

MINUTES
Planning Commission
County of Prince George, Virginia

June 23, 2022

County Administration Building, Board Room, Third Floor
6602 Courts Drive, Prince George, Virginia 23875

MEETING CONVENED. The Regular Meeting of the Prince George County Planning Commission was called to order at 6:30 p.m. on Thursday, June 23, 2022 in the Board Room, County Administration Building, 6602 Courts Drive, Prince George, Virginia by Mr. Alex Bresko, Chairman.

ATTENDANCE. The following members responded to Roll Call:

| | |
|---------------|---------|
| Mr. Simmons | Absent |
| Mrs. Elder | Present |
| Mr. Bresko | Present |
| Mr. Joyner | Present |
| Mrs. Anderson | Present |
| Mr. Brown | Absent |
| Mr. Brockwell | Present |

Also present: Julie C. Walton, Deputy County Administrator, Dan Whitten, County Attorney, Andre Greene, Planner II, Tim Graves, Planner I and Missy Greaves-Smith, Office Manager

INVOCATION. Mr. Joyner provided the Invocation.

PLEDGE OF ALLEGIANCE TO THE FLAG. Mr. Brockwell led in the Pledge of Allegiance to the United States flag.

ADOPTION OF THE AGENDA. Mr. Bresko asked the Commissioners for a motion to approve the meeting Agenda for the May 26, 2022 Planning Commission. Mrs. Elder made a motion to approve the meeting Agenda and Mr. Brockwell seconded the motion.

Roll Call:

In favor: (5) Brockwell, Elder, Anderson, Bresko, Joyner

Opposed: (0)

Absent: (2) Brown, Simmons

PUBLIC COMMENT PERIOD. At 6:32 p.m., Mr. Bresko opened the Public Comment Period to anyone who wished to come forward to speak to the Commissioners on topics that were not on the Agenda as a Public Hearing item. Citizens were asked to limit their comments to three (3) minutes.

With no one present or on Zoom indicating they wished to speak, the Public Comment Period was closed at 6:33 p.m.

ORDER OF BUSINESS. Mr. Bresko asked the Commissioners to review the minutes of the April 28, 2022 meeting of the Planning Commission. Mrs. Anderson made a motion to approve the April 28, 2022 Minutes. The motion was seconded by Ms. Elder.

Roll Call:

In favor: (5) Joyner, Brockwell, Elder, Anderson, Bresko

Opposed: (0)

Abstained: (0)

Absent: (2) Brown, Simmons

Mr. Bresko asked the Commissioners to review the minutes of the May 26, 2022 meeting of the Planning Commission. Mrs. Elder made a motion to approve the minutes. The motion was seconded by Mr. Brockwell.

Roll Call:

In favor: (5) Joyner, Brockwell, Elder, Anderson, Bresko

Opposed: (0)

Abstained: (0)

Absent: (2) Brown, Simmons

PUBLIC HEARING.

P-1. SPECIAL EXCEPTION SE-22-05: Request of Christopher and Marisela Clark to permit a golf course within a R-A (Residential-Agricultural) Zoning District, pursuant to Prince George County Zoning Ordinance Section 90-103(3). The subject property is approximately 48.56 acres in size, located at 8399 and 8401 Golf Course Drive, and is identified as Tax Maps 450(06)00-00A-2, 450(06)01-001-0 and 450(06)01-002-0. The Prince George County Comprehensive Plan Future Land Use Map indicates the property is planned for Agriculture uses.

Tim Graves presented the Staff Report.

Background

- Prior use of the property as golf course (Prince George Golf Course) and Assembly Hall (Chester Plantation)
- July 2021 – Special Exception for Assembly Hall and Bedroom rental (4 rooms as a home occupation) in the main “Chester Plantation” building
- 2021-2022 First Tee Estates subdivision
- Applicants purchased Lot 1 and 2 of the new subdivision (includes clubhouse buildings and a portion of the former golf course)
- Applicants submitted Special Exception application

Request Summary

- Create a 9-hole golf course utilizing the fairways, greens and clubhouse left by the former Prince George Golf Course, and including a portion of the Chester Plantation building which also previously served as a clubhouse.
- No new buildings planned at this time
- Utilize existing parking areas
- Hours/days of operation – 7 days a week 7am to sunset

- New signage as permitted by County Code

Planning & Zoning Staff Review Comments

Expected Impacts on adjacent properties and roadways:

- Minimal traffic on Golf Course Dr. during operational hours.
- Mitigation: Not necessary. No increase compared to past uses.
- Potential for stray balls to land on adjacent properties.
- Mitigation: Condition requiring corrective action if any issues arise.

Compatibility with surrounding zoning districts:

Yes, no change to zoning

Compatibility with existing surrounding uses:

Yes, the nature of this use is compatible with surrounding low-density residential uses

Compatibility with the Comprehensive Plan:

Yes, compatible with future Agriculture (including low-density residential uses)

Other Staff Review Comments

Virginia Department of Health

Applicant needs to work with an Authorized Onsite Soil Evaluator or Professional Engineer who can determine what the sewage disposal system and water supply needs are for the proposed project.

Virginia Department of Transportation (VDOT)

- Based upon the information contained within the special exception application, a commercial entrance will be required to provide access. A commercial entrance must demonstrate that intersection sight distance is available, meet VDOT's criteria and be paved.
- VDOT has no objection to the submitted special exception application.

Recommended Conditions - Highlights:

1. Hours and days of operation: 7am to sunset 7 days a week.
2. Applicants to obtain certification from an Authorized Onsite Soil Evaluator or Professional Engineer indicating the sewage disposal system and water well have been evaluated to support their proposed usage, with review and approval by the Health Department prior to the granting of a business license.
3. Business signage for the golf course use shall be limited to one additional onsite freestanding sign no greater than sixty (60) square feet.
4. The owner shall employ effective means to prevent golf balls from crossing onto adjacent properties.

Staff Recommendation

Approval, subject to the recommended conditions

Public Hearing – There was no one to speak.

Mr. Bresko closed the Public Hearing and turned it over to the commissioners for their opinion and vote.

Mr. Brockwell moved to forward the request SE-22-05 to the board with a recommendation for approval, subject to the recommended conditions in the staff report, and the reasons for this recommendation are: It is compatible with the comprehensive plan and current surrounding uses and zoning districts, It is expected to benefit the general welfare of the community, and the expected off-site impacts appear to be adequately addressed by the conditions. Ms. Anderson seconded the motion.

Roll Call:

In favor: (5) Brockwell, Elder, Bresko, Joyner, Anderson

Opposed: (0)

Absent: (2) Brown, Simmons

- P-2. SUBSTANTIAL ACCORD SA-22-01:** Determination by the Prince George County Planning Commission on whether the large-scale solar facility proposed by Powell Creek Solar, LLC in Special Exception Request SE-22-02 on Tax Map 270(03)00-003-0 is in substantial accord with the Prince George County Comprehensive Plan. The Comprehensive Plan Future Land Use Map indicates the property is planned for Agriculture uses and the Solar Energy Facility Siting Policy provides guidance for the siting of new facilities within the County.

Tim Graves presented the Staff Report.

Mr. Graves stated that we are going to have two public hearings for each solar facility. The first discussion is if this is in substantial accord with the comprehensive plan. If the commission finds that the proposed facility is in substantial accord then we will go into a review of the site design and see the layout at that time. Mr. Graves reviewed the map showing the location of the proposed project within the County and stated that the Planning Commission must make a Substantial Accord determination and the Commission's decision may be appealed to the Board of Supervisors.

Future Land Use designation: Agricultural

"This category includes land areas in the rural portions of the County where agricultural and forestal uses are, and should be, the dominant land use. Large lot single family development may exist within some of these areas. Future residential development of these properties is not encouraged."

Staff findings:

- Request affects only 47 acres out of 631 acres (7.45% of property)
- Dominant use of the property will remain Agriculture use or will be used as Agricultural use in the future if not already
- Land could return to agriculture use after decommissioning of facility After expected life of 35 to 40 years, the land then can potentially be returned to agricultural use.
- Overall, Staff found that this request is compatible with the future land use map.

The guidance that staff used was the Solar Energy Siting Policy which is part of the comprehensive plan. This is the key guidance the county has to keep the applicants and the county on the same page as far as which areas of the county are preferred for solar facilities.

Siting Policy Guidance

| Policy Guideline Guidance language in Policy | Location Complies with Policy Guidelines? |
|--|--|
| 1. County acreage limit* The County desires an upper limit (2.74%) on the total land acreage of the County which is dedicated to solar energy facilities. | Yes. Approximately 550 acres remain until the limit is exceeded. This project would reduce that number by 47 acres, based on the acreage developed for the project. |
| 2. Minimum total parcel acreage The minimum aggregate parcel size for a solar energy facility is seventy (70) contiguous acres | Yes. The total parcel acreage is 631 acres. |
| 3. Avoid Prince George Planning Area* “Siting of a facility within the Prince George Planning Area should be avoided.” | Yes. The location is outside the Prince George Planning Area. |
| 4. Outside Future Public Service Areas* “Location of solar facilities within areas planned to be serviced by public water or wastewater, as indicated in the most current Water and Wastewater Master Plan, will be discouraged and will not be recommended for approval.” | Yes. The location is not planned to be serviced by public water or sewer in the current plan. |
| 5. Flat land “Mass grading of sites shall be limited to the greatest extent possible. Development of areas with steep contours shall be avoided.” | Yes. The development area does not have steep contours that require mass grading. |
| 6. Avoid key public resources “Sites located near recreational, cultural, or historic resources should be avoided.” | Yes. None on-site according to Virginia Cultural Resources Information System. +/- 1.5 miles to James River Wildlife Refuge walking trail. |

Staff Opinion

Is the proposed facility in Substantial Accord with the Comprehensive Plan?

Yes, because:

1. Consistent/compatible with Future Land Use Map designation of “Agriculture”
2. Size and location of facility adheres to guidance in the Siting Policy

Mr. Graves stated this is just staff’s opinion and it is the Planning Commission’s decision.

Public Hearing – There was no one to speak.

Mr. Bresko closed the Public Hearing and turned it over to the commissioners for their opinion and vote.

Mrs. Elder moved to find that request SA-22-01 is in substantial accord with the comprehensive plan for the following reasons: it is compatible with general guidance with the future land use map, the proposed size and location of the facility complies with the guidance of the siting policy regarding placement of new facilities within the county. Mr. Brockwell seconded the motion.

Roll Call:

In favor: (5) Brockwell, Elder, Bresko, Joyner, Anderson

Opposed: (0)

Absent: (2) Brown, Simmons

- P-3. SPECIAL EXCEPTION SE-22-02:** Powell Creek Solar, LLC requests a special exception pursuant to § 90-53 (59) to permit a large-scale solar energy facility in an A-1 (General Agricultural) Zoning District. The 5-megawatt facility is proposed on an approximately 47-acre portion of the 631-acre subject property, with the development area situated along James River Drive, west of the intersection with Nobles Road. The subject property is identified as Tax Map 270(03)00-003-0 and addressed as 14921 James River Drive.

Tim Graves presented the Staff Report.

Background

- Preliminary application submitted October 8, 2021.
- Comment letter dated December 8, 2021.
- Formal application submitted February 3, 2022.
- Applicant-led Community Meetings: March 2 and March 15, 2022 @ Burrowsville Ruritan Club

Request Summary

- 5MW solar energy generating facility
- Development area of approximately 47 acres (includes panels, fencing, access roads, and buffer and screening requirements)
- 631 acres total parcel size
- “Community Solar Garden” allows off-site energy customers to subscribe to a certain amount of the energy output of a facility in exchange for a credit on an energy bill
- Land use classified as a “Large-scale solar facility” pursuant to Section 90-53(59) – requires Special Exception
- Draft conditions and preliminary facility layout prepared to comply with the County’s Solar Energy Facility Siting Policy
- Not exempt from paying Machine & Tools taxes

Planning & Zoning Staff Review Comments (Highlights)

1. Traffic impacts during construction will be mitigated by the Construction Traffic Management Plan, which will be required during Site Plan review.
2. Visual impacts will be mitigated by the existing and proposed vegetative buffers and screening in accordance with the Siting Policy such that the panels are effectively not visible from a public road or adjacent residential home after construction is completed.
3. Staff reviewed this project for compliance with the County’s Solar Energy Facility Siting Policy and found it meets the standards in the policy for design and layout of the proposed facility, and the applicant has met all the application requirements.
4. The standards of the Siting Policy will be enforced through the recommended special exception conditions.

REVISED P&Z Comments on Estimated Fiscal Impacts

- This project is subject to M&T taxes.*

- Staff and the applicant agreed on estimated fiscal impacts for the project in comparison with the current land use (Agriculture) and the planned future land use (Agriculture). The application narrative includes a table of those estimates.*
 - In summary, it is estimated that the project will provide additional revenue to the County of at least* \$868,080 over the expected 40-year life of the project, equivalent to \$18,470 per acre developed.
 - The increased revenue compared to current and future land uses would come primarily from voluntary cash payments increased M&T taxes* and increased real estate taxes.
- * Staff and the applicant did not estimate M&T taxes during the application review because a new law was passed effective July 1, 2022 which removes the exemption on M&T taxes for projects approved after that date. The applicant has offered to pay up to the annual cash payment amounts if the annual M&T taxes are lower.

Other Staff Review Comments (Highlights)

Department of Conservation and Recreation

1. DCR recommends the development of an invasive species management plan for the project and the planting of Virginia native pollinator plant species that bloom throughout the spring and summer.
2. The current activity will not affect any documented state-listed plants or insects.
3. There are no State Natural Area Preserves under DCR's jurisdiction in the project vicinity.

Environmental Division

Site Plan review will be performed by DEQ because it is a 5MW or above facility.

Real Estate Assessor

This property may be subject to roll-back taxes due to the change in use.

Virginia Department of Transportation (VDOT)

1. A low volume commercial entrance will be required for permanent access to the site after construction is complete. VDOT supports the proposed entrance location identified in the Construction Traffic Management Plan (CTMP).
2. VDOT has reviewed the CTMP included as Section 12 of the application. The proposed access routes, parking areas and staging areas are acceptable to VDOT.

Recommended Conditions (Highlights)

1. Operations. The Solar Energy Facility shall meet all conditions for operations in the Siting Policy.
2. Buffers. The Solar Energy Facility shall meet all conditions for buffer setbacks and landscape requirements as required in the Siting Policy.
3. Development Standards. The project shall meet all Development Standards as defined under "Development Standards" in the Siting Policy.
4. Decommissioning. The Solar Energy Facility shall meet all conditions for Decommissioning as specified in the Siting Policy. Decommissioning shall commence no later than the 40th anniversary of the commercial operation date.
5. The Project will be taxed in accordance with § 58.1-2606.1 (effective July 1, 2022). Local taxation for solar photovoltaic projects five megawatts or less (i.e. Virginia Machinery and Tools Tax). Should the Machinery and Tools Tax levied against the project amount to a sum less than what is shown in Exhibit A during any year of operations (based on the actual installed MW capacity of the project), then the Owner shall be responsible for

paying to the County substantial cash payments in excess of the Machinery and Tools Tax to reach the total amount in Exhibit A for that given year.
(Full list of recommended conditions in the Staff Report / Draft Ordinance)

Staff Recommendation

Approval, subject to the recommended conditions

Primary Basis:

The site design and recommended conditions adhere to guidance in the County's Solar Siting Policy (Comprehensive Plan)

Andrew Hull, Development Manager, DER, with APEX Clean Energy spoke about the project.

Apex is a leading, full-service clean power producer. We provide clean energy solutions of all types and sizes: utility-scale wind and solar, battery storage, distributed energy resources, and green fuels. We are headquartered in Charlottesville and supported by a national presence. Apex's 300+ clean energy professionals are capable of managing every aspect of the project life cycle. We develop, construct, and operate clean energy assets across North America.

Virginia Shared Solar Program - Benefits

- Shared Solar creates equitable access to the economic and environmental benefits of solar energy
- Shared Solar generates immediate local benefits: local economic investment, construction jobs, burden-free tax revenue, and upgrades to local grid infrastructure
- Virginia's Shared Solar Program includes a carve-out to encourage access for low- and moderate-income households

Project Facts

- Up to 5 MWac, which can power approximately 1,000 Virginia homes
- Construction lasts approximately 4 to 6 months
- Projects operate quietly for 35 to 40 years are remotely monitored and professionally maintained with minimal upkeep
- Projects will be decommissioned at the end of their lifetime and land restored

Powell Creek Solar Site Plan

- Parcel Number 70(03)00-003-0
- Zoning: A-1 Agricultural
- Parcel Size: 631 acres
- Panel Area: 30 acres
- Project Area: 47 acres
- Production: 5 MWac
- Interconnection: A position, Hopewell Substation
- Expected Operations: 2024

Project's Compliance with County's Comprehensive Plan:

The Project diversifies the local tax base and provides significant local revenue.

Key areas of compliance:

- Complies with County acreage limit and parcel size

- Location is outside Planning Area, and outside of Public Service Area
- Avoids key public resources
- Promotes expansion of a diversified local economy
- Protects natural resources
- Encourages innovative and environmentally friendly land uses

Project's Compliance with County's Zoning Ordinance, pecifically related to the County's *Solar Energy Facility Siting Policy*:

Key areas of compliance:

- A-1 is a compatible land use and land will be returned to Agriculture
- Provides significant landscape screening, minimizing visual impacts
- Favorable interconnection position and available capacity on Dominion line
- Follows VA state laws and County regulations
- Entrance location acceptable to VDOT, off-street parking and loading area conform to Policy
- Protects natural vegetation and avoids mass grading

Mr. Joyner: *"On this property there is 631 acres and you are going to use 47, what is going to happen with the remaining acres?"*

Mr. Hull: *"The landowner will continue to use it. It will remain agriculture we do not intend to use any of the remaining acres outside the perimeter outside that map. We have no plans and no rights to go into that area of that parcel."*

Mr. Joyner: *"In other words, you are just leasing the 47 acres."*

Mr. Hull: *"Yes sir."*

Mr. Heretick, landowner of the subject property at 14921 James River Drive, Disputanta, VA, spoke: *"I am proud to be a part of Virginia's clean energy future. It is a unique opportunity to landowners in Virginia. It demonstrates to the next generation how we can stimulate the economy by being environmentally responsible."*

Mr. Bresko asked in regards to the land use taxes, does the landowner or the solar company have to pay them back or update them? Mr. Graves answered that collectively they will both be responsible to make sure that the county receives that. Condition #2 provides extra detail related to that.

Public Hearing – There was no one to speak.

Mr. Bresko closed the Public Hearing and turned it over to the commissioners for their and vote.

Mr. Brockwell moved to forward request SE-22-02 to the board with a recommendation for approval, subject to the recommended to conditions in the staff report and the reasons for this recommendation are: It is compatible with the comprehensive plan and current surrounding uses and zoning; It is expected to benefit the general welfare of the community; Expected off site impacts appear to be adequate and addressed by the conditions. Mr. Joyner seconded the motion.

Roll Call:

In favor: (5) Brockwell, Elder, Bresko, Joyner, Anderson

Opposed: (0)

Absent: (2) Brown, Simmons

P-4. SUBSTANTIAL ACCORD SA-22-02: Determination by the Prince George County Planning Commission on whether the large-scale solar facility proposed by IPS Solar in Special Exception Request SE-22-03 on Tax Map 510(0A)00-070-0 is in substantial accord with the Prince George County Comprehensive Plan. The Comprehensive Plan Future Land Use Map indicates the property is planned for Residential uses and the Solar Energy Facility Siting Policy provides guidance for the siting of new solar facilities within the County.

Andre Greene presented the Staff Report.

Mr. Greene stated that IPS Solar is requesting permission to build a 4-megawatt shared solar facility on Tax Parcel 510(0A)00-070-0.

Future Land Use designation: Residential

“This category includes areas within the PGPA where small lot residential development is encouraged. Public water and/or wastewater facilities are available and required for such development.”

Staff findings:

The Prince George County Comprehensive Plan Future Land Use Map has the area in question designated for residential uses. Future residential land uses can range from single-family dwellings located on individual lots to multi-family residential type development (duplexes apartments, and/or townhouses). The site in question is presently zoned R-A, Residential-Agricultural, which allows houses to be built on five (5)-acre lots and the affected site adjoins properties zoned R-1, General Residential, which allows houses to be built on lots less than 5 acres in size. The development trend in the area is single-family dwellings built on individual lots along Route 301 (South Crater Road).

Siting Policy Guidance

| Policy Guideline Guidance language in Policy | Location Complies with Policy Guidelines? |
|--|--|
| 1. Acreage for facilities The County desires an upper limit (2.74%) on the total land acreage of the County which is dedicated to solar energy facilities.* | Yes. Approximately 550 acres remain until the limit is exceeded. This project would reduce that number by 26.3 acres. |
| 2. Minimum total parcel acreage The minimum aggregate parcel size for a solar energy facility is seventy (70) contiguous acres | Yes. The total parcel acreage is 75.436 acres. |
| 3. Avoid Prince George Planning Area “Siting of a facility within the Prince George Planning Area should be avoided.” | No. The location is inside the Prince George Planning Area. |
| 4. Outside Future Public Service Areas “Location of solar facilities within areas planned to be serviced by public water or wastewater, as indicated in the most current Water and Wastewater Master Plan, will be discouraged and will not be recommended for approval.” | Yes. The location is not planned to be serviced by public water or sewer in the current utilities plan but it is within the Planning Area where utility hook-up is required. |

| | |
|---|--|
| <p>5. Flat land “Mass grading of sites shall be limited to the greatest extent possible. Development of areas with steep contours shall be avoided.”</p> | <p>Yes. The development area does not have steep contours that require mass grading.</p> |
| <p>6. Avoid key public resources “Sites located near recreational, cultural, or historic resources should be avoided.”</p> | <p>TBD</p> |

Staff Opinion

Is the proposed facility in Substantial Accord with the Comprehensive Plan?

No, because:

1. The request is inconsistent with the Future Land Use Map, which calls for Residential uses in this area, because a large-scale solar energy facility is not compatible with higher density residential uses planned for this area.
2. The proposed location of the facility within the Prince George Planning Area does not adhere to the Comprehensive Plan’s Solar Energy Facility Siting Policy, which states, “siting of solar facilities within the Prince George Planning Area should be avoided.”

Mr. Greene stated he could answer any questions. The Commission did not ask any questions. Mr. Bresko opened the Public Hearing.

Public Hearing –

1. Mike Snyder, 13632 S. Crater Road, South Prince George, we have seen two different companies wanting to put solar facilities in our area. One is very on top of it and this one is very unorganized for this site. We were scheduled for three different meetings and you know when we all showed up? The third meeting. We got the invitation to the meeting in the mail for the meeting the very same day as the meeting. How organized are you on that? Do they really know what they are doing?
My second question is, we are taking prime farmland and we are going to put solar on it for 40 years? Is not there something better like those windmills because farmers can farm around them and you will still get your taxes?
We need to stop and look at this, it is not that we object to solar but why tie up our good farmland for electricity? We ask so many questions at our meeting and you know what 90% of our responses were? Well I do not know I will have to check on that. Do you really want someone in your county doing business when they cannot even answer the questions from just a normal guy? We need to open our eyes up and see what is going on. Farming is a way of life in Virginia. Last week a heat wave in Kansas over 2,000 head of livestock died, there is going to be a shortage of tomatoes this year, got too hot. Are we condemning the farming industry in the United States?
2. Gilbert Lee, 14019 S. Crater Road, South Prince George, the map that is showing on the board shows the whole farm, it is not showing where the 20 acres they are going to put the panels. Where on the 20 acres where they are going to put the panels are directly across the road from my farm. My biggest objection all along is the panels face east and as the morning sun comes up they are supposed to tilt towards the sun and for that period of time I’m going to be sitting over there like a deer sitting looking in headlights. It is all about screening which is fine but that is going to screen anyone driving up and down 301 and they will not be able to see. My family has seen wildlife across the street for over 200 years. With all of that being said, I fully support the landowner getting what he can out of

the best use of his land. I would expect the same on my farm if I wanted to do something like that. While I do not like it, priorities are priorities.

3. Paul Vlk, 676 Yankee Point Road, Lancaster, VA. I am a lifelong resident of this county. I am married to Debbie Krenicky. Debbie is the sole heir and she will probably get the land. We have three choices to make; 1. is to continue farming. I am not a farmer. The people who know about farming, you have to have a whole lot of money, with the equipment and that is not a possible choice. 2. We have asked everybody around the neighborhood, do you want a neighborhood in front of you? Not one person said they want housing. The option would be solar farming. It still protects the animals, land, and does not destroy anything. IPS approached us and they have done everything they told us they would do. They laid out an excellent plan and in 35-40 years if it does not continue, all they do is pull the stakes back up and turn it right back to agricultural again. If they want to build houses there, that is fine but I do not want to put houses there now. No one wants houses there. This is a perfect option, a win for everybody.
4. Jake Hay with IPS Solar. There are a couple of concerns that have to be addressed with this as Paul mentioned; Development is not something the community wants to see out there for homes. There are a couple of things we can do to address the farming issues, we are a national solar company taking farmland out of production has been an issue we have dealt with since day one. As of now, this property is not currently being farmed it is grassland. We are going to put an alienator seed mix under there, as well as hay or alfalfa, which we are working on developing which will be a baleable hay. We are going to make this an area that can be farmed. As for the glare, which is very important, we will do a glare test - it is very cheap. We always want to make sure that is not an issue. That is a huge problem. We want to be good neighbors as well. We are a 31-year-old solar company. Animals can get in and out of the panels there is no issue with that. The development of this is as simple as it gets, steel I-beams driven into the ground, no footing. If the project is decommissioned at the end of life, it is pulled out of the ground. It is a flat site no grading. It can be put right back in to agricultural usage if the landowners chose. There is quite a bit of moving parts and we would definitely would love to move this along to the next public hearing so we can address the other concerns about the top plan with a little bit more time as well.
5. Amy Seipp, Principal Engineer and owner of Accupoint Engineering and Design. I am a licensed professional engineer in the state of Virginia. I want to specifically address item number three where it says it does not meet substantial accord. The future land use map addresses residential code 'this map represents the generalized over view of desired land use location within the county the map is not intended to be parcel specific' so some of that is a bit ambiguous. In land use planning, there is general broad shaded areas. One of the things that drives this is infrastructure so if you want to have density and you want to have homes you have to have infrastructure, whether that be water, sewer, roads all the things that allow folks to live and to work in developed areas. The county's future maps that have proposed sewer areas and proposed water areas both stop short of this area. Therefore, the planning by utilities to supply this area does not make it to this site. So to say that in the future plan is for residences with no water or sewer; these lots would be on well and septic. There are specific lot sizes that are allowed with well and septic, you cannot have tiny lots in a more dense area that has water and sewer because of the rural regulations that we follow. There is more severe limitations with soils as shown in the map of the county. Drain fields are not ideal and do not last a lifetime. I just wanted to address that from a technical standpoint.

6. Scott Campbell, 18130 S. Crater Road, South Prince George, VA. The other company that was up here was a Virginia based company. This company is from Minnesota. Is there nowhere in Minnesota to put these solar farms? The second thing, the gentleman said there is no farming going on, on this property, there is someone farming this property. Mr. Sean Finney farms this property, is that not correct? Therefore, sir, the farm is being farmed. That points back to Mr. Snyder's argument that this company does not know what is going on. That is something that is key information for them to know. The next thing, Mike also talked about the public hearing, I run a business two miles down the road, I found out about the public hearing the day they had the third meeting because it was posted on Facebook. The only way I knew about the meeting. We asked in the meeting that day for a mailing list, they said that they would get it to us. I have never received that. There was a bunch of questions that came up at that little meeting at the Mexican restaurant on South Crater Road that have yet to be answered. I am not against what the man wants to do with his property that is fine. What I am against is when someone does something on their property that impacts someone else. Meaning an adjoining landowner, meaning somebody riding down. 301 is a main corridor, out route 10 out that way perfect place for a solar farm. Route 301 we do not know what the future holds in five years, ten years. As far as residential, if we are going to have infrastructure and we want big business in the county, they have to live somewhere. There is a lot of things the county has been awarded for, "The Best County to Live In." Let's remember that. I believe it was also the best county to work. Let's not pollute our county with solar farms.
7. Mike Covington, 16121 North Burrow Lane. One things I would just like to highlight is there is probably a reason why solar is becoming pretty popular in Prince George county or in the state of Virginia right now because they have probably been run out of Carolina. There is wind farms and solar farms just as far as you can see everywhere. I encourage you if you have not had an opportunity to go look it, go look at it. Once the ball gets rolling, it is of hard to stop. I believe we are at that stage right now. Another county has allowed a 100-megawatt farm took a bunch of farmland, bunch of trees, down along the James River. I guess you are aware of that. My point up here today is how far are we willing to go with it?
8. Mike Snyder, 13632 S. Crater Road, South Prince George (spoke again): The gentleman with the solar company got up here a few minutes ago and he added a little thing to his speech that we never heard before. He was planting grass, was going in there, and harvest it. That was never discussed. He is adding things as he goes along. We really need to look at all of this.
9. William Feaster, 13571 S. Crater Road, South Prince George. I cannot say one way or another about what one person that owns their property should do with it but the things that I see and I have been hearing is it is hard for people to accept change. Life and the world is changing one way or the other. How fair is it to say that the landowner is going to give up that property for residential or for any planning for that Prince George wants to do. I am a little concerned on what people decide on what property is going to be developed and what is not going to be developed if it is not their property. That is part of the fact and why we live in the free world. That is our property, you take it from us and you cannot decide what we can and cannot do with it, supposedly within reason obviously. I moved out to Prince George to have property and be away from everybody. To have space and be away from my neighbors. I feel that if this comes forth, I feel they need to put in more mature trees in. With all of the stuff you want to put in off of Exit 45 is that an idea of a plus or minus within Prince George's standards on what you want to see when you are going up through that road.

Mr. Bresko closed the Public Hearing.

Julie Walton spoke: Thank you Mr. Chairman, for especially the commission's indulgence on comments beyond the substantial accord determination. I want to answer a couple of points that were brought up by the applicant. Behind tab seven are your policy guidelines with future land use map as well as the siting policy. Of course, it is within the Prince George planning area, which is not in conformance of the policy. The second consideration is for outside the future public service areas, the references made to the current utilities map. The future public service areas for water and sewer is what they typically refer to, we have a current utilities master plan for areas of the county where there are capital improvement projects to extend lines under the current utilities master plan. There is a difference in that and the Prince George planning area. The entire planning area is a part of the utility plan. The planning area, as you the commission are well aware, is where future growth is encouraged as well as planned. At this point for this property, if they wanted to go residential, it is not that the county's utility department would run water and sewer to this property; the developer would be responsible for extending water and sewer to that property. So the fact that the current utilities master plan doesn't show that does not mean that the utility plan of next year or next five years wouldn't show future growth and spread as developers install extensions to the water and sewer system. The planning area is a very specific area where development is encouraged, both residential and commercial. There is a difference between growth in the planning area and growth in the rural conservation area. Route 10 versus 301. This development would not occur with well and septic it would be all utilities at the developer's expense. It is the responsibility of the development plan on how to get water and sewer there. If this matter moves forward, the public hearing would then be held on the special exception and the information in your packet as well as the applicant's presentation would be held at that time.

Mrs. Anderson said: I have noticed in the road views and the maps the comments from the residence in the area, it is apparent that these parcels of land were originally smaller parcels. The land has since been combined into a larger 70 acre parcel and as we have heard from residents across the street and adjoining property there seems to be a lot of agricultural land in that region. I am just curious if there has been any filing with the planning commission, to consider that land be rezoned to be agricultural land instead of residential. Alternatively, if that is even an option for those residents or land owner.

Mrs. Walton replied: The landowners of that parcel, certainly if it is their desire to rezone, they can apply. They have not currently applied. It is combined as a R-A Residential-Agricultural zoning.

Mrs. Anderson said: Mr. Chairman, in light of the district guidelines that have been placed by the county in both our planning and siting policy, I would make a motion that currently this does not fit in substantial accord within the comprehensive plan due to the fact that it is currently inconsistent with future land use map which would equal residential uses in the area, because large-scale solar facility is not compatible with the higher density residential use plan for this area currently. The proposed location of the facility within the Prince George Planning area does not adhere to this comprehensive plan Solar Energy Siting Policy which does clearly state that siting solar of facilities within the Prince

George Planning Area should be avoided. Contingent on that I would make the motion based on those recommendations that this would not meet the substantial accord. Mr. Brockwell seconded the motion.

Roll Call:

In favor: (5) Brockwell, Elder, Bresko, Joyner, Anderson

Opposed: (0)

Absent: (2) Brown, Simmons

Mr. Bresko stated since the Substantial Accord did not pass there will be no public hearing on the special exception. It will not be forwarded to the Supervisors.

Mr. Graves confirmed that the case would not be forwarded to the Board, and that the applicant could appeal this decision.

P-5. SPECIAL EXCEPTION SE-22-03: IPS Solar requests a special exception pursuant to § 90-103 (57) to permit a large-scale solar energy facility in a R-A (Residential-Agricultural) Zoning District. The 4-megawatt facility is proposed on an approximately 26.3-acre portion of a 73.436-acre subject property, situated between South Crater Road and Gatewood Road. The subject property is identified as Tax Map 510(0A)00-070-0 and addressed as 14016 South Crater Road.

(NOTE: This item was not reviewed because the request was found to be not in Substantial Accord.)

PLANNER'S COMMUNICATION TO THE COMMISSION. Mr. Graves presented to the Commissioners the following updates:

- A. Actions of the Board of Zoning Appeals (BZA)
 - a. No meetings are scheduled for June
 - b. Meeting scheduled for July it is a continuance of the Special Exception for the private animal boarding place
- B. Actions of the Board of Supervisors
 - a. June 14 BOS approved special exception for the truck repair/trucking company parking project
- C. Upcoming Cases for July 2022
 - a. Subdivision Waiver SW-22-01: Cogle-Jordan Private Road Exception
 - b. Special Exception SE-22-06: Skalsky Borrow Pit

ADJOURNMENT. At 8:02 p.m., Mr. Bresko asked the Commissioners if they had any additional questions. If not, he would entertain a motion to adjourn. Mr. Brockwell motioned to adjourn and Mrs. Elder seconded the motion.

Roll Call:

In favor: (5) Brockwell, Elder, Bresko, Joyner, Anderson

Opposed: (0)

Absent: (2) Brown, Simmons