

PLANNING COMMISSION MEETING AGENDA

August 20, 2024

The Prince Edward County Planning Commission encourages citizens participation in public meetings through in-person participation, written comments and/or remote participation by calling: **1-844-890-7777, Access Code: 390313** (*If busy, please call again.*) Additionally, citizens may view the Commission meeting live in its entirety at the County's YouTube Channel, the link to which is provided on the County's website.

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**AGENDA**

- 7:00 P.M.**
1. The Chair will call to order the August meeting of the Planning Commission to order.
  2. Invocation
  3. Pledge of Allegiance
  4. Conflict of Interest Disclosures
  5. Approval of Minutes 3
  6. **PUBLIC HEARINGS:** The Commission will receive public input prior to considering the following:
    - a. A request by Prospect Gospel Tabernacle Church for a Special Use Permit to replace an existing pole sign with a 32 square foot electronic sign having a total height of 19 feet, on Tax Map Parcel 031-A-40 located at 4307 Prince Edward Highway (US Route 460) near its intersection with Milford Lane, which is zoned A-1, Agricultural Conservation. 15
    - b. Pursuant to §15.2-2232 of the Code of Virginia, 1950 as amended, a review of Special Use Permit application filed by North Branch Solar, LLC and to make a determination if the project is substantially in accord with the Prince Edward County Comprehensive Plan and for the proposal to construct and operate a 3MWac solar energy facility on a 40 acre portion of land totaling 147.5+/- acres denoted as Tax Map Parcel 043-A-34, located on the east side of Thomas Jefferson Highway (State Route 47), across from its intersection with Point Road (State Route 725), which is zoned A-1, Agricultural Conservation. 25
  7. Review of Supervisors Actions
  8. Old Business
  9. New Business
  10. Next Meetings:
    - a. Joint Worksession with the Board of Supervisors – Thursday, August 29, 2024 at 6:00 p.m. at Moton Museum
    - b. Regular Meeting - Tuesday, September 17, 2024 at 7:00 p.m.
  11. Adjournment

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**Planning Commission  
Agenda Summary**

**Meeting Date:** August 20, 2024  
**Item No.:** 5  
**Department:** Planning and Community Development  
**Staff Contact:** Robert Love  
**Issue:** Approval of Minutes

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**Summary:**  
For approval.

**Attachments:**  
May 21, 2024 Draft Planning Commission meeting minutes.  
June 20, 2024 Comprehensive Plan Joint meeting minutes.

Motion \_\_\_\_\_  
Second \_\_\_\_\_

Fuller \_\_\_\_\_  
Gilliam \_\_\_\_\_  
Leatherwood \_\_\_\_\_

Paige \_\_\_\_\_  
Peery \_\_\_\_\_  
Prengaman \_\_\_\_\_

Sandlin \_\_\_\_\_  
Weiss \_\_\_\_\_  
Womack \_\_\_\_\_



**Prince Edward County Planning Commission  
Meeting Minutes  
May 21, 2024  
7:00 pm**

Members Present: Brad Fuller Llew W. Gilliam, Jr.  
Whitfield M. Paige John "Jack" W. Peery, Jr.  
John Prengaman Henry Womack

Absent: Clifford Jack Leatherwood, Teresa Sandlin, Rhett Weiss

Staff Present: Robert Love, Planning/Zoning Director Doug Stanley, County Administrator

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Public Hearing comments for Planning Commission meetings will be subject to the "Citizen Guide for Providing Input During Public Participation and Public Hearings For Prince Edward County Government Meetings" revised October 12, 2022.

Chairman Prengaman called the May 21, 2024 meeting to order at 7:00 p.m., established there was a quorum, gave the invocation and led the Pledge of Allegiance.

**In Re: Approval of Minutes**

Commissioner Peery made a motion, seconded by Commissioner Paige, to approve the meeting minutes from March 19, 2024, and April 18, 2024; the motion carried:

Aye: Brad Fuller Nay: Abstain: John Prengaman  
Llew W. Gilliam, Jr.  
Whitfield M. Paige  
John "Jack" W. Peery, Jr.  
Henry Womack  
Absent: Clifford Jack Leatherwood  
Teresa Sandlin  
Rhett Weiss

**In Re: Public Hearing – Special Use Permit – Short-Term Tourist Rental, Nancy Alexander**

Chairman Prengaman announced this was the date and time scheduled to receive citizen input prior to considering a request by Nancy Alexander for the purpose of the establishment of a short-term tourist rental on Tax Map Parcel 064-A-3, with an address of 161 McFarland Lane, Farmville, VA, which is zoned CR, College Residential. Notice of this hearing was advertised according to law in the Wednesday, May 8, 2024

and Wednesday, May 15, 2024 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Love stated the County has received an application request by Nancy Alexander for the purpose of establishing a short-term tourist rental on Tax Map Parcel 064-A-3, with an address of 161 McFarland Lane, Farmville, VA, which is zoned CR, College Residential. This use requires a Special Use Permit.

County staff is of the opinion the stated use is generally compatible with the zoning district and will have minimal impact on surrounding properties. The Planning Commissioners were presented a list of Potential Conditions as recommended by staff. He said no comments for or against this public hearing were received.

Mrs. Nancy Alexander stated her property is adjacent to Hampden-Sydney College campus on McFarland Lane, situated behind the library. She said she has had a long-term renter but prefers short-term rental; she presented a set of rules for potential tenants to follow.

Chairman Prengaman opened the public hearing.

There being no one wishing to speak, Chairman Prengaman closed the public hearing.

Chairman Prengaman asked Mr. Ken Copeland, Jr., Vice President for Business Affairs & Finance, Hampden-Sydney College, if this arrangement meets the approval of the college. Mr. Copeland answered to the affirmative; he said he and Mrs. Alexander had been in touch and agreed that they didn't want weekend rentals to students. He said the plan submitted to Mr. Love states "no one under the age of 25" and no more than two people, which allay the concerns that the College might have.

Commissioner Fuller stated the County requires a landline local home phone service. He asked if Mrs. Alexander will provide landline service to the apartment. Mr. Stanley added that it is a safety issue in the event of a medical or other emergency situation. Mrs. Alexander said she will provide that service as long as lines are available.

Commissioner Gilliam made a motion, seconded by Commissioner Womack, that the Planning Commission recommend approval to the Board of Supervisors of the Special Use Permit request by Nancy Alexander for the purpose of establishment of a short-term tourist rental with the following conditions; the motion carried:

|         |                                                                                                        |      |                         |
|---------|--------------------------------------------------------------------------------------------------------|------|-------------------------|
| Aye:    | Brad Fuller<br>Llew W. Gilliam, Jr.<br>Whitfield M. Paige<br>John "Jack" W. Peery, Jr.<br>Henry Womack | Nay: | Abstain: John Prengaman |
| Absent: | Clifford Jack Leatherwood<br>Teresa Sandlin<br>Rhett Weiss                                             |      |                         |

**NANCY ALEXANDER  
SUP POTENTIAL CONDITIONS  
Tax Map Parcel# 064-A-3**

**SITE PLAN**

1. Development activities on the site shall be limited to those as specified in the Special Use Permit Application and Site Plan. The final locations of incidental facilities may be adjusted provided no such adjustment violates any buffers, setbacks, or other statutory requirement. The concepts reflected in the filed special use permit dated 03/05/2024 are hereby made part of these development conditions.

2. Any proposed expansion of the operation, change of activities or additional facilities or activities shall be submitted to the Prince Edward County Planning and Community Development office for review prior to implementation. Any changes may be subject to Permit amendment procedures, including Public Hearings.
3. All buildings within the property shall be developed as a cohesive entity, ensuring that building placement, architectural treatment, parking lot lighting, landscaping, trash disposal, vehicular and pedestrian circulation and other development elements work together functionally and aesthetically.
4. All landscaping shall be mulched and maintained to the reasonable satisfaction of the Prince Edward County Planning and Community Development Director. Any vegetation found to be of poor condition shall be replaced and/ or improved at the reasonable direction of the Planning and Community Development Director or his designee.

#### **ENVIRONMENTAL**

5. All activities as well as facilities for the provision of potable water and sanitation and wastewater disposal systems shall comply with the requirements of the appropriate federal, state, and local regulations and ordinances.
6. Any development activities of structural of land disturbing nature not specifically addressed by these Conditions shall be in conformance with applicable provisions of federal, state, and local statues and regulations.

#### **TRANSPORTATION**

7. Adequate area shall be provided on site to accommodate parking of all renters and guests. It shall be the responsibility of the Permittee to assure that renters and guests park only on site and not on any highway, right-of-way, or on adjoining or adjacent parcels unless written consent is provided by the owner or owners thereof.

#### **GENERAL**

8. Rental activity shall be in conformance with Prince Edward County Ordinance 70-221 through 70.231 pertaining to the transient occupancy tax and such tax shall be reported to the Commissioner of the Revenue on or before the last day of the following calendar month.
9. The Permittee is responsible for the appearance of the site including litter pick-up and other orderly site appearance.
10. This Permit is non-transferable, except and unless written notice from the Permittee regarding the transfer, and a signed document from the proposed new Permittee is received by the Planning and Community Development Office which states that the new Permittee agrees to comply with all terms and Conditions imposed with the original Permit Issuance. If the proposed new Permittee desires to amend the original Permit Conditions, amendments must be addressed by the Prince Edward County Planning Commission and Board of Supervisors through the Special Use Permit process.
11. Failure of Permittee to full conform to all terms and conditions may result in revocation of this Special Use Permit if said failure or failures are not corrected or addressed to the satisfaction, not to be unreasonably withheld, of the County within thirty (30) days of written notice from the County.

**In Re: Public Hearing – Special Use Permit – Outdoor Shooting Range, Permit Amendment**

Chairman Prengaman announced this was the date and time scheduled to receive citizen input prior to considering a request by Scott Schmolesky on behalf of Hampden-Sydney College to amend the existing Special Use Permit for the purpose of a master plan of development to include expanded use and activities of shooting practices and competition events, as well as outdoor educational program activities such as archery, biking, cross country running, hiking, leadership development and a nature trail on Tax Map Parcel 064-A-45, with an address of 7128 Farmville Road, Farmville, VA, which is zoned A1, Agricultural Conservation. Notice of this hearing was advertised according to law in the Wednesday, May 8, 2024 and Wednesday, May 15, 2024 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

The County has received an application request by Scott Schmolesky on behalf of Hampden-Sydney College to amend the existing Special Use Permit for the purpose of a master plan of development to include expanded use and activities of shooting practices & competition events, as well as outdoor educational program activities such as archery, biking, cross country running, hiking, archeology, science studies, leadership development and a nature trail on Tax Map Parcel 064-A-45, with an address of 7128 Farmville Road, Farmville, VA, which is zoned A1, Agricultural Conservation.

County staff is of the opinion the stated uses are generally compatible with the zoning district but will have some minimal impact on surrounding properties such as noise and traffic during events. Potential conditions were presented to the Commissioners for review.

Mr. Love stated one call was received from a neighboring property owner. He said staff previously conducted a one-year review and observed a shooting activity and used decibel meters, and at all sites the sound registered at or below speech. He said no other complaints have been received to date.

Mr. Andy Shield stated he designed these improvements to the facility, and worked with Rick Hemmingway of North Carolina who is considered the expert on shooting courses, clay courses, skeet trap, and has designed courses all over the west coast. Mr. Hemmingway has been at the site twice and has incorporated the ideas [for this site], located by GPS and the local Civil Engineering firm in town, Chip Coleman, to present the plans presented to the Commission. He said a lodge will accompany the shooting ranges. He said the range will be built in the first phase on 48 acres, and once they are established, the lodge will be built in the second phase, on the remaining 200+ acres. Mr. Shield said shooting sports at collegiate level has greatly expanded; Hampden-Sydney participated in an event two years ago and ranked fourth of 20; this past spring, at the National Meet in Texas, there were 61 teams and Hampden-Sydney ranked 24<sup>th</sup>. He said there is considerable growth in this sport nationwide. This will enhance the college and bring it up to the Division III schools. Mr. Shield then elaborated on the plans for the lodge, which will include two laser-operated targeting practice facilities, which will consist of a projector that puts a target on the wall. He said the ceilings are 8' – 9' tall; he said one in the classroom can be directional and change speed. The practice time which has been done outside in the past can be done indoors; there is a laser tube that fits onto the shotgun. The student gets muscle-memory and this is completely without sound. In addition, the design shows two five-station courses, two skeet and trap fields. If a meet is held there, that will allow several groups to practice at the same time. Mr. Shield said there will be no Sunday shooting; the program is in the afternoons and that the College has never had outdoor evening activities. He spoke about safety on campus regarding the gun storage; a secure gun storage area will be available at the lodge but will routinely be handled by the campus police station.

Chairman Prengaman asked about a timeline. Mr. Shield stated that Phase 1, if approved, construction on the ranges may begin in September; he said Phase 2, the lodge, will be done following the completion of the ranges.

Commissioner Womack asked if shooting on the range will be going on during hiking, biking, leadership development, or other activities. Mr. Shield stated the activities will be scheduled to be done separately on different parts of the acreage. Mr. Shield added that there will be signage posted for the perimeter of the property.

Commissioner Paige said he attended a meeting with the Sheriff's Department, the Town of Farmville Chief of Police, and the Hampden-Sydney Chief of Police; he said they made mention that their police officers go through training at Hampden-Sydney. Commissioner Paige asked if this facility will be accommodating that training. Mr. Copeland said that any training that is joint training is typically done on campus proper and not on a remote location.

Commissioner Peery asked that when the facilities are open, will someone always be there to oversee the activities. Mr. Shield stated there will be a locked gate; he said that will be enhanced to make it more attractive and it will possibly have a keypad and monitors.

Chairman Prengaman asked if there have been any issues with people being on the property that do not belong there. Mr. Schmolesky said there have not.

Chairman Prengaman opened the public hearing.

Robert Loveless stated the plans are excellent and asked for clarification on the relocation of the road. He said that the document states the road location may be changed. He said that if it is changed, he may have no access to Route 15, and there was to be a perpetual right-of-way. He requested reassurance that they will continue to have right-of-way.

Mr. Loveless then discussed the controlled access, stating they have concerns about family members being able to hunt on their own land. He said when they go hunting on their property, they hope no one is there. He said that he paints the boundary line and post; he said a few students come over the line to hunt. He stated the sole evidence of this is that he has found white thumbtacks on the ground from the Hampden-Sydney side going back to the woods, so they can see their way out of the woods by shining a light on them. He said when he and his family go hunting on their property, they count on no one else being there and does not want an accident out there. He added there will be someone coming to cut hay and a logger that will be accessing the land in the near future.

Mr. Copeland stated there is no intention of jeopardizing access to their right-of-way; he said HSC students are not to be hunting on that property. He said if they are out there, they are there unbeknownst to the coach, and to the outdoor program that Mr. Schmolesky runs. Discussion followed.

There being no one further wishing to speak, Chairman Prengaman closed the public hearing.

Discussion followed on the proposed conditions. Mr. Love stated #9 was updated to state "Existing access connection to Farmville Road (State Route 15) shall be improved in accordance with and permitted by the Department of Transportation as a commercial entrance." Further discussion of the entrance and road followed.

Commissioner Fuller made a motion, seconded by Commissioner Paige, to forward to the Board of Supervisors the recommended approval of the Special Use Permit amendment request by Scott Schmolesky on behalf of Hampden-Sydney College in order to allow for a master plan of development for expanded activities with the conditions as stated:

|         |                           |      |                         |
|---------|---------------------------|------|-------------------------|
| Aye:    | Brad Fuller               | Nay: | Abstain: John Prengaman |
|         | Llew W. Gilliam, Jr.      |      |                         |
|         | Whitfield M. Paige        |      |                         |
|         | John "Jack" W. Peery, Jr. |      |                         |
|         | Henry Womack              |      |                         |
| Absent: | Clifford Jack Leatherwood |      |                         |
|         | Teresa Sandlin            |      |                         |
|         | Rhett Weiss               |      |                         |



**HAMPDEN-SYDNEY COLLEGE SUP  
SITE CONDITIONS - REVISED 5/21/2024  
Tax Map Parcel# 064-A-45B**

**SITE PLAN**

1. Development activities on the site shall be limited to those as specified in the Special Use Permit Application and Site Plan. The final locations of incidental facilities may be adjusted provided no such adjustment violates any buffers, setbacks, or other statutory requirement. The concepts reflected in the filed special use permit amendment dated 04/24/2024 are hereby made part of these development conditions.
2. Final site plan approval for the facilities shall be submitted to the Prince Edward County Community Development Department for final review and approval pursuant to Appendix B of the Prince Edward County Code (Zoning Ordinance).
3. Any proposed expansion of the operation, change of activities or additional facilities or activities shall be submitted to the Prince Edward County Planning and Community Development office for review prior to implementation. Any changes may be subject to Permit amendment procedures, including Public Hearings.
4. All buildings within the property shall be developed as a cohesive entity ensuring that building placement, architectural treatment, parking lot lighting, landscaping, trash disposal, vehicular and pedestrian circulation and other development elements work together functionally and aesthetically.
5. All landscaping shall be mulched and maintained to the reasonable satisfaction of the Prince Edward County Planning and Community Development Director. Any vegetation found to be of poor condition shall be replaced and/ or improved at the reasonable direction of the Planning and Community Development Director or his designee.

**ENVIRONMENTAL**

6. All pollution control measures, erosion and sediment control measures, storm water control facilities, and all construction activities shall comply with the requirements of the appropriate federal, state, and local regulations and ordinances.
7. All facilities for the provision of potable water and sanitation and wastewater disposal systems and food preparation shall be approved by the appropriate local, state, or federal agency including but not limited to Virginia Department of Health, Virginia Departments of Environmental Quality, Environmental Protection Agency, etc.
8. Any development activities of a structural or land disturbing nature not specifically addressed by these Conditions shall be in conformance with applicable provisions of federal, state, and local statues and regulations.

**TRANSPORTATION**

9. The existing access connection to Farmville Road (State Route 15) shall be improved in accordance with and permitted by the Virginia Department of Transportation, as a commercial entrance. Permit issuance for the improvement is subject to VDOT review of the site plan submission.
10. The road leading along the edge of the property will be maintained by Hampden-Sydney College in good condition.
11. Adequate area shall be provided on site to accommodate parking of all staff, students, alumni, parents, and visitors. It shall be the responsibility of the Permittee to assure that parking will occur on site and

not on any highway, right-of-way, or on adjoining or adjacent parcels unless written consent is provided by the owner or owners thereof.

### **SHOOTING ACTIVITIES**

12. Shooting may occur from dawn till dusk up to three hours of active range time per day on Monday through Friday and up to six hours of active range time on Saturday. Shooting activities shall be prohibited on Sunday.
13. A schedule of shooting match events shall be provided to the Prince Edward County Planning and Community Development office prior to the beginning of each school semester.
14. Only shotguns and bird shot will be used during practices and shooting match events.
15. The Hampden-Sydney College will coordinate with neighbors to avoid use of the range during times when hay is being harvested on the adjacent property.
16. All practices and shooting match events will be organized and supervised by an appropriately qualified Range Safety Officer (RSO) within NRA guidelines and shall be in conformance with applicable provisions of federal, state, and local statutes and regulations.
17. All individuals using the range will be properly trained in safety and firearms handling prior to use of the facility.

### **GENERAL**

18. The facility will be maintained by the Hampden-Sydney College in good condition, with hulls and any consumable items disposed of at the end of each practice and shooting match events.
19. All exterior lighting shall be designed and installed so as to minimize glare onto adjoining properties or any public access road. All lighting shall be full cut-off type fixtures.
20. Outdoor storage of trash containers shall be situated at the rear of buildings and shall be appropriately screened.
21. The Permittee is responsible for the appearance of the site including litter pick-up and other orderly site appearance.
22. This Permit is non-transferable, except and unless written notice from the Permittee regarding the transfer, and a signed document from the proposed new Permittee is received by the Planning and Community Development Office which states that the new Permittee agrees to comply with all terms and Conditions imposed with the original Permit Issuance. If the proposed new Permittee desires to amend the original Permit Conditions, amendments must be addressed by the Prince Edward County Planning Commission and Board of Supervisors through the Special Use Permit process.
23. Failure of Permittee to full conform to all terms and conditions may result in revocation of this Special Use Permit if said failure or failures are not corrected or addressed to the satisfaction, not to be unreasonably withheld, of the County within thirty (30) days of written notice from the County.

### **In Re: Review of Supervisors Actions**

Mr. Love stated the CEP Solar site applications have been tabled at the request of the applicant to work out some issues presented at the public hearing; he said one will be brought back for reconsideration at the June 11<sup>th</sup> Board of Supervisors meeting. He said there will be a change in the template for these projects. There will be a one-year extension provided for the completion of the project but they must return to the Board of

Supervisors, the soil testing will need to be done annually, and the Surety Bond for decommissioning will be reviewed every five years.

**Old Business**

(None.)

**New Business**

Mr. Stanley stated that in 2006, the County received a water permit to withdraw from Sandy River [Reservoir]; this expired in 2021. He said the new permit was issued last week which is good for another 15 years. He said the daily water volume has been reduced to five million gallon per day, but if the County can justify it, there may be room to increase it. He said the County is still waiting to hear about serving the State facilities in Burkeville and Crewe. Mr. Stanley then said the data center site has been getting a lot of attention; he said the Wawa, the car wash, the meat processing facility site, and Harbor Freight projects are underway.

Mr. Love stated he received correspondence from the car wash that they are getting ready to submit the package for the building permit.

Mr. Love stated the Commission will meet on June 18, 2024 in the Board of Supervisors Room, and Thursday, June 20, 2024 at Moton Museum to discuss the Comprehensive Plan.

Chairman Pregarman declared the meeting adjourned at 8:01 p.m.

**Next Meeting: Tuesday, June 18, 2024**

June 20, 2024

At the special meeting of the Board of Supervisors of Prince Edward County, held at the Robert Russa Moton Museum, 900 Griffin Boulevard, Farmville, Virginia, thereof, on Thursday, the 20<sup>th</sup> day of June, at 6:00 p.m., there were present:

Pattie Cooper-Jones  
J. David Emert  
Victor “Bill” Jenkins  
E. Harrison Jones  
Odessa H. Pride  
Jerry R. Townsend  
Cannon Watson

Whitfield Paige  
John “Jack” W. Peery, Jr.  
Teresa Sandlin  
Rhett Weiss

Absent: Llew W. Gilliam, Jr., Brad Fuller, Clifford Jack Leatherwood, John Prengaman, Henry Womack

Also present: Douglas P. Stanley, County Administrator; Robert Love, Director of Planning & Community Development; Sarah Puckett, Assistant County Administrator; Chelsey White, Director of Economic Development and Tourism; Ilsa Loeser, Letterpress Communications; and Benjamin W. Tripp, CECD, AICP, CZO, Senior Planner, Berkley Group.

Board of Supervisors Chair Cooper-Jones called the special meeting to order.

Planning Commission Vice-Chairman Jack Peery called the special meeting to order.

In Re: Joint Comprehensive Plan Work Session

Mr. Douglas P. Stanley, County Administrator, stated this is the third Joint Work Session and introduced Mr. Benjamin W. Tripp. He said Mr. Tripp will cover the chapters on “Facilities” and “Economic Development.” He then asked everyone in attendance to introduce themselves.

Benjamin W. Tripp, Berkeley Group, reviewed the process and schedule to date. He presented an overview of Longwood Symposium Day, and said the students were challenged to come up with ideas to attract and retain residents. He reported 300 students participated and discussed ways to help solve local issues; the students stated there aren’t a lot of things to do [in the area], there aren’t adequate services, and there aren’t enough job opportunities. He said they also identified “missing middle housing”, such as accessory apartments, townhomes or duplex houses are unavailable in Prince Edward County. Students submitted a list of strategies based on discussions for inclusion in the Comp Plan; two include connection of the teaching courses into the local public schools, such as an improved teacher pipeline from Longwood with

teacher incentives, and the need for a community center facility and programming to connect more Longwood students and recent graduates to volunteer and job opportunities with area youth.

Mr. Tripp presented the Goal Statement: *“Prince Edward County will grow its economy by strengthening existing industries, attracting new ones, and protecting its educational and rural heritage as it prepares for tomorrow.”* Discussion followed on changes to the statement with suggestions from the Board, Commission and citizens.

Mr. Tripp gave an overview of “Chapter 5: Economic Growth and Development.” He reviewed the following sections: Promote the County’s Natural and Historic Attractions, Fill Gaps in Retail and Other Business Markets, Grow Economic Base Industries, Provide Opportunities for Job Skills Training, Support Entrepreneurship, Attract New Businesses and Industries, and Support Agricultural and Farming Activities. Discussion followed.

Mr. Tripp then presented an overview of “Chapter 6: Community Facilities and Services.” He discussed the County Courthouse, the Cannery, Community Centers, and Public Safety. Mr. Tripp presented the Goal & Strategies statement: *“Prince Edward County will provide public facilities, services and infrastructure to support a high quality of life for all residents in a cost-effective, equitable, and prosperous manner.”* Discussion followed on the wording of the statement, and several Board members, staff, and citizens offered suggestions for clarification.

Mr. Tripp led a discussion of the sections: Enhancing the Effectiveness of County Governance, Investing in Infrastructure for the Future, Achieving Academic Excellence, and Enhancing Community Services. Discussion followed.

Mr. Tripp then reviewed the next steps in the process; he asked that Board of Supervisors and Planning Commission members provide comments on the Comment Tracker on Chapters 5 and 6 by Friday, July 5. The next work session will be held Thursday, August 22, 2024 at 6:00 p.m. to discuss “Transportation.”

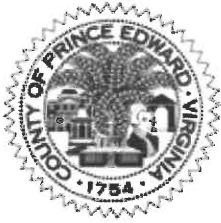
On motion of Supervisor Emert, seconded by Supervisor Watson, and adopted by the following vote:

Aye: Pattie Cooper-Jones  
J. David Emert  
Victor "Bill" Jenkins  
E. Harrison Jones  
Odessa H. Pride  
Jerry R. Townsend  
Cannon Watson  
Absent: Llew W. Gilliam, Jr.                      Nay: None

the Board of Supervisors meeting was adjourned at 7:18 p.m.

Planning Commission Vice Chair Peery declared the Planning Commission meeting adjourned at 7:18 p.m.

DRAFT



**Planning Commission  
Agenda Summary**

**Meeting Date:** August 20, 2024  
**Item No.:** 6-a  
**Department:** Planning and Community Development  
**Staff Contact:** Robert Love  
**Issue:** Special Use Permit – Prospect Gospel Tabernacle Church

**Summary:**

The County has received an application request Prospect Gospel Tabernacle Church for a Special Use Permit to replace an existing pole sign with a 32 square foot electronic sign having a total height of 19 feet, on Tax Map Parcel 031-A-40 located at 4307 Prince Edward Highway (US Route 460) near its intersection with Milford Lane, which is zoned A-1, Agricultural Conservation.

The public hearing notice was published in the July 31, 2024 and August 7, 2024 editions of the Farmville Herald, Attachment (2). The list of adjoining property owners and the sample letter sent to each can be found in Attachments (3) and (4). Attachment (5) is staff prepared Potential Conditions for consideration.

The purpose of the Special Use is to construct a 32 square foot pole sign with a total height of 19 feet on the north side Prince Edward Highway (US Route 460) near its intersection with Milford Lane.

County staff is of the opinion the use is compatible with the zoning district and will have minimal impact on surrounding properties.

**Attachments:**

- 1. Special Use Permit Application
- 2. Notice of Public Hearing
- 3. List of adjoining property owners
- 4. Sample Letter sent to adjoining property owners
- 5. Potential Conditions

**Recommendations:**

- 1. Conduct the Public Hearing and render a decision concerning the request for the Special Use.

**Recommended Motions:**

I move that the Planning Commission recommend approval of the Special Use Permit request by Prospect Gospel Tabernacle Church for the instillation of an electronic pole sign with the following conditions: (list of conditions)

Motion \_\_\_\_\_  
Second \_\_\_\_\_

Fuller \_\_\_\_\_  
Gilliam \_\_\_\_\_  
Leatherwood \_\_\_\_\_

Paige \_\_\_\_\_  
Peery \_\_\_\_\_  
Prengaman \_\_\_\_\_

Sandlin \_\_\_\_\_  
Weiss \_\_\_\_\_  
Womack \_\_\_\_\_



**Planning Commission  
Agenda Summary**

**OR**

I move that the Planning Commission recommend denial of the Special Use Permit request by Prospect Gospel Tabernacle Church for the instillation of an electronic pole sign due to the following:  
(list reasons)

**OR**

I move that the Planning Commission table the Special Use Permit request by Prospect Gospel Tabernacle Church for the instillation of an electronic pole sign for further discussion at a work session.

Motion \_\_\_\_\_  
Second \_\_\_\_\_

Fuller \_\_\_\_\_  
Gilliam \_\_\_\_\_  
Leatherwood \_\_\_\_\_

Paige \_\_\_\_\_  
Peery \_\_\_\_\_  
Prengaman \_\_\_\_\_

Sandlin \_\_\_\_\_  
Weiss \_\_\_\_\_  
Womack \_\_\_\_\_





COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PERMIT/APPLICATION NO \_\_\_\_\_  
ZONING DISTRICT \_\_\_\_\_  
MAGISTERIAL DISTRICT \_\_\_\_\_  
DATE SUBMITTED \_\_\_\_\_

**County of Prince Edward**

PLEASE PRINT OR TYPE

**PRINCE EDWARD COUNTY APPLICATION  
FOR SPECIAL USE PERMIT**

TO: PRINCE EDWARD COUNTY PLANNING COMMISSION      SPECIAL EXCEPTION REQUESTED:  
VIA: ZONING ADMINISTRATOR

The undersigned owner of the following described property hereby applies for a Special Use permit as provided in Section 5-124 of Article V, Site Plan requirements are found in Section 4-100 of Article IV Development Standards of the Zoning Ordinance of Prince Edward County, Virginia.

Applicant's Name: Prospect Gospel Tabernacle  
Applicant's Address: 4307 Prince Edward Hwy, Prospect, VA, 23906  
Applicant's Telephone Number: (434) 574-6674

Present Land Use: Church

Legal Description of Property with Deed Book and Page No. or Instrument No. Bk/pg: 212/424  
12 acreage

Tax Map # 031 A 40      Acreage: 12

Narrative statement evaluating effects on adjoining properties (noise, odor, dust, fumes, etc.): (Attach additional sheet if necessary.) none

See Attached

✓ Statement of general compatibility with adjacent and other properties in the zoning district. (Attach additional sheet if necessary.) \_\_\_\_\_

Height of Principal Building (s): Feet \_\_\_\_\_ Stories \_\_\_\_\_

APPLICANT'S STATEMENT: (if not owner(s) of property):

I hereby certify that I have the authority to make the foregoing application, that the information given is complete and correct to the best of my knowledge, and that development and/or construction will conform with the regulations as set forth in the Prince Edward County Zoning Ordinance as written and also with the description contained in this permit application.

[Signature]      Date July 8 2024  
Signature of Applicant (if not property owner)

PROPERTY OWNER(S) STATEMENT:

I hereby certify that I/We own the above described property, that the information given is complete and correct to the best of my knowledge, and the above person(s), group, corporation, or agent has the full and complete permission of the undersigned owner(s) to make application for a Conditional Use permit as set forth in the Prince Edward County Zoning Ordinance as written.

Prospect Gospel Tabernacle by Mary Harts      Date July 8 2024  
Signature of Property Owner(s)

Signature of Property Owner(s)      Date

Signature of Property Owner(s)      Date

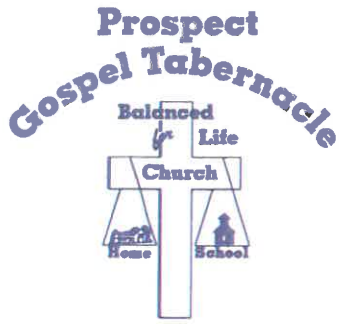
NOTE: THIS PERMIT APPLICATION IS NOT VALID UNLESS ALL PROPERTY OWNER(S) SIGNATURES ARE AFFIXED AND DATED. ATTACH ADDITIONAL SHEETS IF NECESSARY.

Application Fee \$300.00      Fee Received by [Signature]      Date 7/9/2024

The above mentioned application charges are nonrefundable, regardless of whether the permit application is approved or denied once submitted.

All checks for payment should be made payable to: Treasurer, Prince Edward County, Virginia.

Mail to: Department of Planning &  
Community Development  
P. O. Box 382  
Farmville, VA 23901  
(434) 392-8837



**P.O. Box 71  
Prospect, Virginia 23960  
Phone / Fax (434) 574-6674**

County of Prince Edward  
Planning Commission

July 8, 2024

RE: Prospect Gospel Tabernacle  
Special Use Permit  
Narrative

Application presented for Prospect Gospel Tabernacle, to replace existing sign with a 32 square foot on top of a 15 foot pole total height 19 feet. The existing sign was approved by Prince Edward County at its current height, due to sign placement in a gully. Requesting new sign at same height due to this factor. This sign should not have any effect on land adjacent properties of traffic.

Respectfully,  
Prospect Gospel Tabernacle

PROJECT: \_\_\_\_\_

**Prospect Gospel  
 Tabernacle**

This document represents only an approximation of what is intended. Actual product colors may vary from the print or digital image.

\* CUSTOMER APPROVAL: \_\_\_\_\_

\* AUTHORIZED SIGNATURE \_\_\_\_\_

\* DATE \_\_\_\_\_

WORK ORDER NO. \_\_\_\_\_

REVISIONS

- 1 \_\_\_\_\_
- 2 \_\_\_\_\_
- 3 \_\_\_\_\_
- 4 \_\_\_\_\_
- 5 \_\_\_\_\_

REPRESENTATIVE \_\_\_\_\_

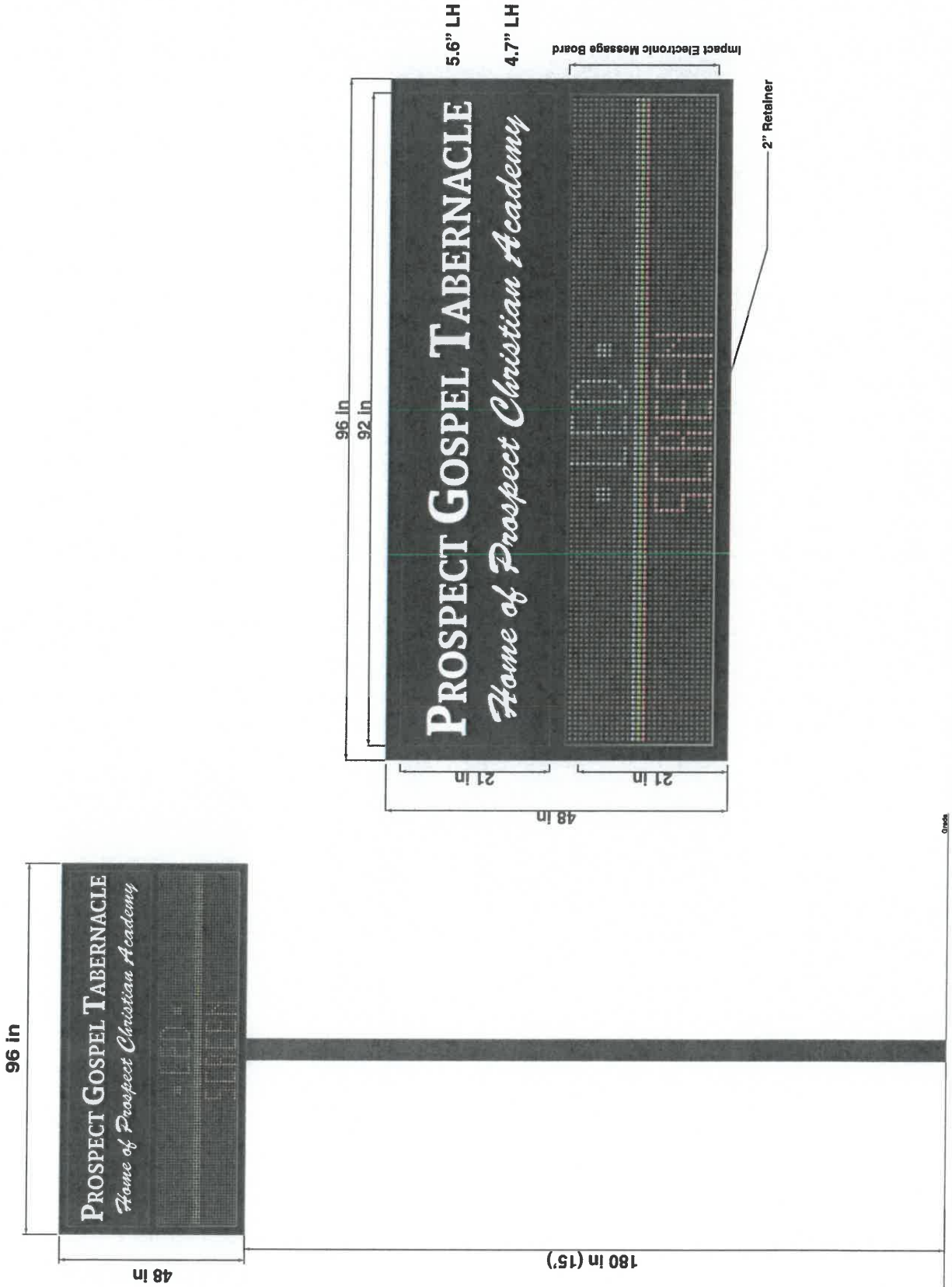
DRAWN BY **CS**

DATE **TS/KB**

FILE NAME **7/2/2024**

Prospect Gospel Tabernacle - Combo Sign

NOT TO SCALE





Please publish the following public hearing notice in **THE FARMVILLE HERALD** on **Wednesday, July 31, 2024** and **Wednesday, August 7, 2024**.

---



### NOTICE OF PUBLIC HEARING

The Prince Edward County Planning Commission will hold PUBLIC HEARINGS on Tuesday, August 20, 2024 commencing at 7:00 p.m. in the Board of Supervisors Room, Prince Edward County Courthouse, 111 N. South Street, 3<sup>rd</sup> Floor, Farmville, Virginia, to receive citizen input prior to considering the following:

1. A request by Prospect Gospel Tabernacle Church for a Special Use Permit to replace an existing pole sign with a 32 square foot electronic sign having a total height of 19 feet, on Tax Map Parcel 031-A-40 located at 4307 Prince Edward Highway (US Route 460) near its intersection with Milford Lane, which is zoned A-1, Agricultural Conservation.
2. Pursuant to §15.2-2232 of the Code of Virginia, 1950 as amended, a review of Special Use Permit application filed by North Branch Solar, LLC and to make a determination if the project is substantially in accord with the Prince Edward County Comprehensive Plan and for the proposal to construct and operate a 3MWac solar energy facility on a 40 acre portion of land totaling 147.5+/- acres denoted as Tax Map Parcel 043-A-34, located on the east side of Thomas Jefferson Highway (State Route 47), across from its intersection with Point Road (State Route 725), which is zoned A-1, Agricultural Conservation.

Citizen input for Public Hearings will be received through: (1) in-person participation; (2) remote participation by calling 1-844-890-7777, Access Code # 390313; or (3) by written comments mailed to: Planning Commission, P.O. Box 382, Farmville, VA 23901. Please limit word count to no more than 500 words. Comments must be received by 2:00 p.m. the day of the meeting; via email to [info@co.prince-edward.va.us](mailto:info@co.prince-edward.va.us); or via facsimile at 434-392-6683. Based on the number of speakers, the Chair will determine the time allotted to each. Citizens may also view the monthly Planning Commission meeting live (no public input) at the County's YouTube Channel by using the link on the County website under Meetings & Public Notices.

Additional information regarding the special use permit applications is available for public review on the County's web site at [www.co.prince-edward.va.us](http://www.co.prince-edward.va.us) or in the Prince Edward County Administrator's Office, 111 N. South Street, 3<sup>rd</sup> Floor, Farmville, VA. It is the County's intent to comply with the Americans with Disabilities Act. Should you have questions or require special accommodations, please contact the County Administrator's Office at 434-392-8837.

###



**PLANNING COMMISSION**

John Prengaman  
Chairman  
Llew W. Gilliam, Jr.  
Board Representative  
Brad Fuller  
Clifford Jack Leatherwood  
Whitfield M. Paige  
John "Jack" W. Peery, Jr.  
Teresa Sandlin  
Rhett L. Weiss



**COUNTY OF PRINCE EDWARD, VIRGINIA**

**DIRECTOR OF PLANNING &  
COMMUNITY DEVELOPMENT**

Robert Love, GISP  
Post Office Box 382  
111 N. South Street, 3<sup>rd</sup> Floor  
Farmville, VA 23901  
Office: (434) 414-3037  
Fax: (434) 392-6683  
[rlove@co.prince-edward.va.us](mailto:rlove@co.prince-edward.va.us)

August 6, 2024

To: Property Owners

From: Robert Love, Director of Planning and Community Development

Subject: Special Use Permit Request – Prospect Gospel Tabernacle Church

The Prince Edward County Planning Commission will hold a public hearing on Tuesday, August 20, 2024 at 7:00 p.m. to receive citizen input on a request by Prospect Gospel Tabernacle Church for a Special Use Permit to replace an existing pole sign with a 32 square foot electronic sign having a total height of 19 feet, on Tax Map Parcel 031-A-40 located at 4307 Prince Edward Highway (US Route 460) near its intersection with Milford Lane, which is zoned A-1, Agricultural Conservation.

You are receiving this notice because you own land in the vicinity of the property requested to be approved for a special use permit. Following the hearing the Prince Edward County Planning Commission may vote to recommend approval or denial of the request.

Instructions of how to listen or participate in the meeting and public hearing are contained on the reverse side of this letter. If you have any questions or comments, please do not hesitate to contact me at: 434-414-3037 or by email at: [rlove@co.prince-edward.va.us](mailto:rlove@co.prince-edward.va.us)

Respectfully,

Robert Love

Director of Planning and Community Development

Special Use Permit – Prospect Gospel Tabernacle Church  
Tax Parcel Map #: 031-A-40  
CONDITIONS

**SITE PLAN**

1. Development activities on the site shall be limited to those as specified in the Special Use Permit Application and Site Plan. The final locations of facilities may be adjusted provided no such adjustment violates any buffers, setbacks, or other statutory requirement. The concepts reflected in the filed special use permit submitted 7/9/2024 are hereby made part of these development conditions.
2. Final sign permit zoning and building permit applications for the one (1) electronic sign shall be submitted to the Planning and Community Development office for final review and approval pursuant to Appendix B of the Prince Edward County Code (Zoning) and Chapter 18 of the Prince Edward County Code (Buildings and Building Regulations).

**GENERAL**

3. All landscaping around sign shall be mulched and maintained to the reasonable satisfaction of the Prince Edward County Planning and Community Development Director. Any vegetation found to be of poor condition shall be replaced and/or improved at the reasonable direction of the Planning and Community Development Director or his designee.
4. No sign shall be may be located within VDOT right-of-way or impede sight distance.
5. Site signage shall be limited to Pole type, one 32 square foot sign not to exceed nineteen (19) feet in total height.
6. Sign installation shall be in conformance with all applicable provisions of federal, state, and local statues and regulations.
7. Any sign lighting shall be designed and installed so as to minimize glare onto adjoining properties or any public access road.
8. This Permit is non-transferable, except and unless written notice from the Permittee regarding the transfer, and a signed document from the proposed new Permittee is received by the Planning and Community Development Office which states that the new Permittee agrees to comply with all terms and Conditions imposed with the original Permit Issuance. If the proposed new Permittee desires to amend the original Permit Conditions, amendments must be addressed by the Prince Edward County Planning Commission and Board of Supervisors through the Special Use Permit process.
9. Failure of Permittee to full conform to all terms and conditions may result in revocation of this Special Use Permit if said failure or failures are not corrected or addressed to the satisfaction, not to be unreasonably withheld, of the County within thirty (30) days of written notice from the County.





**Planning Commission  
Agenda Summary**

**Meeting Date:** August 20, 2024  
**Item No.:** 6-b  
**Department:** Planning and Community Development  
**Staff Contact:** Robert Love  
**Issue:** Special Use Permit – North Branch Solar, LLC

**Summary:**

The County has received an application request by North Branch Solar, LLC for a Special Use Permit to construct and operate a 3MWac solar energy facility on a 40-acre portion of land totaling 147.5+/- acres denoted as Tax Map Parcel 043-A-34, located on the east side of Thomas Jefferson Highway (State Route 47), across from its intersection with Point Road (State Route 725), which is zoned A-1, Agricultural Conservation.

**Purpose of the review under Virginia Code Section 15.2-2232:**

As required by VA Code § 15.2-2232, requires that the Planning Commission review all proposed developments that include a “public utility facility” prior to the construction or authorization of such facility. A public hearing is required to determine whether the location, character, and extent of the proposed solar facility is in substantial accord with the Prince Edward County Comprehensive Plan, prior to any approval of the special use permit for the facility.

The public hearing notice was published in the July 31, 2024 and August 7, 2024 editions of the Farmville Herald, Attachment (2). The list of adjoining property owners and the sample letter sent to each can be found in Attachments (3) and (4). Attachment (5) is the staff prepared Potential Conditions.

**Existing Conditions and Zoning:**

The application property consists of mostly timber land. It is bordered by existing agricultural land consisting of pasture and timber land, as well as single-family residential homes. The property is shown as Agricultural and Forestal on the Future Land Use map as described in the Prince Edward County Comprehensive Plan.

**Comprehensive Plan Citations:**

The following are relevant excerpts of Prince Edward County Comprehensive Plan.

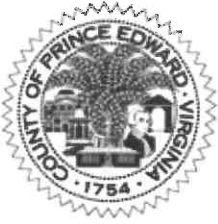
Chapter VI, Special Policy Areas, on Pg. 75 notes “When future development requests require Commission review and Board of Supervisors approval, the economic and quality of life benefits of open space and agricultural and forest land uses should be considered as well as the adequacy of public facilities and services to the area.”

Motion \_\_\_\_\_  
Second \_\_\_\_\_

Fuler \_\_\_\_\_  
Gilliam \_\_\_\_\_  
Leatherwood \_\_\_\_\_

Paige \_\_\_\_\_  
Peery \_\_\_\_\_  
Prengaman \_\_\_\_\_

Sandlin \_\_\_\_\_  
Weiss \_\_\_\_\_  
Womack \_\_\_\_\_



**Planning Commission  
Agenda Summary**

Goals, Objectives, and Strategies, Land Use on Pg. 94-95 “Goal: Ensure optimal use of land resources within Prince Edward County, and promote and support an environmentally sound future land use pattern that provides for a variety of community needs, minimizes conflicts between existing, and proposed land uses, and can be supported by adequate public facilities.”

Land Use Objective #1: Strategies on Pg. 95 “Utilize well planned site designs and effective buffer areas to mitigate the impacts of adjacent land uses of differing intensities.”

Historic and Cultural Resources Strategies on Pg. 105. “Evaluate the impact of new development on local historic structures and areas. Support development proposals and site designs that respect and promote the character of adjacent or nearby historic properties.”

**Attachments:**

1. Special Use Permit Application (*Full Application is provided electronically*)
2. Notice of Public Hearin
3. List of adjoining property owners
4. Sample Letter sent to adjoining property owners
5. Potential Conditions

**Recommendations:**

1. Conduct the Public Hearing and render a determination if the proposed solar facility is in substantial accord with the Prince Edward County Comprehensive Plan, prior to any decision concerning the request for the Special Use.

**Recommended Motions:**

I move that the North Branch Solar, LLC proposed 3MWac solar energy facility as described the Special Use Permit application, is substantially in accord with the Prince Edward County Comprehensive Plan and that the Planning Commission recommend approval of the Special Use Permit request with the following conditions: (*list of conditions*)

**OR**

I move that the North Branch Solar, LLC proposed 3MWac solar energy facility as described the Special Use Permit application, is not substantially in accord with the Prince Edward County Comprehensive Plan due to the fact that it fosters and/or promotes land development in agricultural areas and will have an impact to the adjacent roadway and nearby residences and that the Planning Commission recommend denial of the Special Use Permit request due to the following: (*list reasons*)

**OR**

I move that the Planning Commission table the Special Use Permit request by North Branch Solar, LLC proposed 3MWac solar energy facility until the next meeting in order to: (*list reasons*)

Motion \_\_\_\_\_  
Second \_\_\_\_\_

Fuler \_\_\_\_\_  
Gilliam \_\_\_\_\_  
Leatherwood \_\_\_\_\_

Paige \_\_\_\_\_  
Peery \_\_\_\_\_  
Prengaman \_\_\_\_\_

Sandlin \_\_\_\_\_  
Weiss \_\_\_\_\_  
Womack \_\_\_\_\_

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PERMIT/APPLICATION NO \_\_\_\_\_  
ZONING DISTRICT \_\_\_\_\_  
MAGISTERIAL DISTRICT \_\_\_\_\_  
DATE SUBMITTED \_\_\_\_\_

*County of Prince Edward*

PLEASE PRINT OR TYPE

**PRINCE EDWARD COUNTY APPLICATION  
FOR SPECIAL USE PERMIT**

TO: PRINCE EDWARD COUNTY PLANNING COMMISSION      SPECIAL EXCEPTION REQUESTED:  
VIA: ZONING ADMINISTRATOR

The undersigned owner of the following described property hereby applies for a Special Use permit as provided in Section 5-124 of Article V, Site Plan requirements are found in Section 4-100 of Article IV Development Standards of the Zoning Ordinance of Prince Edward County, Virginia.

Applicant's Name: North Branch Solar, LLC  
Applicant's Address: 107 5th Street SE, Charlottesville, VA, 22902  
Applicant's Telephone Number: (720) 244-1924

Present Land Use: Agriculture/livestock

Legal Description of Property with Deed Book and Page No. or Instrument No. Instrument no: 201101961

Tax Map # 43-A-34

PANEL Acreage: ~147 acres (SUP 38 acres)

Narrative statement evaluating effects on adjoining properties (noise, odor, dust, fumes, etc.): (Attach additional sheet if necessary.) Please see attached narrative document and appendices.

Statement of general compatibility with adjacent and other properties in the zoning district. (Attach additional sheet if necessary.) Please see attached narrative document and appendices.

Height of Principal Building (s): Feet N/A Stories N/A

APPLICANT'S STATEMENT: (if not owner(s) of property):

I hereby certify that I have the authority to make the foregoing application, that the information given is complete and correct to the best of my knowledge, and that development and/or construction will conform with the regulations as set forth in the Prince Edward County Zoning Ordinance as written and also with the description contained in this permit application.

[Signature] AUTHORIZED SIGNATORY  
Signature of Applicant (if not property owner)

JULY 15, 2024  
Date

PROPERTY OWNER(S) STATEMENT:

I hereby certify that I/We own the above described property, that the information given is complete and correct to the best of my knowledge, and the above person(s), group, corporation, or agent has the full and complete permission of the undersigned owner(s) to make application for a Conditional Use permit as set forth in the Prince Edward County Zoning Ordinance as written.

[Signature]  
Signature of Property Owner(s)

July 2, 2024  
Date

Signature of Property Owner(s) \_\_\_\_\_ Date \_\_\_\_\_

Signature of Property Owner(s) \_\_\_\_\_ Date \_\_\_\_\_

NOTE: THIS PERMIT APPLICATION IS NOT VALID UNLESS ALL PROPERTY OWNER(S) SIGNATURES ARE AFFIXED AND DATED. ATTACH ADDITIONAL SHEETS IF NECESSARY.

Application Fee **\$300.00**

Fee Received by Rmloue Date 7/17/2024

The above mentioned application charges are nonrefundable, regardless of whether the permit application is approved or denied once submitted.

All checks for payment should be made payable to: **Treasurer, Prince Edward County, Virginia.**

Mail to: Department of Planning &  
Community Development  
P. O. Box 382  
Farmville, VA 23901  
(434) 392-8837

## Project Proposal

This application for a Special Use Permit (“SUP”) is submitted to Prince Edward County (the “County”) by North Branch Solar, LLC, (the “Applicant”), wholly owned by Sun Tribe Development, LLC (“Sun Tribe”). The Applicant proposes to construct and operate a solar photovoltaic (“PV”) energy generating facility of approximately three (3) megawatts (“MW”) on less than 40 acres of Parcel 43-A-34 (total parcel size 147 acres) in the Buffalo District of Prince Edward County (“North Branch Solar” or the “Project”). The Project parcel is zoned A-1, Agricultural, and is located east of Thomas Jefferson Highway, and north of Llama Road. The parcel is owned by Laura C McClenny, and an Option to Lease agreement has been executed to allow the Applicant to develop and construct a 3 MW solar array. The memorandum of the Option to Lease was recorded by the Prince Edward County Clerk’s Office on February 6, 2024, as instrument number 202400197.

North Branch Solar will provide an increase in direct, indirect, and induced revenue to Prince Edward County. The County will receive increased tax revenue from the Project through the permitting and operation of the facility, while requiring no use of County services such as water, sewer, schools, or other infrastructure. North Branch Solar is expected to generate more than \$365,000 in taxes and fees for Prince Edward County over the life of the project. In addition to direct revenue, other economic benefits include jobs directly attributable to the facility and the indirect spending when laborers eat, shop and sleep at local establishments, as is typical for all solar facility job sites.

**North Branch Solar is expected to generate more than \$365,000 in taxes and fees for Prince Edward County over the life of the project.**

The Project’s low visual profile and quiet operation make it an excellent neighbor. North Branch Solar will diversify the regions electrical generation mix, stabilizing and putting downward pressure on electricity prices. By producing electricity in communities where power is consumed, solar projects increase the resiliency of the local distribution grid and reduce reliance on out-of-state power plants. The electricity generated by the Project is targeted to Virginia’s growing shared solar program with Dominion Energy, which can provide additional cost savings to low-income subscribers in the community. At the end of the facility’s life, it will be decommissioned and removed, allowing the land to be returned to its previous use.

**The Project will diversify the region’s electrical generation mix; stabilizing and putting downward pressure on electricity prices.**

North Branch Solar will provide clean, renewable energy to Prince Edward County residents and businesses and improve regional air and water quality while helping Virginia meet its clean energy goals. Solar energy offsets generation from traditional power plants and thereby reduces certain pollutants that are harmful to human health. Site preparation for the array footprint will require minimal grading as the majority of the array footprint contains slopes less than 10%.

Best management practices for stormwater and erosion and sediment control will be utilized as required by Prince Edward County and the Virginia Department of Environmental Quality (“DEQ”).

The Project will interconnect to existing distribution lines on the property and is currently undergoing the study process with the utility.

The project will be constructed and operated in accordance with all applicable Federal, State, and Local building codes and regulations.

## **Liability Insurance**

The applicant proposes two million dollars (\$2,000,000.00) of liability insurance coverage, one million dollars (\$1,000,000.00) per occurrence and two million dollars (\$2,000,000.00) general aggregate. This protection is consistent with industry norms for large and utility scale solar energy facilities throughout Virginia.

## **Site Control**

The project parcel is owned by Laura C. McClenny, and an Option to Lease Agreement has been executed to allow the Applicant to develop, construct, and operate a solar array on the property. The Memorandum of the Option to Lease Agreement was recorded in the Prince Edward County Circuit Court on February 6, 2024, as instrument number 202400197. The Memorandum of Option to Lease Agreement can be found in [Appendix B](#).

## **Community Meeting**

A community meeting for North Branch Solar was held on June 5, 2024, at the Pamplin Volunteer Fire Department in Pamplin, Virginia. Adjacent property owners in Prince Edward County, Appomattox County, and Charlotte County, along with Prince Edward County Board of Supervisors members, Planning Commission members, and County staff, were invited to attend. Three citizens from the community and two representatives from Prince Edward County, plus four members of Sun Tribe's development team, were present.

The following list of questions, concerns, and related topics were discussed:

- Where will the power go?
- What types of subsidies will the project receive?
- Will the project produce a heat island effect or impact weather events?
- What happens at the end of the project's life?

## Compliance with Zoning Ordinance

The Project Site, Parcel 43-A-34, is currently zoned Agricultural (“A-1”). The development and construction of alternative energy facilities is allowable within the A-1 Agricultural zoning district via Prince Edward County’s Special Use Permitting process as a ‘Utility services, major’ and the Prince Edward County zoning ordinance, Appendix B. The facility will comply with Prince Edward County Zoning Ordinance Appendix B Article 7 Alternative Energy Facilities as noted below.

Prince Edward County Zoning Ordinance Appendix B, Section 7-108: Applications and procedures for large and utility scale energy facilities.

A. Project Narrative

- a. *This document, and accompanying appendix, constitutes the Project narrative for North Branch Solar’s Special Use Permit.*

B. Site Plan

- a. *Please find the conceptual site plan in Sun Tribe’s Project Narrative [Appendix C](#).*

C. Documentation of right to use property

- a. *Please find the recorded Memorandum of Option to Lease in [Appendix B](#).*

D. Decommissioning plan; security

- a. *Please find the Decommissioning plan in [Appendix J](#).*

E. Liability insurance

- a. *Please see the liability insurance statement in the Project Proposal.*

F. Landscaping and screening plan

- a. *Please see the conceptual site plan in [Appendix C](#).*

G. Erosion and sediment control plan

- a. *Erosion and sediment control plan will be developed with Prince Edward County as VESCP Authority prior to site plan approval.*

H. Stormwater management plan

- a. *Stormwater management plan will be developed with Prince Edward County as VSMP Authority prior to site plan approval.*

I. Virginia Cultural Resource Information System Report

- a. *VCRIS report provided by Timmons is included in [Appendix F](#).*

J. Additional information – section 2, 3, 4, 8

- a. *Three large or utility scale energy facilities are located or proposed within a five-mile radius in Prince Edward County:*

- i. *Prince Edward CSG LLC, a 4 MW project located on Thomas Jefferson Highway in Pamplin*
    - ii. *Elam Road Solar, LLC, a 3 MW project located on Elam Road in Prospect*
    - iii. *Impact Power Solutions, LLC, a 5 MW project located on Llama Road in Pamplin*
  - b. *A real estate impact analysis prepared by a licensed appraiser found no positive or negative impact to property values associated with a proximity to properly screened solar facilities. The real estate impact analysis prepared by Kirkland Appraisers can be found in [Appendix M](#).*
  - c. *An economic impact analysis was prepared by Mangum Economics which details the revenue expected to be generated by the facility with no accompanying draw on county resources. The economic impact analysis can be found in [Appendix L](#).*
  - d. *A glint and glare review was performed using the ForgeSolar, a globally recognized toolset for evaluating photovoltaic glare. The results anticipated no glare on nearby roads or structures with, or without, the proposed vegetative buffer. The ForgeSolar results can be found in [Appendix H](#).*
- K. Review fees
- a. *The \$300 fee was paid at the time of the application submittal.*
- L. Community meeting
- a. *Community meeting was held on June 5, 2024.*
- M. Exemptions
- a. *No exemptions have been requested by North Branch Solar.*
- N. Post-application documentation and approvals

The Project site will utilize less than 40 acres of the parcel's 147 acres. Apart from an existing overhead collection line connecting this facility to Dominion's adjacent Pamplin substation, parcel acreage outside of the project site will not be disturbed as part of this project

Construction of North Branch Solar will allow the landowner to preserve the parcel's remaining 100+ acres as agricultural and forested land, including the existing residence. At the end of the Project's useful life, the Project will be decommissioned, including the removal of all equipment from the Project site, per the decommissioning plan in [Appendix J](#), and the site may be returned to agricultural use.

In accordance with The Code of the County of Prince Edward, VA Appendix B, Article 5, Section 5-124, Special Use Permits, Prince Edward County, the use may be approved by the Board of Supervisors in accordance with the following:

- 1. The administrator shall not accept any special use permit application for any lot or acreage that does not meet the minimum size, width and/or frontage requirements of the**

**district where the use is proposed. In addition, the administrator shall not accept any special use application for a lot or acreage that does not meet the minimum size, width and/or frontage requirements of any applicable use and design standards for the use listed in article III of this ordinance. In such situations, the applicant shall first seek a variance from the board of zoning appeals. If a variance is granted, the administrator shall thereafter accept the special use permit application for consideration by the commission and the board of supervisors.**

The Project complies with the requirements of Prince Edward County Zoning Ordinance Appendix B Article 2 A-1 Agricultural Conservation District regulations regarding minimum lot requirements and setbacks, as well as Appendix B Article 7 Alternative Energy Facilities.

**2. No special use permit shall be issued by the board of supervisors unless the board supervisors shall find that, in addition to conformity with any standards in article III, Use and Design Standards, the proposed special use shall conform with the following general standards. These standards shall be met either by the proposal as submitted and thereafter revised by the applicant, or by the proposal as modified or amended as part of the review of the application by the commission or board of supervisors.**

**a. The proposal as submitted or modified shall generally conform to the latest comprehensive plan of the county.**

As demonstrated below, North Branch Solar generally conforms to the most recent comprehensive plan for Prince Edward County. Specifically, Chapter VI Special Policy Areas (page 75), Chapter VII Land Use Goal (page 94), Chapter VII Land Use Objective 1 (page 95), Chapter VIII Goals Use and Strategies Section VI Historic and Cultural Resources (page 106).

**b. The proposal as submitted or modified shall have a minimum adverse impact on the surrounding neighborhood or community. Adverse impacts shall be evaluated with consideration to items such as, but not limited to, traffic congestion, noise, lights, dust, drainage, water quality, air quality, odor, fumes, and vibrations. In considering impacts, consideration shall be given to the timing of the operation, site design, access, screening, and or other matters that might be regulated to mitigate adverse impacts.**

North Branch Solar will not impact adjacent properties. The facility will be screened with existing and new vegetation around its perimeter, and will not generate noise, fumes, dust or other emissions during operation. The facility will address water quality with the Virginia Stormwater Management Permit, to be approved prior to site plan approval.

The Project will not negatively impact the surrounding property or neighborhood. The Project will be surrounded by a 7-foot fence that restricts public access and it will have significant setbacks from residences and public rights-of-way. Please see the next section, Consistency with the Comprehensive Plan, for more information.



## Consistency with Comprehensive Plan

As per VA Sec. 15.2-2232 Prince Edward County has developed a Comprehensive Plan to assist in guiding development decisions. Sun Tribe recognizes there is not currently a solar specific policy included in the 2014 Prince Edward County Comprehensive Plan, however, as currently written, North Branch Solar meets many of the guidelines and objectives of the 2014 Prince Edward County Comprehensive Plan. Additionally, the planning commission has determined in recent years that a small solar facility of similar design on a parcel zoned A-1 Agricultural was substantially in conformance with the Prince Edward County Comprehensive Plan. North Branch Solar is substantially in accord with the Prince Edward County Comprehensive Plan and promotes the Goals, Objectives and Strategies noted within the plan.

- [Chapter VI: Special Policy Areas \(page 75\)](#)

**When future development requests require Commission review and Board of Supervisors approval, the economic and quality of life benefits of open space and agricultural and forest land uses should be considered as well as the adequacy of public facilities and services in the area. The environmental impacts of development should also be considered. It is important to maintain a balance between development and preservation objectives throughout the County.**

North Branch Solar will be developed and constructed using best management practices to protect the environment. The Project will utilize less than 40 acres of the 147-acre parcel. Using this relatively small portion of the site in this way will provide a significant, consistent income to the landowner, providing a source of economic resilience against otherwise variable agricultural markets. This will allow the remainder of the parcel to remain in agricultural production and within the family for future generations. Solar is an interim land use, and the project will provide revenue to the landowner, and the County, which can serve to maintain or improve the quality of life in Pamplin and will reduce the attraction of more intense development uses. The electricity produced by the North Branch Solar facility can serve the community without producing emissions and will improve air and water quality in the County.

**“The air quality benefits of solar are worth more than the electricity itself.”**

NC State University Study

- [Chapter VII: Land Use \(page 89\)](#)

**This future land use category includes land areas in the rural portions of the County where agricultural and forestall uses are, and should continue to be, the dominant land use. Large lot single-family development may now exist within some of these areas. As discussed in Chapter VI, Special Policy Areas, future development of these properties for residential uses is not encouraged and should occur at a density not to exceed one unit per four acres or more. In addition, incentives should be provided to encourage the clustering of housing units and the permanent conservation of open space when development of these areas does occur.**

North Branch Solar is an interim land use that preserves the rural character of the community by using only a small portion of the property and allowing the majority of the parcel to be preserved for existing agricultural uses. The project will provide revenue to the landowner and the County, which can serve to maintain or improve the quality of life in Pamplin and will reduce the attraction of more intense development uses. In addition, the project will be very low-impact on the surrounding community - causing no emissions, extra noise, or traffic impacts on the neighborhood.

- Chapter VIII: Goals, Objectives, and Strategies

**Economic Development Goal: To stabilize, balance and strengthen the economy of Prince Edward County.**

**Objective 1 (page 91): Ensure that the County’s available labor force meets the needs of existing and proposed industries.**

North Branch Solar can support career growth and training opportunities for individuals interested in renewable energy construction and development. North Branch Solar has been developed in alignment with Virginia’s Shared Solar program and will bolster the renewable energy industry in Prince Edward County and Virginia. Sun Tribe has also used similar ground mount facilities to aid in educating younger generations in public schools and vocational programs.

**Objective 2 (page 92): Promote the retention and growth of existing County businesses, and the location of new businesses in the County.**

Properly sited renewable energy projects are attractive to new businesses and industries considering a new geographical location. The electricity generated by the facility can be available to residential consumers within Dominion’s service territory through a subscriber program that will qualify the subscriber for a bill credit immediately upon entering the program or can be generated for consumption locally under existing Dominion Energy market design. Additionally, solar generation stabilizes, and puts downward pressure, on electricity prices and improves the resiliency of the local electricity grid.

**Land Use Goal (page 94): Ensure the optimal use of land resources within Prince Edward County, and promote and support an environmentally sound future land use patterns that provides for a variety of community needs, minimizes conflicts between existing and proposed land uses, and can be supported by adequate public facilities.**

Solar facilities generate electricity for the community without the accompanying emissions, noise, and fuel harvesting required by many other generation sources. Coupled with the fact that small, responsibly sited, solar facilities create minimal, temporary disturbances, compared to permanent commercial or residential development, they make a very environmentally friendly neighbor. North

**Decommissioning and removal of the facility is paid for by the Project, and not the County or its citizens.**

**Virginia’s established and growing Shared Solar Program with Dominion Energy can provide direct cost savings to low-income residents.**

Branch Solar is located specifically to take advantage of existing vegetation and topography to minimize, or eliminate, any conflict between existing and proposed land uses.

**Objective 1 (page 95): Utilize well planned site designs and effective buffer areas to mitigate the impacts of adjacent land uses of differing intensities.**

North Branch Solar is designed and located specifically to take advantage of existing vegetation and topography to minimize, or eliminate, any conflict between land uses of differing intensities. The facility will meet or exceed the Prince Edward County zoning ordinance for buffering and screening to ensure the facility has minimal impact on viewsheds from adjacent parcels and roads.

**Historic and Cultural Resources Goal (page 106): Evaluate the impact of new development on local historic structures and areas. Support development proposals and site designs that respect and protect the character of adjacent nearby historic properties.**

The Project will be designed and built to avoid or mitigate impact to historic structures or areas. North Branch Solar will continue to work with Prince Edward County Planning and Zoning to address any concerns. Preliminary due diligence, and conversations with Prince Edward County, do not indicate any cultural or historic resources of concern on site.

**“Data from university studies, broker commentary, and other appraisal studies support a finding of no impact on property value adjoining a solar farm with proper setbacks and landscaped buffers.”**

Richard C. Kirkland, Jr., MAI

## Public Need and Benefit

### Direct Revenue to the County

Prince Edward County will benefit directly from the project in the form of increased tax revenue from real property taxation, permitting and administrative fees, and induced spending from construction and procurement for the project. The project will also provide direct revenue through energy revenue share taxation and is expected to generate approximately \$365,000 for Prince Edward County, an increase of more than \$350,000 compared to the property’s current use. This includes a one-time voluntary payment of \$10,000 per megawatt, made under Code of Virginia 15.2-2288.8.

Sun Tribe contracted Mangum Economics to evaluate the economic impact of the facility. The Project will generate an estimated \$71,000 or more of real property tax revenue over the forty (40) year life of the facility, and more than \$264,000 in energy revenue share taxation. This calculation assumes a year one operational tax in 2026 and follows the revenue share schedule in Code of Virginia 58.1-2636. The economic impact analysis can be found in [Appendix L](#).

**The benefits of additional tax revenue are amplified by the lack of public costs or services needed to support the Project.**

When considering this additional revenue, it is important to note that North Branch Solar requires virtually no corresponding draw on public resources or infrastructure such as schools, emergency services, water, sewer, or roads. Because of this, the benefits of additional tax revenue are amplified by the lack of public costs or services needed to support the Project.

Please note revenue projections and economic benefits are estimates based on current project parameters and are subject to adjustment resulting from changes in project design, build cost, tax rates, or other factors outside the Project’s control.

**Economic Development**

In addition to direct revenue from taxes, there are other economic benefits to consider. The largest of these is jobs directly attributable to the facility. From fence installers to electricians and construction laborers, the Project results in significant job creation during the engineering and construction of the solar facility. Up to 25 people will be working on site at a time during peak construction.

This direct economic impact is also paired with the indirect impact induced when laborers eat, shop and sleep at local establishments, as is typical for all solar facility job sites. The Applicant expects to spend approximately \$8 million to \$10 million to develop and build North Branch Solar, a portion of which will be spent in local area restaurants, stores, and accommodations.

Additionally, Sun Tribe is a Virginia-based company supporting jobs within the state and paying local and state taxes. Sun Tribe is a founding member of the Solar Hands-On Instructional Network of Excellence (“SHINE”), a public-private partnership with Southside Virginia Community College, Maryland-DC-Delaware-Virginia Solar Energy Industries Association and other leading solar developers, construction companies, consulting firms, and tech companies to build innovative career pathways in Virginia. We value the community that has helped us grow and we take pride in building responsibly in our home state.

## Environmental Protection

North Branch Solar will also have positive effects on Prince Edward County's environment. Unlike carbon-based fuel energy sources, a solar energy installation produces no emissions when generating electricity. This results in an estimated 4,920 tons of carbon dioxide offset annually - the equivalent of over 1,100 gas powered vehicles being removed from Virginia roads. The facility will power over 620 local homes per year. In addition, solar energy offsets certain pollutants that would otherwise result from carbon-based fuel energy sources and are harmful to human health, including sulfur dioxide (SO<sub>2</sub>), nitrous oxide (NO<sub>x</sub>) and particulate matter (PM<sub>2.5</sub>). In this way, North Branch Solar will improve regional air and water quality, while also helping to meet Virginia's clean energy goals.

**“Due to the reduction in the pollution from fossil-fuel-fired electric generators, the overall impact of solar development on human health is overwhelmingly positive.”**

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# Quantification and Mitigation of Potential Development Impacts

## Neighboring Parcels

Eight (8) parcels directly border the Project parcel in Prince Edward County. The remaining ten (10) parcels are located across Thomas Jefferson Highway in both Appomattox and Charlotte County. Please refer to [Appendix C Sheet P100](#) for the Adjacent Parcels map in the Conceptual Site Plan. The proposed Project will mitigate impacts to neighboring parcels by using setbacks, existing vegetative buffering, and supplemental vegetative buffering.

Table 1. Adjacent Parcels

| Landowner               | Parcel ID | Mailing Address                                   | Zoning | County     |
|-------------------------|-----------|---------------------------------------------------|--------|------------|
| Barbara Jean Hunter     | 111-A-34A | PO Box 1214, Pamplin, VA 23958                    | R-1    | Appomattox |
| Mary H Carwile          | 111-A-33  | 15863 Thomas Jefferson Highway, Pamplin, VA 23958 | R-1    | Appomattox |
| Henry Lee Horne         | 4-4-10    | 15481 Thomas Jefferson Highway, Pamplin, VA 23968 | A-2    | Charlotte  |
| Wesley Snyder           | 4-4-8     | 15481 Thomas Jefferson Highway, Pamplin, VA 23968 | A-2    | Charlotte  |
| Jean H Griffith         | 4-4-10A   | 993 Hunters Road, Pamplin, VA, 23963              | A-2    | Charlotte  |
| Sallie M Griffith       | 4-4-11    | 96 Dehnhoss Avenue, Freeport, VA 11520            | A-2    | Charlotte  |
| Nolan & Jessica Aliff   | 4-A-6C    | 201 Point Road, Pamplin, VA 23958                 | A-2    | Charlotte  |
| Kimberly McCormack      | 4-A-6E    | 203 Point Road, Pamplin, VA 23958                 | A-2    | Charlotte  |
| Randal & Patricia Aliff | 4-4-9     | 15463 Thomas Jefferson Highway, Pamplin, VA 23958 | A-5    | Charlotte  |

|                             |          |                                                    |     |               |
|-----------------------------|----------|----------------------------------------------------|-----|---------------|
| Harry & Terry Mason Jr.     | 4-4-7    | 5300 Thomas Jefferson Highway, Charlotte, VA 23923 | A-2 | Charlotte     |
| Frances Mary Reeves         | 43-A-36  | 581 Lakewood Lane, VA 23923                        | A-1 | Prince Edward |
| George & Penny Welch        | 43-A-33  | 115 Merriman Shop Road, Pamplin, VA 23958          | A-1 | Prince Edward |
| Andrew & Christy Elder      | 43-A-36B | PO Box 1294, Pamplin, VA 23958                     | A-1 | Prince Edward |
| Virginia B Welch            | 44-A-81  | 681 Good Hope Road, Pamplin, VA 23958              | A-1 | Prince Edward |
| Gary & Connie Lynn Jamerson | 43-A-35  | 931 Deer Road, Pamplin, VA 23958                   | A-1 | Prince Edward |
| Andrew & Christy Elder      | 43-A-36A | PO Box 1294, Pamplin, VA 23958                     | A-1 | Prince Edward |
| Linda G Chaplain            | 44-A-83  | 4410 Wilsonia Shores Drive, Machipongo, VA 23405   | A-1 | Prince Edward |
| John & Andrew Davis Jr.     | 43-A-34A | 15715 Thomas Jefferson Highway, Pampin, VA 23968   | A-1 | Prince Edward |

## Visual

Recognizing the importance of conservation of scenic resources, great care was taken to design North Branch Solar in a way that protects the viewshed of the neighboring properties and roadways to the extent practicable. This is accomplished through setbacks from the property boundary, leaving existing vegetative buffering in place, and supplementing with additional vegetative buffering where necessary.

In addition, there will be no lighting or signage on site, except for that required for safety, security, or the requirements of the interconnecting utility.

## Glint and Glare

Solar panels are designed to capture light, rather than reflect it and each module has an anti-reflective coating to further mitigate any reflectivity coming off their surface. Research shows solar

panels produce less glare than standard residential window glass, snow, concrete, or standard farm ponds.

Using the Federal Aviation Administration's Notice Criteria Tool, which takes into consideration the Project site latitude, longitude, horizontal datum, site elevation, and structure height, it was determined that North Branch Solar introduces no risk to air traffic. A copy of the Notice Criteria Tool results can be found in [Appendix H](#). Forge Solar was utilized to model the facility's potential impacts, which indicated no expected glare on surrounding structures and roadways with and without the proposed vegetative buffer. The report is included in with the Notice Criteria Tool in [Appendix H](#).

### **Noise**

Solar facilities produce negligible noise when operating. Any noise produced by the operating facility becomes inaudible at approximately 150 feet from the noise-producing components, such as inverters. These noise-producing components have few moving parts and do not produce noise at levels that will be heard from adjacent properties. Since the facility will only operate during the day, the noise-producing components will not operate at night. Manufacturer specification sheets listing noise levels for inverters can be viewed in [Appendix D](#).

During the construction of the facility, there will be a short-term increase in noise levels in the immediate area surrounding the site. It is estimated construction will take eight to ten months. However, noise-producing construction activities will occur during short increments of time throughout the construction schedule and will not be ongoing. Noise-producing construction activities will be limited to daytime hours. The Applicant wishes to be a good neighbor and will work with the County and adjacent landowners to minimize any impact construction noise may have on the surrounding community.

### **Lighting**

Generally, solar projects do not require permanent lighting and lighting is not proposed as part of this Project. If Prince Edward County requires lighting, it will be designed to prevent spillover and will be arranged or shielded to reflect light away from adjoining residences and roads. Permanent lighting, if utilized on the Project, will be only used for inspection and maintenance purposes and shall be dark-sky compliant.

### **Stormwater**

Sun Tribe analyzed the slope, contours, and wetland field delineation to gain insight into the potential behavior of stormwater onsite. Resulting in thoughtfully designated areas for stormwater management basins, while also preserving open and forested spaces for both water quality and quantity treatment.

A fully engineered stormwater management plan will be presented to Prince Edward County for review and approval with final site plan submittal. The stormwater management plan will comply with the best management practices and will be employed to meet any state or federal guidelines. The Project is expected to execute an interconnection agreement prior to the end of 2024 and per DEQ guidelines, the panels will be considered pervious.



## Traffic

During the operational period, North Branch Solar is expected to generate effectively no traffic, with an average of two trips to the site per month anticipated during the Project's operating period. However, during the construction period, peak delivery days may result in 25-40 daily trips to and from the project site. To manage construction traffic volume, a Construction Traffic Management Plan will be developed and submitted to Prince Edward County for review and approval alongside the site plan. Please see [Appendix K](#) for written confirmation from Brian Lokker at VDOT that all entrances can satisfy applicable VDOT requirements. Sun Tribe consulted with Dewberry to provide a Conceptual Traffic Analysis and exhibits to ensure adequate stopping site distance and confirm a VDOT permissible entrance. Please see [Appendix I](#) for the report and low volume commercial entrance exhibit.

## Hazardous Materials Statement

Solar projects, and solar PV panels, are safe and do not pose a health or safety risk. Panels are typically comprised of silicon, copper and aluminum wiring and connections, which are encapsulated in plastic and sandwiched between reinforced glass with an aluminum frame. The glass front and aluminum frame make up over 80% of a panel's content by weight. The electricity generating component of the panel, the PV cells, are composed almost entirely of silicon - the same material as computer chips - which is the 2nd most common element in Earth's crust and obtained by processing quartz sand. Wiring and conducting components of the panels represent less than 5% of a panel's content by weight, and historically may have contained trace amounts of lead in the solder used to make electrical connections; however, panel manufacturers are increasingly utilizing lead-free solders. These materials, if present, are encapsulated within the panel to prevent environmental exposure and do not pose a health risk even in the event a panel is broken or damaged. See [Appendix E](#) for a detailed description of panel construction, additional discussion of the public health and safety considerations as they relate to solar PV projects. Two reports are provided in [Appendix E](#): one issued by North Carolina State University, and a second report issued jointly by the Massachusetts Department of Energy Resources, the Massachusetts Department of Environmental Protection, and the Massachusetts Clean Energy Center.

**“Photovoltaic (PV) technologies and solar inverters are not known to pose any significant health dangers to their neighbors.”**

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## Quantification of Potential Impacts on Environmental Features

The Project is located within the James River Watershed and is designed to minimize its impact on the environment. Unlike more intensive forms of development – such as residential or commercial uses requiring large concrete foundations and asphalt parking lots – the Project will not negatively affect water quality or vegetation. Instead, the area under the panels will be planted with groundcover, including pollinator species in open areas where appropriate. Please refer to [Appendix C](#) for a description of the proposed site features in the Conceptual Site Plan.

At the end of the facility's useful life, North Branch Solar will be removed, disturbed areas will be replanted, and the site will be allowed to return to its previous use.

### Wildlife

As part of the environmental due diligence performed for the North Branch Solar Project Site, the Applicant engaged with Timmons Group, a multi-disciplined engineering and technology firm, to determine the likelihood of encountering any species on the State or Federal list of Threatened and Endangered Species. The complete Threatened and Endangered Species Review conducted for the project site is available in [Appendix F](#). A comprehensive review of the following databases was conducted to determine potential impact to Threatened and Endangered Species:

Table 2. Threatened and Endangered Species Review

| <b>Agency</b>                                      | <b>Database</b>                                                        |
|----------------------------------------------------|------------------------------------------------------------------------|
| U.S. Fish and Wildlife Services                    | Information, Planning and Consultations System                         |
| Virginia Department of Wildlife Resources          | Wildlife Environmental Review Map Service                              |
| Virginia Department of Wildlife Resources          | Virginia Fish and Wildlife Information Service                         |
| Virginia Department of Wildlife Resources          | Northern Long-eared Bat Winter Habitat and Roost Locator               |
| Virginia Department of Wildlife Resources          | Little Brown Bat and Tri-colored Bat Winter Habitat and Roosts Locator |
| Virginia Department of Conservation and Recreation | Natural Heritage Data Explorer                                         |
| Virginia Department of Environmental Quality       | Coastal Geospatial and Education Mapping System                        |
| Center for Conservation Biology                    | VaEagles Nest Locator                                                  |
| U.S. Fish and Wildlife Services                    | Bald Eagle Concentration Areas                                         |

The comprehensive review identified the potential for the following species to be present on the Project Site:

| <b>Common Name</b>      | <b>Scientific Name</b>        | <b>Status</b>                         | <b>Agency Source</b> |
|-------------------------|-------------------------------|---------------------------------------|----------------------|
| Northern Long-eared Bat | <i>Myotis septentrionalis</i> | Federal Threatened, State Threatened  | USFWS                |
| Gray Bat                | <i>Myotis grisescens</i>      | Federal Endangered; State Endangered  | USFWS                |
| Tri-Colored Bat         | <i>Perimyotis subflavous</i>  | Federally Protected; State Endangered | VDWR                 |
| Monarch Butterfly       | <i>Danaus plexippus</i>       | Candidate                             | USFWS                |

The results of the detailed review determined:

Northern Long-eared Bat: Review of the Virginia Department of Wildlife Resources Northern Long-eared Bat Winter Habitat and Roost Indicator determined there were no maternity roosts or hibernacula located within or near the Project Site. Therefore, it was determined that the Project is unlikely to have any effect on any known Northern Long-eared Bat areas. Timmons Group utilized the USFWS IPaC Determination Key for the NLEB, resulting in a “may affect but not likely to adversely affect” determination. The Applicant will work with state and federal agencies prior to construction to address or mitigate any concerns.

Gray Bat: Based on Virginia Department of Wildlife Resources review, Gray Bats have the potential to occur on the Site. However, the gray bat is found mainly in large caves with streams running through them or karst habitats with the presence of hibernaculum. If suitable habitat or hibernaculum are present, which appears highly unlikely on the Site, further agency coordination will be required.

Tri-Colored Bat: Based on Virginia Department of Wildlife Resources review, Tri-Colored Bat has not been observed within the Project Site but has been observed within the two-mile buffer around the Project Site. Review of the Virginia Department of Wildlife Resources Little Brown Bat and Tri-colored Bat Winter Habitat & Roost Locator, there are no hibernacula near the Project Site. Therefore, it was determined that the Project is unlikely to have any effect on any known Tri-Colored Bat areas. The Applicant will work with state and federal agencies prior to construction to address or mitigate any concerns.

- Monarch Butterfly: Based on the U.S. Fish and Wildlife Services Information, Planning and Consultations System results, the Monarch Butterfly has the potential to occur on the Site. As the species is not listed as threatened or endangered, there is no time of year restrictions for this species, but the U.S. Fish and Wildlife Services recommends protective measures to enhance the butterfly habitat, including planting pollinator habitat.

Coordination with Timmons Group, or another environmental consultant, as well as state and federal agencies will continue throughout development to evaluate and mitigate any concerns regarding threatened or endangered species.

## Cultural and Historical Resources

Timmons Group was contracted to evaluate the potential for cultural and historic resources on site, or near the project area. A comprehensive desktop review was conducted using the Virginia Cultural Resource Information System (“VCRIS”) to determine if any known historical and archaeological resources were present on the Project parcel or within a one-half-mile buffer surrounding the parcel. There is one architectural resource located on the parcel, however, the resource is outside of the Project Site limits and located to the northern portion of the parcel, completely removed from the proposed facility boundary. There are eight (8) architectural resources within the one-half mile search buffer.

**“According to the VCRIS database, there are no known architectural resources or archaeological resources that intersect with the facility boundary.”**

Rick Thomas, Timmons Group

One architectural resource has been evaluated for placement on the NRHP and VLR and has been determined to be potentially eligible for listing. The remaining architectural resources have not yet been evaluated. A The complete Cultural and Historical Resource study can be viewed as [Appendix F](#).

Table 3. Historic/Cultural Resources Identified

| Resource ID | Site Description                     | Location | Site Evaluation Status |
|-------------|--------------------------------------|----------|------------------------|
| 073-5113    | Farm, 583 Merriman Shop Rd.          | Onsite   | Not Evaluated          |
| 073-5114    | House, 47 Llama Rd.                  | Nearby   | Not Evaluated          |
| 006-5007    | High Bridge Trail State Park         | Nearby   | Potentially Eligible   |
| 073-5104    | Baldwin House, 681 Good Hope Rd.     | Nearby   | Not Evaluated          |
| 073-5115    | House, 53 Llama Rd.                  | Nearby   | Not Evaluated          |
| 277-5001    | Meadows Family Cemetery, Pamplin Rd. | Nearby   | Not Evaluated          |
| 44PE0108    | Open Air Terrestrial                 | Nearby   | Potentially Eligible   |
| 44PE0109    | Open Air Terrestrial, Ice house      | Nearby   | Potentially Eligible   |
| 44PE0110    | Open Air Terrestrial, Cemetery       | Nearby   | Potentially Eligible   |

### Streams and Wetlands

A wetland delineation was performed by Timmons Group to identify all streams and wetlands on the Project site. There are no identified wetlands, streams, or resource protections areas within the limits of disturbance and the project maintains a conservative voluntary fifty (50) foot setback off all delineated resources within the option area. The field wetland delineation for North Branch Solar can be found in [Appendix G](#).

The Project is designed to minimize impact on any identified streams or wetlands. The stream and wetland areas identified in the delineation have been confirmed with a Preliminary Jurisdictional Determination (PJD) by the U.S. Army Corps of Engineers (USACE), and a State Surface Water Determination (SSWD) by the Virginia Department of Environmental Quality (DEQ). The USACE and Delineation Concurrence and DEQ State Surface Waters Determination can be found in [Appendix G](#). In addition, the Project will be developed and constructed in conformance with all applicable federal, state, and local laws and regulations, including the Clean Water Act, and VA-DEQ Stormwater Management Program Regulations, where applicable.

## Soil Survey

The applicant conducted an evaluation of the soil types present on the project site by utilizing the United States Department of Agriculture's Web Soil Survey (WSS). The project parcel comprises several soil types, including Cecil Sandy Loam, Madison Sandy Loam, and smaller several other sand/loam mixes, such as Seneca and Appling soils. Notably, the most prevalent soil type on the project site is Cecil Sandy Loam, constituting approximately 74% of the soils within the special use permit boundary, and 19% of the soils on the parcel. The Soil Type map is provided as sheet P103 in the Conceptual Site Plan in [Appendix C](#) for reference. After the useful life of the project, the soils may be returned to agricultural usage, at the property owner's discretion.

## Facility Considerations

### Design

North Branch Solar is a solar PV electric power generation facility capable of generating approximately three (3) MWs alternating current of electricity.

The Project will utilize solar PV panels to convert the sun's energy into electricity. The PV panels are electrically connected and mechanically mounted on racking equipment constructed of metal framing driven into the ground. The racks are oriented in rows along a north-south axis. These rows of panels use motors to rotate east-west following the sun's path each day facing east in the morning, horizontal midday, and west in the afternoon. This single axis tracking mechanism produces more energy as compared to a fixed-tilt racking system using a similar footprint. Additionally, the Project may use bifacial PV panels, meaning both sides of each panel are used to produce energy. This increases total energy generation and improves plant efficiency.

The electricity produced by the panels is collected by above ground and/or underground wires before connecting to inverters that convert the electricity from direct current to alternating current. The inverters are then connected through additional wiring to transformers that step up the power to a higher voltage for interconnection to the electrical grid. Inverters and transformers may be located throughout the site or centralized near interconnection equipment.

All the equipment utilized for the Project will be UL listed (or equivalent) and the design will comply with the current version of the National Electric Code. Meters, safety switches, protective devices, and combiner boxes will be utilized as necessary. The exact manufacturer and type of equipment and associated design is subject to change based on future availability and pricing. Current manufacturer specification sheets can be found in [Appendix D](#).

### Interconnection

North Branch Solar's interconnection will be established on circuit 63-302 of Dominion's distribution system which intersects with our project site. Due to our close proximity to the Pamplin Substation, extensive upgrades are not required for interconnection. The project will connect onsite to circuit 302 which does directly to the Pamplin Substation, with the point of interconnection located within the project area. The final location of the interconnection equipment will be determined by the utility, and the site plan reflects the two most likely outcomes. This Project parcel directly borders the substation property. The interconnection agreement, a document outlining the terms of the interconnection to meet Dominion standards, is expected to be executed prior to December 2024.

### Project Site Access

Access to the Project site will occur through parcels 43-A-36A and 43-A-35 via a gravel access road off Llama Run Road. Parcel 43-A-36A is owned by Mr. Andrew Elder Jr. and Parcel 43-A-35 is owned by Mr. Gary Jamerson and Mrs. Connie Lynn Jamerson. The owners of parcel 43-A-36A and parcel 43-A-35 have verbally agreed to allow access along this existing road and contractual negotiations are underway. Please see [Appendix K](#) for written confirmation from VDOT that the entrance satisfies applicable VDOT requirements and exceeds minimum sight distances in both directions. The

conceptual traffic analysis and entrance exhibit provided by Dewberry details the existing road conditions from the intersection of Route 47, across the railroad tracks, to the left turn onto the private existing gravel drive. The analysis includes potential recommendations for mitigating construction traffic impacts, such as a construction traffic management plan, during the site plan review process with Prince Edward County.

Several small accessways will be installed within the Project site boundary to allow access to all site equipment. During the construction period there will be an increase in traffic due to on-site personnel and deliveries. Once operational, there will be no daily staff at the Project site, and site visits are expected to be limited to approximately two times per month. The Applicant will continue to coordinate with Prince Edward County to develop a Construction Traffic Management Plan that satisfies the Virginia Department of Transportation, and Prince Edward County requirements.

### **Vegetative Buffer**

Existing, mature vegetation will be utilized to screen the project where practical and supplemental vegetative buffering is proposed on portions of the western project boundary and portions of the southern project boundary. Any additional vegetative screening needed will adhere to the requirements set out in the Prince Edward County Zoning Ordinance for Alternative Energy Facilities. Native, non-invasive species will be utilized for all installed vegetative buffering. Vegetative buffering will be maintained for the life of the Project.

The Applicant understands that the standard for vegetative buffer plantings may change and that final landscape designs will be confirmed/determined during construction site plan review.

### **Fencing and Security**

All system components will be enclosed in a perimeter fence of not-less-than seven (7) feet in height as required by the National Electric Code. The fencing will serve to prevent unauthorized personnel from entering the Project site and will protect the system components from damage by wildlife. A locked gate will be installed to allow for ingress and egress of authorized personnel. The security fencing will be installed interior of vegetative buffering.

Temporary fencing will be installed, as necessary for safety and security, during construction. Access will be limited to authorized personnel, including designated County officials.

### **Signage**

Safety and security signs will be installed along perimeter security fencing as required by the interconnecting utility, Prince Edward County, or the National Electric Code. Temporary instructional or safety signs will be posted during construction, as appropriate and necessary. All signage will comply with Prince Edward County's applicable codes & ordinances.



## Facility Permitting

### Stormwater Management Plan

The Applicant will coordinate with Prince Edward County Department of Public Works, as the designated program authority for the Virginia Stormwater Management Program (“VSMP”), for review and approval of North Branch Solar’s stormwater management plan prior to construction. The North Branch Solar site plan will comply with the requirements of the Prince Edward County Zoning Ordinance, as well as any additional local or federal requirements.

North Branch Solar will comply with all applicable stormwater management laws and regulations. The Applicant will coordinate with the Prince Edward County Erosion and Sediment Control / Stormwater Management Department, as the designated program authority for the VSMP, for review and approval of North Branch Solar’s stormwater management plan prior to construction.

### Erosion and Sediment Control

North Branch Solar will comply with all applicable erosion and sediment control laws and regulations. Management practices utilized on site will be designed specifically to prevent the discharge of sediment and other pollutants into nearby streams. The Applicant will coordinate with Prince Edward County, as the designated Virginia Erosion and Sediment Control Program (“VESCP”) Authority, on submittal and review of the Project’s erosion and sediment control plans. Preliminary basin placements can be found as part of the Conceptual Site Plan in [Appendix C](#).

### Local Building and Electrical

The Applicant will adhere to all County, state and federal building and electrical codes. The Applicant will coordinate with Prince Edward County to secure all applicable building and electrical permits prior to the start of construction.

### Permit By Rule

All renewable energy generating facilities in the Commonwealth of Virginia must complete requirements set forth under the Department of Environmental Quality Permit By Rule (“PBR”) process. Projects with a nameplate capacity less than or equal to 5 MW alternating current, such as North Branch Solar, are subject to the Permit By Rule provisions set forth in 9VAC15-60-130. Under regulation 9VAC15-60-130, “the owner or operator of small solar energy project with either a rated capacity greater than 500 kilowatts and less than or equal to 5 megawatts or a disturbance zone greater than two acres and less than or equal to 10 acres shall notify the Department of Environmental Quality and shall submit a certification by the governing body of the locality wherein the project will be located that the project complies with all applicable land use ordinances.”

## Facility Construction

Construction of North Branch Solar is expected to take approximately eight to ten months. A construction manager will coordinate, direct, and manage all logistical and workforce aspects of construction of the facility. It is estimated that there will be approximately 20 to 30 personnel on site daily during construction, with some construction activities requiring fewer personnel to be on site. Personnel will park only in designated areas on the Project site during construction of the facility.

On-site construction activities fall into the following main categories:

- **Civil & Environmental:** Temporary erosion and sediment control Best Management Practices (“BMPs”), permanent stormwater management BMPs, grading, internal site road construction, construction entrances, and material laydown area
- **Fence:** Permanent fence surrounding the Project site
- **Mechanical:** Racking foundation pile driving, metal racking assembly, and solar panel installation
- **Electrical:** Mounting of electrical equipment, trenching, and installation of conduit and wire
- **Site Commissioning:** Inspecting, testing, and energization of facility prior to commercial operation.

Materials and equipment necessary to construct North Branch Solar will be manufactured off site but will be delivered to the Project site by truck. Trucks delivering project materials will be both staged and unloaded on the Project site. Major materials that may be stored on site prior to installation include PV modules, inverters, transformers, racking, and spooled wire. Other materials arriving by truck for more immediate installation include fencing, conduit, concrete, reinforcing steel, wire management hardware, communication equipment, and other electrical components.

Construction is planned for daylight hours and will conform to County regulations regarding allowable hours of operation.

## Facility Operations and Maintenance

Solar generating facilities such as North Branch Solar are monitored and operated remotely. The facility will be monitored 24/7 for performance, security, and safety by the Project owner, and for service quality and interruption by the interconnection utility. Automatic breakers and reclosers are standard protective devices on this type of electrical system.

Ongoing maintenance of facility components will occur at regular intervals and using the protocols prescribed by the equipment manufacturer. All maintenance activities will adhere to NFPA 70E safety standards.

All vegetative areas in and around the Project site will be maintained by a qualified grounds maintenance crew.

## Facility Decommissioning

At the time the Project permanently ceases operations, the Project owner will pursue decommissioning activities. The Project owner will provide notification to the Zoning Administrator of the discontinuance of the use and initiate the process of obtaining any permits or other approvals required to disconnect the Project from the utility power grid and remove, recycle, repurpose, or otherwise dispose of Project components. The Project proposes to safely remove the relevant components within twelve (12) to fifteen (15) months from the receipt of the above referenced permits and approvals. The Decommissioning Plan provided by Westwood, which can be viewed in [Appendix J](#), includes the steps and processes to remove equipment and materials related to the operation of a solar PV project. The proposed decommissioning sequence includes:

- Disconnect the Project from the utility power grid in accordance with the requirements of the utility or other distribution or transmission system owner as applicable.
- Remove solar panels, foundations, racking, electrical components, cabling and other associated facilities.
- Recycle, repurpose, or otherwise dispose of equipment and materials in accordance with the applicable permit requirements in a manner that complies with local, state, and federal regulations.
- Decommissioning activities may exclude the removal of select roads, driveways, fences, and other real property improvements that the landowner requests be left in place for future use.

Existing vegetation and buffering will remain in place to the extent they do not obstruct or otherwise interfere with the removal of the facilities. Disturbed areas will be reseeded and stabilized.

Decommissioning is designed to restore the property to a condition similar to the condition that existed prior to the Project's construction.

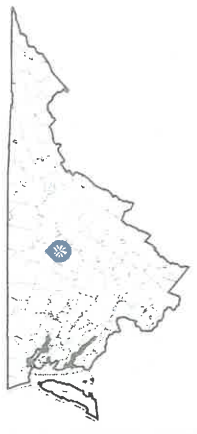
Prior to Project construction the Project owner will enter into a written agreement with the County to enable the County to decommission the facility in the unlikely event the Project owner is not able to do so. This agreement will be developed in accordance with State regulation 15.2-2241.2 and will

give the County access to decommissioning funds through a decommissioning bond if the need arises. The Project's Decommissioning Plan and Estimate can be viewed in [Appendix J](#).

## List of Appendices

|                                                                                                               |          |
|---------------------------------------------------------------------------------------------------------------|----------|
| <b>Appendix A – Sun Tribe Information</b>                                                                     | <b>A</b> |
| <b>Appendix B – Memorandum of Option Agreement</b>                                                            | <b>B</b> |
| <b>Appendix C – Conceptual Site Plan</b>                                                                      | <b>C</b> |
| <b>Appendix D – Manufacturer’s Specification Sheets</b>                                                       | <b>D</b> |
| <b>Appendix E – Solar Photovoltaic Noise, Temperature, EMF &amp; Safety Information</b>                       | <b>E</b> |
| - NC State University: Health and Safety Impacts of Solar Photovoltaics                                       | E        |
| - Massachusetts Department of Energy Resources: Questions & Answers Ground Mounted Solar Photovoltaic Systems | E        |
| <b>Appendix F – Timmons Group Review</b>                                                                      | <b>F</b> |
| - Threatened and Endangered Species                                                                           | F        |
| - Cultural and Historic Resources                                                                             | F        |
| <b>Appendix G – Wetland Delineation</b>                                                                       | <b>G</b> |
| - Wetland and Waters Delineation Map                                                                          | G        |
| - US Army Corps of Engineers Delineation Concurrence                                                          | G        |
| - VA Department of Environmental Quality State Surface Waters Determination                                   | G        |
| <b>Appendix H – FAA Notice Criteria and Forge Solar Glint Glare</b>                                           | <b>H</b> |
| <b>Appendix I – Conceptual Traffic Analysis and Entrance Exhibit</b>                                          | <b>I</b> |
| <b>Appendix J – Decommissioning Plan</b>                                                                      | <b>J</b> |
| <b>Appendix K – VDOT Entrance Confirmation</b>                                                                | <b>K</b> |
| <b>Appendix L – Economic Impact Analysis</b>                                                                  | <b>L</b> |
| <b>Appendix M – Real Estate Impact Analysis</b>                                                               | <b>M</b> |

VIRGINIA VICINITY MAP



# NORTH BRANCH SOLAR

## 3 MW AC SOLAR PV SYSTEM

### PRINCE EDWARD COUNTY, VIRGINIA

**PROJECT DEVELOPER:**  
 JOHN TOWNSEND  
 SUN TRIBE DEVELOPMENT  
 JOHN.TOWNSEND@SUNTRIBEDEVELOPMENT.COM

**DEVELOPMENT ENGINEER:**  
 SUNYA QAMAR  
 SUN TRIBE DEVELOPMENT  
 SUNYA.QAMAR@SUNTRIBEDEVELOPMENT.COM

PROJECT VICINITY MAP



### PROJECT OVERVIEW

|                             |                          |
|-----------------------------|--------------------------|
| PARCEL ID                   | 43-A-34                  |
| LANDOWNER                   | LAURA CARSON MCCLENNY    |
| PARCEL ZONING               | A1- GENERAL AGRICULTURAL |
| PARCEL AREA                 | 147.5 ACRES              |
| SPECIAL USE PERMIT BOUNDARY | 38 ACRES                 |
| CONCEPTUAL FENCED AREA      | 25 ACRES                 |

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|                       |      |
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| COVER SHEET           | P001 |
| ADJACENT PARCELS      | P100 |
| SITE PLAN             | P101 |
| SITE PLAN WITH AERIAL | P102 |
| SOIL TYPES            | P103 |
| CONTOUR MAP           | P104 |

### REVISION HISTORY

| REV | DATE      | CHANGED BY     | APPROVED BY | REVISION/REASON                                    |
|-----|-----------|----------------|-------------|----------------------------------------------------|
| 1   | 5/21/2024 | A. C. AMBROSIO | E. THORNTON | ISSUED FOR LOCAL USE PERMIT REVIEW AND APPLICATION |
| 2   | 5/21/2024 | D. GARRARD     | E. THORNTON | ISSUED FOR SPECIAL USE PERMIT APPLICATION          |

NOT FOR CONSTRUCTION

34422

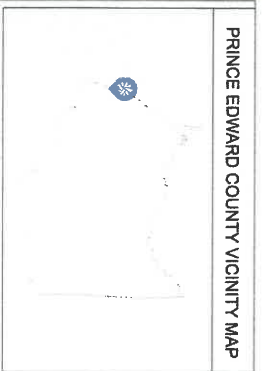
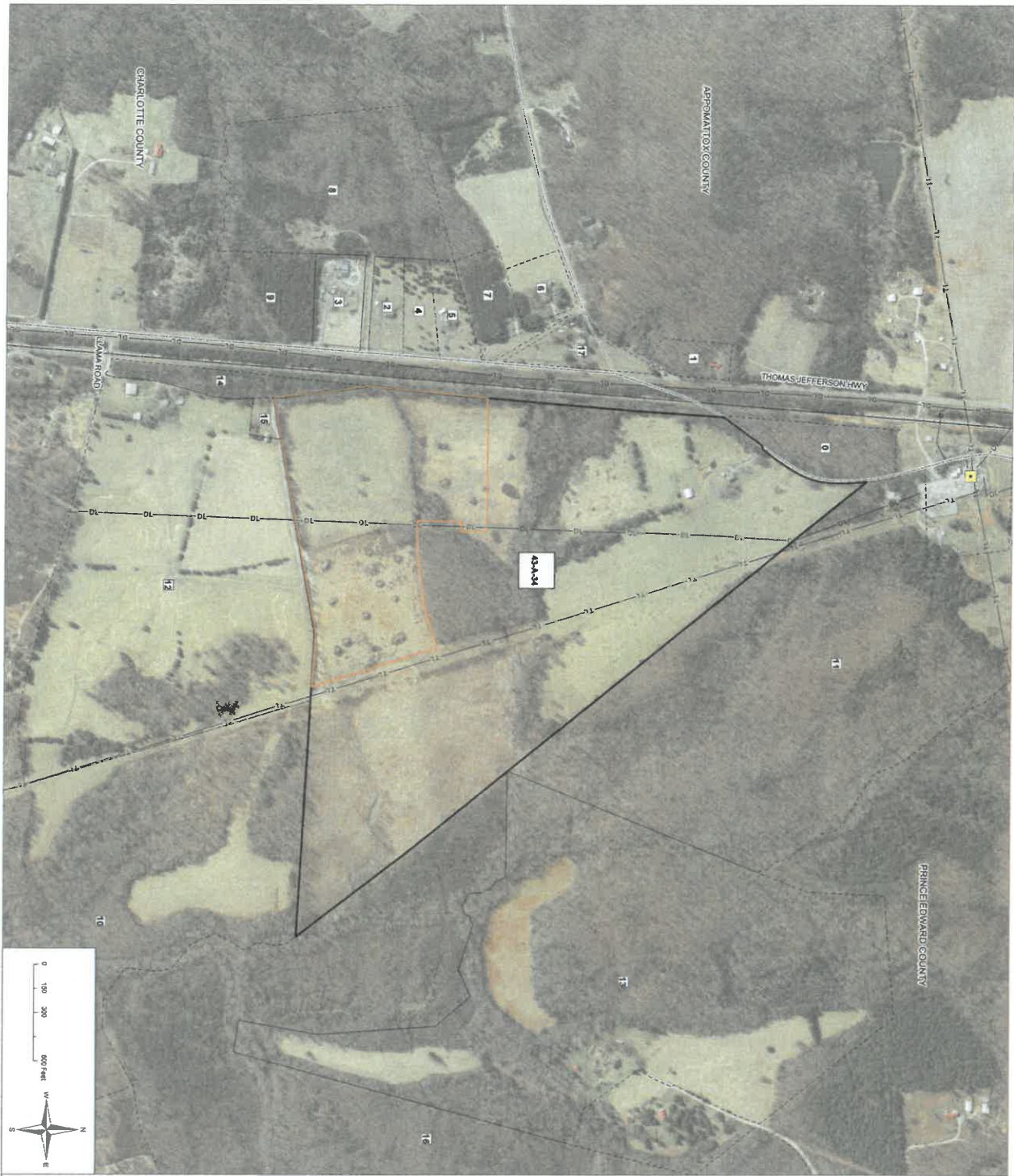
NTS

COVER SHEET

P001

**NORTH BRANCH SOLAR, LLC**  
 3 MW AC SOLAR PV SYSTEM  
 PRINCE EDWARD COUNTY, VIRGINIA





**ADJACENT PARCEL DATA**

| Parcel ID | Adjacent Parcel |
|-----------|-----------------|
| 0         | ID4079          |
| 1         | ID11300         |
| 2         | 4-4-10          |
| 3         | 4-4-8           |
| 4         | 4-4-10A         |
| 5         | 4-4-11          |
| 6         | 4-A-8C          |
| 7         | 4-4-8E          |
| 8         | 4-4-9           |
| 9         | 4-4-7           |
| 10        | 43-A-38         |
| 11        | 43-A-33         |
| 12        | 43-A-38B        |
| 13        | 44-A-31         |
| 14        | 43-A-35         |
| 15        | 43-A-35A        |
| 16        | 44-A-33         |
| 17        | 43-A-34A        |

**LEGEND**

- PARCEL BOUNDARY
- SPECIAL USE PERMIT BOUNDARY
- ADJACENT PARCELS
- EXISTING TRANSMISSION LINE
- EXISTING DISTRIBUTION LINE
- PAMPLIN SUBSTATION
- COUNTY BOUNDARY

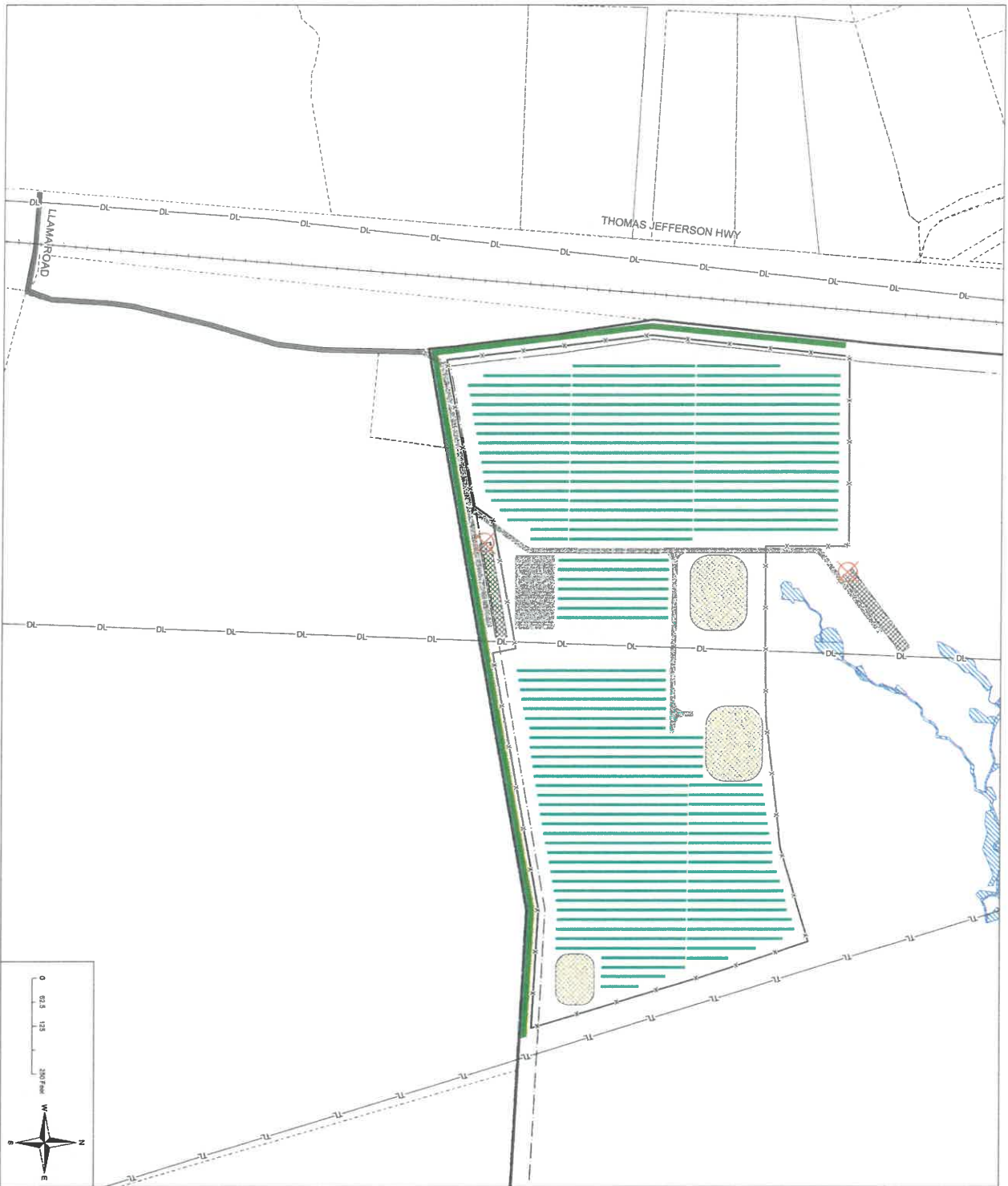
DATE: 3/4/22  
 SCALE: 1" = 300'  
 DRAWING TITLE: ADJACENT PARCELS  
 SHEET NO: P-100

**NOT FOR CONSTRUCTION**

| REV | DATE     | DESIGNED BY    | CHECKED BY | APPROVED BY | DESCRIPTION                                                       |
|-----|----------|----------------|------------|-------------|-------------------------------------------------------------------|
| 1   | 03/04/22 | A. CLARKE      | S. TURNER  | S. TURNER   | ADJACENT PARCELS MAP FOR LOCAL USE RESULT AND APPLICATION MEETING |
| 2   | 03/04/22 | T. CHAMBERLAIN | S. TURNER  | S. TURNER   | ADJACENT PARCELS MAP FOR SPECIAL USE PERMIT                       |

**NORTH BRANCH SOLAR, LLC**  
 3 MW AC SOLAR PV SYSTEM  
 PRINCE EDWARD COUNTY, VA





PRINCE EDWARD COUNTY VICINITY MAP



NOTES

DESIGN IS CONCEPTUAL IN NATURE AND SUBJECT TO CHANGE AS A RESULT OF COUNTY, STATE AND FEDERAL REGULATIONS, PERMITTING CONSIDERATIONS, FINAL EQUIPMENT SELECTIONS, DETAILED ENGINEERING, AND/OR INTERCONNECTING UTILITY REQUIREMENTS

LEGEND

- PARCEL BOUNDARY
- SPECIAL USE PERMIT BOUNDARY
- CONCEPTUAL FENCE
- PARCEL BOUNDARY SETBACK - 50 FEET
- ADJACENT PARCEL BOUNDARIES
- EXISTING 15KV TRANSMISSION LINE
- EXISTING 12.4V DISTRIBUTION LINE
- ROAD CENTERLINE
- RAILROAD
- CONCEPTUAL NEW ACCESS ROAD AND LAYDOWN AREA
- CONCEPTUAL PV ARRAY
- CONCEPTUAL STORMWATER MANAGEMENT FEATURES
- PROPOSED SUPPLEMENTAL VEGETATIVE BUFFER (15')
- POINT OF INTERCONNECTION FINAL LOCATION TO BE DETERMINED BY UTILITY
- PROPOSED ATTACHMENT FACILITIES FINAL LOCATION TO BE DETERMINED BY UTILITY
- EXISTING GRAVEL ACCESS ROAD
- DELINEATED WETLANDS AND STREAMS

REVISION HISTORY

| REV | DATE | DESIGNED BY | APPROVED BY | DESCRIPTION                                         |
|-----|------|-------------|-------------|-----------------------------------------------------|
| 1   |      | A. CLESTER  | E. TURNER   | DESIGN FOR LOCAL USE PERMIT PRE-APPLICATION MEETING |
| 2   |      | B. O'NEAL   | E. TURNER   | DESIGN FOR LOCAL USE PERMIT APPLICATION             |

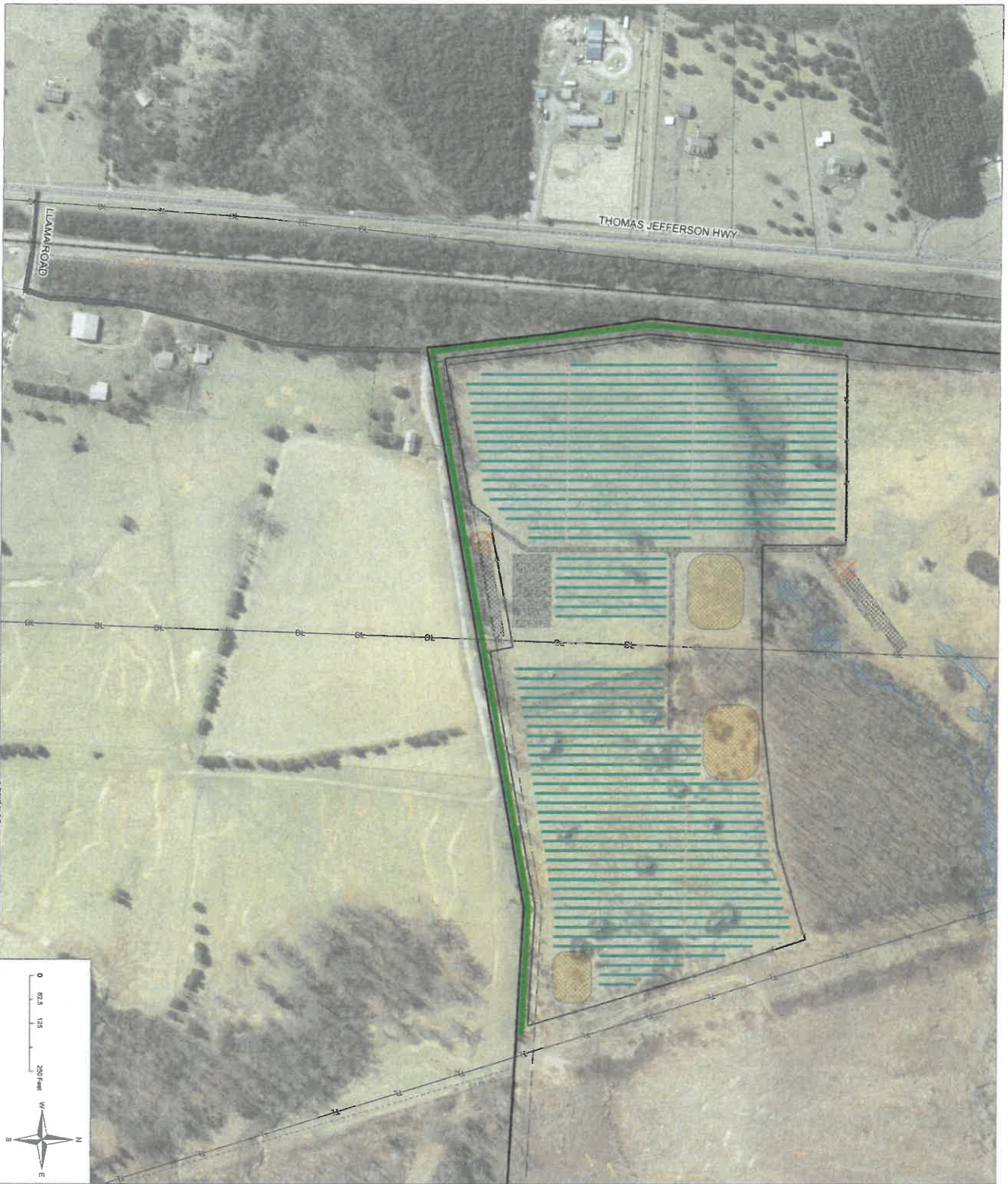
NOT FOR CONSTRUCTION

PROJECT NO: 34422  
 SCALE: 1" = 125'  
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 DRAWING NO: P-101

**NORTH BRANCH SOLAR, LLC**  
 3 MW AC SOLAR PV SYSTEM  
 PRINCE EDWARD COUNTY, VA







**PRINCE EDWARD COUNTY VICINITY MAP**



**NOTES**

PERIOD IS CONCEPTUAL IN NATURE AND IS SUBJECT TO CHANGE AS A RESULT OF COUNTY, STATE, AND FEDERAL PERMITTING CONSIDERATIONS, FINAL EQUIPMENT SELECTIONS, DETAILED ENGINEERING, AND/OR INTERCONNECTING UTILITY REQUIREMENTS

**LEGEND**

- PARCEL BOUNDARY
- SPECIAL USE PERMIT BOUNDARY
- CONCEPTUAL FENCE
- PARCEL BOUNDARY SETBACK - 50 FEET
- ADJACENT PARCEL BOUNDARIES
- EXISTING HIGH TRANSMISSION LINE
- EXISTING 12 KV DISTRIBUTION LINE
- ROAD CENTERLINE
- RAILROAD
- CONCEPTUAL NEW ACCESS ROAD AND LAYOUT
- CONCEPTUAL PV ARRAY
- CONCEPTUAL STORMWATER MANAGEMENT FEATURES
- PROPOSED SUPPLEMENTAL VEGETATIVE BUFFER (17)
- POINT OF INTERCONNECTION (P.O.I.) LOCATION TO BE DETERMINED BY UTILITY
- PROPOSED INTERCONNECTING FACILITIES (P.O.I.) LOCATION TO BE DETERMINED BY UTILITY
- EXISTING CHANNEL ACCESS ROAD
- DESIGNATED WETLANDS AND STRIPES

**REVISION HISTORY**

| REV | DATE       | DRAWN BY | APPROVED BY | DESCRIPTION                                     |
|-----|------------|----------|-------------|-------------------------------------------------|
| 1   | 08/26/2024 | J. GIBBS | L. TRINICK  | DESIGN FOR LOCAL USE PERMIT APPLICATION MEETING |
| 2   | 09/10/2024 | J. GIBBS | E. TURNER   | DESIGN FOR LOCAL USE PERMIT APPLICATION         |

**NORTH BRANCH SOLAR, LLC**  
 3 MW AC SOLAR PV SYSTEM  
 PRINCE EDWARD COUNTY, VA



**NOT FOR CONSTRUCTION**

PROJECT: 34422  
 SCALE: 1" = 125'  
 DRAWN BY: J. GIBBS  
 DATE: 08/26/2024  
 SHEET: P-102  
 SITE PLAN



**LEGEND**

|  |                             |
|--|-----------------------------|
|  | PARCEL BOUNDARY             |
|  | SPECIAL USE PERMIT BOUNDARY |
|  | ADJACENT PARCEL BOUNDARIES  |



**SOILS DATA**

| SYMBOL | SOIL TYPE                                   | PARCEL AND CLASSIFICATION        | ACRES OF BOUNDARY | % OF PARCEL |
|--------|---------------------------------------------|----------------------------------|-------------------|-------------|
| Md     | ASH AND FINE SANDY LOAM TO 7 PERCENT SLORES | ALL AREAS ARE PRIME FARMLAND     | 4.20              | 2.85%       |
| Cj     | DECI FINE SCL FINE ROLLING PHASE            | FARMLAND OF STATEWIDE IMPORTANCE | 11.55             | 7.83%       |
| Cg     | DECI FINE SANDY LOAM UPHILL PHASE           | ALL AREAS ARE PRIME FARMLAND     | 18.73             | 11.34%      |
| Ml     | MADISON FINE SANDY LOAM, HILLY PHASE        | FARMLAND OF STATEWIDE IMPORTANCE | 3.18              | 2.14%       |
| Mj     | MADISON FINE SANDY LOAM UNDOULATING PHASE   | ALL AREAS ARE PRIME FARMLAND     | 1.15              | 0.78%       |
| Sa     | SENECA FINE SANDY LOAM                      | ALL AREAS ARE PRIME FARMLAND     | 1.37              | 0.93%       |

SOURCE: USGS

**NOT FOR CONSTRUCTION**

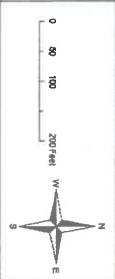
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**REVISION HISTORY**

| REV | DATE   | CREATED BY | APPROVED BY | DESCRIPTION                                                |
|-----|--------|------------|-------------|------------------------------------------------------------|
| 1   | 3/4/22 | J. CLINE   | E. TERRELL  | CONCEPTUAL DESIGN FOR LOCAL USE PERMIT PRELIMINARY MEETING |
| 2   | 3/4/22 | J. CLINE   | E. TERRELL  | CONCEPTUAL DESIGN FOR SPECIAL USE PERMIT APPLICATION       |

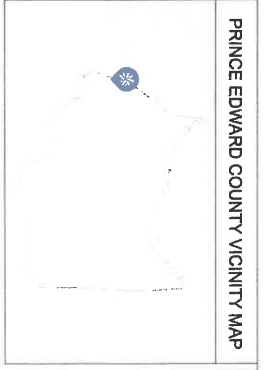
**NORTH BRANCH SOLAR, LLC**  
 3 MW AC SOLAR PV SYSTEM  
 PRINCE EDWARD COUNTY, VA

10/11/21 11:58 AM  
 04/14/22 11:58 AM  
 04/14/22 11:58 AM



**LEGEND**

|  |                             |
|--|-----------------------------|
|  | PARCEL BOUNDARY             |
|  | SPECIAL USE PERMIT BOUNDARY |
|  | 10' CONTOUR LINES           |



SCALE: 1" = 100'  
 SHEET NO.: 34x22  
 DRAWING TITLE: CONTOUR MAP  
 DRAWING NO.: P104

**REVISION HISTORY**

| REV | DATE       | DRAWN BY  | APPROVED BY | DESCRIPTION                                                |
|-----|------------|-----------|-------------|------------------------------------------------------------|
| A   | 07/28/2018 | A. GIBBES | E. TURNER   | CONCEPTUAL DESIGN FOR LOCAL USE PERMIT APPLICATION MEETING |
| B   |            | S. KAYAR  | E. TURNER   | CONCEPTUAL DESIGN FOR SPECIAL USE PERMIT APPLICATION       |
|     |            |           |             |                                                            |
|     |            |           |             |                                                            |

**NOT FOR CONSTRUCTION**

**NORTH BRANCH SOLAR, LLC**  
 3 MW AC SOLAR PV SYSTEM  
 PRINCE EDWARD COUNTY, VA

PRINCE EDWARD COUNTY OFFICIAL DEVELOPMENT ORDER NO. 18-001



Please publish the following public hearing notice in **THE FARMVILLE HERALD** on **Wednesday, July 31, 2024** and **Wednesday, August 7, 2024**.

---



### NOTICE OF PUBLIC HEARING

The Prince Edward County Planning Commission will hold PUBLIC HEARINGS on Tuesday, August 20, 2024 commencing at 7:00 p.m. in the Board of Supervisors Room, Prince Edward County Courthouse, 111 N. South Street, 3<sup>rd</sup> Floor, Farmville, Virginia, to receive citizen input prior to considering the following:

1. A request by Prospect Gospel Tabernacle Church for a Special Use Permit to replace an existing pole sign with a 32 square foot electronic sign having a total height of 19 feet, on Tax Map Parcel 031-A-40 located at 4307 Prince Edward Highway (US Route 460) near its intersection with Milford Lane, which is zoned A-1, Agricultural Conservation.
2. Pursuant to §15.2-2232 of the Code of Virginia, 1950 as amended, a review of Special Use Permit application filed by North Branch Solar, LLC and to make a determination if the project is substantially in accord with the Prince Edward County Comprehensive Plan and for the proposal to construct and operate a 3MWac solar energy facility on a 40 acre portion of land totaling 147.5+/- acres denoted as Tax Map Parcel 043-A-34, located on the east side of Thomas Jefferson Highway (State Route 47), across from its intersection with Point Road (State Route 725), which is zoned A-1, Agricultural Conservation.

Citizen input for Public Hearings will be received through: (1) in-person participation; (2) remote participation by calling 1-844-890-7777, Access Code # 390313; or (3) by written comments mailed to: Planning Commission, P.O. Box 382, Farmville, VA 23901. Please limit word count to no more than 500 words. Comments must be received by 2:00 p.m. the day of the meeting; via email to [info@co.prince-edward.va.us](mailto:info@co.prince-edward.va.us); or via facsimile at 434-392-6683. Based on the number of speakers, the Chair will determine the time allotted to each. Citizens may also view the monthly Planning Commission meeting live (no public input) at the County's YouTube Channel by using the link on the County website under Meetings & Public Notices.

Additional information regarding the special use permit applications is available for public review on the County's web site at [www.co.prince-edward.va.us](http://www.co.prince-edward.va.us) or in the Prince Edward County Administrator's Office, 111 N. South Street, 3<sup>rd</sup> Floor, Farmville, VA. It is the County's intent to comply with the Americans with Disabilities Act. Should you have questions or require special accommodations, please contact the County Administrator's Office at 434-392-8837.

###

# Prince Edward County

## SUP Request

Applicant: North Branch Solar, LLC

Tax Map:

043-A-34

### Schedule B

List of adjoining Property owners and mailing addresses for the property for a community solar facility.

| Parcel ID            | Owner                                   | Address                                           | Note |
|----------------------|-----------------------------------------|---------------------------------------------------|------|
| 043-A-36             | FRANCES MARY REEVES                     | 581 LAKEWOOD LANE CHARLOTTE COURT HOUSE, VA 23923 |      |
| 043-A-33             | GEORGE E & PENNY P WELCH                | 115 MERRIMAN SHOP ROAD PAMPLIN, VA 23958          |      |
| 044-A-83             | LINDA G CHAPLAIN                        | 4410 WILSONIA SHORES DRIVE MACHIPONGO, VA 23405   |      |
| 044-A-31             | VIRGINIA A. WELCH                       | 681 GOOD HOPE ROAD PAMPLIN, VA 23958              |      |
| 043-A-35             | GARY T & CONNIE LYNN JAMERSON           | 931 DEER ROAD PAMPLIN, VA 23958                   |      |
| 043-A-34A            | JONATHAN D MENEFFEE                     | 15715 THOMAS JEFFERSON HIGHWAY PAMPLIN, VA 23958  |      |
| 043-A-36A, 043-A-36B | ANDREW DALTON JR & CHRISTY ELDER        | PO BOX 1294 PAMPLIN, VA 23958                     |      |
| 4-4-7                | HARRY P JR & TERRY E MASON              | 5300 THOMAS JEFFERSON HWY CHARLOTTE CH, VA 23923  |      |
| 4-4-8                | WESLEY W SNYDER                         | 15409 THOMAS JEFFERSON HWY PAMPLIN, VA 23958      |      |
| 4-4-9                | RANDAL L & PATRICIA R ALIFF             | 15463 THOMAS JEFFERSON HWY PAMPLIN, VA 23958      |      |
| 4-4-10               | HENRY LEE & THERUSSELL L HORNE          | 15481 THOMAS JEFFERSON HWY PAMPLIN, VA 23958      |      |
| 4-4-10A              | JEAN H GRIFFITH C/O ZACHARY A WILKINSON | 993 HUNTERS ROAD RED HOUSE, VA 23963              |      |
| 4-4-11               | SALLIE M & LUKE GRIFFITH                | 96 DEHNHOFF AVENUE FREEPORT, NY 11520             |      |
| 111-A-33             | MARY H CARWILE                          | 15863 THOMAS JEFFERSON HWY PAMPLIN, VA 23958      |      |
| 111-A-34A            | BARBARA JEAN HUNTER ET ALS              | PO BOX 1214 PAMPLIN, VA 23958                     |      |
| LANDOWNER:           |                                         |                                                   |      |
| 043-A-34             | LAURA CARSON MCCLENNY                   | 4368 FOREST CHAPEL ROAD PAMPLIN, VA 23958         |      |

**PLANNING COMMISSION**

John Prengaman  
Chairman  
Llew W. Gilliam, Jr.  
Board Representative  
Brad Fuller  
Clifford Jack Leatherwood  
Whitfield M. Paige  
John "Jack" W. Peery, Jr.  
Teresa Sandlin  
Rhett L. Weiss



**COUNTY OF PRINCE EDWARD, VIRGINIA**

**DIRECTOR OF PLANNING &  
COMMUNITY DEVELOPMENT**

Robert Love, GISP  
Post Office Box 382  
111 N. South Street, 3<sup>rd</sup> Floor  
Farmville, VA 23901  
Office: (434) 414-3037  
Fax: (434) 392-6683  
[rlove@co.prince-edward.va.us](mailto:rlove@co.prince-edward.va.us)

August 9, 2024

To: Property Owners

From: Robert Love, Director of Planning and Community Development

Subject: Special Use Permit Request – North Branch Solar, LLC

1. The Prince Edward County Planning Commission will hold a public hearing on Tuesday, **August 20, 2024** at 7:00 p.m. to receive citizen input on a review of Special Use Permit application filed by North Branch Solar, LLC to make a determination if the project is substantially in accord with the Prince Edward County Comprehensive Plan and for the proposal to construct and operate a 3MWac solar energy facility on a 40 acre portion of land totaling 147.5+/- acres denoted as Tax Map Parcel 043-A-34, located on the east side of Thomas Jefferson Highway (State Route 47), across from its intersection with Point Road (State Route 725), which is zoned A-1, Agricultural Conservation.

You are receiving this notice because you own land in the vicinity of the property requested to be approved for a special use permit. Following the hearing the Prince Edward County Planning Commission may vote to recommend approval or denial of the request.

Instructions of how to listen or participate in the meeting and public hearing are contained on the reverse side of this letter. If you have any questions or comments, please do not hesitate to contact me at: 434-414-3037 or by email at: [rlove@co.prince-edward.va.us](mailto:rlove@co.prince-edward.va.us)

Respectfully,

Robert Love

Director of Planning and Community Development

**PLANNING COMMISSION**

John Prengaman  
Chairman  
Llew W. Gilliam, Jr.  
Board Representative  
Brad Fuller  
Clifford Jack Leatherwood  
Whitfield M. Paige  
John "Jack" W. Peery, Jr.  
Teresa Sandlin  
Rhett L. Weiss



**COUNTY OF PRINCE EDWARD, VIRGINIA**

**Director of Planning and  
Community Development**

Robert Love

Post Office Box 382  
111 N. South Street, 3<sup>rd</sup> Floor  
Farmville, VA 23901

Office: (434) 392-8837

Fax: (434) 392-6683

[rlove@co.prince-edward.va.us](mailto:rlove@co.prince-edward.va.us)  
[www.co.prince-edward.va.us](http://www.co.prince-edward.va.us)

August 6, 2024

Susan M. Adams, County Administrator  
Appomattox County, Virginia  
P.O. Box 863  
Appomattox, VA 24522

From: Robert Love, Director of Planning and Community Development

Subject: Special Use Permit Request – North Branch Solar, LLC

Dear Ms. Adams;

Per §15.2-2204 (C) of the Code of Virginia (1950), as amended, you are being sent written notification of a rezoning application as listed in the attached public notice which involves a parcel of land within one-half mile of a boundary with an adjoining locality.

The Prince Edward Planning Commission will hold a public hearing on August 20, 2024 at 7:00 p.m. to receive input on the requests. Instructions of how to listen or participate in the meeting and public hearing are contained on the reverse side of this letter.

If you have any questions or comments, please forward them to my attention no later than noon on the date of the public meeting. please do not hesitate to contact me at: 434-414-3037 or by email at: [rlove@co.prince-edward.va.us](mailto:rlove@co.prince-edward.va.us)

Respectfully,

Robert Love

Director of Planning and Community Development

**PLANNING COMMISSION**

John Prengaman  
Chairman  
Llew W. Gilliam, Jr.  
Board Representative  
Brad Fuller  
Clifford Jack Leatherwood  
Whitfield M. Paige  
John "Jack" W. Peery, Jr.  
Teresa Sandlin  
Rhett L. Weiss



**COUNTY OF PRINCE EDWARD, VIRGINIA**

**Director of Planning and  
Community Development**

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August 6, 2024

Daniel Witt, County Administrator  
Charlotte County, Virginia  
P.O. Box 608  
Charlotte Court House VA 23923

From: Robert Love, Director of Planning and Community Development

Subject: Special Use Permit Request – North Branch Solar, LLC

Dear Mr. Witt;

Per §15.2-2204 (C) of the Code of Virginia (1950), as amended, you are being sent written notification of a rezoning application as listed in the attached public notice which involves a parcel of land within one-half mile of a boundary with an adjoining locality.

The Prince Edward Planning Commission will hold a public hearing on August 20, 2024 at 7:00 p.m. to receive input on the requests. Instructions of how to listen or participate in the meeting and public hearing are contained on the reverse side of this letter.

If you have any questions or comments, please forward them to my attention no later than noon on the date of the public meeting. please do not hesitate to contact me at: 434-414-3037 or by email at: rlove@co.prince-edward.va.us

Respectfully,

Robert Love

Director of Planning and Community Development



North Branch Solar, LLC  
PRINCE EDWARD COUNTY, VIRGINIA  
Special Use Permit Conditions

**SECTION I. GENERAL PROVISIONS**

1. This Special Use Permit applies to the following properties for which a special use permit application was submitted:  
Tax Map Parcel Identification Number: 043-A-34  
The Special Use Permit application was submitted on 07/17/2024 by North Branch Solar, LLC on behalf of the owners of the said properties, and compliance with these conditions is the express duty of, and these conditions shall bind, the Applicant and any assignee of the Applicant who operates the Solar Facility.
2. The Site shall be developed, constructed, operated, and decommissioned in compliance with all of the following:
  - a. All applicable federal, state, and local laws, statutes, ordinances, and regulations.
  - b. All written agreements entered into between the Applicant and the County, expressly including, but not limited to, a Solar Facility Siting Agreement.
  - c. The Site Plan approved by Prince Edward County.
  - d. The Decommissioning Plan approved by Prince Edward County.
  - e. The Emergency Response Plan approved by Prince Edward County.
  - f. The Construction Traffic Management Plan approved by Prince Edward County.
  - g. The Erosion and Sediment Control Plan approved by Prince Edward County.
  - h. The Stormwater Management Plan approved by Prince Edward County and/or DEQ.

Violation by the Applicant or by any one or more of Applicant's agents, employees or contractors of any terms, conditions, or provisions of any of the foregoing shall constitute a violation of this Special Use Permit if Applicant has failed to begin and diligently pursue (or has failed to cause its agents, employees or contractors, as applicable, to begin and diligently pursue) correction of the violation within thirty (30) days after written notice by the County to Applicant.

3. The following terms shall have the following meanings if or when used in these Conditions:
- a. **"Abandoned"** means the discontinuation of power generation by the Solar Facility for a period of at least 180 consecutive days, except in the event of a force majeure event requiring reconstruction.
  - b. **"Applicant"** means North Branch Solar, LLC.
  - c. **"Approved Site Plan"** means the detailed drawing showing all equipment, excavation, landscaping, and other changes or improvements to be made to the real property or properties for the development of the Project following approval of the Special Use Permit Application by the Prince Edward County Planning Commission, and the Prince Edward County Board of Supervisors and administrative review and approval by Prince Edward County staff.
  - d. **"Board"** means the Board of Supervisors of Prince Edward County, Virginia.
  - e. **"Commercial Operation"** means the period beginning on the date that the sale of electricity generated from the Solar Facilities to a third party through the Grid commences pursuant to a Power Purchase Agreement and terminating contemporaneously with the commencement of Decommissioning.
  - f. **"County"** means Prince Edward County, Virginia.
  - g. **"County Administrator"** means the county administrator of Prince Edward County, Virginia.
  - h. **"Decommission" or "Decommissioning" or "Decommissioning Activities"** means the work on the Solar Facility to remove improvements on the real property and to otherwise comply with the Decommissioning Plan.
  - i. **"Decommissioning Commencement Date"** means the earliest date on which Decommissioning is required to begin under the terms set forth in these Special Use Permit Conditions.
  - j. **"Decommissioning Plan"** means the plan for Decommissioning Activities submitted by North Branch Solar, LLC and approved by the County.
  - k. **"Grid"** means the interconnected network for delivering electricity from producers to consumers (consisting of generating stations, electrical substations, high voltage transmission lines, and distribution lines that connect individual customers) to which the Project is connected and provides power.
  - l. **"Investor Owned Utility Company"** means an electric utility as defined in Section 56-576 of the Code of Virginia.
  - m. **"Operator"** means any party which undertakes the management, maintenance, and operation of the Solar Facility, including, but not limited to, as assignee of the Applicant.

- n. **“Power Purchase Agreement”** means the written agreement pursuant to which electricity generated from the Solar Facilities is sold to a third party.
  - o. **“Project”** means the Solar Facility on the parcel, including the following: (i) the development, design, procurement, construction, installation, commissioning, testing, interconnection, and start-up of the Solar Facility on the Site; (ii) the operation, repair, replacement, and maintenance of the Solar Facility on the Site; and (iii) the decommissioning and removal of the Solar Facility from the Site.
  - p. **“Related Entity”** or **“Related Entities”** means any two or more entities described in I.R.C. § 267(b).
  - q. **“Site”** or **“Solar Facility Site”** means all properties to be leased or purchased by the Applicant or any Related Entity for development in connection with the Project, identified as follows: Prince Edward County Tax Map Identification Number 043-A-34.
  - r. **“Site Plan”** means the detailed drawing showing all equipment, landscaping, roads, retention facilities, fencing, buffers, and other changes or improvements to be made to the real property or properties for the development of the Project.
  - s. **“Solar Facility”** or **“Solar Facilities”** means the Site together with all equipment, apparatus, or other items of personal property used for the construction, operation, or decommissioning of the Project.
  - t. **“Surety Review Date”** means the date by which the Applicant will update the cost estimate in the Decommissioning Plan every five (5) years and reimburse the County for the actual and reasonable, out-of-pocket costs of each such independent review and analysis by a licensed engineer of each decommissioning cost estimate revision.
4. The Site shall be developed in general conformance with the information and exhibits submitted with the Special Use Permit application (the “SUP” Application), except as modified by associated conditions, the Approved Site Plan, and as required by the land development ordinances of Prince Edward County.
  5. This Special Use Permit (SUP) is issued to the owners of the properties for which the special use permit application was submitted (the Properties) and shall run with the land unless and until this SUP is revoked, expires, or is voided.
  6. An Approved Site Plan shall be required for this use.

7. Prior to the issuance of construction permits, the Applicant shall record in the Circuit Court Clerk's Office of Prince Edward County, Virginia a plat of survey delineating the property boundary and total acreage.
8. The Applicant shall submit an Emergency Response Plan (the "ER Plan") with the submission of the Site Plan. The ER Plan shall include fire suppression methods that can be deployed during both the construction and operation of the project. The ER Plan shall also include a program of education and training to be provided for County emergency response staff covering onsite emergency response.
9. Unless approved in writing by the County, no signage shall be permitted on the Site; except that signage containing notices, warnings, or other information, if required by law or by applicable codes and standards, or deemed by the County to be in the interest of the safety and welfare of the community, shall be required.
10. North Branch Solar, LLC will reimburse, or cause to be reimbursed, to the County all reasonable, out-of-pocket costs and fees incurred for professional services engaged for purposes of assisting the County during the application process and during construction, including, but not limited to, legal fees and consulting fees; however legal fees shall not be assessed to North Branch Solar, LLC after construction is completed. The purpose of the reimbursement payments is to defray the costs and expenses incurred by the County in connection with (i) the zoning and permitting processes related to the approval of the Solar Facility, (ii) the permitting process with federal and state agencies, as applicable, and (iii) the construction of the Solar Facility. Should the special use permit application submitted by North Branch Solar, LLC for the Project not be approved by the County, no reimbursement under this paragraph will be owed by North Branch Solar, LLC to the County.
11. The Project owner or operator will, in coordination with the Prince Edward County Fire Department, provide education and training on how to respond in the event of a fire or other emergency on the premises. "Knox Boxes" will be added at access gate locations, so that Fire Department resources can gain access inside the security fence.

## **SECTION II. BUFFERS, HEIGHTS, AND SETBACKS**

12. Buffers throughout the Site shall include the following:

- a. All setbacks shall be no less than those shown on the site plan approved by Prince Edward County.
- b. The Site Plan will identify a maximum extent of Project area, outside of which solar panels or other equipment will not be located. The solar panels or other equipment of the Solar Facility will not be located within the standard setbacks established by Section 7-110 (D) of the County Ordinance.
- c. The Site Plan will include a vegetative buffering plan (the “Vegetative Buffer Plan”) that will limit the visibility of the Solar Facility from the public rights-of-way adjacent to the Site. For purposes of this Condition, “Solar Facility” does not include the perimeter security fencing, gravel access road, or interconnection equipment. Also, the “Solar Facility” is not an objectionable feature, within the meaning of County Ordinance Section 7-110 (F). All vegetative buffering areas, as shown on the Vegetative Buffer Plan, shall enable insolation of the Solar Facility and may be both natural and planted, shall be a part of the approved Project, and should be protected from harvest so long as the Site is operated as a solar facility.
- d. Vegetative buffering areas shall be installed (pursuant to the screening suggestions attached as Exhibit A) and, as necessary, managed to ensure health and preservation of the vegetation. Any vegetative buffering that is dead during the operating period shall be removed and replaced in conformance with the approved site plan, within a six (6) month time period during a typical growing period. The type and height of replacement vegetation shall be similar to that of which was originally planted during construction. In the event that the vegetative buffering is severely damaged due to an unusual weather occurrence or natural catastrophe, the Project shall have one year or one growing season, whichever is sooner, to replace or replant.
- e. A 15’ screening buffer shall be observed with any bordering standing timber harvested after construction of the solar facility.
- f. Electrical lines leaving the solar facility shall be underground until the point of reaching the first pole outside of the facility as to not impact the screening plan unless: (a) otherwise approved by the County in the final site plan; (b) otherwise approved by the County in connection with building permit approvals, including electrical permits; (c) underground lines conflict with

other applicable permitting standards, including environmental permits; or (d) underground lines are not reasonably practical given site constraints.

- g. Any historical resources of significance as determined by the Virginia Department of Historic Resources Map shall be assessed in consultation with VDHR, and if VDHR requires preservation measures, these will be reflected on the Site Plan.
- h. The maximum height of ground mounted systems, equipment, and structures, as measured from the grade or base of the improvements to the highest point, shall not exceed eighteen (18) feet in height. Excluded from this height requirement are overhead electric distribution and transmission lines and poles, project substation, and utility switchyard.

### **SECTION III. CONSTRUCTION, TRAFFIC, and ROAD REPAIRS**

- 13. Subject to compliance with applicable site safety requirements and upon reasonable prior notice, the County Administrator, building official, zoning administrator, or environmental codes and compliance officer, or any party or parties designated by any one or more of those county officials, including other federal, state, or local government officials, shall be allowed to enter the Site at any time during construction. Once the facility has commenced Commercial Operation, subject to compliance with applicable Site safety requirements, County officials may enter the Site upon at least one week's advance notice to the Solar Facility liaison.
- 14. All construction entrances for the Site shall be in general conformance with the information and exhibits submitted with this Special Use Permit application and must be authorized and approved by the Virginia Department of Transportation (VDOT).
- 15. All construction activity shall be conducted during daylight hours Monday-Saturday. Activities allowed on Sundays include only the following: onsite planning, walking and riding the Site by passenger vehicle (not heavy construction trucks or equipment), office work, and other activities that do not produce large quantities of traffic on the surrounding roads or loud construction noises within the Site. The Applicant shall comply with the Prince Edward County Noise Ordinance Chapter 46, Article II during operation but shall not be required to do so during construction.

16. All heavy construction traffic, including, but not limited to, dump trucks, tractors and trailers, supplier vehicles, and trucks hauling equipment shall enter the site at the designated private driveway along Llama Road.
17. The Applicant shall submit a Construction Traffic Management Plan (“CTMP”) as part of the Site Plan. The CTMP shall address traffic control measures, an evaluation of the condition of the public roads along the Delivery Routes prior to construction, and a description and an estimate of any anticipated repairs to public roads that may arise due to damages attributable to construction of the Solar Facilities, which CTMP must be reviewed by a third-party selected by the County and paid by, and at the sole cost of, the Applicant.
18. Dust containment measures shall be utilized at all times, as necessary, to contain dust from constituting a nuisance to nearby residents.
19. No burning of stumps and/or debris will be allowed onsite at the subject solar facility.
20. The Solar Facilities shall be enclosed within chain link security fencing not less than six (6) feet in height.
21. The Project will not utilize permanent lighting. If installed at a later date, lighting will be downward facing, motion activated security lighting located at the Project entrance gate or at the control panels near the equipment pad.
22. Prior to commencement of construction, the Applicant shall provide the County a bond equal to 100% of the cost of the anticipated repairs to be made to the public road along the Delivery Routes, as defined in paragraph 22 below, including the entire public right of way along the Delivery Route. The bond may be in the form of a letter of credit, a surety bond, or a cash bond given to the County, to be held by the County without interest, but the form of any surety bond must be approved by the County Administrator. The County will release, return, and terminate the roadway surety upon completion of construction and Commercial Operation of the Project.
23. Delivery Routes to the site shall include State Route 47 (Thomas Jefferson Highway) to the private road (Llama Road) to the North Branch Solar, LLC site entrance.
24. The Solar Facilities shall have commenced construction within three (3) years of approval. The Board of Supervisors may approve one extension of up to one (1)

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year ~~each~~ upon written request from the Applicant detailing the need for an extension.

25. Solar panels will be constructed, maintained, and operated in accordance with national industry standards and regulations including the National Electrical Code, International Fire Code of the International Code Council and the National Fire Protection Association Fire Code, as provided in Va. Code 15.2-2286. In the event of a conflict between the national industry standards and these Conditions, the national industry standards shall control so that as technology advances, updated technology may be used by the Applicant. Notwithstanding any of the foregoing, the use of any of the following materials at any time, whether in construction, maintenance, or operation of the facility.
26. Storage on the Site of power generated by the Facility or generated elsewhere is prohibited.
27. No panels, inverters, pyranometers, substations, or any other component of the Solar Facility, except fencing, shall be located in a floodplain.
28. Upon completion of the construction of the Solar Facilities, the Applicant shall submit a post-construction evaluation of the condition of the roads along the Delivery Routes to the County Administrator for approval. The post-construction evaluation shall include a plan for repairing any damage caused to the public roads along the Delivery Route directly attributable to the Applicant. The Applicant shall be responsible for causing such repairs to be completed to the satisfaction of the VDOT and shall be responsible for coordination of repairs with VDOT. All roadway repairs along the Delivery Routes shall be made at the sole expense of the Applicant.

#### **SECTION IV. ENVIRONMENTAL**

29. The Applicant shall submit a Stormwater Management Plan and an Erosion and Sediment Control Plan as part of the Site Plan. The Applicant shall reimburse, or cause to be reimbursed to, the County all reasonable, out-of-pocket costs incurred by the County related to retaining such third-party inspectors, plan reviewers, and advisors as reasonably necessary for project review and inspections. All such payments shall be remitted to the County within thirty (30) days of invoicing. The County shall retain the right to inspect the Site to verify the findings of the third-party inspectors upon reasonable, prior notice and subject to compliance with Site

safety requirements. The phasing of land disturbance shall be detailed in the Erosion and Sediment Control plan and accompanying project narrative.

30. Stabilization of the Site shall be maintained at all times in compliance with Virginia Department of Environmental Quality (DEQ) standards, rules, requirements, and regulations. The Applicant and the Operator, or either one of them, shall notify the County within twenty-four (24) hours of receiving any DEQ notice of less than full compliance by the Project and shall, within forty-eight (48) hours of receipt, provide the County with a copy of the notice. Thereafter, the Applicant and the Operator, or either one of them, shall provide to the County within forty-eight (48) hours of transmission or receipt copies of all correspondence with DEQ regarding Project noncompliance issue until such time as the matter is fully resolved to the satisfaction of DEQ.
31. Soil testing shall be conducted on the Site as follows:
  - a. Testing shall be conducted in no less than three (3) locations on the Site, at least one location being within proximity to panels of each different type or manufacturer. Samples will be collected from a depth of six inches below ground surface.
  - b. Testing shall be conducted prior to the issuance of a land disturbance permit and annually thereafter. Testing also shall be conducted immediately prior to Decommissioning and immediately following the termination of Decommissioning.
  - c. Samples shall be analyzed for Priority Pollutant 13 Metals (arsenic, antimony, beryllium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, thallium, and zinc) in accordance with EPA methods SW 6020, SW 6020A, SW1312, and 200.8.
  - d. Testing shall be performed by a service provider retained by the Operator but approved by the County.
  - e. A test report for each testing event, including an executive summary, shall be provided to the Prince Edward County zoning administrator within ten (10) days of the completion of such report.

- f. No costs shall be incurred by Prince Edward County for soil testing or reports of soil testing provided to Prince Edward County.

## **SECTION V. DECOMMISSIONING**

- 32. Decommissioning shall be conducted in accordance with the Decommissioning Plan approved by Prince Edward County.
- 33. The Applicant or the Operator shall provide a Notice of Decommission to the County Administrator of Prince Edward County within thirty days of a determination to cease Operation of the Solar Facility.
- 34. Prior to the commencement of construction, the Applicant shall submit to the County and receive County approval of a Decommissioning Plan. The Applicant shall comply with all terms and conditions of the Decommissioning Plan as approved by the County. The Decommissioning Plan at a minimum shall include provisions regarding the following:
  - a. Specifications for the removal of all solar equipment, buildings, cabling, electrical components, foundations, pilings, and fencing.
  - b. A requirement that all Site real property must be restored to the condition of the property as of the date Construction commences (reasonable wear and tear excepted).
  - c. A requirement that the property must be stabilized so as to adequately control, prevent, and minimize any and all erosion or sediment runoff, consistent with the approved Erosion and Sediment Control Plan.
- 35. Decommissioning shall begin immediately after the Facility has, for a period of six (6) consecutive months, ceased operating as a solar energy facility distributing energy to the electrical grid and shall be diligently pursued, as determined by the County in its sole discretion, and completed within eighteen (18) months from the Decommissioning Commencement Date. Prior to its expiration, the County may extend this Decommissioning period by six (6) months if the County finds that the Operator commenced Decommissioning the Solar Facility diligently and continuously worked to Decommission the Facility throughout the Decommissioning period, and is reasonably expected to complete the Decommissioning within the additional six-month period.

36. Periods during which the Facility is not operational for maintenance, repair, or due to a catastrophic event beyond the control of North Branch Solar, LLC during which time North Branch Solar, LLC works diligently to return the Facility to full Commercial Operation, shall not constitute the cessation of operations requiring the initiation of Decommissioning requirements herein. North Branch Solar, LLC must provide written notice and evidence of the Solar Facility status and repair efforts to the County Administrator during the period in which the Solar Facility is not fully operational. Such notice shall identify the last day on which the Facility was fully operational. Regardless of the efforts of North Branch Solar, LLC to return the Solar Facility to full Commercial Operation, if the Solar Facility does not operate as a solar energy facility distributing energy to the electrical grid after the catastrophic event for a period of eighteen (18) months, the Project shall be deemed Abandoned and North Branch Solar, LLC shall commence Decommissioning no later than the 548th day after the catastrophic event.
37. Any change of party responsible for Decommissioning of the facility, or change in any part of the contact information, shall be reported to the County Administrator within sixty (60) days of the change(s).
38. If Decommissioning Activities are not completed within the allotted time, or if the Project is Abandoned, the County may complete or have completed at its expense the Decommissioning Activities required under the terms of the Decommissioning Plan and may recover all costs of completing those Decommissioning Activities from the surety provided as set forth herein.
39. To secure the costs of Decommissioning, North Branch Solar, LLC or its successor shall at all times, beginning at commencement of construction and until the termination of Decommissioning, provide financial surety in a form and in an amount approved by the County. If the Solar Facility is transferred to a public utility or an Investor or Member Owned Utility Company (e.g.: Dominion Energy, Old Dominion Electric Cooperative or its successor entity), the surety required of the Applicant may be cancelled at the time of the transfer and no further surety will be required.
40. The amount of the surety required shall be 100% of the estimated Decommissioning costs estimated at each Surety Review Date, less the scrap or repurposing value of the Solar Facility. The estimated costs and surety to meet the above requirements shall be reviewed by the County Administrator on each Surety Review Date, at which time the County Administrator shall determine if the estimates adequately

reflect the Decommissioning costs and any scrap or repurposing value and that the surety will guarantee performance. Should the County Administrator determine that estimated costs and surety are insufficient, the County Administrator and North Branch Solar, LLC shall mutually agree to determine the correct surety amount; and North Branch Solar, LLC shall then provide the agreed, adequate surety within one hundred eighty (180) days following the Surety Review Date or, if later, within thirty (30) days after the County Administrator and North Branch Solar, LLC agree on the adequate surety amount.

41. Surety must be provided in the form of a cash bond deposited with the County; by an irrevocable letter of credit provided for the County's benefit; or by a surety bond listing the County as the obligee, a hypothecated account, an escrow account, or a guaranty issued by a credit-worthy entity, or as otherwise provided in Section 15.2-2241.2 of the Code of Virginia.
  - a. A cash bond shall be in the form of a cashier's check or certified check deposited with the County which has cleared all issuing institutions. Any interest accruing on such funds shall be added to the total amount and retained by the County for Decommissioning. The deposit shall be accompanied by a letter agreement, acceptable to, and issued by, the County Administrator, confirming that the cash deposit is to be held by the County to guarantee the performance of the Decommissioning work required herein, and should the Solar Facility be Abandoned or should the Decommissioning work not be diligently undertaken or performed according to the requirements herein, or should the Special Use Permit be revoked, lapse, expire, or be voided due to violation thereof, the County may expend the deposited funds to undertake the Decommissioning work required herein, without more, after providing written notice to the person identified as owner of the property in the land records of Prince Edward County as of the date of the notice. Within six (6) months of the completion of the Decommissioning work required herein by a person or entity other than the County or a contractor engaged by the County, as confirmed by the County Administrator, the cash bond and accrued interest, less any amounts expended by the County as allowed herein, shall be released and paid to North Branch Solar, LLC or, if the Project has been Abandoned, to the person identified as owner of the property in land records of Prince Edward County as of the date of the completed Decommissioning or as otherwise directed by that owner of the property.

- b. An irrevocable letter of credit shall mean an instrument provided by a lending institution guaranteeing payment to the County within seventy-two (72) hours of the County's written notice to the institution that the Solar Facility has been Abandoned or the Decommissioning Activities have not been diligently undertaken or performed according to the requirements herein and demand to the institution for the funds, without more. The letter of credit shall have no expiration date or required renewal and shall remain in effect for the benefit of the County and shall under no circumstances be withdrawn before the Decommissioning Activities required herein are completed or the amount guaranteed has been fully drawn by the County. The letter of credit shall require that the County be notified thirty (30) days prior to any cancellation or alteration of the letter of credit. Should the County receive notice that the letter of credit will be cancelled or otherwise become unavailable or decrease, or should this Special Use Permit be revoked, lapse, expire or be voided due to violation thereof by North Branch Solar, LLC, the County may, immediately draw down the entirety of the letter of credit and convert the surety to a cash bond to be deposited with the County and subject to the terms herein; this shall be specifically reflected in the language of the irrevocable letter of credit. The County may expend the guaranteed funds, without more, to undertake the Decommissioning Activities required herein and required pursuant to the terms of the Decommissioning Plan after providing written notice to North Branch Solar, LLC or, if the Project is Abandoned, to the person identified as the owner of the Property in the land records of Prince Edward County as of the date of the notice. Within six (6) months following the completion of the Decommissioning Activities required herein and required pursuant to the terms of the Decommissioning Plan by a person or entity other than the County or a contractor engaged by the County, as confirmed by the County Administrator, the letter of credit shall be released by the County and any amounts drawn on the letter of credit, less any amounts expended by the County as allowed herein, shall be released and paid to North Branch Solar, LLC or, if the Project has been Abandoned, to the person identified as owner of the property in land records of Prince Edward County as of the date of the completed Decommissioning or as otherwise directed by that owner of the property.
- c. A surety bond shall mean a bond issued by a company with an AM Best rating of A++, that is treasury listed, and that is licensed to do business in the Commonwealth of Virginia. The surety bond shall list the County as an obligee and shall remain in effect for the benefit of the County and shall under no circumstances be withdrawn or cancelled before the Decommissioning

Activities required herein and required by the terms of the Decommissioning Plan are completed or the amount guaranteed has been fully paid to the County. The surety bond shall require that the County be notified thirty (30) days prior to any cancellation or alteration of the bond. Should the County receive notice that the surety bond will be cancelled or otherwise become unavailable or decrease below the limits required herein, or should the Special Use Permit be revoked, lapse, expire or be voided due to violation thereof by North Branch Solar, LLC, the County may, immediately file a claim, for the entirety of the amount of the bond, the guarantor shall pay the amounts guaranteed and the County shall convert the surety to a cash bond to be deposited with the County and subject to the terms herein; this shall be specifically reflected in the language of the surety bond. The County may expend the guaranteed funds, without more, to undertake the Decommissioning Activities required herein and required pursuant to the terms of the Decommissioning Plan, after providing written notice to North Branch Solar, LLC, or, if the Project is Abandoned, to the person identified as the owner of the Property in the land records of Prince Edward County as of the date of the notice. Within six (6) months following the completion of the Decommissioning Activities required herein by a person or entity other than the County or a contractor engaged by the County, as confirmed by the County Administrator, the surety bond shall be released by the County, and the bond funds paid to the County less any amounts expended by the County as allowed herein, shall be released and paid to North Branch Solar, LLC or, if the Project has been Abandoned, to the person identified as owner of the property in land records of Prince Edward County as of the date of the completed Decommissioning or as otherwise directed by that owner of the property.

42. Should this Special Use Permit be revoked, lapse, expire, or be voided due to violation thereof, the County may immediately draw down all of the surety funds and convert them into a cash bond for purposes of Decommissioning as set forth hereunder and as set forth in the Decommissioning Plan. In such case, no contractual agreement shall be required for the cash bond. This shall be reflected in the surety provided.
43. Should the funds guaranteed for the Decommissioning Activities for any reason not be sufficient for the County to complete the Decommissioning Activities as allowed for herein and as set forth in the Decommissioning Plan, North Branch Solar, LLC or its successor, shall be and shall remain liable to the County for the difference between the guaranteed funds and the amounts required to Decommission the Solar

Facility and shall pay the difference to the County upon demand. The County shall not be liable to any party in any way for the funds drawn pursuant to the conditions set out herein and expended in relation to Decommissioning.

44. Should the Facility be Abandoned, or should the Special Use Permit be revoked, lapse, expire, or be voided due to violation thereof, or should the Decommissioning Activities not be diligently undertaken or performed, and should the County draw down the funds for the purpose of performing the Decommissioning Activities and mobilize its contractors to perform the Decommissioning Activities or otherwise incur liability to its contractors for the performance of the Decommissioning Activities, North Branch Solar, LLC, its successor or agent, shall have no right to perform the Decommissioning Activities unless specifically authorized by the County in a writing that confirms that the County has incurred no liability to any contractors to perform the Activities or that any such liability is transferrable as deemed acceptable to the County. The Applicant or the Operator shall immediately, upon written demand by the County or any person or entity authorized to act on behalf of the County, without more, grant or release to the County, or any person or entity authorized to act on behalf of the County, under terms deemed acceptable by the County, all necessary real property rights, personal property rights, either or both, as determined solely by the County, other than fee simple ownership or a leasehold interest of the real property, so that the County or any person or entity authorized to act on behalf of the County may undertake any required Decommissioning Activities that have not otherwise been performed as required. This shall include, but may not be limited to, releasing any interest in the personal property, facilities, fixtures, and structures which are to be removed and recycled, disposed of, or otherwise demolished.