

**Buckingham County
Planning Commission
July 24, 2023**

At a meeting of the Buckingham County Planning Commission held on Monday July 24, 2023 at 6:00 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;; Joyce Gooden, , Pete Kapuscinski, Steve Dorrier, and Board of Supervisor Danny Allen. Also present were Nicci Edmondston, Zoning Administrator, and E.M. Wright, Jr., County Attorney. Stephen Taylor and Ashley Shumaker was absent.

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

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

Bickford: Approval of agenda. Nicci, is there any changes to the agenda?

Edmondston: No changes to the agenda, just a notation under the new business introduction of case 23 SUP 331. That should be new equity energy. Whispering Creek, not whispering springs, so didn't really impact the agenda. But I wanted to notate that correction.

Bickford: Okay. Duly noted. Seeing that do we have approval?

Allen: So moved to approve.

Crews: Second.

Bickford: Motion and a second. All in favor? Raise your right hand. Passes unanimously. We have minutes June 26 2023. The regular meeting, if there's no revisions do I have a motion to approve as presented?

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

Gooden: So moved.

Allen: Second.

Bickford: Motion and a second, any discussion? All in favor, raise your right hand. Accepted. Public comment period. Do we have anyone signed up?

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

Edmondston: Yes, sir. Mr. Chairman, we have five signed up for public comment this evening. Okay, the first would be Heidi Berthoud and followed by Jeeva Abate.

Hedi Berthoud: Hello again, my name is Heidi Divya Berthoud and I live in district five. It seems to me that you're feeling stuck with no options to the current Buckingham mining zoning code, Pete said is much less meeting, according to Mr. Bickford. EM has advised you that the status quo is all you can do without putting the county in legal Jeopardy yet you know that the SUP is in a one and m one. And by right mining zoning code and m two do not stop metallic mining from happening here. Once the SUP boxes are checked, the mine has its first required permit. As we know the next step is to go to the state which has no regulations to protect us against the extreme conditions of metallic mining. You have talked about improving the application form, but I think this is way over your heads taking up that level of detail. Who will you consult with? I do not consider our local miners experts on metallic mining nor on writing protective law. There is a major conflict of interest. Em tells us that he cannot make choices for you that He can advise you when you ask and you need to ask the right questions to get the right answers. It's not up to Em to sort out sort through all of the options. You still have pro bono expert help awaiting your call to help you out to have a decent discussion about this complex and critical matter. Em advise that Virginia code 2282 says zoning regs must be uniform across all districts. So here are some ideas that could be uniform, prohibit new metallic mining across all districts and grandmother an existing mining, restrict prohibit the process using cyanide in metallic mining, require an applying company to first show proof of another similar metallic mine, causing no harm to the community with them funding the independent study. Another option is to require all applicants to prove that Buckingham is not an environmental justice community. If you can't figure out how to get property law to protect us remember, we offered a civil rights law a community Bill of Rights. This was before we found out there is Virginia code that allows localities to prohibit, restrict and regulate mining. We know that property law protects the corporations and not the community. We are pushing back against law that was created by and for self serving profit motive corporations who have the money and the power to outspend and outlaw us. Our motivation is very different. We want to protect our communities, our health, happiness and welfare is worth way more than transient jobs and tax revenue. Is the weather hot enough? And is the air sick enough for you? To prove that we need substantial change? We do have opposite options. Thank you.

Edmondston: Next speaker will be Jeeva Abate, followed by Edie Slagle.

Jeeva Abate: Thank you, commissioners. Good to see you today. And I'm Jeeva Abate representing yoga Ville and district five. And I look forward to working with you and developing a new comp plan. So I'm here mostly to speak to the yoga Ville Village Center, which is well described in the past comp plan. And we're back operating now after serious closure for about two years. And we have people coming they've also had their pandemics in Washington and Richmond and Charlottesville and people are coming back going oh man, I need some of this Buckingham weather and, and country life. So we have people coming and then wanting to stay in work there. So they're falling in love with Buckingham, and just as we have and we're here raising our families and building our village center. So thank you for that opportunity to work with you. So we are a unique village center as noted in your past comp plan. And the private owners as well as yoga Ville were served by our private water our wells. We tap local underground aquifers that can be penetrated by mining or drilling or other industrial activity. And and we have our own private wastewater systems. Okay. Although primarily residential with single family and multifamily housing, we do have service oriented businesses and offices located in that village area. We would like to have a gas station convenience store closer so we don't have to go so far we use Glenmore and, and the highway 20 corner for shopping. But otherwise, we have to go farther. And so we were looking for interesting developments in terms of that where we could employ people as we have on our distribution center employed Buckingham residents outside of our own community. So our operations including staff, guests and resident students, is served by its own underground aquifer, providing clean potable water. And we know that any metallic mining in the area would threaten our vital water supply. And we also know that I haven't talked to anyone. I've only talked to one of you privately, but I understand no one of you want any cyanide in your water. None of the supervisors want cyanide. So my commitment to you is to work with you to find a way that makes sense and it's common sense and legal sense to prevent that from happening. Other than that, I just want to say we'd like to preserve the village center we plan to grow from about 250 residents and staff to probably 500 Over the next year. We have people coming in wanting to buy land we need more land but right now we'll take the village center and have and work with you for a safe place. So I will finish by saying we are supporting the planning commissioners and incorporating a prohibition. That's the legal term allowed in Virginia regulation 22 at a prohibition of any use of cyanide in the county for metallic mining are good neighbors of the Kyanite mine and the two quarries are engaged in minerals mining. So this would not impact their current business and would allow them to grow in minerals mining, so thank you. Appreciate your support for us and our community. Thank you.

Eddie Slagle: Mr. Chairman, commissioners, supervisor Allen. My name is Eddie Slagle. 2331. Back mountain road Dillwyn Virginia. 23936. I'm here tonight, just with some concerns about what I understand as illegal slaughterhouse on CaRa Road, operating outside the limits of zoning and state regulations. Spoke just briefly at the Board of Supervisors meeting then Miss Edmondson sort of brought me up to date on what was going on out there. But understand there are several organizations involved. In regard to violations out there, the Virginia Department of Agriculture, the Virginia Department of Health and the DEQ, I have several concerns about what's going on out there. One of them happens to be the traffic situation. And back when Scott Shippy was the VDOT representative, he actually did a traffic study out there and they posted

their area, so then all the big trucks would have to run 45 miles an hour. And so the speed limit could be enforced. The concern is all the big trucks running out there now for the residents and also the safety with the influx of a lot of Amish buggies that we've got coming down back mountain and CAIRA pretty much all hours of the day and night. Excuse me, the other concern I have is environmental. I share a property land with a property that has the slaughterhouse on it, and several wet weather streams or ditches that come off of that onto my property, go across my property and then go into two creeks that I have on the property which goes down back mountain and goes into whispering Creek. So I have concerns because I have livestock on the property. And when it comes on, I have pastures back there from the horses. So I'm concerned about what might be leeching off of the property coming over there if they're DEQ questions already. And also, the idea of property values. I know they've got a large piece of land over there and people are supposed to be able to do with what they want to do with their land. But if one of the neighbors happened to be selling their property or and they found out there was an animal processing facility going on over there, I don't know what that would do to the property values in that area. So anyway, appreciate your time this evening. Thank you.

Edmondston: Our next speaker is Kenda Hunanman followed by Chad Oba. Chad Oba will be the last speaker signed up for public comment.

Kenda Hunanman: Good evening. Kenda Hunanman Commissioner Dorrier district five. I've been trying to get clarification on what Chairman Bickford meant when he said he would like to ask the board of supervisors to contact the state corporation about the issue with the mining. Do you plan to make some clarification on that? I've talked to different people who don't have any idea what you are meaning.

Bickford: I will speak to the commissioners at the end of the meeting.

Hunanman: Okay, it's fine. Thank you. I think the thing that Heidi Berthoud said about grandmother and grandfather in the three existing businesses and banning any new metallic mining is a real interesting concept. I don't know if it's been considered. But I think law any more about that might be useful. The community survey for the comp plan. I'm wondering where that stands, I went to the only public meeting. I haven't seen any more outreach about the comp plan for the public. I think there are a lot of people that would like to weigh in on these different issues, as you've heard already. And I've heard that there's a lot that the comp plan could do to help with this whole issue. So I'm looking forward to hearing more about this. Pete since his request about having the Board of Supervisors approve a rights based ordinance. I really liked that comment and didn't hear more conversation about it. I'd love to hear more about that. I think it's a human rights issue. You know, we're not talking about anything else there. Thank you very much.

Chad Oba: Good evening. I'm Chad Oba and I am a District Six Commissioner Gooden district. It's my sincere hope that you really do want to do something about keeping metallic mining from happening in Buckingham I believe you really can do that. But I don't think that you understand the gravity of the situation, as we who have been looking at this for a number of years do and

may not be motivated to really do something now about it. I mean, we've been waiting and waiting. And this threat is still very much here. And I forgot to pass these out. This is from the Aston Bay Holdings website. These folks, these Canadian folks want to come into our county and develop a mine. They really do. Oh, this is this is from slide 69 of your attorneys PowerPoint presentation to you. And I think you've been influenced by this. I'm not sure I don't know individually what you're all feeling. But given that no new gold mines are currently proposed in Virginia, and that several more years of exploration and development would be necessary before a mine could be proposed. There is ample time for the Virginia General Assembly and state agencies to consider the conclusions and recommendations reached by both the National Academies committee and the state agency committee before the state would need to evaluate permit applications. Wrong, they're going to do this, if we don't keep them from doing it, they're going to do it. For the record. Mike Skiffington Chair of the state agency committee of the gold mining study put that statement in the final report without the committee's knowledge and therefore, without approval or consensus of the entire committee that he that was promised in the beginning that they would approve the final statement. This is really important because your attorney seems to be very much colored by this statement. And you appear to me to have adopted this lack of urgency. We've watched the time go by have mentioned for three years now and there's still no protections in place. So take a look take a look at the latest from the Aston Bay site. And they have plans to resume exploration and we don't know where they're doing this work because they've been granted the right you know to do that by right what we don't know what they're doing out there. So it's when well within your purview to change that and I ask that you do that. Thank you.

Bickford: All the speakers Okay, close the close public comment and move to our old business.

Edmondston: First case, so the first matter of business under all business is going to be case 23 SUP 330. It is US Cellular landowners is M three properties and the applicant is US Cellular with the agent being Emily Lauer. She is present via zoom this evening to discuss this case is a bit more. The location of this request is tax map 14 parcel 59, just over 44 acres and it's located at 2462 Axtel road Scottsville slight river magisterial district and is currently zoned a one and the request from US Cellular is to obtain a special use permit for the purpose of constructing a 199 foot monopole communications tower and she, on behalf of US Cellular is asking the Planning Commission to schedule a public hearing for this request. This case came to you last month on June 26, with the conditions suggested and recommended by our consultant for the county, which is city scape. There was an issue with the v dot approval or entrance. I just wanted to give a little bit more background for everybody to maybe understand a better timeline. This application was submitted at the end of February 27. It then had an October 22. I believe it was October 22 2020. VDOT form with it. During the cityscape review for completeness, it was noted that that had expired, they asked for another one US Cellular was able to obtain one during that process within just a shorter period of time. That was an updated date of March of this year. Of course, it was deemed complete for the application process prior to its introduction here in June. Of course, if this were to be granted like any other special use permit once they once they come back to obtain a building permit, they would have to have an updated form at that time. However, you know, it is up to the planning commission to determine if you need more

information prior to making any action or taking any action on this particular case. I just wanted to give a little bit more of a background as to why there were certain dates within this process.

Bickford: SO there really wasn't confusion on that issue between the two applications for the two towers that they proposed?

Edmondston: There was and I believe that US Cellular probably in their bid to gather documentation started working it's a lengthy process for the development company to pull together a full application to be submitted to a county and then once we send it to City escape for completeness, so amount of time did go through I'm sure that it was notated in the strings of emails for the documents that Miss Lauer had to provide in an updated manner and more depth to cityscapes so it was provided prior to their completeness review, but it is of course July now. Okay, but I did want to give a bit of information to that

Bickford: is the is the applicant on zoom?

Edmondston: Emily Lauer is on.

Bickford: I'll turn it over to the commission. I know there was some questions in regards to that was also the propagation maps. I've noticed that it looks like they've got those covered. So I'll turn it over for questions if anybody has one for the applicant. I'll remind everyone that cityscape is recommended to go ahead with this site and on a propagation map this will notice to reference to it does not have the tower that we approved right at Howardsville. We talked about they're in the process of building that now correct?

Edmondston: Yes sir.

Bickford: But the propagation map doesn't show that because it's not complete so it's really giving even more coverage to the west no Northwest skews towards the James River. So anyway but so any questions from the commissioners? For the applicant or in general?

Allen: See it does have the one picture here about the how much area it takes care and I think it's a whole lot better than what we saw.

Bickford: Like I said it really doesn't reflect the Howardsville Tarot that will actually even increase the covers are because they overlap.

Gooden: Why is Farmville propagation map on here?

Bickford: That I cannot answer maybe Nicci can I assume it got figured in again.

Gooden: On page 9. Well, I see nine at the bottom of this page. And we're looking at Francisco road Farmville and Wilks Lake. It's page nine. It's figure three, a propagation map. I'm not sure. On the cityscape consultation, maybe it's cityscapes

Edmondston: On the cityscape if you look on page one this is for the Axtel roads gospel Virginia address so let me and that's what they've cityscape has notated on their approval right page one but let me go to Page nine.

Gooden: That propagation map all of those locations are d Buckingham Francisco road prospect.

Edmondston: That's showing an existing us cellular service area so I do not have cityscape available this evening. I know that they have multiple areas and this must be one that they chose in their propagation map. But this is this is all part of the Axtel tower review. they're showing you existing US Cellular areas and I do understand that it shows Dentons corner and Bell and Buckingham and Francisco road and prospect and Farmville and wilkes lake and it's showing you post construction, the levels of coverage, felt sure it's an example letter, we can go back and reference that in.

Gooden: Maybe it's just a reference that we're in these parts of the county also.

Edmondston: Or it's they're just showing an existing us cellular coverage area. If you were to show one from the location of Axtell it would be a Howardsville tower that's under construction and then I think the closest one is well over five aerial miles it would be on route 20 by Ali's though we don't and then you'd you could also pull in Mulberry Grove and possibly route 60 But there way out. I was trying to pull things that are closest in the northwest. So I'm guessing I'm only guessing that this is the best coverage of a US Cellular service area that could be provided in a propagation map. But this review itself is for Axtel road.

Gooden: Okay. I was confused why we were seeing Francisco. I expected something closer to axtel.

Edmondston: Miss Gooden now go back I did find the reference I knew that was in here. It talks about the evidence of need for the proposed facility in cityscape let you know that the applicant provided an engineering affidavit from US Cellular RF engineer from dated March 29 2023. With affidavit including the following it references that the propagation service maps for pre construction and post construction conditions three A and three B. It goes on to say that addressing possible colocation as an alternative the following statement is made there are no nearby existing tower facilities to consist, consider the closest is over eight miles away. So yes, they are showing that propagation map because that is the closest us cellular service area that can be provided in a propagation map.

Bickford: Any other questions or comments from the commissioners? Do we have a decision to move forward to public hearing?

Kapuscinski: So moved.

Dorrier: Second.

Bickford: I have a motion and a second. Any further discussion? All in favor? Raise your right hand. Okay, that moves on forward to public hearing for August?

Commissioner Kapuscinski moved, Commissioner Dorrier seconded and was unanimously carried by the Commission to move 23-SUP330 on to Public Hearing.

Edmondston: Yes, sir. That would be August 24 2023 at 6pm.

Bickford: Now, the second thing is the CRC comp plan, community survey excuse me summary report. I see Mr. Fortune is here to come and tell us.

Todd Fortune: Good evening. What you have in front of you is a draft summary report from the community meeting that we held on June 15. I'm not going to read this word for word. I hope you've had a chance to look at it but I will go over some highlights and some things that we might want to consider when we go to the next step which is to draft the Community Survey or the citizen survey. On page one, just talking about going into the park exercise, what would you like about Buckingham and want to see preserved? As I look down this list, I see a few things that jump out the biodiversity, the democracy, citizen participation, the night sky reduced light pollution. Diversity of vegetation was it was an interesting one. Tar Anesti day and ethnic diversity are things that I hadn't really seen before. We've done a few comp plans. And those are things that I really hadn't heard when we've done other locales, I found those interesting. The other things you see there are pretty much common things in other localities we worked with in this planning district. The rural character especially that's one thing. It's big in this region. As far as things that people said they wanted to add just there's a lot listed here. Quite a few of these are common themes. Again, bandwidth is one first responder capability we and other localities hear quite a bit about how folks would like to see improved law enforcement and rescue squad fire response. Better shopping choices is also a common theme. Better more easier methods for public participation is one we don't hear very often so it's a that's a good one to bring up. Audit of the courthouse documents so sure people are not getting shortchanged on property. That's another one we had not heard before. So that's that was a very interesting one. Educate about diversity of logging, regulate timber harvesting, that's are some things that jumped out off the page at me again, a lot of these things, transportation for underserved populations, urgent care facilities expand the state parks those common things we see in this region. Rail cars uses Bridges was was interesting one I've never heard that before. So you're we are seeing some things jump out that that have come out that we don't see in other localities as far as things to remove it's obvious mines are a big issue. In other localities it's more about the renewable energy the solar development but living in Buckingham I know mines are an issue and that's something we're going to have to address in the plan as we get into the plan itself. Voter intimidation was another one that then that's kind of a common theme it seems from the whole exercise about citizen participation being sure everyone's able to participate you know lack of you know don't discriminate and don't bully people that's a that's another common thing it's come out again metallic mining under keep out toxic industries, those are things that are obviously issues in here

and Buckingham. Sprawl is a common thing. Foreign countries buying property in the county for their own uses. That's actually when we hadn't heard before. But again, it's that's an important one. So those are some of the things that jumped out at us that we hadn't seen in other localities that we've worked with. Things we do need to keep in mind as we move forward with the next steps, not just the citizens surveyed also in developed in developing a plan itself. I want to bring your attention very quickly to the mapping exercise. I'll divert your attention first to number three, what activities or policies can a county adopt to encourage desired growth? Tiny homes was one we've heard a little bit about that not a lot of so that's one we want to dig into further as we go into the plan. A meals tax I mean, that's definitely something we can look into during the plan development depending on where you are in this region that gets kind of a mixed response. Closer grocery stores is a common thing. Increase access to broadband is a common thing. Affordable housing is a common thing and something we would do intend to address in a plan itself later on. Attracting more residents improving school systems, tax incentives, those are all common themes. And other than in the local paper for the county that's when we don't hear a lot of but the rest of those are pretty much common things that we hear throughout the region. Looking at the map, we basically took what was marked up and put it into a just a map to put into Summary Report. You'll notice that we have three areas circled for future growth areas. You may recall that in the previous plan update, you actually had more growth areas you had, of course the one circle around encompasses a couple of growth areas plus the watershed. And of course, the growth corridors up 20, near Scottsville. And then the YogaVille area, which the gentleman mentioned earlier, no one's circled the Iranian new Canton growth area. So as you look at the map, and you'll look at the input from the committee, so first of all, let me ask if anyone has any questions about the infidels have seen it. I know you believe you were there at the community meeting. And you were there. And I believe Ashley may have been there as well. So first of all, anybody have any questions or comments from the input we received at the community meeting? Let me just stop there real quick. Okay, so the next step, and the lady who spoke earlier mentioned, community input, we are incented to do a citizen survey. Our plan is to bring a survey instrument to you next month for your review. But I did want to talk to you briefly about the survey instrument, because the point of having a community meeting first was to get some input, and some guidance for what we want to put in the survey. Obviously, mining is something we'll need to discuss in the survey. I think it goes without saying. Another one is citizen participation is another thing, another thing that will need to be addressed in the surveys. Of course, school facilities, that's that goes about saying economic development, preservation of the rural character things we're definitely going to address in the survey. I do have a question for the group, given what input we received on the mapping exercise? Do we need to have something in the survey a question or a couple of questions regarding the feelings of the citizenry regarding how many growth areas they want in the county?

Bickford: From the input from the group, I see the three growth areas but we had quarters. And I don't see, to me that's going to be a natural progression of development is along the main corridors, at least initially, as the county is built up in more and more, it will expand.

Fortune: The reason I bring that up, you're right, we actually have a second quarter down near Farmville, but that was, that wasn't the note no one. From what our input, no one in the group

actually had noted that for Arvonion or New Canton. And so that's kind of why I was asking the question, do we need to kind of get a feel from the public as to what they think as far as where the growth should occur?

Gooden: Mr. Chairman, I'm looking at this and thinking that one session just represents those people that showed up to that meeting, and I'm looking at the new Canton area, and I'm thinking there's no place to eat. There's their stuff that is needed down in that area, because you and I ended up at pinos which is not down because there's nothing down in that area. So I think this is it's just those people that showed up. By but I'm still concerned that we're not getting a voice of enough people. That's my concern. And along those lines, have you seen the extension office survey? I don't know if I mentioned this before, the extension office is doing a very similar survey. And that group doesn't meet again till October. And they're asking very similar questions of what kind of things I needed in certain areas, what kind of development you'd want to see. That's one. And then I have some input from some youth. And I need to know how to incorporate that into this survey. We had scholarship applications and the question was, how to make Buckingham better simple as that what would you like to see? And I think some there was some very interesting comments. So I'd like to bring that to the board. And I don't know if there's a way that can also be incorporated into this.

Fortune: I'll defer to the planning commission on that.

Bickford: If they can provide that. I think it'd be useful. It just another what we're trying to do and what Todd is with these meetings and always try to gather as much information as you can from the citizens. So to me, it makes sense if you if you got another survey is to see what it provides.

Gooden: I didn't see, because at that session, I didn't see young people providing input. I saw me providing input. So I think we need different generations to provide input too.

Bickford: I can speak for Todd it might be difficult to achieve because of the low level of interest. I'm afraid it might happen.

Fortune: Well, I mean, I'll defer to the group again. But if you if you have some comments that you would like, incorporate it in if the planning commission would like those, we can put those in.

Bickford: If Joyce can provide that.

Gooden: I can provide that

Bickford: At least as a reference material, maybe not,

Fortune: We can make a note in the summary that we received some comments in just in Sticking put those in the summary report. And I can bring that back to you next month. Okay,

and while we're on those lines I was contacted by another individual who had received some comments, I believe she was on the YogaVille area. Just a few general comments from folks that weren't able to attend. Do we want to incorporate those into the summary report?

Bickford: If its from the citizens yes. The more information we get, hopefully, more complete are plan will be.

Fortune: We can do that. So what I'll do next month is I'll bring a revised summary report back with those comments incorporated, and a survey instrument for the group to review. And then in the month after that, we'll begin working on draft phases one and two. And just so the group knows phases one and two are really data intensive. They don't depend that much on actually very little on or not on public participation. So we can go ahead and start on those and get those to you. Section Phase three, the land use, that's where that's where the public participation and the public input starts to come into play. So just kind of keep that in mind as we move forward.

Bickford: Okay.

Kapuscinski: Mr. Chairman, this meeting is scheduled on I think this 21st that work session, August 21. Is that what it is the Monday, I believe? Is that for the plan?

Bickford: The 17th?

Kapuscinski: Alright, so that is the comprehensive plan to correct? That work session.

Bickford: Pete has it correct. It's the 21st.

Kapuscinski: And at that meeting, you intend to do what?

Fortune: So I'm going to bring a draft survey for the group to review and then we need to once the group depending on how many changes there are, we can go ahead and discuss distribution methods. We our intent is to make the survey available both hardcopy and electronically and also bring back the revised community meeting summary report with these extra comments added in that's the plan for August.

Kapuscinski: So if we have ideas from the Commission at that point in time with regard to things like zoning just on a on a what if basis? Is that a meeting to bring that up in or do we just wait?

Bickford: Well, you can bring them up at any time. Normally, any changes to zoning will be in the phases as you go through it. So as Todd indicated, you'll start with the first two

Fortune: I don't know how to get into zoning with the plan itself because you had zoning is where the ordinances come into play. We'll address them to some degree but if you if you have things you want to consider for the plan by all means.

Kapuscinski: That would be a good meeting to do it. Alright, thank you.

Fortune: Anybody else have anything?

Allen: I'm just looking at right behind right beside your house, other side of the railroad track, the wood yard is M1 all the way back up to Buffalo road and I think getting ready to change out the side of the road to m one so you know right now we get an orange as a high growth area. Might need to change it.

Fortune: Might need to change that when we get into the land use.

Allen: To an industrial area more or less. Not beyond your house, but you know where it's at.

Fortune: I know exactly where it is. Yep.

Allen: And then in Dillwyn where they're upgrading to a new doctor's office, so it might be some be nice to have written up in a the comp plan. Yeah, in my opinion.

Allen: We can address that.

Kapuscinski: Mr. Chairman, is there a document specific to within this planning operation? Is this Is there a document we can refer to that will specifically show us where the zones are now?

Fortune: That's going to be up to the group I can say with other comp plans we do include Well, it depends with one locality, we did include a current zoning map and the land use section with what the another county we did, and we just included what they had as our current land use, which the land use map doesn't really doesn't usually get as specific as your zoning. But if you want to include a current zoning map in the comp plan, that's up to the group that's really the group's call,

Kapuscinski: I would very much think that would be given our given our situation, particularly with mining, m two and M one or all these, I think a zoning map would absolutely behoove us while we're going through this comprehensive plan.

Bickford: Okay. I have no objection to that.

Allen: But what is it? What do you call it? IBM? What do you what do you want to get on it? GIS Yeah, that's already got that on it, you hit the button, and it tell you what every piece of land is zoned. But so you want something for the comp plan.

Fortune: Well we're gonna have a section specifically dedicated to land use and like I said, some localities will actually include the current zoning map in that section. It just depends on what the locality wants to do

Bickford: We will look at that as we proceed on with setting up and are going through and if we need it well, which I think is probably will be but we'll make a decision and as we see the information unfold anymore questions for Todd? Thanks Todd. See you in august. Thanks, Nicci, that brings us to our new business.

Edmondston: New business this evening. We have one case and it's the introduction of 23 SUP 331. Landowners Ivan P. Davis Jr. and Deborah Davis at 106 Whetstone Lane Dillwyn, the applicant is actually Buckingham solar one LLC out of 2670 Patton Road in Roseville, Minnesota. Tax map for this property request is 151 parcel 17 and is 166.62 acres and is currently zoned a one agricultural and the applicant this evening wishes to obtain a special use permit to allow for the construction and 35 year operation of a five megawatt AC photovoltaic community solar garden. The applicant is asking the Planning Commission to schedule a public hearing for this request. wanted to go a bit further and notate the Buckingham solar one LLC. The applicant requests a special use permit to allow for this construction of the project on approximately 24.08 acres of the 166.62 acre parcel of private land. The application is attached. I'm sure you've all reviewed that since last week. And all of the conditions have been updated to include this project. There are 28 of them the same conditions that have been applied to all solar projects since the approval of the Riverstone project, which has been the wishes of the Board of Supervisors. Would it be the pleasure of the planning commission to hold a public hearing for this request? August 28 2023 At 6pm our applicant Buckingham solar one LLC the representative is Jessie Diamond with new energy equity and our landowner. Mr. Ivan Davis is with us as well to address questions and concerns and I believe Mr. Diamond has a presentation as well.

Bickford: Mr. Diamond the floor is yours sir.

Jessie Diamond: Wonderful. Thank you so much for having me thank you Nicci. Again, my name is Jesse Diamond. I'm with new energy equity. The applicant Buckingham solar one LLC is part of our company. For shared solar we have to have an individual company that represents it. So that's why it's named that. Shared solar is a little bit unique. So I'll go over it just with a little bit more detail. But one thing to note about shared solar is that this power is intended to save money for the community. And so the intent brings it into its own kind of category. So it acts and looks like a small utility scale project, except for the power that's metered can then be utilized outside of that area and can be subscribed to by the citizens of the community. Generally, that's about 10% savings. And I'll go over a little bit more how that works. But I did want to point that out right off the bat that this is not utility scale, which is like a power plant. This is shared solar. And I think it's just really important just to notate that this does have benefits directly to the citizens. A little bit more about new energy equity. We are a coast to coast company. I've been doing, we're from Virginia, down to New Mexico up to Minnesota, we're looking to start doing work in California. So we are an experienced company. We've done over 330 megawatts of solar, we are an end to end developer. And so when you're working with us, I am a conduit for everything that happens on this project. So I'm working with the landowners at the conception level. And working with the landowners through a permit. I'm working with the

landowners all the way through construction. And so they have one to two points of contacts throughout the entire process. We are I think, I think that developers that do this aren't, they're doing everybody a favor by being the one point of contact that everybody knows who's responsible and who's going to own anything that happens on the project so Ivan, Nicci, yourselves, you're all going to be going through me for any questions, I'm not going to be handing this project off to the next person hands it off to the next person, I'm going to own it throughout the process. This is a five megawatt process project. We're capped at five megawatts for the for the shared solar facility, so we can't build really large facilities. So this would be the largest facility that shared solar does allow, but still at five megawatts for keeping at about 24.08 acres. So we are a much smaller impact than some of the larger projects. This one is a fixed tilt racking system that allows us to really work with the topography. One way I describe it is I'm going to fit my fixed tilt solar to the property instead of making the property fit to my solar, there is some tree cleaning that will have to happen. And there certainly will be things that we'll have to mitigate and work with DEQ to do a good job. But we are generally fitting our solar to the land with fixed tilt, we do estimate about \$5 million of economic impact, positive for the for the county, we do not expect any visual impact. And again, as I mentioned a little bit before, this is intended to bring savings directly to the subscribers. So that can be Buckingham or any adjacent counties. Here's a little bit about the facility in just a couple small little maps. It's a partially wooded property. It's an exists, you know there's some existing pasture land, some neighboring properties, there is a small home nearby. There is some other pasture land then business across the street. There are no floodplains within this area, we will confirm that through further studies. But just looking at the general topography and where the low lying areas are, we don't expect any. And so we'll study the areas down below just to see how they're impacted. But there are no none expected within the array area. Again, it's a 24.08 acres area that we're looking to have fenced in. The overall parcel itself is 166.62 acres. When you factor in clearing trees and everything else, the overall disturbance areas just over 30 acres. Some of the exhibits that we provided are listed down below the permit site plans, equipment specifications, we've reached out to the FAA just to make sure that there aren't any concerns from them. There was no hazard found. And then we also did do a glare analysis to backup saying that we didn't we do not believe to be any impact to any neighboring properties. How does shared solar work, so in 2020, the state of Virginia opened up the shared solar program, they allotted an initial 150 megawatts that 150 megawatts has been utilized. If the overall impact to low income subscribers equals 30%, or above, for the subscribers to the original 150, an additional 50 megawatts is opened. Right now, there's a waiting list for that. And so the program is expected to fill up within the next couple of months. And so the shared solar program, this initial round is coming to a close very shortly. And so if and when this fills up within the next couple of months, we're waiting for the state to open up more opportunities specific to shared solar, that's going to happen at the state level again, and just we're hearing great feedback from what they've seen from the initial couple of sites to how it's impacting the community, and just how people are saving money. And it's really bringing a lot of savings. What benefits, there's no cost to the subscribers, so they can save approximately 10% on the Subscribed amount. And so how that works is they if they use 10 units of power, and they subscribe to those 10 units, they would pay 10% less than that. So on average, megawatts about 173 properties or household sorry, each of those households is estimated to save about \$173 a year, that comes out to be about \$90,000 of savings for each

megawatt. So this project would save about \$450,000 annually over the life span of 35 years, that's \$15.7 million of savings back into the community. Because there's no upfront costs that can go to everybody, the program actually requires us because we will be participating towards that 30%. So we will be doing a minimum of 30%. towards low income, we will also be doing 40% to small households, at the minimum, we've been doing approximately 100% to low income and moderate income. And households, there's some incentives to do that. And so we've been keeping to that we've been trying to keep to right around 110. For the households, we're required to do 30% towards low income, we're required to do 40%, towards smaller power users. But we've been getting to around 100% With most of our facilities recently. And 10% savings, about 90,000 per megawatt, it's certainly good for the climate. When you talk about green energy. To build it, there certainly is some impact just like there's impact on any other uses of power, gasoline, coal, and all of these have some upfront costs. But once this is built, it is a green energy, you know, creating long lasting income for the house. For the host landowners. I hear stories all the time about how this is creating legacy. It's helping them legacy properties for the families. And so it's really fun to hear their stories, and then the county between additional revenue and contributing towards that green energy. Everybody's seeing the benefits. This just kind of goes over stuff that we've already covered. Here for questions. Thank you.

Kapuscinski: Where did the 5 million come from? Is that over 35 years?

Diamond: So the initial, the initial amount through construction per diem in spending money locally. That's where the majority of that 5 million comes from. And then the longevity of the project through maintenance of the property, you know, noxious weed control. Other things is where it finalized is that the 5 million?

Kapuscinski: So is there any cash benefit to the county?

Diamond: Absolutely. So generally a siting agreement is agreed upon, technically, shared solar projects are exempt from that. However, we are voluntarily agreeing to work with the county through those proportional to what you're generally seeing with utility scale. And so if utility scale is doing 1400 per megawatt, annually, which escalates we're generally following suit. And then if there's any one time payments or anything, that's that we've seen that pretty commonly also, but through a seating agreement. Sometimes there's material and tools tax, just additional revenue ways for the county.

Kapuscinski: So you really haven't signed that agreement with the county?

Diamond: No. So generally, that's a process that dependent on the county happens throughout the permitting process, often finalized before the Board of Supervisors approval. But we have not finalized that. But that that is generally provided at....

Kapuscinski: One other question. It's interesting. The name your company, it's an equity company, it sounds to me like a holding company. Having set that aside, do you have other specific businesses in this shared solar area that you've sold off?

Diamond: So we are, we are in the midst of working with four projects right now. We're working with a company called summit ridge energy. They are, they're a great company to work with. I'm actually working on one of them right now within the county. So one of the projects that we've been approved, we will be transitioning that that project from New Energy equity over to them Yes.

Kapuscinski: Thank you

Bickford: Any other commissioner have any question for the applicant?

Allen: I don't have a question, but just telling you stuff I'm just telling you things that we have talked about in the Board of Supervisors and that 4500 acres, is the total amount in the county that we're going to do for solar power. If I'm not mistaken, last month, it was like 3400 acres already done. And last month, we got 1127 acre. So that's going to put us right at 4500. So if this next one before you keeps going, were going to have get all these numbers together. And to me it might be it might stop you or you might be the last one. I don't know what I'm just letting you know, the 4500 Acres is what we were working on. And we're getting pretty doggone close to it right now.

Diamond: Absolutely. And we're seeing that throughout many communities in Virginia. So it's ultimately this board and the other board's decision. So if this isn't right for the community, then we will still always be there to you know, hopefully, come back and another time if you do increase that but I respect. You know, you guys have a cap and if we don't fall within it, so be it.

Allen: Well, I mean, right now, you are we just got to see what happens.

Diamond: Yeah, absolutely.

Allen: I just want to let you know, I don't want to be hiding nothing from you.

Diamond: And I appreciate that.

Bickford: Any other question for the applicant?

Diamond: I do believe that the landowner does want to speak Do you want him to speak now or afterwards?

Bickford: Now is fine.

Dorrier: I have a question. It would go to Mr. Davis. How is this is related to the other project you had?

Chip Davis: The other project is totally independent. It is on the other side of the property away from us. When we were approached by the two companies, originally, we decided to go with two companies rather than going with one, figuring that one might get it and one might not. And right now, we don't know what's going on apex. The other company is still proceeding with surveying, they've done testing, things like that. But it's a lot of this is laying up into the hands of Dominion Power right now. Dominion Power has what they call a queue. And it's a waiting list and a lot of jockeying around for positions and different things like that. So right now, we just don't know We hope we might be able to get one. We got two as a home run, but you know, just that's what we want because so like us there before when we did the other, we feel that this community solar is something that benefits our county benefits to citizens, the taxpayers, it will put money into the tax coffers. And it also will help us maintain and keep our farm in the family for another generation. And now we're working on the fifth generation, and we hope that maybe you can keep on going. So farming is not a extremely profitable business, then this is something that would help in total operation of our farm.

Allen: Is this right across the road from where the Amish got the new building?

Davis: Yes, sorry. It's back over there in the woods. itself back over in the back. It's all third cut chestnut oak in there.

Bickford: Mr. Diamond the hookup would be to the same line on 60? That same line that the other solar farms look into.

Diamond: Yeah, so the shared solar does stay at the distribution network. So it would go into the line, the three phase line on the road.

Bickford: Very good. Figured that was gonna be the case. All right, commissioners, any other?

Dorrier: Chip, I was wondering, does this involve 550 acres or so that we had before or?

Davis: No this, this is a different farm. Mrs. The Word farm.

Dorrier: So its not part of your farm?

Davis: Yeah, it's different. As years went by, we just bought our neighbor's. It's a totally different track property. It's on the other. It's on the western side of the farm.

Dorrier: Okay, that's what I was wondering, because if you know how you would incorporate what you we've already passed with you and then go into this.

Davis: Two different animals.

Bickford: Any other questions? Normally Mr. Diamond, and this was up to the Commission will be normally require that you have a community meeting, and will probably be sometime next

month to be scheduled. I assume that the commission would like to have that before we move to public hearing, and give time to study the information you get. So what we would do is a table it for now, you have your community meeting chip can help you arrange that I assume that at the community center there in Dillwyn, and then come back in September, and we go over, perhaps offer additional questions, but also the responses you get from the citizens around. And then decision would be made to either move forward on a public hearing or or whatever.

Diamond: So if I coordinated that with a couple of weeks' notice to landowners and got that report to you guys before the August meeting?

Bickford: If you think you can make that work. I think we'd be fine with that. Yeah. If it's possible, this might be a little difficult. But if you can, yes.

Diamond: Well, and so and this isn't on, it's just I I'm very open and just this open question for you guys. So if I get to work this week, coordinate it, give people a couple of weeks, finish up the meeting, get stuff over to Nicci to get in your hands, you know, we I have about four to five weeks? Is a couple of weeks ahead of time sufficient? Or should I wait till September?

Bickford: Well, Nicci, how? you would have to incorporate that into the book, or at least our notes or some stuff here. So would that give you time, and still have time for the public notice?

Edmondston: Probably not. And I wanted to point out the case that we introduced another solar case last month, and they were not moved forward to a public hearing because it was a request that they hold their public meeting. It was not held until July 19. I do have an update of that and that it was held was community meeting at the community center. I have to put this to the paper for two concurrent weeks prior I don't know that it was just a two week time period that just for logistics, you'd be able to schedule a meeting, make the community aware of the time location and the need to appear and still hold a public hearing August 28. I don't know that it's fair, if we're looking at fairness to the citizens for awareness.

Bickford: Yeah, two weeks would make it the 13th that doesn't give me a lot of time.

Diamond: Yeah. And that's why I bring it up. It's an honest question. So rather than trying to rush it through, why don't we just plan to have you back in September?

Diamond: Sounds good.

Bickford: We'll make a decision at that point, public hearing or whatever. It will put you back 30 days behind what you plan, but I think it would be a proper thing to do.

Diamond: Absolutely.

Bickford: Any other commissioners have anything?

Kapuscinski: Mr. Chairman, I got a couple of comments. The first is pretty basic. And I'll go back to what Mr. Allen said, Mr. Allen has said the supervisor Elon has said that the county has yet to come up with a specific policy, that concerns me. And what we're doing is we're piecemealing these things together, we, you know, we got a request for 1000 acres, a quest for 1100 acres. Another, we've got one that's set up for 2000 acres, there's a potential one out there. I mean, we're doing 500 acres already for Mr. Davis. And by the way, we're not even sure about the success of that, because as you mentioned, you don't know what dominion is going to do. So there's that's still up in the air. I really think we're doing the county, the people in the county and these people who want to provide the service, a disservice by moving forward without first having the board, tell us specifically what they want to do. I would really like to see a plan, a solar land use plan to tell us we actually have 4500 acres or 5000 acres, so that we know what we're working with, because right now, just talking to you and listening to what you have to say, I don't know, I don't know what I can improve here. I don't know what I should approve, because I don't know what the county plan is, other than, you know, a supervisor, Allen saying that we're tentatively looking at 4500 acres. I just think that's too loose. For us to move ahead. I would, I'm all in favor of having more information from you, I, I enjoyed the presentation. But honestly, it puts us in a real precarious position. If we don't have something from a county that says, This is our policy. And I just, I'm hoping maybe we can convince the board by them to give us something to work with. But right now we don't have anything to work with. And it falls back on our shoulder to either put this thing out for public hearing, and then on to the board. And we don't have any, there's no basis for it. We don't have a policy to work with. So I'm reticent to say we should move forward with it.

Bickford: Well, I understand your concerns. But this is an application and we have to proceed on with it. Now. It will, whatever we do, if it does go to the board of supervisors, they have the right to make a decision. but as a commission, this application has come before us and we have to proceed on it. Because we don't have a defined policy. I'm not disputing, I'm saying our responsibility is to continuing on with this application. And then a board of supervisors will have to you know, if it gets that far, they'll have to make it.

Kapuscinski: So he's got another 500 acre parcel. That apparently there's some issues with right now. We went ahead and prove that. All right, it went forward. Now there's another 163 acres on that same farm in a different parcel. And we're getting another proposal, we don't even know how successful the first proposal is going to be. And I we're doing is we're throwing this stuff up in the air. It just doesn't make any sense to me. I mean, it's a bit frustrating, not just because we don't have a specific policy to work with. But we don't even know how the first one is going to turn out. And we're already looking at a second one on the same large parcel of land.

Bickford: Understand that. Again, that's an application that's before us. And we need to address it. But I do understand your concern. Yes, Mr. Diamond?

Diamond: Do you want me to cover what the interconnection process is like for shared solar project? Would that be helpful?

Kapuscinski: The point I understand is the Dominions not moving ahead on the 500 acres and the other 20 acre, maybe you can tell me something about this. Mr. Davis,

Davis: What's going on is they're in the process of surveying the property, doing all the testing, boring things like that. And right now they're waiting on Dominion Power to give them to go ahead.

Kapuscinski: And is there some is there some concern over a licensing a fee? Or? I mean, you mentioned

Davis: Something about a queue is the only thing I know. And maybe you can explain that.

Diamond: I can explain that. Yeah, so Dominion, slow rolling, this is in their favor. The reality is, is that shared solar is unique in that it actually creates competition against them. And so without the state requiring this, you generally don't have the choice. So I think Dominion actually is quite decent to deal with. I'm not I'm not speaking down about them, but them taking their time on these to get it right to study the process. I don't think they're in any rush but the process does take approximately nine to 18 months' dependent on the site, the queue level, the amount of people they have working on it. So if you submit a project, and it goes through multiple phases of study, getting a permit, getting your studies done, all of those are working in somewhat concurrency. And so dominion, and I don't have the specifics of it, so I don't want to misspeak. But dominion is likely towards the end of their study process. And once that study process is done, that's going to define what upgrade costs, what upgrades are needed, how much it costs, and all of those pieces. But it is a very lengthy process. And so you start with a land use permit process? Well, before you have that completed, because it's just one of the many things that can hold it up. And when you get to a certain point in that study process, you're committing six figures to a project. And so you generally want to have a, b and c lined up before you go and spend that much money that is not necessarily refundable. And so there's a lot of there's a long timeline, and you start things in certain process, so that you mitigate the overall risk of spending money and not getting a project. But likely, if they're in the phases that he's talking about. Dominion is either very close to or finished up with the study process.

Kapuscinski: I guess I'd like to see where they are before we would even consider another one. Is my point, Mr. Chairman, I'm just I'm having difficulty can even my, my gut tells me we should put this on hold until we hear something about the already approved project that that Mr. Davis has indicated. There's some sort of a hiccup in right now. I mean, I'd like to know what the progress is on that, before we move ahead and even consider something different. I mean, it just doesn't make any sense to me to say we've got one up in the air, and yet we're ready to pass something on to the public. And then onto the board for another one. I mean, if I were sitting on the board, Mr. Allen, I'd say well, why in the world, would you pass it to me because you don't even know what's happening with the first one that you guys approved? And that's only the one concern. The other concern is how much land are we working with? And I think you're right, I think we're getting close to our capacity. If 4500 Acres is the capacity.

Bickford: Well, at this point to 4500 isn't an ordinance, it's more of a policy, that was something that the board favored. So it's working, am I correct on that Danny? It's really more just a policy, not an ordinance.

Kapuscinski: So it's not within our purview?

Bickford: As far as a limitation, no, that's for the Board of Supervisors.

Diamond: I'm happy to provide more information on where we're at in the process of interconnection for our projects, how that equates to other projects, that you can have a good understanding of what our study process is like. But you're dealing with multiple substations, two totally separate projects. And my hope is that what I'm putting in front of you is a project that has a benefit to the community, has a path towards getting interconnection, and being positive for the community. I can work on getting you really good information on that. I'll get that over to Nicci and she can provide that. I will work on getting that to you.

Kapuscinski: No more questions.

Bickford: Anymore questions?

Gooden: Mr. Chairman, thank you. I'm concerned because when a person comes to us with an application, and the application is complete, it's up to us with the information we have now to make that decision. I'm thinking if we go well, they might change it to something else, or we're not sure what they're going to change it to. But we have to make the best decision with the information that we have as it is now. So if they increase it to 4501 or not, but for us not to make a decision based on something that might be changed. I can't, I don't know why we would put it on hold, because they might change it. So that's, that's what's puzzling me that we're waiting on someone else to make a decision. Whereas it's a correct use. And then the other thing is anything that comes before us, we don't know when they're going to be completed. So we can't say that he has to have the other one completed before they put it in another application. Suppose this was for an Airbnb? Do we say, Well, you already had an application for an Airbnb, we can't give you another one. Because we need to wait and see what you do with the other one first. That's what, that's why I'm having an issue with it. They're two separate applications, two separate processes, two separate queues. And for me to say, Well, you've been here before and asked for something else. I want to wait and see what you do with it. I, I can't follow it. They're both correct applications. Chip, I'm not following it.

Davis: Can I speak as the landowner? And I don't know anything about how the power companies work or anything, I'm leaving it to them. We went to a lot of trouble to find companies that were very environmentally conscious that we're going to get back to the county, we were going to gain from it, I'd be lying if it wasn't, I have my reasons for doing that. And we're just make an applications. Now. We've asked for this. And we with good intention, and no malice or anything like this not but not I'm being totally transparent. Is this a good application? And needs to go forward? Or is it not? You know, and that's just the way it is, you know, here it

is, we make an application. And like you say, you've approved one, we're bringing you another one, like you say, we hope the other one goes through, we don't know. We don't know whether this one will go through. They've got to complete their project; these companies have got to do it. And this is just one step that's in their way. They got to do this, then they got to go back and do test borings then they got to go back and do conduits under the ground looking for electrical magnetic stuff. They've just been doing all kinds of things, you know. So this is just one step. And that's kind of where we come from it. You know, it's either kind of up or down, move forward or you know.

Bickford: Any other comments from the commissioners?

Edmondston: Mr. Bickford I'll only add that in the conditions that are presented here this evening for this case, as they were for the the case prior and a few others that have been presented as well. The building permit application has to be submitted within two years of obtaining this special use permit. So maybe Mr. Kapuscinski, this may help you understand that the special use permit is not there forever. If a building permit is not obtained within two years, there is an ability for an extension, it's based upon Administrative Approval, which if the company was unable to obtain that building permit, it gives delays and state permits interconnection approval or other good cause demonstrated by the applicant, they could come back, I would present something to the Board of Supervisors asking the board of supervisors to approve an extension, but it could only be granted for 12 months, which would give a total of 30 months total. So they, if I'm reading this correctly, and maybe I'm not three years total to obtain their building permit. So after the three year process, the within the PJM interconnection process, it's quite lengthy. They have to do a number of years of research and documentation provided initially in order to pass through certain phases, the land use permit, and the locality must be a decision or presented for a decision. If they're not able to obtain an approval, then I would imagine that that could be the end of that particular project, or they would continue the application process with the locality, how they're processed. And that PJM interconnection, you're that is available for public consumption. You actually can Google PJM interconnection, you can see what the projects are in your locality, localities near you where they're ranked, what the megawatt is associated with it and the acreage so you could actually follow a potential project through the PJM interconnection, but this particular project as RWE in last month's prior there, have each passed certain phases within that interconnection, but Please remember when the companies come and any applicant comes, is it a proper use of land and if so, what as a special use permit, there are conditions attached. So if New Energy equity and Buckingham solar one LLC is unable to move through that interconnection pipeline within a three year period, they're not going to be able to obtain a special use permit the permit at that point is null and void. But there is a condition addressing time period for development.

Bickford: I appreciate that. We need to make a decision here. The consensus of this commission was I asked him to go ahead and do the public meeting, committee meeting and then we'll see them back for further discussion in September. Do we need that in a motion form?

Edmondston: I don't think so. We just ask them we'd place them back on the agenda in September and waiting on it would be a continuation of the introduction September awaiting the information from the community.

Crews: One thing on here on the introduction page, it says the applicant is Blue Rock solar and RWE clean energy.

Edmondston: Yeah, I addressed that at the beginning I apologize. But thank you for pointing it out again. That's a typo for me. So as I reiterated verbally, this is Buckingham solar one LLC with new energy equity.

Bickford: Okay, Mr. Diamond, we'll see you back in September. Thank you for the presentation. Nicci bring us to your reports and building permit report.

Edmondston: Buiding permit report is included for your review purposes. Since we referenced RWE clean energy and the Blue Rock solar project and their community meeting. There was an email received from Natalie Gerber representative of RWE. I did forward that to each of you today, once received, and it just as an update, letting you know that they have hosted their community meeting on July 19. And it was advertised in the Farmville Herald twice, approximately two weeks prior to the meeting and one week prior to the meeting. So concurrent advertisements, one registered attendant, Marie Flowers and RWE displayed poster boards of the site plan as well as the visualization showing various lines of sight. From stagecoach road and Mo Haley road we discussed the location of the project relative to Buckingham, as well as neighboring residences, site characteristics, topography proposed storm water basins, wildlife corridors, all setbacks, including distances for right of way property lines and residences. And that email was submitted by RWE Friday the 21st. I was not here, read that today and forwarded it to each of you this afternoon. So since we spoke about it,

Bickford: Okay, thank you. Any other commissioners have anything?

Crews: I mean, I do agree with Pete, that we do need some kind of what the Board of Supervisors wants on acreage wise capacity on the solar stuff, and is it 4500 acres? Well, is it you've approved 4500 acres and 2500 acres of the 4500 they hadn't even completed? So that's like 2500 Acres is tied up that, you know, do you have to wait until their two years is up? If they you know, failed? Before anyone else can apply?

Bickford: I just I don't know. We have several ways to look at it. And I think Danny and them have been doing that. Some maybe a better route to take us the number of acres that actually in panels versus the total acres because, well, a perfect example was the first one and Mr. Davis had it was on a 437 acre parcel. But he only had 20 I think it was 20 acres of panels. So there's ways to look at it. I know they said they've been working on that so we can get some clarification.

Kapuscinski: Chairman, what you said to us is that our job is land use. Okay. So if the county's already said and I'll address Miss Gooden's comment, if the county's allocated 4500 4500 acres

for land use for putting panels on those on that land, then anything outside that, that would that where an applicant would request the panel would not be appropriate land use. That's my point.

Bickford: True but what I was telling you. It's really not a ordinance. It's somewhat of a policy. So typically at this point is not really enforceable because it's, it's not a defined ordinance.

Kapuscinski: Because they haven't made it defended.

Bickford: Correct.

Kapuscinski: Okay. And that's, I guess my point until they do. We're just throwing arrows into the air.

Bickford: I understand but when an application comes before us, we have to hear it. I mean, that's our duty. So I understand what you're saying. I'm just saying our obligations are when a completed proper application come before us, we have to hear and make a decision. Now, if they were to move forward, you know, again to the board then that's when they can say, Well, look, it's exceeding, you know, we've hit this limit. We're closing it down. But I do understand both what you're saying the concerns. Any other? Before we adjourn...

Kapuscinski: One other quick question. Let's go back to I want to just bring it up here. I know we're going to have something to do with the Comprehensive Plan. The reason I asked for that zoning map is because I think an m two, the only the only m two. The only m two districts we have are occupied by mines, if I'm not mistaken, Am I right? Okay. And you know, when we start, it's such a, it's a subject that's so on fire right now. I really would like to see where those are located specifically, when we start talking about, you know, zoning as it relates to the comprehensive plan. I tell you, Mr. Chairman, my, my concern with this whole Goldmine thing is, I think if you think you're going to wait for the state, I think you may as well, what, you probably ought to watch a snail run a marathon. All right. I don't think the state's there to help us. And I really don't think federal government's going to help us. I think what we're going to end up with and I've talked to two legislators, I think we're going to have to do is we're going to have to resolve this in our own zoning, with our own zoning process. Having said that, you know, if we're going to do this through the Comprehensive Plan, which I think is a good idea, I'd like to know specifically where these areas are, so we can talk to them.

Bickford: I don't have any problem. And we got some general maps, but they're not as specific as what you're asking. And so I think it's a good idea to get those that dovetails into had several questions in regard to where we stand. After our due diligence on hearing everybody we chose this commission chose to keep with the special use permit on any new mining. Now that even falls in m two district because into district has some that's a one. So it's even going to happen in there. Where we ran into issue was the existing mining operations in m two, and we couldn't come up with. We had some ideas and all but they really fell short of what we thought we could do. Mr. Wright in his presentation has suggested that we take this letter from the board of supervisors to state agencies now I don't know which specific ones He was who He was referring

to. I think it might be more than one. And he's in the process of drafting that now. What he's hoping to get which Pete is probably correct, we won't get into rebuttal, or reply back. But we're trying to get the goldmine committees recommend recommendations to see if we can have any one of the agencies make a make a decision or give us some direction. If we got that it may make our job easy for the existing M 2. He brought up the Civil Rights Ordinance thing and I talked to Mr. Wright, actually earlier today. He is looking into that to see if it's applicable and what he might need to do to draft that up.

Kapuscinski: So again, it would probably fall to the board of supervisors?

Bickford: Both are for the Board of Supervisors; it will not be the planning commission. So he's going to have to draw those up and work with them. I know the first thing he wants to do is get the letter to see if he gets any response. So we had decided to table all of this as we worked on the comprehensive plan to see if we get any kind of reply until January, at that point will be far enough into the comprehensive plan that then we'll start looking at if we would have take it on our own do it more work with whatever legal thought we got to maybe reduce minimize them to whatever we need to check on that. So that's where we're at. It'll be tabled until January. Seeing if we get any reply response back from whatever state agencies when this letter is sent to them. Will it happen? You know, Pete's probably right? Probably not. So we'll probably be looking at this in January. But in the meantime, any changes, significant changes have to be put into the comprehensive plan anyway. So we work towards that goal, hoping that we get some kind of response. If we don't, and we take it on our own. Right after the first of the year.

Kapuscinski: It doesn't necessarily mean that we can't make recommendations on an interim basis. Am I correct?

Bickford: Oh, no, in a they way its set up we would do phase one, phase two. He's got it set up. And that's why all these comprehensive plans are working. You start with sections and you go through them, make whatever changes you want, is then kicked to the board of supervisors and back public hearing, and then you move on to the next sections.

Kapuscinski: Okay. Thank you.

Bickford: All right. If nothing else...

Allen: Do you want to ask EM to come out here and speak to you about that?

Bickford: About what?

Allen: The 4500 acers.

Bickford: Unless there's a decision to be made, I guess it really no need. I know you all are working on it.

Allen: No decision right now. Because you know, all these places, like you said, hadn't once they get passed and you got 4500, you put them on hold, in my opinion. And then if half of them don't get done, you need to do more acreage.

Bickford: That's, that's an avenue. I know, y'all we're also looking at, you know, what is actually in panels, and that that wouldn't make a big difference. For example, tonight he is was on 161 And it only had 24 acres of panels. So it makes big, it makes a significant difference. But that's going to have to come from y'all. And you all are working on it.

Kapuscinski: I thought we talked about that last time. And it was essentially the amount of land that was allocated, not necessarily how many panels were put up.

Allen: Right, exactly. Whole land.

Bickford: You put it on the contract. I mean, that's the easiest way for these companies to do it. Like Mr. Davis's initial application that was on a 439. So they just you had a plat, you had a tax map parcel. It just made sense to lock it all in. And even though he was only working on 50 acres.

Kapuscinski: Right. But the point being if that that 500 acres, not the 20 acres, or whatever it is, is going to come off the allotment, if there ever is a specified allotment. Same with this, it's 163 acres. Yeah, even though he's using 20 acres for panels.

Allen: Right. Exactly. Yeah, that's what's acreage been put down on paper being solar.

Bickford: But it is the purview of the board of supervisors to change that policy to, you know, either make it or just keep it at that level, increase that level or change the criteria for how they figured acreage.

Kapuscinski: Is there a commission on the board that's working on this? Is there is there something called a solar committee?

Edmondston: There is a solar committee.

Kapuscinski: Have they done any further work on this?

Allen: I mean, I hadn't heard no more lately.

Bickford: Do you have any more discussion? Seeing none do i have a motion to adjourn.

Inaudible Comment from Crowd

Bickford: Well, I just told you, I don't know exactly where Mr. Wright plans to direct the letter that the Board of Supervisors are gonna endorse. He just said state agencies. I don't know. I think

he's probably looking at more than one agency to try to see if you can get any kind of response. I don't know. Like I said, he's in the process of drafting out for the board of supervisors to send on to whatever committees.

Inaudible Comment from Crowd

Bickford: Right. I do think he's trying to represent the recommendations that Heidi was on a gold mining committee, because they made recommendations, but he's just never been apparently never been addressed. But as far as what exactly. I don't know yet.

Inaudible Comment from Crowd

Bickford: That's was my understanding, but I'm sure once he has it finalized the board has approved it. I'm sure he'll probably put it out there and you know exactly where it's plans to go. With agencies.

Inaudible Comment from Crowd

Bickford: I can't speak to the specifics because he's dragged himself. I know he wants to. He had mentioned trying to incorporate some of the recommendations of your committee you served on. And yes, if it would be very nice if we could get a better definition, metallic, non metallic, but right now they got it all grouped together and as what's best what's impeding all progress, so that yeah, it's a lofty goal, but we tried that. That's what I'll say. Anyway. Okay. I have a motion? All in favor raise rate that we are adjourned.

Supervisor Allen moved, Commissioner Kapuscinski 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