the sum of the two benefits, the raw revenue share plus the reassessment, you're looking at roughly 6 and a half million dollars over the life of the project as compared to 140 If you were to leave the land as is. Now with this, obviously comes some benefits aside for the money, you have budgetary certainty with the revenue share. And the other piece that it's not really noted here is the siting agreement itself that is currently being worked on. That would be in addition to these, these values as well. On the economic impact front. According to our study that we did with Magnum economics, you know, we're expected to generate a total of about 118 jobs during construction. That would be the construction related a civil construction equipment rental, just a host of things. The, if you look at the lower section of the graph, we have the employment that 98 plus the 21. There's the 118 jobs that I was just referring to the values to the right of there, the labor income, that's the labor associated with those incremental jobs. And then the output is the indirect spend the kind of the trickle down effect economic effects of this additional income being in a community of how people just spending money locally how that has that multiplier effect, as so you can see how that 118 jobs could produce upwards of \$6 million in labor income and benefit of close to just over six and a half million 16 and a half million dollars with total economic activity. So this is something pretty powerful, it's real, that that, you know, that that's one of the, you know, one of the couple of big benefits at the project, economically speaking, would bring. And then you know, in the lower section, the fiscal impact, you got the state local property as well, that's just shy of half a million of incremental tax revenue as well. One of the things that's not noted on here is during the operations, this is all construction, where you're going to see a lot of the big jolt to the local economy there and at roughly 12 to 24 month period timeframe, you are going to have a lot of steps a little bit lower, but you will have roughly about three direct indirect jobs, produce anywhere close to \$150,000 per year for those three types of jobs, that that would be generated. Okay, so when we approached this project a year ago, we were aware of the

Riverstone project that was going through the process, right with the county. And just by listening to a lot of the hearings, a lot of feedback work with Nicci, which did a phenomenal job just really guiding us in terms of how to approach this project. We homed in on four things that I just wanted to point out. One thing is the first one is community outreach. We hosted an open house back in May, at the end of May. And, and Felix, you know, he's been very active to speeding, have conversations with local faith leaders, pastors, business owners, engaged stakeholders, other related organizations really working, just getting the word out. I know, personally, I've been I get calls as well, people just want to understand, you know, just the nature of the project and raises their concerns and so on. So community outreach has been on top of ours developing this project. Under the land disturbance front, I noted earlier, you know, we're planning on disturbing just a little bit over 40% of the total land that we have under the option. And we did our purpose, this just really mitigate the impact of the project. So as you'll see in the footprint, on the preliminary site map, you'll see how there's still a lot of great a lot of undisturbed areas scattered throughout. So you would probably think that would be dense, excuse me, it wouldn't be dense. It's actually pretty, pretty scattered. You'll see that here in a second. The SUP conditions, you know, we, you know, we understand there's, you know, there's this, there's nothing in place, it's terms of ordinance. So, you know, we work closely with Nicci, and she basically gave us the direction to work off the Riverstone conditions that were ultimately approved. And, you know, in terms of the setbacks, buffers, things that nature, you know, as you'll see, you know, we followed them to the tee, so those, the site plan that we're going to share with y'all really reflects what was approved for the Riverstone project. And the fourth point I just wanted to drive was environmentally speaking, you know, one of the benefits of working with a company like Dominion large company like Dominion, is that, you know, it's it has just the breadth of knowledge, it just has so much experience working with different types of projects, that it's kind of developed its own best practices, and more importantly, lots of lessons learned. That, that, you know, we keep improving upon as we develop these, these, these projects as such, so, on the environmental alette on the environmental side, you know, we've really, we've been, we've been really focused on the view shed, you know, ie the buffers, it preserve the existing vegetation, the wildlife in terms of the corridors and the natural waterways. And some of the lessons learned that we've deployed just for an example. You know, like the design of the drainage limits, you know, we size them the basins accord to better align with the natural flow patterns of the local creeks, so, a lot of rigor we're going to minimizing the environmental impacts of the project might have. Okay. Okay. This slide, I just wanted to just really highlight the on the, on the right is the project footprint 10 parcels three landowners 90%, roughly is the wyerhauser company, and the other two being two private individuals. On the on the left side of the graph, just want to highlight the where the arrays where we currently have them laid out, this is preliminary, you know, it's not set in stone, this is something that still needs to be refined, but it gives you a good general sense of how the layout of the project, conceptual layout of the project will, will look like, Okay. Now, this, this conceptual layout, this was actually part of the application submitted. So a lot of information on this, I just wanted to kind of show all of it, because it really just reflects all the constraints that were applied to the layout as such. So it also gives you a good visual on the have route 20 on the on the west by Well, sharps Creek on the east, hummingbird on North and Sharon Church Road on the south. And as you could see the blue you know, you have all these kind of wetlands areas that kind of pretty much dispersed

throughout the project area. And you see how the arrays the layout is just kind of clustered in three main areas with significant distances in between such, but it does reflect all the conditions that were laid out again, on the river stone project itself. So I took the conceptual layout just divided into North and the South. So we get a better sense, a little bit more granularity here. So the North is where you're really going to see most of the activity, meaning the access points to the site. And so let me start from the top in terms of the setbacks, you'll see that really on the north side is where you're going to have more structures, residence types that we need to be cognizant of and apply that 350 feet type buffers around those residences. So we targeted the 350 around the existing residences, 75 feet off public right away, and 50 feet off the project property line, that's in terms of the setbacks from the solar equipment itself. In terms of the buffer, we left the 50 foot buffer within the setback, or the project right away. And you know, the buffers will be maintained what's there today, or to the extent that there are areas that are, which they are, that are missing vegetation that you could see from the road, you know, that would be need to be replanted to, to have that natural buffer. So the intent is to have the whole perimeter really buffered off, so he won't be able to see it much. And we'll see a rendering here in a few slides further into the deck of what the buffers might look like. In terms of fencing, six foot fence from the with an interior kind of setback itself. It's meant to be inside of the buffer, so you can't see the fence from from the road or from from the outside as well. And in terms of construction access points, we propose six, three on route 20 and three on Bridgeport road. Here the I'll talk a little bit more when we get to the construction. But we chose the six points all the while of all five, just to the south of the hummingbird because there are existing access points today that the timber company uses. So a lot of the infrastructure is kind of there to ingress egress. So those are points that are already in existence the only one it's new as such It's the one that's further, the further the most up by hummingbird Road, which that's where the project substation would, would be located. So right now there's nothing there, it's just an open field as such, so that is the only one that would be new. Turn the page, the south side of the project, the metrics on the left, you know, in terms of the setbacks, everything's still the same, I just wanted to show you all the, the southern portion of the project boundary itself just a little bit more a little bit less residencies down there. But no access points, just to simply, you know, it's more about setback slash buffer issue down in that part of the project itself. Here we have rendering this the top picture is, it's actually a picture taken right off of Bridgeport road. So as you could see, you could see straight into the land, some of the trees cut some lines going through there. So the bottom left, it's a rendering, put this out three to five years, what that potentially would look like, and the one to the right, after about roughly 10 years, as you can see some of the loblolly trees there and growing so it'll really just obscure the view from the roadway itself. So that's the intent with the terms of the buffering what they would look like, ultimately, on this site. Alright, so let's talk a little bit about the traffic. We've already contacted the Virginia Department of Transportation v dot, you know, they've, they've acknowledged, and we, you know, we part of the application process, we, we also submitted an initial assessment of traffic caused by the construction of the facility itself. So, the first bullet, like I mentioned earlier, six access points. We targeted them because of their exists today. And we believe those are the ones that can minimize the, you know, the impacts to the roads, public roads itself. In terms of the actual impact, on the second bullet point, the construction traffic. The project is size, during the, say, the site preparation part of it, and the second one, the panel and the electrical installation. So those are the two phases that

you're probably going to see the most traffic from the whole construction process. On the first one on a site preparation, that's where you have, you know, obviously preparing the site, so you got a lot of the service activity, so you expect to see some of the bigger trucks, in and out with the debris and the such. So we're expecting by roughly 27 trucks per day for a period of roughly four months, this this four month period, obviously, would depend on how we phase the construction, which is one of the conditions that that we owe is as well, to do a three phase approach. So the four months would be maybe slightly anywhere from four to six months for the site preparation, in terms of the erection itself for the facility, you know, we estimate about 15 trucks per day, for a period of about half a year. And lastly, for the for the wrap up of the site, you only got the cleanup activities, the commissioning, so that would really taper down to about 11 trucks per day for roughly about a two month period. So when you add the for the six and a two year, roughly about a year, you know, we think it's going to be a little bit longer. It all depends on the phasing that's gets imposed on the project by the county. So but this is a good estimate, it gives you a sense of the activity of during the construction time period. I think earlier today, someone mentioned about, you know, the Riverstone without necessarily with the name itself, but the construction of a project that was recently approved by the county back in February, and the construction of this one, well, as it will show you on the interconnect, the timing of the two are pretty different. So they're not going to be overlapping each other. So it's not like this corner of the county is going to be overwhelmed with trucks because the timing of the construction is going to be very different. So you'll see that here in a second. Okay. So once the construction is completed, the access points that were used for construction, they'll remain there'll be basically use for operations for you know, Ingress egress depending on the part of the facility that the O&M crew needs to visit as such. slime on this one, this infographic, I'll go through this just quickly, it's just meant to kind of show the steps of the construction itself. You know, step one, you got all the you know, setting up all the sediment basins, the silt fences, other control features to manage storm water that you do this ahead of start actually moving dirt on the site itself. On a second step number two, the site prep. This is when you start removing some of the vegetation as needed, and the land graded itself. On Step three, this is when you have the actual mechanical erection of the facility, starting with the piles that hold the structures, you have the racking system that gets placed on top that ultimately, you know, hold the panels in place yourself the panels, or the solar modules, as they're called as well. Step four, then that brings us to the connection, the connection to the grid. So all the power, the cabling that comes out of these, where the panels are all that power needs to can be converted from one voltage level to another. So it goes from DC to AC and the voltage changes. So that all takes place at the substation, and we at that point, we step it up, to be able to inject it into the transmission grid at that point. And then lastly, step five, this is where you know, the rigid revegetation process of the construction would take place. Where you read revegetation of the grasses, plants and specialty erosion control types of sites, you basically stabilize the surroundings itself. Okay, let me just spend a minute here, because I think this is a very important one. One of the proposed changes that we made on the conditions is as compared to the Riverstone project approved back in February, is the validity of the SUP permit itself. What was previously approved, it doesn't work for this project, not because it doesn't work for demand itself, just because the timing of what's going on with PJM. And its reformed, it just won't accommodate it. So on this graph, I just want to point your eyes to the red circle there, kind of like on the right. So basically, I don't know how

you are familiar or not. But I'll just summarize it very quickly. PJM, as you all know, is one of the bigger ISOs, the United States is about 25%. I believe it's houses about 13 states, you know, Virginia being one of them. So it's a very, very big market. And over the last several years, just given everything is going on with the renewable sector, just really exploding throughout the US. There's been an overabundance of applications to the 1000s into the PJM system. So the PJM, although, you know, especially over the last year or so, has just, they've been struggling just to keep up with new applications into the queue system. So at some point, they realized that this was just it wasn't sustainable. So they needed to reform. And I think everybody agreed, reform was needed. So over the last year PJM, with a lot of the different stakeholders are many, they work toward solutions that would solve the interconnection itself. Okay. So that new solution in which most people tend to agree it's a viable doable one. And now it's in the hands of FERC for them to approve, and we expect an approval until by the end of the year this year. Okay. So that's great. But then now the question was, you know, is, how do you transition all these projects that are already in the queue? How do you transfer them into the new system into the new process, so that that took a lot of debate, but ultimately, a series of transition mechanisms were proposed, and that's what's on this graph. This project was filed with PJM, back in March of last year. So the is what's called an ag two filing, and the pine side project ag two filing falls under in a bit, section two, you'll see transition cycle two, that's where those projects fall. So if you look at the timeline, those projects are not scheduled to have an interconnection agreement until deep into the 2027 timeframe. So still several years out, okay. And this is a big difference as compared to the river stone project, which they're they filed well before we did, so they fall there interconnect is going to be a lot sooner, saying that construction timelines are not necessarily going to be the same. Okay? So, so we don't expect to have interconnection agreement by as early as 2027. If you go to the next slide. So on this slide, I just wanted to bring together the project timeline with PJM timeline, which is on a bottom. And if you look at the timeline on the bottom, what's in red, the interconnection and early 27, that means that the project's cant occurs until probably the latter back end of 2027. So when you start backing off those dates in factory and construction, everything that leads up to it, the project won't start construction, probably until the end of 25, early 26 timeframes. So what we propose on the Article Two for clause four, and the conditions, that the amendment that we're proposing is more aligned with this timeline that we think is the more realistic, okay. It's because as proposed by what was approved for Riverstone, it won't work here, it just it just, it just won't work. The timelines won't. So that's the reasoning, the thought process behind the language that we were proposing under clause four, under the conditions itself. So if you look at the project timeline, the one on the top, so here we are today, 2022. You know, we're seeking our SUP application today. Starting with the process, you know, we still have a lot of due diligence to do a lot of survey wetlands geotech just a host of things that still needs to happen. Before we start having serious more serious conversations where the the EBC, the firm's that would ultimately build this thing. And then we Dominion itself still has to go through its own process to get approval, go through the state for the CPC and and kind of go from there. So. So that's kind of our best estimate of the project timeline. So the CO of the this plant won't be for so it's still several years out. Okay. So, with that, I'll stop. And we're just open up for any questions that you all may have the pine side project.

Kapuscinski: Chairman I guess I'm a little confused that all these acronyms PJM and all this other stuff. Tell me what? plain English what are you going to start this thing?

Geraldo: Well, when you say start to say you like build construction?

Kapuscinski: Yeah.

Geraldo: Okay. Well, we would like to start building construction as soon as possible. But we can't. Why? Because we're subject to the process.

Kapuscinski: I understand that. So when do you plan on starting?

Geraldo: Our best estimate today won't be, I believe it was in the until the end of really 2026.

Kapuscinski: So we're really not going to see anything on that land other than possibly clearing or timber work until 2026.

Geraldo: That's correct. For the most part, yes.

Kapuscinski: So what goes on before that? Before 2026?

Geraldo: Well, we're pretty much in a holding pattern.

Kapuscinski: Really, it stays the same.

Geraldo: The land will be as is.

Kapuscinski: Okay. So the same, you're not going to put up any fences.

Geraldo: No.

Kapuscinski: Okay. Is there a railroad track boundary on that property?

Geraldo: No, no, I think the railroad is pretty far east.

Kapuscinski: So really, the, the concern, I guess, the, the lack of it, I mean, basically, this thing, you're really not planning on doing anything to this property other than possibly getting leases or right. Before 2026?

Geraldo: Well, we still have to go through approvals. We still have a lot of studies need to be done ahead of our engaging the engineering and construction to those type of activities.

Kapuscinski: Removing timber or anything like that?

Geraldo: For now, until we exercise the lease, what wyerhauser does, that's, that's a different story. Because right now, we're under option. And that means that they still harvest do whatever their course of business.

Kapuscinski: Is there some risk that this thing is going to fall through and you won't do it in 2026?

Geraldo: No right now. It's really it's a timing issue. It's a timing issue. I think with all the permits in place, all the necessary approvals, it's a go, I mean, it's part of our mandates part of our what we do as a company now, and it's ago is really a function of, you know, getting the right permits in place. You know, I'm starting with the SUP.

Kapuscinski: Thank you.

Crews: I guess my main concern too was like Mr. Dorrier was saying earlier the town and if both of them were lining up, Riverstone was full throttle on theirs, and then you all came in and you're both full throttle at the same time. Just all that action and traffic going on at once would just be a lot. I mean, does anybody know what Riverstones status is about when they're going to start? I saw Jimmy Merrick like a week or two ago, and he said they hadn't started yet. So what if they get backed up? And then y'all do both end up going at the same time?

Allen: I talked to him today. And he's he said it's going to be probably next summer 23 before they get started on their work.

Crews: What were they saying? Two years.

Bickford: 18 months Because they backed up on the schedule to get the grass established, which was prolonged things a little bit.

Allen: You were saying on here about the trucks 27 a day. Are you talking about seven days a week?

Geraldo: I think the construction days are excluding Sunday. So Monday through Saturday, basically.

Allen: I forget what the last thing we put down for the actually driving rods and making all the noise. I don't know if we wanted to do it on Saturdays or not. Anyway ill check on it.

Shumaker: I think we have that in there as condition eight A. It's Monday through Friday 8am to 6pm.

Allen: For pile driving?

Allen: Yeah. Okay.

Geraldo: So it's, I'm sorry. I just don't remember on top of my head, but it's, it's whatever's in the apex conditions. I mean, basically, Monday through Friday, pile driving.

Allen: You can still bring stuff in and work on Saturday. But you know, that pile driving is what were talking about.

Geraldo: And just to be clear, you know, now that the conditions apex conditions are probably fresh in your mind still, perhaps. I think the really, we just deviated on two for this project. And those two are, I believe it's the third that would deal with the phasing construction of it, right? Apex project has 25% increments, right, that they could start at one time. And then we propose instead of 25%, we propose 33%. Okay, and the reason behind that is because it's just more lines with the layout, the topographic features of the site, just 33% do it in thirds kind of makes more sense for us, versus trying to cut this thing up in four pieces, you know, just because so that's, that's the first one. And the second one, it really is what I talked about the timing of the SUP, the validity of it. So, you know, we propose different language just so it aligns with the reality with PJM. Those are really the two big items that we deviated from in terms of the conditions itself. There's other little minor remarks here and when you look at the mark up but those are the two big ones.

Allen: Are you talking about 33% of the 2200 acres? Or 33% of 500?

Geraldo: 33% of 900

Allen: Wasn't sure what you're talking about.

Geraldo: Yeah. So you're looking at just a little bit over 200 acres at any given moment. Well, not to get back. Closer. Well, 300 Sorry, got my math off.

Dorrier: I have so many questions. I don't know which one to ask first. But where will the transmission lines be connected to? Where will they connect up from them? Will they go to Scottsville?

Geraldo: The connection? Are you familiar with the existing line that goes from Scottsville south along Route 20 down to the substation, that's where it ends. That line right now it's a 46 kV line, right? And on the south end of it, it's on the west side of Route 20 Then it crosses over to the east side and it just kind of continues north that's that route itself that that easement or right away however you want to look at it that stays as it's going to stay the same. The only thing is that the co op They've already done their initial assessment analysis of our connection, that line would be reconducted basically to 138, higher voltage. Okay, but it'll still be the same route, same, what you see there today, it'll be just simply a higher voltage.

Dorrier: So if you come in from Bridgeport Road, Hummingbird lane, how far you have to go to, to connect to the transmission line? you cover a lot of area there.

Geraldo: Well, the transmission line runs parallel to route 20. So as you go along the snotty property, which is the northernmost parcel, that's where the physical tap connections can take place. So we're actually going out to the line to tap it. But that Co Op line is where it's at. It doesn't get changed. It's where it is.

Dorrier: You tie in to the three phase line, the big three phase line is what you're talking about what you're speaking of, right along Freddy's property. But on the road?

Geraldo: Yes, the 46 kV. That's correct.

Bickford: You certainly will be upgrading it?

Geraldo: It would need to be upgraded to accommodate the project yes.

Dorrier: Which way will you be going with? I mean, where will you be taking the energy to? I mean...

Geraldo: Well, that's our current point of interconnection, right now, where the electron flows, right? It's, you know, part of it we consume locally, right? And the balance of the power electricity gets generated, is just going to flow to the next load center, if you will, right. So but once we inject at that point in recognition, right, the power or just flow to the path.

Dorrier: Would it stay within the county? I mean, will the county benefit from this? from the energy produced?

Geraldo: Well, you can make the argument that by upgrading the system, the local system, like this one, you know, the 46, to a 138, that on itself, you're giving this local system a little bit more firmness, it's going to be a little bit more robust. Right. And so from that perspective, there is an improvement. Now, as far as the electricity being, it's, it's part of it'll be consumed locally, right? Because now by virtue of having that plant generate electricity, there may be less power comes from the Scottsville substation south, right to this load area. And because that part of that load area will be serviced by the plant versus so it's just how the electricity flows on the wires, basically.

Dorrier: The problem, the problem is though, the people of the community if they could see something happening to help the community with, you know, power, it's fine, but Riverstone, they're going to ship that power out. It's not, it's not going to help Buckingham at all. So I mean, I'm just saying wondering, what's Dominions going to do? I mean, how do they consider using that power? Is it going to help Buckingham the residents in that area, I mean, they, they really looked hard at this when we looked at Riverstone, and nothing we didn't, we weren't going to get anything from Riverstone is going to be transmitted out of here to another state.

Geraldo: Well remember that, that the coop manages the local system, that's who you receive your invoice from? Right? And, you know, say they own the system, the local system, right? This is not a Dominion territory, where we plan and connect, and this is owned by my cvec, right, the coop. So, you know, the, I would argue, you're going to have a more robust system locally, less vulnerable to events, you know, on the system itself, outages, and so on like that. And really, the big benefits are not necessarily technically electricity wise, are going to be more into ways of economics, not just to the county, but indirectly to the citizens of Buckingham via, you know, some of the incremental tax revenues, both on the fiscal and economic and the siting of agreement. That's where you see the big benefit to ultimately through the citizens

Dorrier: Well, how much do you think it was serve? When you generate the power?

Geraldo: It's going to generate enough electricity to power roughly 18,000 homes. Do the math on the electricity that would generally be generated by the project, roughly 80,000 homes and those homes are going to be in a combination of here locally, northern part of Buckingham you know, just it's just going to scatter. So you know, it's going to be more homes and, and, you know, then the county you know, generally like electricity for a good portion of the county. But a lot of that power, like I said, some of it will say local just because that's where it gets consumed, because that's where the electrons go, oh, Are our elevators just going to go downstream for other load areas itself? It's more of a technical issue than anything. Right.

Dorrier: It's a lot of people that live down in there, it's going to disturb a lot of people in that area. I mean, it's going to have an impact, you won't believe a whole lot more than the other one did. And, you know, I think we need to pump our brakes a little bit and make sure you know, that's what we want to do. That's the way I feel Mr. Chairman.

Geraldo: I mean, again, the the electric, the, you're gonna have an improved system, local system transmission system that withstand other type of events versus having a weaker system, you're going to have incremental revenue. So it's, it just depends how you argue the case. Right? So

Kapuscinski: So let's go from a different direction, what, what possessed you to use that land versus going somewhere else in some other county?

Geraldo: Well, it's a combination of really, two big things, you know, land couple with transmission, you could have, there's a lot of land, I mean, tons of land, but there's no access to transmission. So, I mean, that's pretty much you're pretty much done. So ideally, you know, you want to have your site near the transmission, you know, the wire, so you connect your facility, that's the only way you can get the power out. So when you have that combination, you bring those two together, you find sites like that, those are those are the ones that make it viable. You know, obviously, you got to, you got to study them. Maybe there's other features that, that kill the site, you know, whether it be wetlands, topographic, you know, what have you, that just makes it too cost prohibitive for you to build on. So when you start peeling back, the layers of

the onion, you really get the center, you see that you have transmission, you have adequate land, it's buildable, it's doable. You have a good site.

Kapuscinski: So this was cheaper for you to go here than to be anywhere else.

Geraldo: Well, not necessarily cheaper, you know, we had a willing...we had a willing landowner that has a lot of land. And we looked at it and it made sense. And that's why, you know, we brought the project forward.

Dorrier: That the 93 acres on Hummingbird lane. Snoddy?

Geraldo: What about Snoddy?

Dorrier: That his land? I mean, is that what you propose?

Geraldo: The interconnect on his property? Yes, sir.

Dorrier: So you wouldn't have any solar panels there?

Geraldo: No. More of the interconnect. So when you build this thing there, you're just really not even you're not going to see anything here. Because even the substation will have some natural buffers that you won't be able to see as much. So the land will be pretty much as is, as you see it today. That big open area, it's beautiful.

Bickford: On your current conceptual map, here, you've got the solar panels, or at least the substations will be built in the field of Mr. Snoddy I understand that. And you've got to propose underground collection feeder routing from one section of solar panels. All this is north of 652 I understand this will be underground. What about how are you tying in with the rest of your panels? I don't see anything unless I'm missing something. Everything south of 652 which is primarily all of the panels that overhead is that under ground? How are you tying in to get to the substation I don't quite read the map correctly. I guess. You could explain that. Do you understand my question?

Ian Hartman: Yes, absolutely. Hello, Ian Hartman. So typically, that's all ran underground. It's medium voltage. Voltage transmitted kind of accumulates in circuits that that then run.

Bickford: So you're going to have the panels that everything on the south side of Bridgeport road 652 will be...Are you going to have more than one connection going underground to tie in with that line?

Hartman: Yeah, the circuit routing hasn't been finalized. It'll be part of the final design process. But, you know, efficiency is the rules of the game.

Bickford: I Understand It just, you know, things are spread out so much here. You got panels on so many areas with a lot of space in between just questioning how you got it all tied in, to go to the substation.

Hartman: It will be consolidated into circuits and really consolidated into a main bank that runs north underground.

Bickford: So what you're telling me everything will be underground, as far as you know?

Hartman: Yes.

Bickford: That was one of the main questions I had. Any other commissioners have questions? Thank you sir. I've had one Commissioner already asked to have a little bit more time on this. I know that y'all wanted to ask for a joint hearing with the board of supervisors. There's a lot of material given to us a onetime. Questions that are probably going to come up what I think what the commission would like to do. But I think we would like to have 30, another month, and then come back. If y'all could come back, we probably have some questions for you, we may be able to submit them through Nicci to you earlier. And then depending from that point, and then see we can set up perhaps if the board supervisor agrees with it, a joint meeting after that. So asking for one more month to have some more time to go over all of this, to make sure we understand what we're reading. Do y'all have an issue with it? It's a delay of 30 days.

Geraldo: Well, I mean, ideally, you know, we would love to have clarity as soon as possible in terms of the permit. I know, I know. It's a lot to digest. It's...

Bickford: It's a lot of material. We just got it about a week ago, you've given us even more tonight, so.

Geraldo: But the beauty of this one is that you all just came off Riverstone and so there's a lot of kind of the same, if you will, especially when you look at the conditions, you know, they're going to, they're almost exactly the same. So now, it's just a more of digesting a little bit more the layout the roads, you know, things like that. But, but you don't have a lot of that heavy lifting that you all went through, you know, went through it. So. Chairman, I mean, if that's what you're telling me, you know, I like I said, ideally, we would like to love to be able to go in front of the board in a month.

Bickford: Well, an extra month would give, you know, I think the commissioners would feel a lot better about making a decision, moving forward to public hearing with the Board of Supervisors also will give 30 days for the board of supervisor's additional time to be looking over the material to so I think, to do our due diligence, I don't think we have, as far as im concerned its pretty necessary.

Crews: I agree.

Bickford: If you would we would table this and be back in July. And then we'll make a choice to push it forward, we'll probably have some more questions for you. And if you have any information, more additional stuff, you'd like to bring up that's perfect time. And we'll have a quick meeting to answer the questions to ask question and answer them. And then we'll make a decision about moving forward that will give also Nicci the opportunity to talk with board of supervisors and make sure they want to have a joint meeting if we move it forward.

Kapuscinski: Why would you be requesting that joint meeting? expediency? Is that what you're looking for?

Geraldo: Well, the permit drives other decisions. It's, for example, we would love to get this project queued up to go to the state commission next year. And before we do that, from today, through that decision of the state commission, a lot of things need to happen in between. We need to reach out to the EPC community to get RFPs to get cost estimates. There's a lot of work that needs to be done. And we can't do that until we have certainty around the conditions you know what the approval the permit the conditions because what are they going to design when we don't know what the conditions are. So it's that kind of chicken in the egg. So that's why we, we would like to have a sooner because then we could queue this project up to for Dominions eternal process to get approval to take it to the state commission next year, a lot of work would need to be done this year that for the balance, so a month. I mean, it's, you know, it's it, it's just really kind of put us in a crunch. But, but if that's what the planning commission wants.

Bickford: Well, that seems to be the consensus. So we're going...

Kapuscinski: But again, the question is, the reason you want a joint meeting is again so that you don't spread it out to another month, because that's just going to put you off timing. I mean, that's your objective, right? The timing,

Geraldo: The timing, correct.

Kapuscinski: Even though this thing wont start till 2025 26 Apparently, your, your, your diagram shows that you need to get all that time ahead of that?

Bickford: Its sort of first come served, if what little bit of knowledge, with getting on with permits.

Geraldo: It's, the more you de risk a project, the better off you are from an investor perspective. So the more permits approvals, we get out of the way, we have more certainty, that it's going to go, it's going to go forward. Because once we get past the county, then we got a commission to deal with. And that's a process on itself. So you got to get over that hurdle as well, before we're actually get into, you know, a more peaceful law, right now it's execution, if you will, we do have a lot of time to execute, we just want to get out of these approval processes out of the way.

Allen: So if we're waiting till next month, and talk about it more, and then organize a meeting with supervisors that still will save you 30 days? It's a four month session. But back to talking about the distribution of the power. I worked for dominion for awhile. Don't you still have a distribution company that gathers your energy here, there. Says, you know bremono or I used to work bremono, bremono we used to put out so much megawatts north anna put so much bear garden put out so much. And if it needed less, they tell you back down, but they would send it all over the place went a certain place you send it to no matter where it was made. But it's going on those lines. Yeah, if needed in that area. It went that way. I think people try to think of if you make it in Buckingham, would it stay in Buckingham. And to me, I wouldn't say it's staying in Buckingham, it's always wherever the company that it regulates, it moves around, puts it. Am I thinking right or am I thinking wrong?

Geraldo: Well, you have to consider that the co op has this market, right? And they the coop needs to source their electricity from somewhere else, to be able to supply the energy for end users, right. So this is really their market. And we can't just come in here kind of to follow your logic, you know, inject all this power, and all of a sudden, we're displacing their power, because this is not our market. So we can't do that. Right? So it's a little bit different. Because our, our, the situation with this project versus Riverstone is different because they don't think they're in a non Co Op territory we are. So we're going to be subjected to kind of a different rules of the game here as far as...it's only about what we inject, technically speaking, and where the power flows. That's all we could do at this point, right? And that power is going to flow somewhere else and get consumed you know, another markets and so on. But it's really, you know, this is the co ops territory, that they go through their work to be able to, to procure power to be able to sell to end users here, right?

Kapuscinski: Main benefit is basically our revenue sharing and the tax benefit.

Geraldo: A good percentage of is yes, it's economics, economics. And add environmental, there's a lot of other footnote items that you know...

Kapuscinski: Economically we're talking directly for us.

Geraldo: If you want to put your finger on it like you know, something tangible, yes, it's gonna be.

Kapuscinski: Over 35 years, you're looking at maybe 6 million bucks, somewhere there.

Geraldo: Over 6 million plus the signing agreement, whatever that ends up being. So yes, sir.

Bickford: Any other questions?

Dorrier: Yes. On the layout and conditions. Everything in orange will be solar panel?. Is that what I'm seeing?

Geraldo: Yes, the orange areas. I'm sorry you can't really see that. Yeah. The orange areas are the panels, the layout itself for the arrays, the panels modules

Dorrier: I just wanted to make sure well, they're not all bunched together anyway.

Geraldo: I have a big site plan if you want me to give you a copy, it's a lot easier to read and see.

Dorrier: We'll get it later.

Bickford: Okay. All right. So do we have any other questions at this point from the commissioners? Thank you, sir.

Geraldo: Thank you all for your time.

Bickford: We'll see you in 30 days, actually July 25. Probably will have some more questions for you. And if y'all do have something you want to bring another short presentation or something and you're more than welcome to do that.

Geraldo: Look forward to it. Thank you.

Bickford: Appreciate it. Do we need to vote on tabling it? I need a motion to table and then we'll vote on.

Dorrier: I'll make a motion that we table this and reconvene in 30 days.

Gooden: Second.

Bickford: A motion and a second any further discussion? All in favor Raise your right. Okay. That's all formal now. Okay, that moves us to our next which is Joel King.

Commissioner Dorrier moved, Commissioner Gooden seconded, and was unanimously carried by the Commission to table Case SUP22-313.

Edmondston: Yes sir the next case for introduction is case 22 ZTA SUP 314. Landowner and applicant is Joel King. Joel King located at 5136 Slate River Mill Road tax map is 95 parcel 9 it contains approximately 66 acres. And once again, it's in the Maysville magisterial district. It's currently zoned a one. The applicant wishes to obtain a special use permit for the purpose of operating a commercial repair shop and add a zoning text amendment for a rental yard as indicated in his narrative and a special use permit for these purposes. The applicant is asking the Planning Commission to hold a public hearing for this request, I have attached conditions the applicant is available to discuss his business venture a bit more and what that is encompassed within his narrative. So he's here to answer questions and concerns if that would be the wishes to hold a public hearing in July?

Bickford: Okay. Mr. King, would you come forward to the podium please and just give us a little quick overview of what you'd like to do.

Joel King: Name is Joel S King 5136 Slate River Mill road Maysville district.

Bickford: Would you just give us a quick description of what you want to do?

King: Plan is to build a shop, repair shop to do farm equipment repairs, construction equipment, forestry equipment, and very limited automotive like it says there, that just be for neighbors. They want to change your brakes or whatever. I could probably handle that. Main goal is farm tractors, but I will work on skid loaders and so on. As far as the rental yard that's just three pieces of equipment at this point. So it's very small, may grow but that's what I got at this point got a skid loader and mini excavator and some attachments.

Bickford: I've seen your narrative you plan to operate from 630 to 5pm. Monday through Friday, but appointments only on Saturday.

King: Appointment only on Saturday.

Crews: You right there next to Wayne Davis has the little white house right there. Your living on the opposite side of the road?

King: Yes, that's correct.

Crews: You're saying put the shop across the road from your house in that field?

King: Yes and we also plan to build a house on that side in the future.

Bickford: Any other questions from the commissioners?

Kapuscinski: Mr. Chairman, I actually went out and visited his house and his wife, you weren't there. And she showed me exactly what you're doing. I really liked the site. I mean, he's On a two lane road, easy access looks like you'll be able to build any kind of a entrance to handle any kind of equipment. I suggest we move ahead with this.

Bickford: I have a motion to move forward to public hearing.

Dorrier: Second.

Bickford: I have a second. Any further discussion? All in favor raise your right hand. See you July 25th Mr. King.

King: Thank you.

Commissioner Kapuscinski moved, Commissioner Dorrier seconded, and was unanimously carried by the Commission to move Case SUP22-314 on to Board of Supervisors.

Bickford: Thank you. Nicci that brings us to our last which is Atlantic land investment cooperation.

Edmondston: For the evening is case 22 ZMA 315. landowner currently is Buckingham County and the applicant is Atlantic Investment Corporation. This is Ted Lloyd. The property information will be tax map 138 15. It contains approximately 134.49 acres but this zoning map amendment request is for the 101.75 acres within the parcel as outlined and located at Industrial Park Road Dillwyn. It's currently zoned M one the zoning map amendment and request tonight is to rezone from light one light industrial M one to village center. Atlantic Investment Corporation is requesting the zoning map amendment for the purpose of building single family homes and generating interest in the neighboring light commercial portion of the development which will remain a light M one is indicated on the submitted renderings. The applicant is asking I've included the letter of request from the applicant to set a joint public hearing inviting the board of supervisors on July 25 6pm. The applicant is available to answer questions and concerns regarding his project.

Bickford: Thank you Nicci, Mr. Lloyd if you will come forward and give us an update.

Ted Lloyd: My name is Ted Lloyd. I'm the president of Atlantic Investment Corporation. Ive put forth this proposition for the Knights Valley subdivision. I do want to address there were a couple of things said earlier in the comment period. We do have the subdivision plan. Can y'all see that?

Dorrier: We got it here.

Lloyd: I wanted to address Mr. Davis here. I'd like to just a couple comments that we made earlier, I tried to take the all the public sentiment into consideration. Mr. Davis although we're not requesting any zoning changes along your particular piece of property. We heard that you had some concerns about the light industrial, which is staying the same, it's not getting rezoned. Concerned about the buffer there, we enhanced the distance of the we reduced the limits of clearing and increase the buffer between your farm and this proposed project. So you have a greater buffer than originally planned. And I hope that addresses your concerns there. As far as the buffer that was requested upon Leseur Street, that's going to be an evergreen buffer all along the border, complete from the project on to Leseur street. So there will be a buffer planted there. The entranceway the other Mr. Davis talked about ingress and egress around the Christian School and the safety of the kids their apps absolutely a concern that we addressed and we're adding another access point which goes out and we're building a road for the county on county property not on this parcel 920 foot stretch which will also feed the future hotel that's I guess been approved for building *inaudible* Okay, so that road that goes out to Wingo road, it

basically adds two more egress points from the Christian school as an exit point there. Although not on this site plan, there is another access point being considered on a parcel I purchased that adjoins this parcel. So it would add three basically three ingress egress points and just reduce any current congestion which I've seen up with the Christians School as it is, when people are unloading and loading their kids and whatnot. So it's going to be a, it's going to be a nice change for the Christian School and the people living there.

Kapuscinski: But it's not in this plan, but you intend to put it in this plan.

Lloyd: It is off the plan

inaudible

Lloyd: Its a little three acre parcel that adjoins the development. And I wanted to have that as one more ingress or access point ingress egress point to the so there's never any potential for congestion, everybody can come and go as they please to different points in the county. Especially with that wingo road, you can go right and head back in towards or still when are left and head out towards 60. Some of the other things that I think I'd want to bring up here is that the I spoke with Daniel Queen about the utilities and the capacity for the improved infrastructure that Buckingham County did to their system. Originally, he said it would this development at full capacity would not exceed 60% of the new and improved capacity for sewer and water. I have since gone back to him. And he has reduced that to closer to 50%. And it still allows for a lot of what is currently there allows for a lot of future development out towards 60 where they, you know, added the infrastructure out there going out towards 60 so that there's no impact, adverse impact, utility wise here. Some of the concerns that I've heard from different people I met with Mr. Bickford, and some of the concerns that he voiced, which I had heard also from other people were originally the number of townhomes that we had in the plan were in excess of 100 townhomes, and we reduced them by 30%. We're down to we're down to 67 townhomes, which is cuts into the profitability of the project. Our homes are far cheaper to build than single family homes. But it seemed to and I only heard it from I heard it from a number a number of different people that represent their constituents that the number of townhomes was too great for, for them to say, hey, let's move forward with it. And after the reduction, I got some very positive feedback. Then we have some narrow lots but detached homes. We have 28 single family detached homes, and then 24 all different price points by the way, your townhomes, your detached. I call them row homes. But that's an improper word to use because row homes

Kapuscinski: Are attached.

Lloyd: Typically, right? Typically, you talk about them being attached. There's they're just long, narrow architecture style homes, on those on the middle section of lots in there, then you have 24, I believe is that 24 or 28 I can't see with my eyes. Larger lots and there's going to be larger, more expensive homes and a higher price point. So you have three different price points for this neighborhood. The neighborhood will be governed by its own HOA. It will have its own pool and community rec center, which will be built. That was a big question that has come up on a

number of occasions from different people. When would that go into construction. I looked into it there are legal restrictions that the developer has to follow. And it has to be put into the contract with the HOA. So anybody who purchases a lot or intends to build a home is agreeing to the terms of the HOA, but at the same time, the developer is obligated to perform certain things. And one of the big ones is the pool and clubhouse.

Kapuscinski: I'm sorry that's not on you that's on a developer a separate developer.

Lloyd: No it's all inclusive.

Kapuscinski: So you're the developer.

Lloyd: I am right now the developer until I decide if I want to partner with somebody.

Kapuscinski: Understand I just want to make sure who's promising the pool and the other amenities.

Lloyd: You're looking at him. And in there, the performance criteria for that pool and that clubhouse has to start at 50% of the build out of the homes regardless of where the homes are townhouses, single family or the row style, long, narrow, lots of long, narrow lots of 200 foot backyards which are considerable size backyards for a neighborhood of this sort. And, you know, be great for backdoor patios and having fenced in yards for dogs and stuff like that. So it's either 50% of the build out, it has to be started by or it has to be completed at four and a half years from the date of contract or breaking ground basically. The road that we're building that is solely on county property is roughly with soft costs. And everything Oh, by the way, all the roads will be brought and built to be that standards. All of the roads plan on we plan on turning them over to vdot that helps the county with revenue and it keeps the HOA out of having to in the long term, having to repair roads and all that kind of good stuff. It's not what neighborhoods are good at. Other things warranties, okay. concern of Mr. Bickford was okay, we put in the sewer and water and pipe breaks three years down the line. Who's responsible for that? The typically, the warranties for infrastructure of this sort sewer and water is five years. And anything that happens, falls back on the contractor that installed the sewer and water. And there's some settlement issues that you can expect, but I would not expect any, you know, vast, you know, water breakouts and all that there's shut off valves all throughout this, there already is a force main for sewer, which runs right through here and goes to the sewer treatment plant. And the county's only responsibility is to bring water to the to the border of the property of the development proposed development. Christian School has water right to it. It's I think it's probably 100 feet. So we're not talking about a mile or two miles of County work. It's very short distance but the sewers already on the on the parcel. When I spoke with Daniel Queen will probably at our expense have to add an another holding tank for what they call surge times. People leaving in the morning showering, and people coming home in the evenings and the processing of the sewage would sit in an additional holding tank, and then use the force main to go to the center the processing during the day when it's less active. Let's see what else I can tell

you. buffer zones I covered that. These are some of the main points that have come to me. Are there any questions that I can answer from you all? I'm sure there are.

Kapuscinski: I have a couple for you. This AIC, this corporation. How old is it has How long has it been around?

Lloyd: I've been the owner of Atlantic Investment Corporation for I think we're over 20 years old now.

Kapuscinski: So this contract was between Atlantic investment. And the County taxpayers? Am I Correct? County taxpayers? Taxpayers in Buckingham county. All right. Is that correct?

Lloyd: Buckingham county for the purchase of the land.

Kapuscinski: The taxpayers pardon me?

Lloyd: The purchase of the land contract? Yes, sir.

Kapuscinski: Right. So it's between you and the taxpayers of this county. The question I would ask you is, what can you tell me what the capital value of this AIC is? I mean, does it have a capital value? Or is it just a shell corporation?

Lloyd: No, no, not at all. No shell corporation. We currently own Camryn station. I put in Camryn station in the McDonald's up on in Dillwyn. And we own the parcels right behind Camryn station. Oh, that's another thing I want to touch on. While we're here. No, we are not a shell corporation. It has assets Camryn station. I don't want to get into my personal finances, but there's a decent net worth.

Kapuscinski: Yeah, that's that's the question that has been asked on the show, sir. All right. And these warranties that you're talking about? You know, it's interesting to me that you're gonna you're saying the basically the warranty is what five years on these on these sewer lines but the plan for the community is actually done. So it's five years after the total completion after all, the all the residents are in.

Lloyd: I would not say all the residents because there may be extra lots that are not filled, because they're not desirable lots or something. But our aim is to have at least 60% complete by the, by what I would consider turning over to the start the warranty period,

Kapuscinski: Extend in the warranty period to be five years subsequent to that.

Lloyd: Yes, sir. That would be my objective. and that needs to be written in with the actual infrastructure installer, sir.

Kapuscinski: And let me ask you who's making the determination as to whether or not the soil in fact, who's I mean, within your contract, you say, basically, at your sole discretion, you can determine whether or not this thing should move forward based on its financial impact to you, or your corporation, or if in fact, the environment would not allow building these homes. So who is making that determination?

Lloyd: Well, I don't know who put in those specific words. But we have done all of the wetlands delineation already. And we're in the process of doing final soils. Maxey and associates are the civil engineers on this. And we are diligently working to get all of the pre testing done and starting approvals.

Kapuscinski: So this this project, this this consummation of the land owning the consummation contract, get you the land to start this project for what you're looking for an SUP. Does that, does that happen before after you get your land valuation? Whether or not in other words, when do you determine that this thing is consummated?

Lloyd: When do I say it's a go?

Kapuscinski: Yes.

Lloyd: I would probably venture to say it's going to take me about three months to get the results of all of the testing and the DEQ results back.

Kapuscinski: And once that's done.

Lloyd: if I walk away from the contract, okay, Buckingham County gets all of those studies. And all of the money I've spent, I'm already I'm into it considerably. It's not my intent to walk on this.

Kapuscinski: I understand that. I'm just curious to find out any event that you decide to walk. My question is, with regard to the mineral and timber rights, you have those rights immediately. So is it only after consummation, that you can take the timber off that property?

Lloyd: After I close on the contract? Yes, sir. After you close out the contract, which I have, I have 180-day study period. And at that point, it's 100%. Go and I've obligated myself to all the terms of the contract.

Kapuscinski: So you're going to wait 180 days before you move in?

Lloyd: No ideally, I'd like to get it done quicker. I'd like to get all these tests, all the testing done, and get all my answers that I need.

Kapuscinski: Before 180 days, but at the end 180 days, you can either have to say it's go or no go.

Lloyd: Yes, but that it can be at an earlier point than that. 180. It could be 60 days.

Kapuscinski: Right. But until then you're not going to remove any resources.

Lloyd: No, absolutely no, sir. won't touch resources. Okay. I couldn't understand.

Kapuscinski: Yeah, that's fine. These lot owners, I mean, you're going to start selling lots once things can consummate it.

Lloyd: There are several paths that can be taken on this project. One is I join hands and partner with another developer with who was interested in doing the entire. One thing I'm trying to avoid is getting 20 different builders on this on this project. We have okay, you're hitting on some really good stuff. We have an architectural standard that is being kept throughout all of the building, whether it's a townhouse, a row style house, and no that's not the proper word or this single family detached large homes that are all are going to be of a colonial style. And all of the elevations, front elevations, some people just refer to as the facade will be in compliance and work with each other. The objective is not to have 10 different builders with their own different styles and this and that I want there to be flow within the entire community. Ideally, I can get two or three or just one. And I have not until just this past when we ratified the contract this past week. I have not been free to speak to those people. Because I didn't have the legal right to say I was the contract holder of the property pursuant to this future project. I couldn't do that.

Kapuscinski: So the amenities this clubhouse is basically your office your sales office according your contract.

Lloyd: Yes.

Kapuscinski: Okay. That's fine. And that will ultimately be your your clubhouse I would assume.

Lloyd: Not mine but the HOAs.

Kapuscinski: Yes. All right. And then there should be some other amenities attached to that according to your plan. Yeah, those amenities are being paid for on premium prices, those lots are going to be sold for my correct? In other words, those people who are buying lots are paying a premium for those lots to cover the cost of those amenities.

Lloyd: There will be an uptick in pricing. Absolutely.

Kapuscinski: All right, so 50% of those people have to be in those homes before they recognize the value those amenities am I correct?

Crews: Or four and a half years.

Lloyd: Or four and a half years, yes, sir. And they will know that ahead of time, every single purchaser.

Kapuscinski: And to the extent that this thing may go sideways, I'm not saying it will, then those people who've paid those premiums for those lots will not see those amenities Correct?

Lloyd: Well, they really won't be paying so much. There'll be paying more of a premium for the having public sewer and water as opposed to well and septic and having paved roads and vdot roads and a beautiful entrance to a neighborhood a this is going to be a stand up community within Buckingham County. That's really where their uptick is. It's not the amenities are somewhat of a bonus. They are paying for those amenities through their HOA dues. And they and they will know that before they enter into any home agreement, it is it is recorded on every single parcel.

Kapuscinski: But basically you get you got to pick up some money for building that pool and that clubhouse. I mean for sake of argument, let's just say those people are paying a premium on those lots, because they know they're going to get a pool and clubhouse.

Lloyd: They know there are going to amenities provided correct.

Kapuscinski: And if those amenities didn't exist, they'd be paying less for those lots. Correct? Be honest.

Lloyd: Possibly. Yes. But I think there's also a lot of between the green space, I'm not saying no, completely, yes, those amenities definitely add to the value of wanting to move there. It isn't attraction, yet the overall green space infrastructure, vdot standard roads, all of that is what's going to make this community really nice. There's a lot to it. But yes, the answer to your question is yes, people will move there because they want the pool.

Kapuscinski: What I'm doing here is trying to figure out exactly, I know that you say that the community is going to benefit the taxpayers in the county. Somehow I have no problem with the development going in there. What I'm concerned with is the amount of risk that the taxpayers are, are getting involved in. All right. And what I'd like to do is, I'd like to make sure that and understand this, I know what risk is I know where it generally. I've done contracts for a lot of years. So my point being that I really don't want to see the taxpayers or myself as a taxpayer in this community to have any risk level. Because there's a development going into this into this community. I think that risk belongs to the business people that are doing that. So my concern is making sure that if there's a promise made, it's kept. And I know that these things can go sideways, but I don't see anything in the contract that guarantees should it go sideways. How in fact, the mess is cleaned up? So I don't see a bond issue. I don't see any money in reserve. I don't see anything like that, that could aid the taxpayers in this community, should there be a lawsuit. Because the amenities weren't given out? Or because there's, there's a mess because the timber wasn't cleaned up properly, whatever it is, right? Because the neighbor may have a problem with people trespassing. You know, I don't, I don't see any guarantees or proffers that are being

offered to the County taxpayers. You know, in this project, I'm curious find out what you intend to do with that.

Lloyd: Well, the performance standards within the contract, would I have to already live up to putting out an excessive amount of money to get to those standards act as the insurance to the county is what I say. The idea of a performance bond I would entertain it.

Kapuscinski: I would hope so because that's a condition I'm going to ask for.

Lloyd: I've done it before. I mean, I've built large shopping centers before and I've

Kapuscinski: I'm not trying to cute about it. I really think that the taxpayers in the community need to have some sort of guarantees should in fact, this thing goes sideways. I'm not, I'm not going to say it is I trust that you know exactly what you're doing. But I do believe that the taxpayers in the community deserves some kind of guarantee some sort of a proffer, to ensure that if this thing does go sideways, they're not going to be held anyway, in any shape or form financially accountable, to do anything to fix whatever mess.

Lloyd: And the residents that come in. I don't see any problem with that. I would suggest that we make that as a condition of closing,

Kapuscinski: I suggest we make it a condition the SUP.

Lloyd: Its a zoning change.

Edmondston: It's a zoning change there are no conditions.

Kapuscinski: But then you're going to ask for an SUP right?

Lloyd: No.

Kapuscinski: I thought there was...

Lloyd: The zoning that's being brought in accommodates this.

Kapuscinski: Well, this should be something that actually involved in this thing. I don't know how you want to handle it. But there's, I'd like to make sure that, that there's a commitment on your part, and I'm talking about a bonding issue to make sure that the taxpayers in the county are taken care of.

Lloyd: And I'm fine with that. If you would, I'd like to suggest that to close the purchase. You know, I've put the deposit down. I'm in the study period right now. but to close.

Kapuscinski: Yeah, I can't rewrite the contract. You're purposing to get an amendment.

Lloyd: We can add an addendum to it, and I'm fine with that.

Kapuscinski: I'm not trying to be Mr. EM Wright. I hope he's around here. Okay. But I mean, that's, that's a lawyer thing. So I'm not pretending to be his, I don't want to do his job. But essentially, there should be something.

Lloyd: I understand the comfort level that gives you and that's what I want. I can sit here and tell you all day, I'm a man of my word but if I get hit by a bus, hey, I got hit by a bus.

Kapuscinski: Exactly. Right.

Lloyd: And I agree with you.

Kapuscinski: So it'd be conditioned closing, and you would put that in there.

Lloyd: We can work that out. If you don't mind. I don't think it's the time or place to talk about the exact dollar and what we do. But yes.

Kapuscinski: As long as that takes place. I don't have any other questions.

Gooden: I just had a question for the price of the homes. And so you buy the lot and the home at the same time? whatever particular elevation that they choose makes the price of that particular home?

Lloyd: With each home. with the single family homes detached single family homes, the purchaser will have more of, if you will, a choice as to what the front elevation could be one of five choices, whereas the townhouses are going to be built. And someone will come and pick a townhouse that they like, they may have two or three different layouts inside, within the townhouse. But all the elevations will conform and be a nice flow to the community.

Gooden: So I'm looking at the price. That price includes whatever home they pick, and the lot. So it's not like they're buying a lot separately, and then the house is another...

Lloyd: A builder may buy a series of 10 lots, okay, I'm trying to avoid that, as I mentioned, I'd like to get maybe one builder or two builders three at the most, to where they buy a whole street. Okay, and this is their street, and this is what they're going to develop. I'm glad you're going here; can I circle back to something else? On the architectural standpoint, I am involving the county with a review, I want the county to... we've kicked this around a little bit. And it's not etched in stone, but the approval of the facades will have county input. There'll be somebody I suggested to Mr. Bickford for maybe one person off the planning commission, myself, someone from the administration, and then one other person and we look at these facades. My wife sometimes asked me if I got dressed in the dark. And in other words, my color combinations and

what I pick sometimes isn't the best. So my judgment isn't what it should be. It should be accumulative approval on a particular facade which has a colonial appeal to it.

Gooden: Okay, when I first heard you speak about this project. I was hearing or what I understood it or understood you to say was that that a person could get a particular lot and have a house styled when they would have to find their own builder.

Lloyd: No, no, ma'am. There's going to be a choice of builders.

Gooden: There's going to be a choice of builders and that was my concern. I'm used to people buying lots for a builder building a section of home homes. And so that's why I wanted to clarify that.

Lloyd: And that's my concern as well. When I do my due diligence with the builders that first of all I allow to come in and build, I'm going to do proper due diligence. Look at some of the homes they've built. Look at, you know, if there are people that have a litany of lawsuits against them for not performing, I don't want them in this.

Gooden: Also, you said that this would bring people in, you spoke of people working remotely? And that in essence, these homes were really not priced for people of Buckingham

Lloyd: No, not necessarily. This is going to bring a new influx of money and people from different walks of life here. But absolutely, I'd love to see people within the Buckingham community buy these homes.

Gooden: Okay, that seems to have morphed a little bit too from the first time I heard you speak.

Lloyd: I think the question that was posed to me at that point, it was more of a statement saying, well, there this isn't very affordable for a lot of people in Buckingham, and some of them aren't. Some of them aren't.

Gooden: So, because I heard you speaking out people working remotely. And now is this going to be a mixed community? So you're going to have seniors and family housing?

Lloyd: I can imagine that there will be seniors who want to leave the city and call this their retirement home.

Gooden: Okay, a retirement home. So there's going to be like a retirement section, maybe or just mixed in? It will be a very mixed community.

Lloyd: Absolutely.

Gooden: All right. And the infrastructure that's needed to support this community. What do you envision is the infrastructure that's needed? We have a food lion; we have reids. We have Pinos.

Bickford: Yeah, I was going to say I actually talked to Mr. Lloyd about that. Because that was one of my concerns that we didn't have any businesses with the situation. He informed me that he owns the lot behind McDonald's, and I'll let him take it from there.

Gooden: Wait let me finish this then. The neighborhood that my son and his family bought into, they use Amazon, they both work remotely. And they use Amazon, Grub Hub, they looked at the schools that were available. So being close to the school I have no issue with but they looked at schools. And then they looked at the amenities that were already in the neighborhood. And since that housing development was built, that they're in now, since that has been built, the school's budget has increased and brought money to the community. And, but they use Amazon Grub Hub, Grub Hub Instacart, which supports the local community, but in essence, the local community could not live in their neighborhood. Do you understand what I'm saying?

Lloyd: Its stimulation the business that are there.

Gooden: It supports the businesses there, but it's really priced out of the people in that neighborhood. And so I'm just asking about what the infrastructure is. Now you could go back to the infrastructure that you envision that this community would need.

Lloyd: I think the existing infrastructure will suffice. But the, development itself will act as an economic stimulus not only to the existing businesses that are here, every business, pinos Anderson tire, moss motors. My little center there, the nail salon, Rodeos, Dollar General, everybody's going to benefit from it. And what I envision typically when there's need within the community new businesses will pop up. So it'll also create a foundation for startup businesses to actually succeed. A lot of small businesses struggle around here. I've seen my tenants struggle, you know, through years of up and down, and the you know, the economy flows up and down. This should stabilize a lot

Side Conversation

Bickford: In our conversations today, one of my concerns was, you know, we had townhouses in the homes, but no support businesses. I wanted something else in there that will complement the existing infrastructure that was already there. And Mr. Lloyd reminded me that he owned a lot past Camryn's station, and he already had sort of a tentative plan for that.

Lloyd: There's a little square right behind McDonald's and Camryn station up there. The original impetus behind all of this started when I came to Nicci and I wanted to build townhouses there residential townhouses. But the front row I wanted to be facing Camryn station in the McDonalds. And I wanted them to be professional business townhouses with lawyers, dentists, a doc in the box, realtors, maybe a little dance studio or something like that, I know dance studios kind of pushing the professional sorry, minds running wild here. But all of these ideas for those townhouses facing towards McDonald's and the existing retail establishment. It really worked and it looked good and the grade and everything worked for it but my, my idea was poo poed

because I wanted the residential factor behind it two more rows of residential townhouses and the zoning was incorrect. It kind of stopped there. And that's where the concept of the Knights Valley subdivision originated about a year ago. So that this these two parcels here I am... Although it's not being it doesn't need to be rezoned. It's by right. I have pledged that I will open these up for purchase. I don't want to be in the rental business anymore. As far as sale and professional rental I've had enough. By building the professional townhouses facing that way towards the unless we get unless we get a Walgreens or a credit tenant that says they want that spot based on the new development coming in, which would be great to have a Walgreens there, then those professional townhouses would fall back behind that Walgreens, the Walgreens would take the view from 15. They won't, they won't take anything unless they have visibility. Ideally, that would be great for Buckingham. And we'd have two rows of professional townhouses right behind something like a Walgreens, but that particular parcel as far as I'm concerned, it's, it's there to satisfy the need that was brought to my attention concerning this development being built.

Kapuscinski: I have a question for Nicci, if we're asking, he's asking for rezoning. Okay. And there's some promises that I see being made here. But there are no conditions to the rezoning. So how do we ensure that these promises are documented so that we can go ahead and follow through in the next meeting to determine whether or not they're part of our conversations?

Edmondston: There are no conditions in a zoning map amendment. Laid out in our zoning ordinance, if you read it, you agreed to the rezoning and ultimately the board that then it will adhere to what the zoning district is laid out in the zoning ordinance currently, if there are other things that you are referring to, which would be matters within a contract for the development of housing proposal that is completely separate and that does not hinge upon the zoning map amendment. That is a private contract that will be entered into. Those questions for the contract are things that you can bring up. That's probably a better question for our legal counsel EM Wright, Mr. Lloyd, his legal counsel.

Kapuscinski: If we go ahead and agree to this, agree to this thing now. Without having a contract showing that some of these promises are going to be kept. I think we're being premature

Bickford: They've got an existing contract. So I'm assuming that there's going to be negotiated addendums?

Kapuscinski: Well, that's what I'm saying there. I don't see the amendments. And I don't know, I don't. It's not that I don't trust you. It's just that I like to see things in writing. And I don't see them in this contract. So I, I know you're saying you would do it. I would like to see that contract completed correctly, before we agree to a rezoning so that we know that all these things are in an orderly fashion. Before that development is planned.

Crews: I agree.

Bickford: I understand that what I'm asking you, or at least what I'm suggesting is we can still move forward. And I would assume that Mr. Lloyd and Mr. Wright and their representatives would have it figured out prior to a final vote,

Lloyd: I can more than assure you that I'd be at your doorstep as long as you can make yourself available to ensure the performance standards are kept. And the public and the purchasers of the lots are secured.

Kapuscinski: Well, I'd be happy to sit in on a contract discussion with you. But I don't think I'm allowed to do that. My point is that I think... I like to read the comp, the best I can do is ask Mr. Wright to give me a copy of the contract. So I can read it. That's what he did. When I read it, there wasn't anything in there. So my point being it again, I'm going back to you, Mr. Chairman, I think quite frankly, that that document ought to be written and understood and accepted. Between him and the County taxpayers, essentially, the county, before we move ahead with this with the rezoning that would be my recommendation. But I mean, you all...

Bickford: I don't disagree with that. But I think, you know, we could move it forward to a public hearing, you still got 30 days, I would assume that Mr. Lloyd and Mr. Wright have hammered out the changes that you're asking.

Lloyd: I believe I got already in mind exactly what would satisfy the safety of the Buckingham residents and the new purchasers that are coming in, as far as along the bonding lines,

Kapuscinski: Bonding lines, and then there's some promises made with regard to the school and the roads around the school, I don't see them in your plat. So I'd like to make sure that those are taken care of I mean, that school I've got, I had four or five letters from people that I don't even know if they knew why they were writing me, but they were writing me about complaining about this whole thing.

Lloyd: Can you elaborate just a little bit more on the on the roads around the school?

Kapuscinski: Well, the concern that that was given to me was obviously you brought it up earlier, the safety of the kids, right, and the congestion. And one of the remarks that was made was why don't we put a horseshoe I mean, you're going to have a heavy equipment in there, creating a road when I make a horseshoe on that property. So there's a way for people to turn around. I think you've seen them in other schools, where they can actually drop their kids off and bring them back around. I mean, but that's all part of your plat. I don't want to tell you how to design these things. But that was one of the questions that was being asked of me. I didn't have an answer for anybody I just said, I thought I'd bring it up at the meeting. But you already said that you're going to do something to reduce the congestion, which I think is fine, how you design it is between, really between you and your engineer and maybe the school. But I would like to see something that says you're going to do that.

Lloyd: I agree with you. That particular loop on that lot I bought that's not connect that is connected to this parcel. I just now understand had them sign it. So I wasn't able to bring it to the public attention. Now it's here. I know what we're going to do. Okay. I'm more than happy to commit that to part of the project at this point now that I'm the owner.

Kapuscinski: And that's all that's all I'm asking for is if these things could just be set in cement. Before we agree to a zoning change. I think that would make a lot of people, not just myself, but I think a few people on this board. But a lot of people who've contacted me already become a lot more comfortable about this development. I don't I don't have a problem with you developing this property, believe me. I just think that maybe all the questions weren't asked. And maybe all the questions weren't answered to the satisfaction of the taxpayers, the county. And that's what's concerning me. And I

Lloyd: And I believe I can get that all accomplished, but the binding issues and the horseshoe coming in to, to show them that.

Kapuscinski: How long? When would you be able to get it done?

Lloyd: Two weeks.

Kapuscinski: Well, why don't we? Why don't we agree to hold off until he gets it done if he's going to do it that quickly? I mean, he wants to have a joint meeting between the board and the planning commission. So I, if it's all done, and particularly if we can get a copy of that contract and ensure that all that stuff is in there, and a new plat to show that it's in there then I'm happy to move forward.

Lloyd: I'm fine with that.

Kapuscinski: But I would like to see it done before we, before we actually change the zoning.

Bickford: Well, you would have that option because if we move it forward to part of the hearing to make a decision, then if that information is not available, then you don't move forward.

Kapuscinski: My concern I have is he wants a joint meeting between the board and the planning commission. So I don't know what the impact later is. That just seems to me to be a lot more people that have to vote yes or no. So that's why I'm suggesting let's get this thing done before it goes to the board. I mean I'll leave it to y'all.

Crews: What's the point of there being a joint meeting? Is everybody now going to come introduce a case and want to have a joint public hearing? Is that gonna be the new thing?

Taylor: Seems to be.

Crews: That's the way it seems. I don't know what the big rush is.

Lloyd: When I put on our town hall a couple months ago, the whole reason of that was to get this kind of question. I've had numerous people come to me and say, Hey, can you modify this do this? I've done the number of townhomes do that. And I've tried to accommodate just about every single interest. If I had known about this one, it would have been done. I would still like to go forward with the joint hearing. I don't think this is a complicated issue to bring forth in a joint hearing, and have it be satisfactorily proved to both the Planning Commission and the board at the same time. It's not that it's not that complicated of a deal.

Kapuscinski: Well I haven't seen it in writing. So I can't tell.

Lloyd: I will, I can get it to you before the meeting too.

Kapuscinski: Well, that's my position was Chairman, I mean, you need to kind of bring it to the Commission see what they want to do.

Shumaker: While I think that helps you, you know us feel better about the, you know, the back end of the contract, I still am interested in what the people have to say. So I think we only get that from a public hearing. And we can speculate on what we think the issues are. But I think until we listen to, you know, an open forum, so it will be my suggestion to try to handle these things in parallel. While we do more for at least with some sort of public hearing.

Crews: I just think if you do public have joint public hearing, you know, you take in all that stuff that now you then you have to make a final decision right then. So I don't know, I feel like it's a big decision to make everybody to make it one time. That's just my thought.

Bickford: Have you discussed this with a board of supervisors?

Edmondston: Generally, when we've had the request for a joint public hearing the decision is made by the Board of Supervisors, the Board of Supervisors when I bring this to them, they may not be agreeable to it applicants request but of course, as the planning commission, you either can request for joint or maybe you only do normal public hearing.

Allen: You've already moved the other joint session to another month it was two that was supposed to come up, you already moved the first one up.

Lloyd: So if you will, some of the answers that I hope to put together to satisfy what you're requesting. It makes a considerable difference in when I'm out speaking to the people that I am going to be working with down the road. It's best for me to get these answers on the books as fast as possible. So I can say this is what it is. This is what you will have to comply with in getting in business with me on this project. So the sooner the better. For me, we are under the study period. Now. If we blow out months, I can't go talk about things that that are hypothetical. I need to have solid answers. That's why...

Kapuscinski: While i appreciate that. And I got to tell you, I'm just not one of those quick deciders. You know, I just I think we need to be diligent about this. It's taxpayer property is zoned for something other than a development so it's a big change for this community. And quite frankly, I think that the taxpayers in our community need to be assured that what's in this contract is satisfactory. So I'm willing to take the extra 30 days I don't know what y'all think but um, I don't have I don't have a problem with it going a little slower.

Crews: I agree.

Taylor: Agree.

Bickford: What is the commission asking me to do? Going to move forward to public hearing only for us, or we're not moving forward till we get paperwork showing changes?

Allen: The way it sounds.

Bickford: I got three different opinions here. And I'm not sure which one is, you're trying to get to.

Allen: I think they want to wait to get the information before they move.

Bickford: In other words, you want me to table it is that what I'm hearing?

Kapuscinski: Until we get a contract? Yeah, I'd like to see a plant in the contract. That's, that's the final plat in the contract. And then we ought to be able to move forward.

Lloyd: That was the requirement, I believe already for the 25th. For the meeting of the 25th for the plot and the con. Already in the, it's already stipulated.

Crews: I just feel like it's getting rushed. And a lot of the constituents in the county feel like it's getting rushed, and they don't feel comfortable with it. So I think we're just needed to do things as they'd normally be done and move a little bit slower and everybody feel a little bit more comfortable.

Kapuscinski: So the suggestion is, you go get your contract squared away with all these conditions that we already talked about today, get your new plat, let us have a chance to look at it. Let's do this thing again. And then let's move it forward. 30 days,

Edmondston: 30 days, but as indicated by Commission member, Mr. Cruz, that may not be that this could be the introduction tonight table for 30 days, it seems that and I'm not picking on you, JD but the comment was made to let this follow a more natural progression to ensure that there's enough information if that were to be the case. It would be an introduction tonight table for 30 days, you could set a public hearing, then we're July 25, August 25, for a public hearing for the planning commission September for an introduction to the Board of Supervisors and October for

that. So going back to what Commissioner member Ashley Shumaker mentioned earlier, would you like to give Mr. Lloyd the opportunity to provide the information that you're requesting for final plat and contract to come back for just a public hearing for the planning commission so that the public is invited to speak and Mr. Lloyd would need to have that final plat and contract prior to week before the meeting, because it needs to be made available to the public for their consumption and the ability to review that and all the public hearing next month for the planning commission. And follow the four month course you know when you table it, there's there is no action. So it's not even following a regular course. So y'all tell me what is suitable for the planning commission.

Kapuscinski I want time to read the contract, I want time to see the plat. Now if you tell me you can give it to me in two weeks, and we've got two weeks to fool around with it, that'd be fine. But if I got that five days ahead of time, or even three days ahead of time, you're not going to get an answer from me, because that's crazy.

Lloyd: I can do that. But I appreciate you considering that the studies that I have to go into during the study period, some of them involve putting out a lot of money. And I have to put if this thing gets bumped down the road, those studies get bumped down the road im quite a bit of money into this in civil engineering fees already, which I think we've done our best to accommodate every change that we've heard along from the public. And I can have what your requested within two weeks to you.

Kapuscinski: What did the rest of you think I mean, if I, if I have it early enough to read it and understand it, and I can talk to Mr. Wright and or whoever I need to talk to you. You know, I'm happy to go ahead and do that. But it's up to y'all... I don't.... What do you feel is comfortable?

Allen: You can wait until next month and then decide to do the public hearing jointly and still cut a month off.

Dorrier: I wouldn't want to have a public hearing with dominion and this project at the same night, I think it would be too much.

Allen: That's what's lined up right now.

Bickford: So the options are either table till next month and then decide on what to do with it then or do a public hearing, like just the planning commission or do a public hearing next month with the planning commission and board of supervisors?

Kapuscinski: No, I don't agree with that at all. I don't want to do a joint one. But I think I'm okay to move ahead with the planning commission public hearing, as long as we had the detail in advance so that we could read it and understand it that I don't want to put words in your mouth. Would you be agreeable? In other words, if he were to give us the contract, if he goes back to EM Wright gets a final contract with all the amendments that we talked about. That and a plat that shows all the changes if he did that, and we could get that in our hands so that we can all

have a chance to read it and understand it, and then move into a public just a commission only public hearing. I mean, I'd be comfortable with that, because we still have a chance to say no, thank you. Would that be suitable for?

Crews: Maybe just go ahead and have the planning commission public hearing? And if he doesn't have what we want.

Bickford: You'd always have the opportunities to table it then. Because you don't have the information.

Kapuscinski: Does that make y'all comfortable? I'm okay with that. But I don't want to speak for anybody else.

Multiple Side Conversations

Bickford: That's a consensus of the committee? Go ahead, move on to public hearing, with the understanding that he has to have that information or we will table before we move it forward.

Allen: We just do the normal flow.

Kapuscinski: Do we have to make that a motion? Who wants to make that motion ill second it.

Allen: I make motion we have public hearing for next month.

Kapuscinski: I'll second that

Edmondston: Public hearing for the planning commission or?

Allen: Just planning commission.

Bickford: That's what they've agreed on. Okay, have a motion. And a second. Move this forward to July for public hearing any further discussion? Favor? Raise your right I will see you on the 25th.

Lloyd: Yes, Sir.

Supervisor Allen moved, Commissioner Kapuscinski seconded, and was unanimously carried by the Commission to move Case SUP22-315 on to public hearing.

Kapuscinski: Again, a sideline, we'll be able to get that information from you. Within the next two weeks?

Lloyd: Yep I'm going to get right on it.

Kapuscinski: I appreciate it so much. Thank you so much. I don't mean to give you any trouble but I appreciate your help.

Lloyd: I'm here to do what I need to do to accommodate the deal. And by the same token for every planning member. If there are questions that come up, if you have them and want them answered, please run them through Nicci and I will do my best to answer them and see if they need something needs to be changed or tweaked.

Bickford: Appreciate it. Mr. Lloyd thank you for working with us. Nicci whenever you're ready, we'll have your report.

Edmondston: The building permit report is included for your review. I have nothing further this evening as zoning administrator.

Allen: No think we heard enough for one night. So moved.

Dorrier: Second.

Bickford: Motion and a second to adjourn. Any further discussion. All right. We are adjourned. Thank you for your time and efforts.

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

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

ATTEST:

Nicci Edmondston
Zoning Administrator

John Bickford
Chairman