

**MINUTES OF THE MEETING OF THE ISLE OF WIGHT COUNTY
PLANNING COMMISSION HELD ON THE TWENTY-FIFTH DAY OF
JUNE IN THE YEAR TWO THOUSAND AND TWENTY-FOUR**

CALL TO ORDER

Bobby Bowser, Chairman, called the Isle of Wight County Planning Commission meeting to order at 6:00 PM on June 25, 2024, at the Isle of Wight County General District Court, located at 17000 Josiah Parker Circle, Isle of Wight, Virginia 23397

INVOCATION

Commissioner Rawls delivered the invocation.

PLEDGE OF ALLEGIANCE

Chairman Bowser invited everyone present to join in the Pledge of Allegiance.

ROLL CALL/DETERMINATION OF A QUORUM

PRESENT

Bobby Bowser, Chairman
Thomas Distefano, Vice-Chairman
Brian Carrol
Cynthia Taylor
James Ford
Jennifer Boykin
George Rawls
Rick Sienkiewicz
Raynard Gibbs
Matthew Smith

ABSENT

A quorum was determined.

ALSO IN ATTENDANCE

Bobby Jones, County Attorney
Don Robertson, Assistant County Administrator
Amy Ring, Community Development Director
Trenton Blowe, Planner II
Caleb Kitchen, Planner I
Amanda Landrus, Secretary

ACTION ON REQUESTS TO WITHDRAW OR TABLE PENDING AGENDA ITEMS

Chairman Bowser asked if there were any requests to table or withdrawal agenda items. Amy Ring, Community Development Director, stated there were no requests.

APPROVAL OF AGENDA

Chairman Bowser called for a vote to approve the agenda. Commissioner Boykin made the motion to approve the agenda. Commissioner Smith seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

APPROVAL OF CONSENT AGENDA

Chairman Bowser called for a vote to approve the consent agenda. Commissioner Carroll made the motion to approve the consent agenda. Commissioner Taylor seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

CITIZENS' COMMENTS

Chairman Bowser invited any citizen to speak on an item that is not on the agenda tonight.

Glen Willis, 24291 Lovers Lane, spoke saying that with the recent Windsor events, he would like to speak about the setbacks and incompatible uses. Mr. Willis believes the setback requirements have an opportunity for improvement involving incompatible use types adjacent to residential neighborhoods.

There being no further citizen comments, Chairman Bowser closed citizen comments

PUBLIC HEARINGS

Chairman Bowser called for the first public hearing on the following item:

Application of Elk Development, LLC, applicant, and William Pennie, Jr. and Teresa L. Crocker, property owners, for a conditional use permit for a major utility service, specifically a 3.0 MW utility-scale solar energy generation facility, on approximately 27.32 acres on a 94.21-acre tract located on Old Stage Highway with tax parcel number 13-01-005 in the Rural Agricultural Conservation (RAC) zoning district.

Trenton Blowe, Planner II, gave the following presentation.

Solar Energy Generation Major Utility Service Conditional Use Permit Request CUP-06-23

Planning Commission Regular Meeting
June 25, 2024

Site Description

- Tax Map ID#: 13-01-005
- Location: Old Stage Highway and Morgarts Beach Road
- Current Zoning: Rural Agricultural Conservation (RAC)
- Election District: D3
- Request: Establish a 3.0 MW utility-scale solar energy generation facility on approximately 27.32 acres of a 94.21 acre tract located on Old Stage Highway with tax parcel number 13-01-005 in the Rural Agricultural Conservation (RAC) zoning district

Project Description

- Applicant has proposed a three-megawatt (MW) solar energy generation facility in the western portion of the property.
- An existing electrical line that bisects the project area along Old Stage Highway will serve as the interconnection point.
- Project will consist of solar panels along with their racking systems and metal posts, inverters, and fencing.
- Based on the project area, 27.32 acres of crops will be removed from production. Approximately 23 acres will be in the fenced area of the solar facility project area.
- Property has never been developed and has historically been used for agriculture.

CUP-6-23 - Conditional Use Permit- Location Map



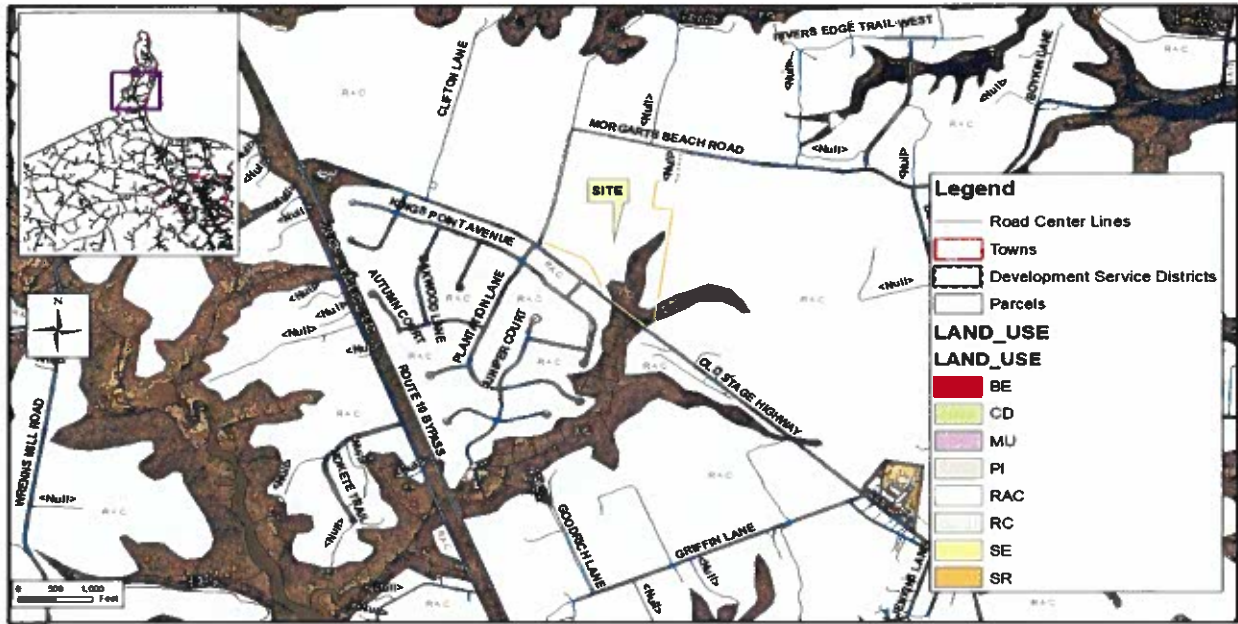
CUP-6-23 - Conditional Use Permit- Location Closeup Map

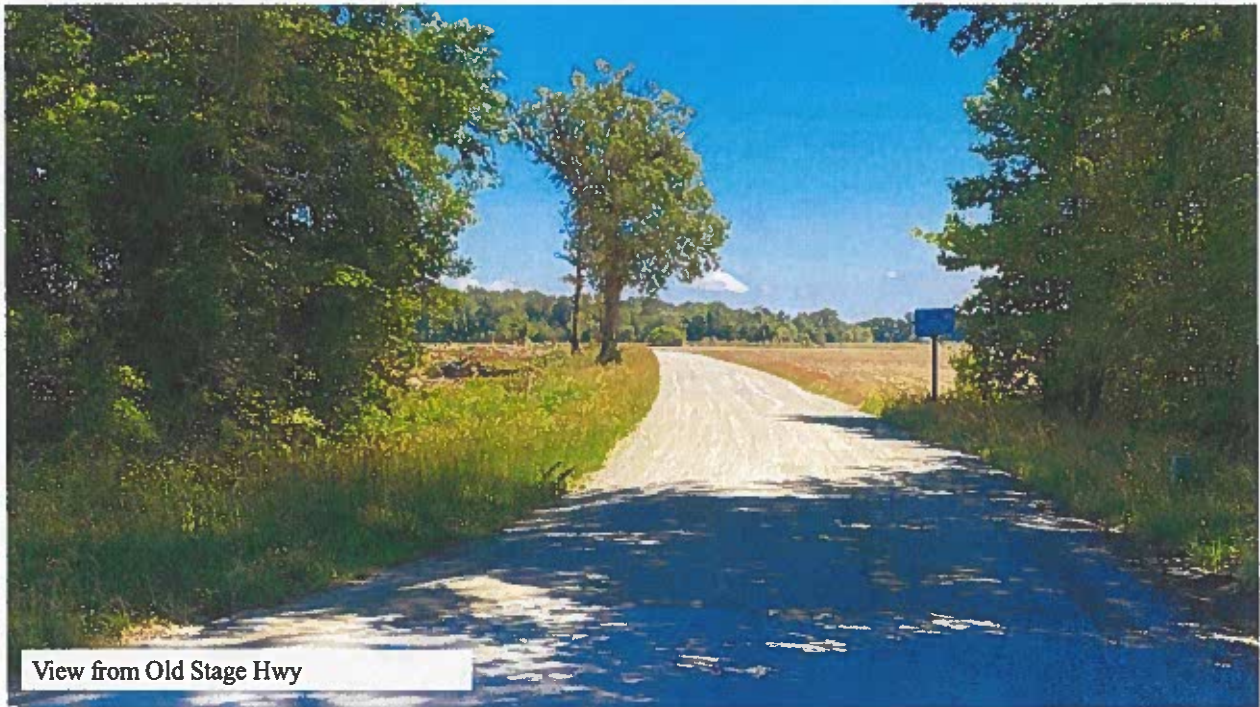


CUP-6-23 - Conditional Use Permit- Zoning Map



CUP-6-23 - Conditional Use Permit- Land Use Map

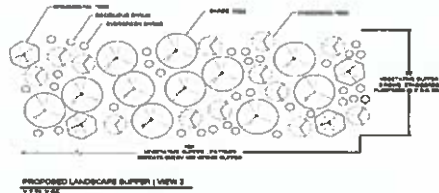
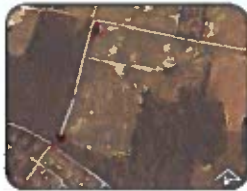




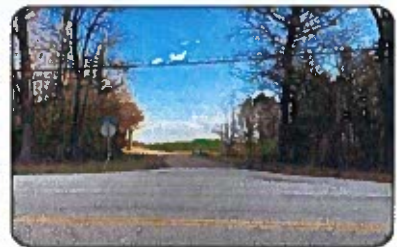
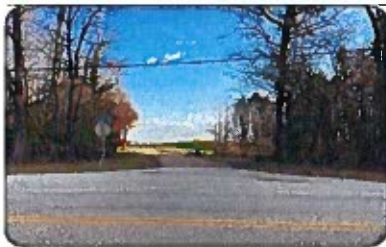
View from Old Stage Hwy



View from Morgarts Beach Rd.



Viewshed from Old Stage Hwy



The Board may impose additional conditions or limitations on CUPS.

Such conditions may include, but are not limited to:

1. Number of persons living or working in the immediate area and the proposed hours of operation.
2. Traffic conditions, sidewalks, parking facilities, vehicle access, peak periods of traffic; and proposed roads, but only if construction of such roads will commence within the reasonably foreseeable future;
3. Orderly growth of the neighborhood and community and the fiscal impact on the County;
4. Effect of odors, dust, gas, smoke, fumes, vibration, glare, and noise upon the use of surrounding properties;
5. Facilities for police, fire protection, sewerage, water, trash and garbage collection and disposal, and the ability of the County or persons to supply such services.
6. The degree to which the development is consistent with generally accepted engineering and planning principles and practices;
7. The structures in the vicinity such as schools, houses of worship, theaters, hospitals, and similar places of public use;
8. The purposes set forth in this ordinance, the County's Comprehensive Plan, and related studies for land use, roads, parks, schools, sewers, water, population, recreation, and the like;
9. The environmental impact, the effect on sensitive natural features, and opportunities for recreation and open space; and
10. The preservation of cultural and historic resource landmarks.

Staff Analysis – Public Facilities

- The applicant has proposed to use Morgarts Beach Road via Old Stage Hwy (Rt.10). Approximately 1300 feet of unpaved road on Morgarts Beach is proposed to reach the entrance to the site.
- In establishing the use, the enjoyment of neighboring properties may also be temporarily impacted by construction traffic and noise generation.
- The applicant is required to submit an emergency response plan with the submission of the preliminary site development plan. The plan shall include a training program to be provided, at the discretion of the County, to County emergency responders concerning safety for on-site emergency response.

Staff Analysis – Environmental Assessment

- The project lies within the in the County's Chesapeake Bay Preservation Area (CBPA) Overlay District.
- There are no impacts proposed to any wetlands or watercourse with this proposal.
- No impacts to threatened or endangered species under the jurisdiction of the Virginia Department of Conservation and Recreation (DCR) are anticipated because of the proposed project. There are no impacts on identified ecological core areas.

Staff Analysis – Historical Resources

- A Phase 1 Cultural Resources Survey of the project area was conducted by Stantec. The report was reviewed by the Virginia Department of Historic Resources (VDHR) for their concurrence with the survey findings and recommendations.
- One new isolated archaeological site find (2607-IF1) was identified during this investigation. By definition, isolated archaeological find 2607-IF1 is not eligible for listing to the National Registry of Historic Places (NRHP). No further archaeological work is recommended within the Project Area.
- Four architectural resources were previously recorded, and six newly recorded resources were identified in the Phase 1 Survey.
- The Bourne-Turner house and the Keystone Segment of the John Smith Trail were said to be negatively impacted by the proposed project. The Old Stage Cemetery is approximately 750 ft from the project area. A mitigation memo was attached to the staff report from VDHR.

Staff Analysis – Economic Impact

- According to the applicant's economic impact study, the proposed facility would generate approximately \$226,500 in real estate and machinery tax revenue over a 25-year operational life and approximately \$325,900 in cumulative county revenue over a 35-year operational life.
- Projected real estate tax revenue on the current agricultural land use over a 25-year period is \$6,700 and a total of \$8,900 over 35 years.
- The acreage subject to the Conditional Use Permit would be reassessed for real estate taxes at \$15,000 per acre.

Staff Analysis – Viewshed Analysis

- An effects evaluation, in addition to the Phase I architectural survey, was conducted for NRHP-listed, eligible, and potentially eligible properties that may be affected by the proposed project.
- Two resources were assessed for effects and included the potentially eligible Bourne-Turner House (OHR #046-0031) and the portion of the NRHP-eligible Keystone Segment Historic District of the Captain John Smith National Historic Trail (DHR #500-0006) within the current architectural study area. The Old Stage Highway Cemetery (DHR #046-5636), had not been evaluated for NRHP eligibility but was not visible from the public ROW.
- Based on the current proposed project area and the existing landscape, it is recommended that the proposed project would have an adverse effect on the Bourne-Turner House (OHR #046-0031) and the portion of the Keystone Segment of the Captain John Smith National Historic Trail Historic District.
- Mitigation in the form of a donation to the Isle of Wight County Museum has been accepted by VDIIR.

Comprehensive Plan Review

- The future recommended land use designation for these properties is Rural Agricultural Conservation (RAC) and Environmental Conservation (EC) under the adopted Comprehensive Plan.
- Appropriate uses for the RAC land use designation include agriculture, horticulture, forest lands, and scattered low-density residential uses. Other uses such as resource extraction and utility-scale solar facilities are also permitted when appropriately sited.
- Appropriate uses for the EC land use designation include wetlands, farms, forest uses, open space, and limited park facilities.
- Solar energy facilities are considered compatible with RAC land use when properly sited and with the application of appropriate development criteria.

Department and Agency Review

Staff distributed the application to the following departments for review and comment:

- Economic Development: The department stated it had no concerns.
- Environmental Planner: All concerns addressed with the conditional use permit. Further information will be required at site plan review.
- Commissioner of Revenue: Rollback estimates should be based on the entire acreage of the entire lease area not just the acreage of the solar facility. The acreage subject to the Conditional Use Permit would be reassessed at \$15,000 per acre.
- Emergency Services: Staff will work with the applicant during site plan review on the required Emergency Response Plan to include annual training.

Department and Agency Review Ctd

- Utility Services: Staff will review site plan for compliance with State Stormwater regulations.
- Isle of Wight County Museum: A memo was attached to the staff report.
- Virginia Department of Transportation (VDOT): No concerns at this time.

Please note that, should the conditional use permit be approved, the project will be subject to site plan review and approval from all necessary agencies.

Staff Analysis

Strengths:

1. The proposed use would generate additional nonresidential tax revenue for future public service and facility needs for the County.

Weaknesses:

1. The proposed use would remove agricultural land from production.
2. Temporary impacts to residential development in the area from construction traffic and noise is expected during the construction phase.
3. There are adverse impacts to several historical resources without appropriate setbacks and screening. The concept plan does not demonstrate the ability to comply with current Ordinance requirements.
4. The facility as proposed is not appropriately sited as recommended for the designated future recommended RAC area in the Comprehensive Plan.

Staff Recommendation

- Based on the weaknesses listed above, staff recommends denial of the CUP request.
- However, should the CUP be approved, staff recommends the following conditions:
 1. Topsoil shall be stockpiled on the site and shall be stored out of view from adjacent properties and public roads.
 2. No improvements shall be located closer than 250 feet from boundary of the Keystone Segment of the Captain John Smith Trail.
 3. The applicant shall submit a seed mix for site groundcover that includes native pollinators blooming in spring/summer as recommended by DCR.

Staff Recommendation Ctd.

4. The applicant will work directly with the Isle of Wight County Chamber of Commerce, Paul D. Camp Community College, and the Economic Development Department to ensure the inclusion of local contractors in the bidding process.
5. A laminated Emergency Response Poster will be mounted near the front gate. The poster will include a general site plan, evacuation routes, and muster points, emergency response chain of command, directions to the closest hospital, coordinates to the closest life flight landing area, and other pertinent information associated with the facility during an emergency response.
6. The facility perimeter fencing will be equipped with push-bar pedestrian gates to permit emergency exits from the facility.
7. Adherence to the proposed transportation plan shall be required for all facility traffic. Truck traffic shall be limited to only the preferred route as described in the transportation plan. No other local routes in Isle of Wight County may be used. The applicant shall coordinate deliveries outside of school bus pickup and drop-off times.

Staff Recommendation Ctd.

8. Excluding the buffer yards, the ground between the panels and in areas not otherwise covered by gravel or infrastructure shall be planted and maintained with a vegetative cover. This vegetative cover will be managed with mowing and/or grazing.
9. Hours of operation for construction and post-construction operation shall be limited to Monday through Friday, 7:00 a.m. to 6:00 p.m. Saturdays from 7:00 a.m. to 5:00 p.m. No construction is to occur on Sundays by any party involved with the project.
10. As part of the site plan review, the applicant shall provide documentation that the selected panels and all power-generating equipment on-site are "Tier 1" modules, as established by the most recent "PV Module Tier 1 List" issued by Bloomberg NEF or a similar third party analysis widely accepted in the solar industry. Additionally, the make and model of the selected panels and all power-generating equipment initially installed and replaced on the site must qualify, for disposal purposes only, as non-hazardous waste under applicable U.S. Environmental Protection Agency tests (e.g. TCLP).

Staff Recommendation Ctd.

11. The applicant shall implement a program for the collection of baseline data establishing pre-construction soil conditions for the production of row crops for the agricultural areas within the project area. The program shall establish the relevant characteristics of the topsoil. The baseline data shall be derived from field and laboratory testing of soil conditions, including depth, density, and quality from representative locations. Laboratory testing shall be conducted by an accredited laboratory. Parameters for assessing soil quality may include the following: infiltration rate, bulk density, water holding capacity, pH, percent organic matter, cation exchange capacity, Phosphorous/Phosphate (P), Nitrogen (N), and Potassium/Potash (K). After 30 years of operation and again after 35 years of operation, soil conditions shall be determined for the same sampling locations using the same parameters and the results used to plan soil restoration activities. After equipment is removed as part of decommissioning, soil conditions shall be determined for the same sampling locations using the same parameters. Soil restoration activities shall be performed as necessary during operations or decommissioning to return soil conditions to at least baseline conditions. The County will be provided with data of soil conditions within 30 days after the receipt of results.

Staff Recommendation Ctd.

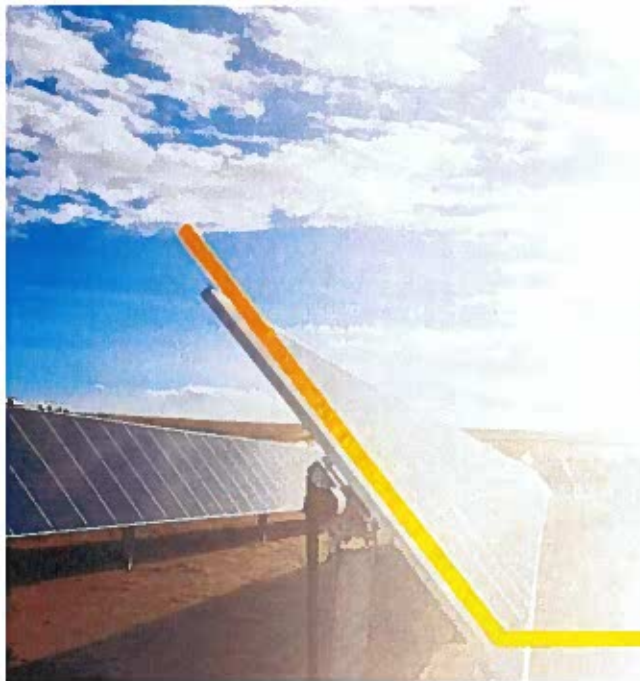
12. Any recommendations provided by VDHR during site plan review will be adhered to, in addition to requirements in the zoning ordinance.

Chairman Bowser opened the public hearing and invited the applicant to speak.

Robert Hickox, Pivot Energy, asked if any motion would include a 2232 approval.

Amy Ring, Community Development Director, stated there is a determination of consistency with the comprehensive plan included in the staff analysis. This fulfills the 2232 review requirement in the Code of Virginia.

Mr. Hickox gave the following presentation.



Pivot Energy

VAL025- Old Stage Hwy
Elk Development, LLC

Isle of Wight County, VA

June 25, 2024

Clean Energy. Clear Choice.

About Pivot Energy

- Founded in 2009
- Headquarters in Denver, CO
 - Offices in St. Louis and Chicago
- Areas of Focus
 - Small Utility / Community Scale Solar
 - Commercial Solar
- Over 250 solar projects completed in 9 states.
- Over 120 financed transactions completed.
- 20 active project in Virginia
 - 5 permitted
 - 15 in active development
- Employees based in Virginia
- In house finance, construction, owner & operator
- Certified B-Corporation
 - Certified to meet rigorous standards of social and environmental performance, accountability, and transparency

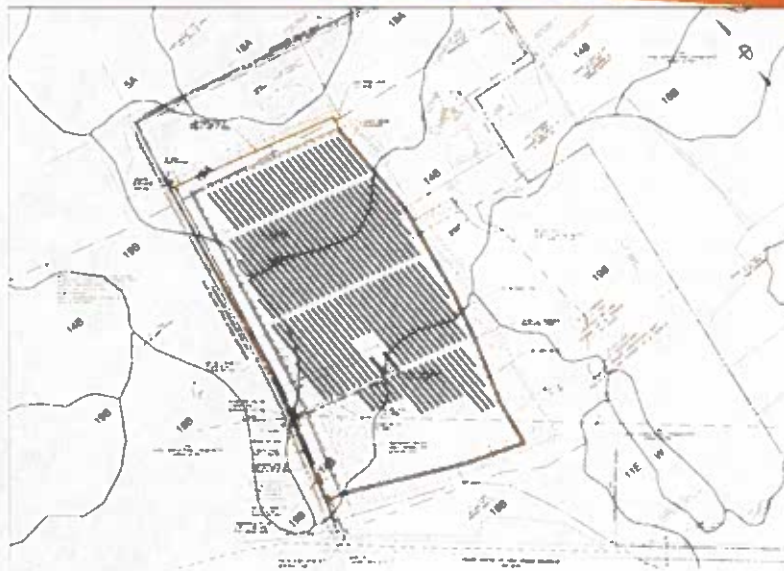


VAL025- Old Stage Hwy

- **Zoning:** Tax parcel number 13-01-005 in the Rural Agricultural Conservation (RAC) zoning district
- **Project Boundary – 27.32 Acres Total/ 23 Acres Fenced Array**
 - Setbacks – over 950ft from Hwy, >750ft from closest residence
 - Fencing includes required 8' chain link or game fence
 - Minimum 16' wide gravel access road
- **Project Size – 4.35 MWdc / 3.0 MWac**
 - Estimated production of 7.0 GWh/yr
 - Equivalent of 500+ homes (estimated)
 - 7200 panel modules
- **Will not require utilities.** The project does not require sewage, waste, irrigation, potable water services, trash or recycling services, or natural gas
- Interconnection to existing distribution lines along Old Stage Highway
- Transportation routes intend to stick to VDOT maintained roads from US 258 to VA-10/ VA-10 BUS (less that 0.75 miles)



Confidential



Confidential

Views

- From Old Stage Hwy



- Foxtail Farms (aka Bourne-Turner House (OHR #046-003))



Alternative Layout

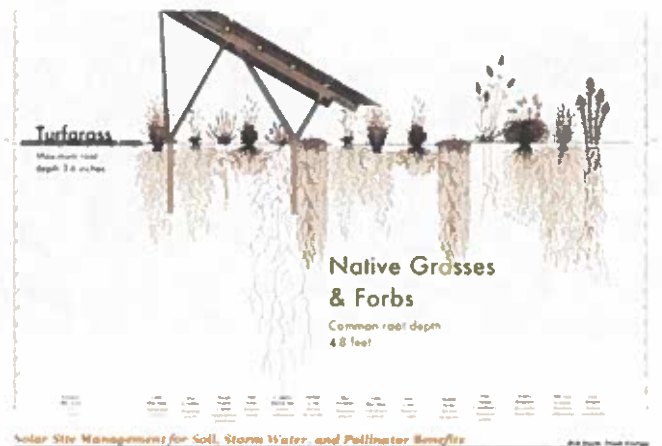
- Advantages of this design:
 - Approx 9 acres of farmland back in production
 - 2.5 acres from the southern end
 - 6 acres from the northern end
 - Fence line is 250' away from Capt. John Smith Trail
 - View from the Bourne Turner House increases from approx. 1100' to 1500'
 - No tree clearing needed (site cleared prior and unrelated to this design consideration)





Native Vegetation & Pollinator-friendly Habitat

- Local vegetation and pollinator-friendly habitat is aesthetically appealing
- Aides in creating habitat for local pollinator species that support bees, butterflies, wasps, flies, and beetles
- Low growth, native vegetation chosen to reduce required trips to site
- Allows site to be resilient to droughts and intense downpours
- Deep roots of native vegetation improve stormwater management compared to turf grass or rotating crops



Native Vegetation & Pollinator-friendly Habitat

- Native grasses and deep roots are more efficient than turf grass at absorbing run-off; designed to not increase stormwater runoff
- Planting diverse mixes of native plants will prevent soil and nutrients from washing away; Improves water quality & prevents soil loss
 - Study concluded that the benefits include*:
 - Reducing soil loss by 95%
 - Reducing phosphorus runoff by 77%
 - Reducing overall nitrogen loss by 70%
 - Attracts pollinators
 - Increasing the number and diversity of birds
- Prevents nutrients such as nitrogen and phosphorus from washing off into streams and rivers
- Prior to construction, mechanical means to control runoff will be used, such as straw bales, anchored netting, silt fences or berms (if necessary)

*Iowa State University published in National Academy of Sciences. Professor Lisa Schulte Moore



CONFIDENTIAL

Dual Use – Sheep Grazing



CONFIDENTIAL

Chairman Bowser invited citizen comment on the application.

Cindy Rowell, 94 Kings Point Avenue, asked why only three people in her neighborhood were sent letters regarding this application. Ms. Rowell stated that this will adversely affect her property values and shared her concern about the potential for fires and water quality. Ms. Rowell stated she opposes this application and doesn't want it in her backyard.

Micheal Kiser, 16303 Morgarts Beach Road “Old Turner House”, spoke in support of the application saying our area is lacking this type of infrastructure, and he is excited for this potential improvement.

George Beringo, 96 Kings Point Avenue, stated he is not opposed to solar in general but is opposed to this location. Mr. Beringo is concerned about erosion, disruption to wildlife, water quality, native vegetation, and the leaching of toxic metals.

David Tucker, 6251 Old Stage Highway, gave the following presentation.

Not of Public Interest and Not Energy Done the Right Way

Please Deny this Proposed 3 MW Nameplated Solar Facility

Approval is not Benefitting You and Future IoW Generations.

No Need to Approve to fill the 2% Prime Farm Land Moratorium Gap

6/24/24

David Tucker PE

Not of Public Interest and Not Energy Done the Right Way

Ham Versus Energy

Landowners should be able to do with their land as they wish, but Electrical Energy is a State and Federal Regulated Product and we consumers have no choice in price! This is not like choosing between a Smithfield or Hormel Ham, or No ham at all.

ENERGY RIGHT, NO Energy Knowledge, Do they have FAMILY RELATIONS IN THE VA GENERAL ASSEMBLY, AND CHAIRS THE VA DEPT OF ENERGY "Virginia Solar Energy Development & Energy Storage Authority. The VSED&EAD report is nearly 3 years late

6/24/24
David Tucker PE

Not of Public Interest and Not Energy Done the Right Way

**Please Look around at IoW and Neighboring Counties!
Have Any Solar Developer Hired any of your friends or relatives?**

There are three Phases to Any Generating Facility Life

- 1. Construction**
- 2. Operations and Maintenance**
- 3. Decommission**

6/24/24
David Tucker PE

Not of Public Interest and Not Energy Done the Right Way

So far

1. Construction - Horrible

2. Operations and Maintenance – Horrible

3. Why Believe Decommissioning will be anything but

Horrible

6/24/24

David Tucker PE

Not of Public Interest and Not Energy Done the Right Way

How is this of "Public Interest"?

The 917 MW Solar IOW future down from 1759 MW reported on 3/21/24, if not by 2026, soon. STILL HIGH!!!!

Isle of Wight "Solar" and "Solar with Storage"

Reference: PJM 06/24/24 Status listed as:

"ACTIVE", "Engineering and Procurement", "In Service", and "Under Construction".

D. Tucker PE

File "Counties Impacted"

Project ID	Name	Commercial Name	Status	MFO	Fuel	Commercial Operation Milestone	Revised In Service Date
AC1-161	Septa 500kV	Candler	Document Posted	240	Solar	1/1/2023	1/1/2023
AC2-141	Septa 500kV	Sycamore Cross Solar	Document Posted	240	Solar	6/1/2026	6/1/2023
AI1-162	Smithfield 34.5 kV	Solidago Solar	Document Posted	20	Solar	12/31/2023	6/1/2026
AG2-137	Surry-Chuckatuck 230 kV		In Progress	70	Solar		6/30/2025
AH1-185	Berlin's Church - Smithfield 34.5		In Progress	20	Solar		12/31/2025
AH1-216	Smithfield-Surry 230 kV		In Progress	132	Solar, Storage		12/31/2023
AH1-279	Peoplesville - Winchester 230 kV		In Progress	104	Solar		6/30/2025
AJ2-078	Myrtle-Windsor 115 kV		In Progress	91	Solar		6/30/2025
TOTAL NAMEPLATE MW				917			

Va Department of Energy 2021 Listing

<https://www.doe.virginia.gov/energy/42299ch1666550cde17b1c11Ac2ae5c30ba1#4417104306411/10/2021-AgendaReport-efine-reduced.pdf>

P.A. Listing

<https://www.ach.com/Information/Services/energy/Action/energy-sources.aspx>

6/24/24

David Tucker PE

Not of Public Interest and Not Energy Done the Right Way

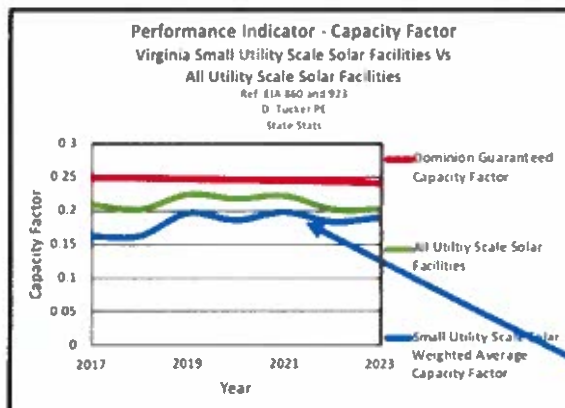
Virginia Small Utility Scale Solar Facilities Up to 2022, Data Thru 2023 Still Pending due to Late Updates from Operators Ref: EIA 860 & 923 David Tucker PE State Stats						
EIA #	Name	Location	Year Operational	Fix or Track	Total Energy Produced (MWhr)	Nameplate MW
59904	Western Branch High School	Chesapeake	2016	FIXED	4,390	1
59911	Philip Morris	Chesterfield	2016	FIXED	14,039	2
59905	Merck	Rockingham	2017	FIXED	6,735	2.1
61055	DG AMP Solar Front Royal	Warren	2017	FIXED	22,458	2.5
61126	Bedford Solar	Bedford	2017	TRACKING	26,136	3
61457	Palmer Solar Center	Fluvanna	2017	TRACKING	65,419	5
61458	Martin Solar Center	Goochland	2017	FIXED	55,719	5
62355	IKEA Norfolk Rooftop PV System	Norfolk City	2019	FIXED	4,831	1.3
62948	NASA Wallops Flight Facility Solar	Accomack	2020	TRACKING	11,125	4
62780	Rappahannock Solar, LLC	Lancaster	2021	TRACKING	3,158	1.5

Unlike Convention Power Generator, Solar Developer are 7 to 19 months LATE on reporting

6/24/24
David Tucker PE

Not of Public Interest and Not Energy Done the Right Way

Low and Decreasing **CAPACITY FACTOR** are NOT of "Energy Done Right"?
 Illustration All Virginia Solar Verse Small Solar Capacity Factor Verse Dominion Energy Guarantee.
 Below **RED** line is BAD



Capacity Factor used by ALL Energy Generators.
 Aggregate Comparator, includes:

1. Component - Pump, Fan, Solar Panel Efficiencies
2. Fuel Quality - Bad Coal, No Sun, Failed Fuel
3. Bad Management - MOST CASES

Small Utility Scale Solar Facilities NOT doing well!

6/24/24
David Tucker PE

Not of Public Interest and Energy Done the Right Way

The 3 MW Nameplate Facility will Annually bring in between \$512,000 at 18.3% Capacity Factor to \$719,000 at 25% Capacity Factor in Fuel Savings, REC, and Revenue.

The Land Owner will be able to afford a \$17,000 Stormwater Fee, we and Churches Pay SUCH FEES!

Annual Revenue, REC Certificates, and Replacement Fuel Savings and Stormwater Fees (Not Paid, yet). Expected Bad Versus Guaranteed Performance Indicators. David Tucker PE. Stormwater Fee and Capacity Factor			
	Bad Capacity Factor %	Guaranteed Capacity Factor %	Δ
Solar Facility Capacity Factor	18.3	25	6.7
Solar Facility Nameplate MW	3	3	0
Annual Energy Generation MWH's	4,809	6,570	1,761
Coal Tonnage NOT Burned per Year	3,354	4,582	1,228
Annual Replacement Fuel Savings	\$ 250,691	\$ 342,474	\$ 91,783
Annual Equivalent Renewable Energy Certificates	\$ 192,370	\$ 262,800	\$ 70,430
Annual Equivalent Power Purchase Agreement	\$ 96,185	\$ 131,400	\$ 35,215
Annual Total	\$ 539,246	\$ 736,674	\$ 197,429
Annual Stormwater Fee	\$ 17,642	\$ 17,642	0
Total minus Stormwater Fee	\$ 521,604	\$ 719,033	\$ 197,429

Local/State/Federal Rate
https://www.eia.doe.gov/states/energy_prices/coal.php 2018-2019
 Coal Characteristics
https://www.eia.doe.gov/states/energy_prices/coal.php 2018-2019
 EPA Price Estimates
<https://www.epa.gov/energy/price-estimates>
 Reference EIA
https://www.eia.doe.gov/states/energy_prices/coal.php 2018-2019
 Va Department of Energy 2021 Listing
<https://www.doe.virginia.gov/energy/2021-listing>
 Solar Panel Market
<https://www.nrel.gov/solar/pv/market>
 PVWatts
<https://www.nrel.gov/pv/pvwatts/>

6/24/24

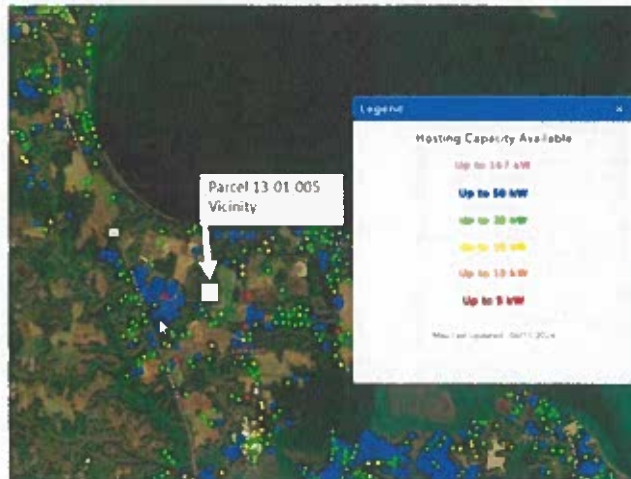
David Tucker PE

Not of Public Interest and Energy Done the Right Way

Net Metering for Dominion Energy Hosting COSTUMERS

<https://dgis.maps.arcgis.com/apps/webappviewer/index.html?id=f87416e6a581497192ccf6da4b8ce4f3>

Color Dots are Pole Transformers for Residential Service
 Also, designated as Hosting Transformers

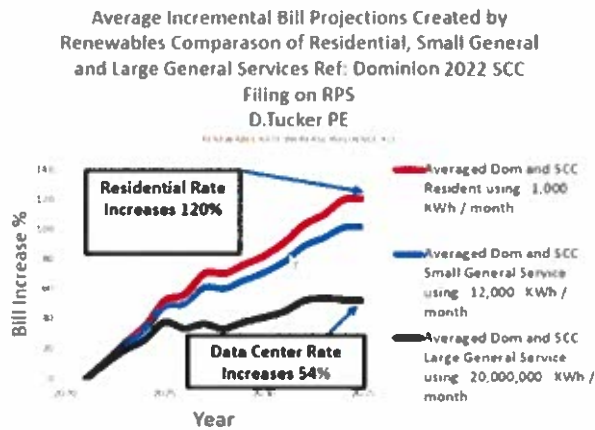


Look at the Colored Dots! Each Colored Dot Represents this 3 MW Utility Scale Distribution Solar Challenging (Bogarting) Net Metering from you and your Neighbors.

6/24/24

David Tucker PE

Not of Public Interest and Not Energy Done the Right Way



Dominion Rate Increase by 2035

The Thinking:

If you Load Virginia Up with Renewables,

The Data Center Folks will come

Pay Lesser Rate Increase at 54%

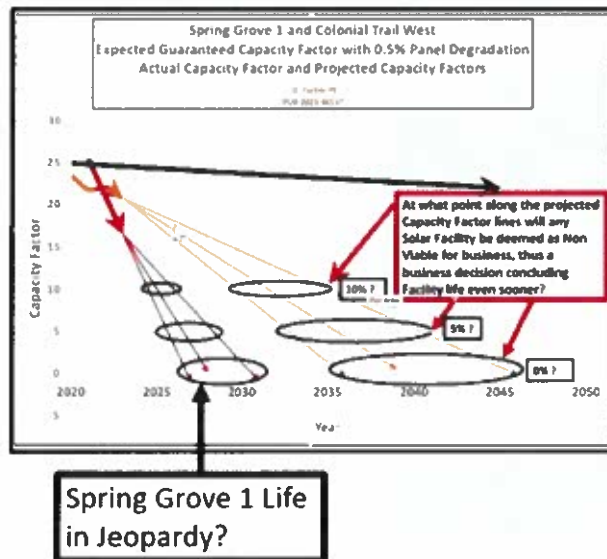
While Your Rate Increase will be more at 120%

Just to Support Renewable Development in Virginia!

6/24/24

David Tucker PE

Not of Public Interest and Not Energy Done the Right Way



How is this "Energy Done Right"? SCC Case PUR-2023-00142 Specific to Surry's Colonial Trail West and Spring Grove 1 recorded Energy Generated MWhr Declines beyond Degradation. Spring Grove has a Worst-Case Scenario of three Years Left.

Dominion Reply "Economy Curtailments and PJM Market and Transmission Curtailments."

Both BAD for a Free Fuel Generator!

My follow up question to PJM on the Curtailments did not match the Dominion response.

6/24/24

David Tucker PE

Tarmo Magi, 85 Kings Point Avenue, spoke against the application saying it was the wrong location, and he also shared his concern that he was not notified about this application.

Darlene Beringo, 96 Kings Point Avenue, stated she understands that the property owner wants to do as they wish with their land, but stated this will affect so much more than just the owner.

She stated she is concerned with the long-term effects. Ms. Beringo stated if this is approved, she will be looking to move.

Dennis Lattimer, 201 Oak Wood Lane, stated his questions were answered by the presentations but has questions to why this land was cleared prematurely as well as an additional 40 plus acres to the west of the site.

William Crocker, 16338 Morgarts Beach, stated the land was cleared prior to solar being considered and stated it was to promote timber growth. The other land does not belong to him. Mr. Crocker stated this was a business proposition for him, and this will supplement his retirement and help make improvements to the farm as well as a make donation to the County animal shelter.

Kristen Burgess, 301 Deer Spring Lane, stated that she lives in Wrenns Mill as well and did not receive a letter of notification. Ms. Burgess stated she has concerns about the multitude of health risks associated with solar farms. If this is approved, she would like notice so she can put her house up for sale.

Robert Hickox, applicant, stated that the site is only a three mega-watt facility. Mr. Hickox stated Pivot will own and operate the facility.

Chairman Bowser closed the public hearing and called for discussion from the commissioners.

Commissioner Distefano asked if there are any plans at this time for battery storage.

Mr. Hickox stated that there are no plans for battery storage.

Commissioner Distefano asked if there was a power outage in the area, would that still result in a power outage.

Mr. Hickox stated that was correct. If there was an outage, the transfer switch would also cut power, so the power line was not reenergized for the safety of the workers.

Commissioner Boykin asked for the amount of the monetary donation to the museum.

Robert Hickox stated \$15,000.

Commissioner Boykin asked if additional trees would be removed for the alternative layout design.

Mr. Blowe stated that those trees have already been removed.

Commissioner Rawls asked where the panels will be made.

Mr. Hickox stated that panels are bought in bulk where available in the United States and other countries.

Commissioner Boykin asked why all Wrenns Mill Estates subdivision was not notified.

Mr. Blowe stated all properties within 200 feet of the parcel that the application is associated with are sent notices, and the notice is also in the paper.

Amy Ring confirmed that state code and the zoning ordinance requires only adjacent property owners to be notified. We measure 200 feet from the affected parcel to ensure all adjacent property owners are notified as well post the notice in paper and post the property itself with zoning notice signs, one sign for every five-hundred feet of road frontage.

Commissioner Taylor asked the applicant what the longest operating solar facility is that they own.

Mr. Hickox stated they've been operating about twenty years old in Colorado.

Chairman Bowser asked why this location was chosen.

Mr. Hickox stated when they look at siting, they look at proximity to power lines and the more optimal locations are close to the substation and this site is just that.

Commissioner Distefano suggested they table the application until an alternative layout can be reviewed by staff.

Commissioner Carroll stated that in general, not to this application specifically, he does not agree with last minute changes prior to the public hearing.

Commissioner Boykin stated she agreed.

Commissioner Distefano made the motion to table this application to the August Planning Commission meeting. Commissioner Gibbs seconded the motion. The motion failed with Commissioners Distefano, Taylor and Gibbs voting in favor and Commissioners Boykin, Ford, Rawls, Sienkiewicz, Smith, Carroll and Bowser voting against the motion.

Chairman Bowser made the motion to send this application to the Board of Supervisors with the recommendation of denial. Commissioner Boykin seconded the motion. The motion was adopted with Commissioners Boykin, Distefano, Ford, Rawls, Taylor, Sienkiewicz, Gibbs, Smith, Carroll and Bowser voting in favor and no Commissioners voting against.

The motion passed unanimously, and the item will go to the Board of Supervisor's August 15, 2024, meeting.

OLD BUSINESS

Amy Ring confirmed there are no old business items.

NEW BUSINESS

Amy Ring confirmed there are no new business items.

COUNTY ATTORNEY'S REPORT

Bobby Jones stated the elevator is fixed in the Community Development Office building and read the following motion, "Beginning July 9, 2024, and continuing until such time as amended by the Planning Commission, the meeting location of the meetings of the Planning Commission shall be the Robert C. Claud, Sr. Board Room located at 17130 Monument Circle, Isle of Wight, Virginia."

Commissioner Gibbs made the motion to accept the motion as read by the County Attorney. Commissioner Smith seconded the motion. Chairman Bowser asked for all in favor to signify by saying aye. The motion passed unanimously.

PLANNING DIRECTORS REPORT

Amy Ring gave the following presentation followed by a brief discussion.

Recreational Vehicle (RV) Regulation Change Discussion

Planning Commission Regular Meeting
June 25, 2024



Draft Zoning Ordinance Changes

Sec. 5-2000. - Supplementary density and dimensional regulations.

L. Recreational vehicles and watercraft. In all districts it shall be permissible to store out-of-doors recreational vehicles and watercraft as an accessory use only in accordance with the following:

1. Such vehicles or watercraft shall be placed in the rear or side yards only and shall be located at least five (5) feet from all property lines. This provision shall not apply to recreational vehicles or watercraft stored within completely enclosed structures.



Draft Change Summary

During the May 28, 2024, meeting, Planning Commission asked the draft Ordinance changes address the following issues:

1. Duration of use
2. Number of times per year
3. Prohibit use as a short term rental
4. Allow for personal hunting use on agricultural land
5. Set a time lime for pumping out holding tanks and set documentation requirements
6. Restrict the number of RVs on any one property
7. No restriction on electrical or hose connections



Draft Zoning Ordinance Changes

- d. Recreational vehicles may be used as temporary residences in zoning districts allowing residential uses as a primary use, only by the property owner, and only during construction of a primary residence on the same site for a period of up to six months. A zoning permit shall be required.
- e. The property owner shall provide for lawful disposal of all solid waste and waste water including both grey and black water. The property owner is responsible for providing documentation of pump out service to include receipts and dates of service by an authorized facility.
- f. Commercial use of recreational vehicles in any location except for a licensed and permitted commercial campground is prohibited.
- g. Recreational vehicles or recreational vehicle parking spaces may not be rented or leased.
- h. Recreational vehicles shall not be tied down or otherwise permanently affixed to any land outside of a designated and duly approved commercial campground.



Draft Zoning Ordinance Changes

- 2. Recreational vehicles shall not be used as permanent or full-time living quarters and may only be otherwise occupied as approved by the Virginia Department of Health and as specified in this Ordinance. Private camping is permissible in agricultural and residential zoning districts subject to the following criteria:
 - a) Private camping is limited to the use by the property owner of one (1) recreational vehicle per parcel.
 - b) The recreational vehicle may only be used for camping for a period that does not exceed a total of fourteen (14) days during any consecutive three (3) month period on the same parcel.
 - c) Utilities, such as a connection to a private well or septic system, are not permitted to be extended to the recreational vehicle.



Draft Zoning Ordinance Changes

- i. Recreational vehicles shall not be utilized as a short -term rental unit.
- j. Recreational vehicles shall be located outside of the required front yard setback of the underlying zoning district.
- k. Habitation of any recreational vehicle on any private property exceeding fourteen (14) calendar days during any three (3) consecutive month period or thirty (30) calendar days within an approved commercial campground, or any habitation by persons not having an approved permanent address elsewhere shall be construed as permanent habitation of a recreational vehicle.
- l. Any unit connected to utilities and on any portion of any private property or public right-of-way shall be deemed to be inhabited and shall cause the County to investigate such usage.
- m. No recreational vehicle shall be used for temporary residential use when parked on any public right-of-way, or any public property except approved commercial campgrounds.



State Regulations

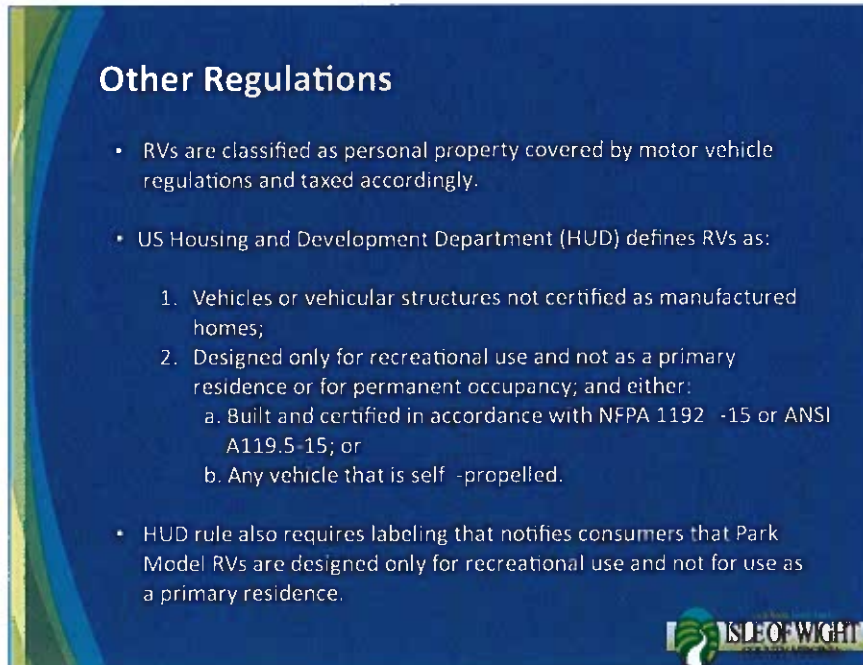
Virginia Department of Health –

- Occupancy in an RV on private property requires a pump -out facility which cannot include a home's septic system or public sewer connection.
- Variances can be requested
- Three or more campsites require a temporary campground permit for up to 14 days of camping in any one 60 -day period. Must be pump-out facilities available if RVs present.

Uniform Statewide Building Code (USBC) –

- RV's, campers, etc. not regulated - not considered a dwelling
- Code defines RV as "a vehicle that (i) is either self -propelled or towed by a consumer -owned tow vehicle, (ii) is primarily designed to provide temporary living quarters for recreational, camping, or travel use"
- Does not define temporary





Commissioner Distefano asked for a wording correction on “g” to clarify intent.

A brief discussion was had on suggested ordinance revisions.

Ms. Ring also gave an update on the status of the Stakeholder Working Group for the Comprehensive Plan Five Year Review Project Update. The first working group will be July 9, 2024.

Ms. Ring asked for suggestions/opinions for the date of this year’s Planning Commission Annual Retreat.

The Commissioners generally agreed that November 1, 2024, should be the retreat date.

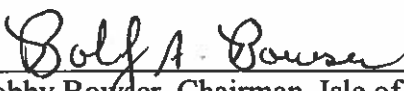
CLOSED MEETING

Chairman Bowser confirmed there were no items to discuss in closed meeting.

ADJOURNMENT

There being no further information to discuss, Chairman Bowser adjourned the meeting at 8:09PM.

Adopted this 27th day of August, 2024


Bobby Bowser, Chairman, Isle of Wight County Planning Commission

Attest: 
Amanda Landrus, Secretary

