

# FLUVANNA COUNTY PLANNING COMMISSION

## REGULAR MEETING AGENDA

Carysbrook Performing Arts Center  
8880 James Madison Hwy Fork Union, VA 23055

Tuesday, October 12, 2021

6:00 pm **Work Session**  
7:00 pm Regular Meeting

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**TAB AGENDA ITEMS**

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**WORK SESSION**

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- A. Call to Order, Pledge of Allegiance, Followed by a Moment of Silence**
  - B. County Administrator's CIP Comments**
  - C. Work Session: Capital Improvement Plan FY 2023 - 2027 Presentations**
  - D. Adjournment**
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**OCTOBER IS COMMUNITY PLANNING MONTH IN FLUVANNA COUNTY, VIRGINIA  
REGULAR MEETING**

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**1 – CALL TO ORDER, PLEDGE OF ALLEGIANCE, FOLLOWED BY A MOMENT OF SILENCE**

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**2 – DIRECTOR'S REPORT – Douglas Miles, AICP, CZA, Community Development Director**

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**3 – PUBLIC COMMENTS #1 (5 minutes per speaker)**

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**4 – MINUTES: Review and Approval of Draft Minutes from September 14, 2021**

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**5 – PUBLIC HEARINGS:**

**SUP 21:06 Carysbrook Solar, LLC** – A Special Use Permit request in the A-1, Agricultural, General District to construct a major utility use (solar generation facility) on 36 +/- acres of a 361.3 +/- acre parcel, Tax Map 42, Section 1, Parcel 1. The property is located on the east side of Carysbrook Road (SR 615) and generally north of James Madison Highway (Route 15) at 1084 Carysbrook Road. The subject parcel is within the Rural Preservation Area and the Fork Union Election District.

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**6 – PRESENTATIONS: 2040 Comprehensive Plan Presentation**

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**7 – SITE DEVELOPMENT PLANS: None**

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**8 – SUBDIVISIONS: None**

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**9 – UNFINISHED BUSINESS: None**

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**10 – NEW BUSINESS: None**

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**11 – PUBLIC COMMENTS #2 (5 minutes per speaker)**

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**12 – ADJOURNMENT**

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*Douglas Miles*

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Community Development Director Review

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*For the Hearing-Impaired – Listening devices are available upon request. TTY access number is 711 to make arrangements.  
For Persons with Disabilities – If you have special needs, please contact the County Administrator's Office at 434.591.1910.*

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## PLEDGE OF ALLEGIANCE

I pledge allegiance to the flag  
of the United States of America  
and to the Republic for which it stands,  
one nation, under God, indivisible,  
with liberty and justice for all.

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## ORDER

1. It shall be the duty of the Chairman to maintain order and decorum at meetings. The Chairman shall speak to points of order in preference to all other members.
2. In maintaining decorum and propriety of conduct, the Chairman shall not be challenged and no debate shall be allowed until after the Chairman declares that order has been restored. In the event the Commission wishes to debate the matter of the disorder or the bringing of order; the regular business may be suspended by vote of the Commission to discuss the matter.
3. No member or citizen shall be allowed to use abusive language, excessive noise, or in any way incite persons to use such tactics. The Chairman shall be the judge of such breaches, however, the Commission may vote to overrule both.
4. When a person engages in such breaches, the Chairman shall order the person's removal from the building, or may order the person to stand silent, or may, if necessary, order the person removed from the County property.

## PUBLIC HEARING RULES OF PROCEDURE

1. PURPOSE
  - The purpose of a public hearing is to receive testimony from the public on certain resolutions, ordinances or amendments prior to taking action.
  - A hearing is not a dialogue or debate. Its express purpose is to receive additional facts, comments and opinion on subject items.
2. SPEAKERS
  - Speakers should approach the lectern so they may be visible and audible to the Commission.
  - Each speaker should clearly state his/her name and address.
  - All comments should be directed to the Commission.
  - All questions should be directed to the Chairman. Members of the Commission are not expected to respond to questions, and response to questions shall be made at the Chairman's discretion.
  - Speakers are encouraged to contact staff regarding unresolved concerns or to receive additional information.
  - Speakers with questions are encouraged to call County staff prior to the public hearing.
  - Speakers should be brief and avoid repetition of previously presented comments.
3. ACTION
  - At the conclusion of the public hearing on each item, the Chairman will close the public hearing.
  - The Commission will proceed with its deliberation and will act on or formally postpone action on such item prior to proceeding to other agenda items.
  - Further public comment after the public hearing has been closed generally will not be permitted.

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## COUNTY OF FLUVANNA

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*"Responsive & Responsible Government"*

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To: Fluvanna County Planning Commission members

From: Douglas Miles, Community Development Director

Date: October 12, 2021

Subject: Community Development Director's TRC Report

### September 21, 2021 – TJ PDC Rural Transportation Technical Committee

A 2021 Virginia General Assembly Update was provided by David Blount and 2022 Rural Transportation Work Program was completed along with VDOT Smart Scale projects being discussed to include 250 & Troy Road.

Jon-Mikel Whalen, Planner / GIS Technician he has begun to attend these Rural Transportation meetings, which included a private roads discussion on best practices within the Planning District's rural county jurisdictions.

### September 24, 2021 – VDOT Smart Scale Funding – Round 5 Discussion

The County Administrator and Community Development Director met with VDOT Land Use Engineers from the Louisa Residency and also the VDOT Planning Manager from the VDOT Culpeper District on our 2022 Round 5 Smart Scale project submissions with an emphasis on Route 53 corridor.

### September 27, 2021 – APA Virginia Rural Transit Shuttle Planning Webinar

The Community Development Director he attended the APA Virginia rural transit shuttle planning webinar on how transit shuttle systems like JAUNT around Virginia can operate better: the Afton Express shuttle was featured.

**FLUVANNA COUNTY PLANNING COMMISSION  
REGULAR MEETING MINUTES**

**Carysbrook Performing Arts Center  
8880 James Madison Highway  
Fork Union, VA 23055**

**September 14, 2021  
6:00 pm Work Session  
7:00 pm Regular Meeting**

**MEMBERS PRESENT:**

Barry Bibb, Chair  
Gequetta “G” Murray-Key, Vice Chair  
Lewis Johnson  
Ed Zimmer  
Howard Lagomarsino  
Patricia Eager, Board of Supervisors

**STAFF PRESENT:**

Eric Dahl, County Administrator  
Douglas Miles, Community Development Director  
Jason Overstreet, Senior Planner  
Jon-Mikel Whalen, Planner / GIS Technician  
Valencia Porter, Administrative Programs Specialist  
Will Tanner, Deputy County Attorney

**A. CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:**

At 6:00 pm, Chair Bibb called the Work Session to order, led in the Pledge of Allegiance and followed by a Moment of Silence.

**B. PUBLIC COMMENTS: (5 minutes per speaker)**

None

**C. WORK SESSION:**

**Zion Crossroads Draft Gateway Plan – Thomas Jefferson Planning District Commission  
Sandy Shackelford, AICP, Thomas Jefferson PDC Director of Planning and Transportation**

Douglas Miles, AICP, CZA, Community Development Director, introduced Sandy Shackelford who provided a final status update on the Zion Crossroads Gateway Plan, located at Route 15 and US 250 Richmond Road, between Fluvanna and Louisa County, comprised of commercial and industrial properties. This plan was funded through the PDC’s Rural Transportation Work Program and the Plan began back in August of 2019 with several stakeholder group meetings.

A Transportation Planning consultant from Reston was retained by the VDOT – Culpeper Office to analyze and review eighteen (18) intersections throughout the plan area with a majority of them being within Louisa County on Route 15 surrounding the I-64 corridor study area and the diverging diamond interchange (DDI) as the first intersection of its kind installed within Virginia.

The Gateway Plan study area it was defined by local government officials from both localities and Fluvanna County chose to further study the US 250 Richmond Road Corridor in the plan. Ms. Shackelford proceeded to go through the intersections along 250 that were studied in Fluvanna County and the main finding related to better VDOT access management on 250.

Ms. Shackelford and Mr. Miles further described the five (5) main goals of the Zion Crossroads Gateway Plan that included: The Creation of Mixed Use Centers, A Unified Sense of Place in the Zion Crossroads Area, Creating a Robust, Integrated Transportation Network, the Support of Alternative Modes of Transportation and the Creation of New Public Facilities and Services.

One of the main things that Louisa County still needs to do is to designate their portion of the Zion Crossroads Area as an Urban Development Area (UDA) for better transportation funding. Fluvanna County already has designated its portion of the Zion Crossroads Area as a UDA and that designation it was a contributing factor for better Smart Scale scoring during this round.

**Highlighted Zion Crossroads Gateway Plan recommendations included:**

Corporate mixed use development centers that include business incubators, contractor shops and storage warehouses and public meeting spaces and facilities to develop the larger parcels.

Develop a unique Zion Crossroads brand, for both Fluvanna and Louisa County, for marketing and placemaking strategies by the use of entrance gateways and of new wayfinding signage.

Prepare VDOT Smart Scale projects, in a unified manner with Louisa County that will score much more competitively for funding purposes to serve the Zion Crossroads Gateway Area.

Utilize the Capital Improvements Plan (CIP) Process in conjunction with the Comprehensive Plan to assess the needs for Library and community meeting space and recreational parks.

The CIP process would also seek to address Public Safety needs such as Sheriff's Office precinct office space, a new Fire Station, with an emphasis on commercial and industrial fire protection.

**Vice-Chair Murray-Key:** inquired about Starlite Park, a private industrial access road, located off Route 15 that would have to be brought into the VDOT state maintained road system. She asked who would bring this road into the VDOT system while doing any intersection upgrades?

**Mr. Miles:** stated that the current industrial road users along with the surrounding property owners who would seek to use this road would be required to complete the road acceptance requirements with Fluvanna County in conjunction with the VDOT – Louisa Land Use engineer.

Chair Bibb adjourned the Work Session at 6:55 pm.

1. **CALL TO ORDER, THE PLEDGE OF ALLEGIANCE AND A MOMENT OF SILENCE:**  
At 7:00 pm, Chair Bibb called the September 14, 2021 regular Meeting to order, followed by the Pledge of Allegiance and a Moment of Silence.

2. **DIRECTOR'S REPORT: Douglas Miles, Community Development Director**

**August 12, 2021 Regular Technical Review Committee Meeting**  
**Tiger Fuel Station – Zion Station Industrial Park – Sketch Plan**

Tiger Fuel Company submitted a Zion Station Tiger Fuel Sketch Plan on Tax Map 5 Section 24 Parcel 4 and that proposed a 40' x 60' Office Trailer, above ground Fuel Storage tank for truck fueling, and tractor-trailer fuel truck parking and employee parking spaces. They currently have a smaller Tiger Fueling station that is located within Zion Station Industrial Park on Tax Map 5 Section 24 Parcel 12, and both are zoned I-1, Limited Industrial. Tiger Fuel is looking at electric vehicle fleet service use.

**August 26, 2021 Energy Technical Review Committee Meeting**  
**Commonwealth Energy Partners - CEP Solar – Sketch Plan**

**Project nameplate:** 41 Megawatts AC; Project address: 912 Shores Road, Palmyra, VA; Tax Map Numbers: 49 Section A Parcel 1, 5, 8 and 35 and Tax Maps 48 Section 14 Parcels 4, 5, 6 and 6A and Zoning: A-1, General Agricultural.

**Project size:** Approximately 308 acres of the 450 +/- acre parcel; Offtake: CEP Solar solicitation; Expected COD: 2023/2024; Operational life: 25-40 years; Primary access on west side of Route 640, Shores Road and secondary access, east side of Route 683, Rockfish Run Road.

3. **PUBLIC COMMENTS #1:**  
At 7:11 pm, Chair Bibb opened up the first round of Public Comments. With no one coming forward or online wishing to speak to the Commission, Chair Bibb closed the Public Comments at 7:11 pm.

4. **DRAFT MINUTES:**

<b>MOTION:</b>	<b>I move the Planning Commission approve, as written, the Draft Minutes of August 10, 2021.</b>				
<b>MEMBER:</b>	<b>Bibb (Chair)</b>	<b>Murray-Key (Vice Chair)</b>	<b>Johnson</b>	<b>Zimmer</b>	<b>Lagomarsino</b>
<b>ACTION:</b>			<b>Seconded</b>	<b>Motion</b>	
<b>VOTE:</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Yes</b>	<b>Abstain</b>
<b>RESULT:</b>	<b>4-0-1 Lagomarsino was absent on August 10, 2021</b>				

5. **PUBLIC HEARINGS:**

**ZMP 21:04 Southern Development, Douglas Miles, Community Development Director**

A request to rezone from A-1, Agricultural, General and existing R-3, Residential Planned Community to R-3, Residential Planned Community of 122.6 acres of Tax Maps 8 Section A Parcel 18A, 17 Section A Parcel 10 and 17 Section 9 Parcels 1 and 2. The subject properties are located along State Route 53 and along Garden Lane (SR 636) and with additional access via a stub road located south of 415 Jefferson Drive within Lake Monticello and they are all within the Rivanna Community Planning Area and the Cunningham Election District.

**Mr. Miles:** presented the proposed R-3, Residential Planned Community (RPC) Village Gardens Conditional Rezoning case request along with Fluvanna County’s main case concerns being the incomplete information on how the potential traffic patterns are designed and addressing them within the proffered conditions; understanding that additional work is being completed with Aqua Virginia towards an AQUA Intent to Serve Letter for Village Gardens water and sewer service; with the remainder of the Staff presentation focused upon transportation improvements that could include the use of the four way intersection of Garden Lane (SR 636) with both Jefferson and Smokewood Drives within Lake Monticello as privately maintained roads to VDOT Standards forming a new intersection and Smokewood Gate to be considered to replace the Monish Gate. He indicated that Mr. Alan Saunders, PE and Mr. John Wilson, PE were online and available for any questions from the VDOT – Louisa Residency Office if Planning Commissioners had further transportation questions.

**R-3 Rezoning Proffered Conditions:** (taken from the September 14, 2021 Staff Report)

Three Southern Development representatives met back on August 17th with the County Administrator, Building Official and Community Development Director all in an effort to discuss Fluvanna County’s infrastructure concerns about the available water, sewer, fire suppression and road improvements that they had been discussing with VDOT staff and the applicant’s civil engineering consultant.

The applicant, Southern Development, on August 25th filed revised proffers by generally stating water, sewer and transportation improvements and that have been written as follows along with County Staff comments shown in *italic* for discussion purposes at the Planning Commission’s Public Hearing: (AQUA = Aqua Virginia / FLUVANNA = Fluvanna County / VDOT)

1. A minimum of 35% of the housing shall be designed with at least one bedroom on the first floor, such that all typical living functions can be accommodated on the first floor of the home. *This is a Southern Development managed condition during the construction process and no plans have been provided as required in an R-3, Residential Planned Community by the applicant “plans of typical units provided” as is stated in the R-3 text.*
2. Village Gardens will be developed in a minimum of 4 phases. *Southern Development needs to further define these four (4) phases and more importantly to indicate what phase will be constructed first and when and where the site construction entrance as is mentioned within Condition 6 will be installed to serve this phased development.*

3. Adequate water and sewer shall be provided prior to Final Plat approval for each phase, including: *Will there be Aqua Virginia contracts signed prior to each Preliminary Plat being reviewed by Fluvanna County, Virginia Department of Health (VDH) and the Virginia Department of Transportation in conjunction with their Master Plan document.*
  - a. A developer agreement with Aqua Virginia specifying infrastructure contributions (connection fees and/or developer installed on-site infrastructure); *What type of on-site developer infrastructure will be installed by Southern Development in a mutual agreement with Aqua Virginia and as in conjunction with looping the adjoining lines.*
  - b. Water line sizing and looping necessary as determined by the design engineer to provide water pressure and fire flow per the Building Code and Fire Code;
  - c. Sewer line sizing to provide required sewer service per the Virginia Sewer Collection and Treatment Regulations;
  - d. Water and sewer system approval by the Virginia Department of Health.
4. The commercial usage will be limited to a maximum of 9,000 square feet. Furthermore, gas service stations will be excluded from the allowable uses. *Why will the commercial property be limited to a maximum of 9,000 square feet? The R-3 zoning district states: "The scale of housing and the commercial uses should be appropriate to support the residential needs at a neighborhood scale" therefore Village Gardens could provide the office and commercial uses to support the residential units that they are proposing to add in this portion of the Rivanna Community Planning Area.*
5. Prior to issuance of the first Certificate of Occupancy, Route 53 will be improved with new left and right turn lanes on Route 53 at the intersection with the new entrance to Village Gardens, per VDOT specifications. *This proffered condition needs to become technically more specific relative to the location of the new entrance to be located on Tax Map 17 Section A 10 and supported by the turn lane analysis warrants to be provided to VDOT & FLUVANNA. We would recommend the use of a specific intersection diagram to illustrate what could be installed to provide for the safety improvements on Route 53.*
6. The construction entrance **(add) and/or temporary logging entrance** for the project shall be established from Route 53. *When will the construction entrance be established and VDOT & FLUVANNA would like to have additional assurances and advanced notice of site timbering to avoid this type of activity from occurring on such short notice there.*
7. The existing access to Jefferson Drive from Garden Lane shall be extinguished. *Fluvanna County, Lake Monticello Fire, and other major utility companies such as Aqua Virginia and Dominion Energy could utilize this state maintained road for public safety purposes. As the utilization of a new four way intersection of Garden Lane, Smokewood Drive and Jefferson Drive during times of emergency should remain and be discussed more in detail with the appropriate partners and public safety officials. As Tufton Gate (Monish) has been under consideration for operational changes for better access and public safety enhancements as FLUVANNA it wants to consider keeping this state maintained road.*

**Planning Commission Discussion:**

**Chair Bibb:** Stated that he has major concerns about the amount of traffic generated and not just the traffic inside this project, but the traffic that is going to affect Route 53. Mr. Miles was talking previously about the Monish Gate onto Route 53. With this many new houses it is going to create a lot more traffic on 53, and that fact is that I am wondering how far it is going to back up and that could cause more problems there?

Have you talked with VDOT about making any new improvements in conjunction with Route 53 or anything like that to reduce any of the traffic concerns? I am concerned that people are going to be cutting through the Villages of Nahor because of this new request. It is a 55 and older subdivision and you do have people with medical needs. Some say well it will not happen but I am thinking about what happens when all these other roads back up then they are going to come through that existing neighborhood.

**Keith Lancaster, Southern Development:** Stated that all our initial conversations with VDOT Staff I have not been told at this point because of all the improvements that have happened to 53 in the last 10 years or so, with the new roundabout and improvements. I have not been told that there were concerns of Route 53 not having the capacity for this development and that has not been brought to our attention at all at this point.

**Vice Chair Murray-Key:** Stated she has concerns with potential future traffic issues if you do not properly identify and address them as you cannot see around all the curves along Route 53 now. It is going to be very crucial to address the transportation issues. I heard you speak about using a cul-de-sac by cutting off the entrance and exits along Garden Lane. The Lake residents just drive through the gates now and once that gate is broken then we no longer have the emergency access safety features with folks being able to travel properly. Then the other concern would be if the emergency access is being used you still have to travel across Route 53 in order to make all these traffic connections. So, you have an emergency vehicle that is cutting across Route 53 how would folks know that already going at full speed and that something has happened?

**Mr. Lancaster:** Stated so the road improvements we are proposing to 53 would meet the standards for our development at this point with those improvements being turn lanes: as left turn and right lanes into our site. This is basically what you are seeing throughout the corridor like down at the Villages of Nahor intersection on Route 53.

**Vice Chair Murray-Key:** Stated that she might need Mr. Miles to point it back out to her because she was listening and is hearing what you all were saying about the emergency entrance and where that paved access would be into the lake. I would need to see how if there is an emergency and we are using that lake access road and going to Southern Development and we are making sure that all the fire and rescue staff can make those turns. I need that diagram to be shown again for me because I am not seeing how that would be very safe in an emergency when we are already dealing with Route 53 traffic.

**Mr. Miles:** Stated that Mr. Saunders or Mr. Wilson from the VDOT – Louisa Residency may add more information in this discussion but first I will provide some numbers from VDOT traffic data from 2017. The traffic count from the Albemarle Line down Route 53 to Ruritan Lake Road basically past the Cunningham area has 7000 vehicles per day and the next largest road in this vicinity is Lake Monticello Road that has 3100 vehicles per day from Route 53 over to South Boston Road. Timmons Group has indicated that this development would generate 3544 vehicles so now you are basically looking at 13,000 to 14,000 vehicles per day. Basically, those are the traffic volume amounts which the County has had concerns with traffic while discussing this with Southern Development.

We do know that Southern Development has been working on their trip generation information with Timmons and VDOT. However, the County and Lake Staff wanted to be more involved in that process and generally that has not happened up to this point.

That is why the County Staff has been working with Mr. Wilson on Garden Lane, as an existing secondary state maintained road. We have worked with as staff from both the County and Lake where we feel that Garden Lane can be paved completely in this area.

The potential is there to create a four-way intersection by connecting Garden Lane to Jefferson Drive where it meets Smokewood Drive in Lake Monticello. It has been used



for emergency access in the past and it could be opened again and providing possibly a safer access for the lake and as an operational gated access onto Garden Lane. Monish Gate has been an issue or a concern for several years and this could potentially solve it.

**Chair Bibb:** Asked about the proposed open space and buffers around the adjoining properties that contain farms and agricultural land uses what are you planning to do?

**Mr. Lancaster:** Replied as Mr. Miles had also stated along Garden Lane is where we are looking at a minimum 75 foot buffer within that area. As our engineers are looking at basically there is a 30 foot rear setback for the homes in our community. So, there is approximately around 200 feet between structures between the existing neighborhood and our proposed neighborhood and buffers up to the north side are obviously there.

We had communications with some residents in a recent meeting and they were asking about Tufton Pond. As the parcel in the back it does have rights to an amenity share of some sort and we are in discussions to talk about adding a fence along that point and restricting that from our community to help alleviate the stress on that. As we come further down back towards the dark green area at the point that is another stormwater management facility in that area as well. As we come back closer down into the orange area, that area there is slated for all the attached single family and one of the thought processes again is we have a 30 foot rear setback and is to do a planted buffer with evergreens along that boundary of that woods. So, whatever future land use occurs along that boundary it would be shielded and be buffered up against that property.

**Chair Bibb:** Asked that the 5.8 acres it was already zoned R-3 and it was also originally part of the 2005 Villages of Nahor rezoning case? **Mr. Lancaster:** Replied yes it was.

**Chair Bibb:** Asked where the portion that was originally for the congregate living facility is was that part of this same 5.8 acres? **Mr. Lancaster:** Replied no it is over in the Main portion of the Villages of Nahor past the roundabout and is not being developed.

**Mr. Zimmer:** Confirmed the VDOT traffic count on Route 53 is 7000 vehicles per day?

**Mr. Miles:** Replied, yes it is from the Albemarle County line to Ruritan Lake Road on 53.

**Mr. Zimmer:** stated based on Timmon's overall site analysis that this request adds in 3,544 additional trips, so that is basically a 50% increase in the traffic volumes there?

**Mrs. Eager:** Stated that we have not even taken into account the additional Colonial Circle, R-3 development's traffic volume counts within the same general vicinity on 53.

**Mr. Miles:** Stated Mr. Zimmer and Mrs. Eager you are both are correct. We have tried to use the 2019 Colonial Circle R-3 conditional rezoning case as a general comparison to this Village Gardens, R-3 similar request. There will be apartments in Colonial Circle and this project has proposed townhomes there are some similar comparisons there.

We have asked that Southern Development and Timmons Group further analyze the traffic being generated by this development in conjunction with the surrounding traffic volume that is anticipated in the immediate vicinity. We have asked that the VDOT – Louisa Residency staff members who are online at this time to also work with VDOT – Culpeper District Planning Manager to achieve a better understanding of the expected traffic counts along Route 53 as this road will remain as two lanes well into the future.

**Chair Bibb:** Stated speaking of the water infrastructure that Southern Development will have to supply part of the infrastructure for the required water system is that correct?

**Mr. Lancaster:** Replied we will supply all of the necessary water and sewer so all the infrastructure that goes into the site we will build it in order to serve our property.

**Chair Bibb:** Asked so what happens to that infrastructure does that become a part of the responsibility of the homeowners association or do you turn that over to AQUA?

**Mr. Lancaster:** Replied yes it gets turned over to Aqua Virginia but if we were doing development in say Albemarle they have their own water authority. We build all the infrastructure and gets as built conditions of that infrastructure and then it gets turned over once it is deemed complete, and passable for the future as this new project would generate about 3.3 million dollars in fees as tax fees. For water and sewer connections, so all of that as built infrastructure it then gets transferred over to AQUA for 30 years. You are proposing to use Garden Lane coming out of the Lake as a complete state road.

**Mr. Miles:** Stated that Lake Monticello Chief Constantino and indirectly Andy Wills, our Building Official have fire safety and suppression concerns with the way the proposed development is being accessed and with all of this tightly compacted residential density with limited fire access points. The conversations that the Lake and County have had up to this point since we last met with Southern Development on August 17th has led us to this discussion about utilizing Garden Lane for better emergency access and then long term to consider converting this into a Lake Monticello Gate to replace the Monish Gate that is generally unsafe on Route 53 and it has been discussed with VDOT staff.

**Charif Soubra, Southern Development:** Yes, speaking about Garden Lane I mean you know our conversations with VDOT started around April and so you know what you are seeing presented here tonight is really a function of where those conversations grew out of is that we were hearing originally from VDOT that relieving a lot of the pressure on the Garden Lane and 53 intersection was of importance to them and so out of that became directly with them talking about extinguishing some portions of Garden Lane.

So this is sort of a new take and we will we will say that is a little bit of new information for us. As it has not been presented to us in any of the TRC meetings that we have had prior to this hearing. As we will have access up there on Jefferson Drive with that one portion of Fox and that is now you know again we have had two TRC meetings and this again is now the first we are hearing about reimagining what that looks like so that that is an overview sort of statement. Yes I mean part of what we are designing down there is to respect the existing businesses and for their access down there close to Route 53.

Chair Bibb, as you had mentioned about Nahor and the connections that we have got there we are certain that there is some connectivity that is happening now from Nahor into that Garden Lane intersection which there is not very decent sight lines and so our proposal here which plays off of an already approved connection to that Nahor, now brings those neighbors further up on 53 to increase the sight line opportunities which is where our new T intersection is there between the green areas would present so this what you are seeing here. This evolution is coming from some conversations that we have had but then also being able to present sort of a better opportunity based on the conditions as they are on the ground meaning those sight lines and the final thing I will say is certainly we have heard some concerns that if there was a backup within Village Gardens would those folks move their way through Nahor. We had another slide that I neglected to send though that intersection point you see there to Nahor onto 53 down there between the greens and that little strip is about just shy of about 400 feet there.

**Chair Bibb:** stated if the traffic gets backed up on Garden Lane or at your new entrance on Route 53 for a period of time that vehicles may utilize the Villages of Nahor existing entrance. I am concerned that the additional traffic will be traveling through a 55+ age restricted community and that could be detrimental to those elderly people over there.

**Mr. Soubra:** Replied yes I absolutely would think that but we do think conceptually and again I almost feel like we are trying to prove a negative is that from that connection all the way out through Nahor is well over 2000 feet. So close to a half a mile with multiple

turns throughout versus waiting an additional 30 seconds for the folks to turn out and make a either right turn or left turn. I absolutely appreciate that concern. We just think that in the long-run a design like this will create traffic patterns to our main entrance.

**Chair Bibb:** Stated you are talking about 3500 additional vehicles there with at least two additional vehicles per unit and that will be a lot of new vehicles to account for?

**Mr. Soubra:** Replied yes the traffic numbers that are here are presented but you know these are the standard numbers that are used across the industry from the Institute of Traffic Engineers (ITE) as prepared and presented through this rezoning case request.

**Mr. Lancaster:** Stated that is at the maximum density of 2.9 units as I noted previously that we are probably somewhere about 310 - 315 units not saying that these are hard numbers. We are just stating the fact that this is where we want to take the highest number and not throw out the lowest number and then we feel like you could shorten somebody by not giving them the appropriate information - so that can easily change.

**Vice Chair Murray-Key:** Stated that listening to Chairman Bibb, it is like when you are going into the Monish Gate where there is a sign that says Residents only people can make the wrong turn. It is just such a short space as an opportunity for people to be trying to go around because they are just trying to get to where they are getting to you know I witness people breaking the lines you are not supposed to go around people in that long stretch on Route 53. You know we do have to be reasonable, thoughtful and be considerate of the fact that if this development is built then nothing is going to stop people from doing those things. How do we protect them and then furthermore when you talked earlier about the buffers and there being a fence and we are talking about two different subdivisions backed up one to the other. The concern would be you have two different HOAs, you have a fence that people may decide they want to climb it if they want to knock a hole into it like us just being considerate of both sides. So, when you spoke earlier about working or negotiating that is that with the people who would be impacted right there where the homes back up to - was that with Lake Monticello?

**Mr. Lancaster:** Stated that the fence I was referring to is more of an agricultural three board fence that is adjacent to the pond. The concern was the use and the amenity of that pond. So we were discussing that in a neighborhood meeting that we had and that was something that came up and that was not adjacent to any of these existing homes.

**Vice Chair Murray-Key:** Asked if you could clarify for me are you all negotiating for the use of Tufton Pond or already have access to use the pond for your new development?

**Mr. Lancaster:** Stated that the Fox property has deeded access to that pond that was part of one of the original agreements decades ago. When that area was flooded but we have heard that there is and so then a portion of that pond is also shared within the Lake Monticello Owners' Association. What we have heard is that there is a concern of using that even though it is appropriate because of the deeded access so what we are offering is that we vacate it and use it as a visual amenity only for Village Gardens and create signage and create a separation there. So we or Village Gardens vacates the use of the amenity access even though they have it as sort of an understanding and that Lake Monticello has been using that with a certain understanding of their ability to use it for how many decades. So, our conversations are internal as far as design you know as we have not even got the approved zoning yet - which is why we are here tonight.

**Chair Bibb** he opened up the Public Hearing and reminded public speakers that they would need to state their name and address and they would be limited to 5 minutes:

**Debra Kurre at 6440 Thomas Jefferson Parkway:** Stated that she is one of the business owners on the corner up there near Garden Lane. Yes, it is in that area further towards where Route 53 and Garden Lane come together. This is news to me also so, it would

be wonderful if we could work something out possibly a little bit different that would benefit everyone involved including I know there are many neighbors in the Villages of Nahor that are concerned about cut through traffic. My bigger concern has been and it continues to be that we all do good planning in this process. So, I have heard tonight several people mention and even Mr. Miles had mentioned being able to actually have a more robust traffic study if we fail to plan we plan to fail right. So I am just thinking that in my world and most of us in our households and our businesses we have to plan and I just think that would be a good idea and it would account for the all of the traffic at least we know really what we are talking about and we can properly review the case.

The traffic counts are currently at 7000 this adds 3500 vehicles to the traffic count and Colonial Circle it is about another 3500 vehicles. So, it brings it close to 15,000 vehicles per day out on Route 53. I really do not want to see Route 53 as four lanes in front of our property. I think four lanes, anything around Lake Monticello and in this region I know it is community development but I do think that would be very difficult for the community as a whole to handle and it would basically destroy the rural character and we have the last the little spot that we have there with Mulch Monkeys in our building and down the road with a couple of farms. This region and we are right down the road from Monticello, so I would hate to see this just become four lanes that is one of my concerns. The other is water and the other is all the different amenities I would like to see that are planned for in the future or not in the future but now where is the school going to go because there is going to be a need to be a new school. What about fire and rescue and that has also been talked about tonight, what about the sheriff's office being able to make sure that we will be able to be that they can do their jobs, schools those things so anyway all the other things that I have been pushing for an urgent care center here in the county we do need an overnight medical facility. I do not know if it could go here or somewhere else but I would really like for us to plan properly and be able to keep some of our own rural character and this request does not do that for us.

**Mike Vlasis at 11 Garden Lane:** Stated that he has owned Mulch Monkeys and Ground Effects Garden Center at this location since 1998. The only concern that he has initially from this project was the potential threat to his entrance on Garden Lane. I rely on that entrance for my business it is a major entrance for my customers and my vendors. This plan that I see in front of us here tonight it preserves that entrance and that is what I want to make sure it continues to stay in place as I mentioned it is critical to my small business. In 2004 when Nahor Village was being proposed VDOT wanted to close that.

At that time I asked the county to please side with me and protect my interest there and not allow that to become part of the road plans. I would like the county to once again give me that assurance and as this thing evolves that VDOT does not once again revert back to that idea of closing that entrance and redirecting all of the traffic down to the new, proposed entrance down on Route 53. So, once again I am just asking for that consideration again to protect my business interests and my current entrances.

**Suzy Morris at 6840 Thomas Jefferson Parkway:** Stated that she is Quaint Lea Farm; Rural Character, Chief Seattle's lament the Land is sacred to us and If we do not own the freshness of the air and the sparkle of the water - then how can you buy them? Every part of this earth is sacred for he is a stranger who comes in the night and takes from the land. When he has conquered it he moves on. The 1999 Fluvanna Heritage Farm event had 200 people and it seems we lose another old house, a green field, a wildlife habitat, Bob White quail, tall oaks stary nights, the water level in the Rivanna becomes lower and its affluence higher, roads become wider and the traffic faster. We are losing our sense of place here. How can we protect our rural landscape the 1999 forum said? The current 2015 Comprehensive Plan it echoes the same by maintaining rural character what is meant by maintaining Fluvanna's rural character and how does the 2015 plan define and exemplify rural. The fourth principle supporting the County's Vision 2035 is that our rural character and the natural resources are part of Fluvanna's unique heritage, and it should be preserved and well-managed forests and farms are

still a primary land use and a key component of the county's unique historic and rural character and economic viability. The Agricultural and Forestall Districts can serve and protect agricultural and forestall lands as valued natural and ecological resources they provide open space for watershed protection and generally for all the wildlife habitat.

The County's natural resources deserve consideration and economic development as economic development tools forestry and agriculture are essential parts of the local economy. Our Fluvanna trails, rivers, and wildlife they all attract people from other communities for recreational enjoyment. Fluvanna County is a rural community and a desire for a sustainable and agriculturally friendly economy prevails with pattern of development and creates challenges to maintaining the rural character the future development of improved subdivisions could provide significant challenges to the preservation of rural character. Development should strive to maintain a very low density in order to maximize the preservation of existing farms and open space.

The County should encourage developers to leave natural features that is plants, trees, avoid excessive grading, avoid clear cutting, enhance tourism and artisan activities that are compatible with the County's idea to be rural. As the Lake Monticello Community Plan includes the priority of preserving the rural character of the overall surrounding area protecting natural resources and the health of the Lake and surrounding land and waterways is important to the health and vitality and the environment and economy of Lake Monticello, these rural preservation areas should all have the least amount of development. They should display agricultural and forestall districts with farms, old stores they should be protected from the development of large subdivisions in these areas should be discouraged. The rural character of the community is a major asset, and depends on the quietness of the area's farm houses and open landscapes scattered with forest wildlife and livestock in Fluvanna. If it's to remain rural these qualities must be protected and problems are incompatible developments, inconsistent or insufficient regulations, and growth pressures many rural views are located along these important corridors which all serve as our gateways. Route 53 is one of those when development occurs in rural preservation areas the appropriate buffering should be required housing developments should have minimized access points historic preservation can be a key factor in economic growth and Route 53 is one of these gateways with historic things such as the old school house, Hayden House, and farms over 300 years old. The house and store up there where the ground sits, any possible recommendation of a four-lane road in Fluvanna totally negates rural character as do congested and dangerous roads.

This begs the question: So how does building another large residential development on land zoned A-1 in the agricultural district and right next door to a senior neighborhood preserve our rural character?

**Steve Smith at 6 Sunset Court:** Stated that he has resided at this location for 11 years. The Village Gardens access onto Tufton Pond you have talked about it this evening. It does not seem like it has been settled but Mr. Soubra said at the September 9th Zoom meeting with LMOA that we internally are already starting to have discussions about essentially giving up access to Tufton Pond and as far as recreational use and having it as a visual amenity versus a practical amenity. It seems odd to me that he referenced starting to have discussions since this was clearly an issue that was raised in the June 24th Zoom meeting more than 11 weeks prior and there does not seem to be any other settlement on that issue now. Can you give us a definitive statement and include it in the proffers so we can understand what will be done as we go forward. Then second regarding the fence and the access around Tufton Pond again Mr. Soubra said in the September 9th meeting with LMOA. I quote part of that conversation is "building a fence a three-board fence to sort of limit access to Tufton Pond and that is something we are already having conversations internally, so we can essentially move past that to some kind of land that is a benefit to the Village Gardens directly. It is a wonderful location, but we also understand that there are concerns there this vague statement does not take into account the reality that this 17 acre parcel that they are talking

about has deeded access to Tufton Pond and an access easement adjacent to Jefferson Drive. It also requires LMOA to maintain a mesh and barbed wire fence around this parcel by deed and it must be kept with the land and to maintain it. Why would Village Gardens need an additional fence easement that permits access to Tufton Pond, and found through a single gate and this fence that the current owner has in place they can unlock the gate anytime they want. So I do not think that has been well understood and certainly has not been done in a timely fashion. Clearly, Southern Development does not understand the physical characteristics or the deed restrictions on that land known as the Fox property now. We need more assurances within the case proffers.

Third, Route 53 has come up a couple of times and access to Garden Lane (Route 636) all the discussion has really just been that just discussion. If Garden Lane is going to be proffered to be opened back up or if it is going to be just given back to the landowners there or they are going to change it. Southern Development and Village Gardens really has nothing to do with that as that is VDOT property as it is a state road and then what VDOT decides is really going to be what happens to that road. It does seem that the road if properly developed it would alleviate some of the issues at Monish Gate, but I think that needs additional work by all parties involved. Fourth, access to Jefferson Drive by the easement beside 415 Jefferson Drive this stub road was addressed in the September 9th meeting with LMOA by Mr. Soubra indicating that the access via the easement it would be limited to emergency use only. That, however right now is not being provided in a formal proffer only a non-binding statement made in a community meeting. He qualified the statement later on by noting whether there will be a gate or bollards or something like that and all this will be part of a greater engineering design conversation. The only thing he committed to with regard to access to Jefferson Drive by the easement is a statement I can assure you there will be conversations to be had. As I do not understand why the applicant has not proffered this access yet in this case.

**Wayne Nye at 176 Village Boulevard:** Stated that he mentioned to the County Planning Commissioners back in their August 10th meeting during regular Public Comments that I considered the proposed entrance for Village Gardens onto Route 53 to be extremely unsafe citing restricted left and right views of oncoming traffic. So, tonight, I do want to share additional details and please bear with me and my own high school math. When traveling at 45 miles per hour on Route 53 you are also traveling at 66 feet per second.

When I drove home from work today on Route 53 I set my cruise control at 45 miles per hour as I traveled east towards the Villages of Nahor. When I passed the entrance to Quaint Lea on my left, I began looking for my first glimpse of the bottom of the hill where the proposed new entrance would be located to Village Gardens. Then when I spotted it I began counting by thousands. At four-one-thousand I was at the bottom of the hill where the proposed entrance is to be located. Four seconds would be about 264 feet traveled from the time I could first see where the new entrance would be. To double check I wanted to locate exactly where the Village Gardens entrance would be on Route 53. I have included maps in your handout that show the location of the new entrance and where I was able to see that while I was driving on Route 53 they are for your reference as to why their new entrance to Village Gardens is extremely unsafe.

I want you to consider the following scenario that you all live at Village Gardens and you have three fussy kids and you think a road trip might calm the kids down so you load them into your minivan and you head over to Food Lion and you decide to take the new entrance out of Village Gardens by planning to turn left onto Route 53. You stop at the entrance to Route 53 and you look to your left it is clear, to your right it is clear and one more time to your left it is clear just to be sure before you pull out one to Route 53. Unfortunately, I am now coming over the hill to your right at 45 miles per hour and I see you just as you take your last look and commit to your turn you do not see me we have four seconds. You take two seconds in your minivan to go from a dead stop just to pull out onto Route 53, and get started to head uphill towards Food Lion in the two seconds that you needed to pull out onto 53. So, I have traveled 132 feet and

we are now just separated by only two seconds of travel time at my posted 45 mile per hour speed. If I were traveling at 50 miles per hour we would be separated by only 1.6 seconds and at 55 miles per hour only about 1.3 seconds. So, now I know what you all may think as soon as I see the minivan I should start slowing down and your minivan should start speeding up not slowing down. It might work if my reaction time is quick enough if my brakes are good if I am not talking on my cell phone and if my high school sweetheart is not distracting me, and if the road and visual conditions are favorable the minivan getting up to speed bothered me too. This is all about proper reaction times.

So I did a similar experiment and I was not in a minivan with three kids but it was just me in a new Mazda sports car. So, I pulled out of the main entrance at the Villages of Nahor neighborhood onto Route 53 and a left-hand turn toward Food Lion from a dead stop it took me five tire squealing seconds to get up to 45 miles per hour, and I was not even going uphill to get to the Food Lion in a minivan loaded with three of my kids and it was not even rainy, foggy or dark out along Route 53. My point is the entrance onto Route 53 for the proposed Village Gardens development it is not safe. Ask yourself as I have asked myself what if these were your kids or your grandkids or what if it was you trying to make that turn? Thank you all for your service please make the right decision.

**Sandra Radford at 121 Mulberry Drive:** Stated her home is in Villages of Nahor actually at the corner of Mulberry Drive and Village Boulevard that intersects with Garden Lane. In particular pages 35 - 36 of the Southern Development Proposal Packet in the letter that Mr. Steven Biel, the Planning Director at that time, sent to Acres Development LLC, owned by Keith Smith. This letter, dated April 21, 2005, it let Mr. Smith know that his application to the Board of Supervisors was approved for the development of a senior community, to be named Nahor Village. Apparently, in its entirety the letter restated the parameters that were approved, including any potential restrictions, limitations, proffers, and possibly plans for the rezoning of part of it to accommodate a senior convalescent center. In all the things each of us plans, there are details. Many times, very specific language is needed, or formulas as in medicine, anything that will give the readers of the document sufficient information to make a decision about a proposed plan. In law, that is referred to as Full Disclosure and part of the Act of Discovery that makes sure attorneys of both parties they have equal access necessary to prosecute or to defend the case. Full disclosure of information onto the Planning Commission by Southern Development is also needed so each member of the Commission has all the available information to make an informed decision. I direct your attention to the letter I referenced above. The last numbered paragraph on Page 1 is Number 4. The next numbered paragraph of the letter is assumed to be on Page 2. However, the next numbered paragraph on the following page is Number 13. Therefore, we know that Page 2 of the original letter is missing with only Pages 1 and 3 included in the Proposal Packet. The missing information is important enough for Southern Development to include the letter in the Proposal Packet and, without it, the Planning Commission cannot make a well-informed decision. The Southern Development Proposal Packet is incomplete. The only vote that the Planning Commission can legally make is to deny their proposal, in my opinion.

In closing, I have a packet of resident signatures from Fluvanna County opposing this proposed rezoning case. The names include the citizens from throughout the county, to include Kent's Store, Fork Union, Cunningham, Troy, and Palmyra. Palmyra citizens are from Village Oaks, Merry Oaks, Fox Hollow, and residents along Routes 53 and 636, and Lake Monticello, [www.change.org](http://www.change.org) and only those valid residents as determined by Zip Codes, and within Nahor Village. We were restricted from those areas and normally by permitting the presentation of petitions to customers due to COVID-19 like at CVS and at Food Lion. There are 265 valid names and 265 validated signatures presented here. However, as the proposal it may be presented again to the Planning Commission in the future for consideration we will continue to circulate the petition for more signatures.

**Ken Diepold at 125 Tulip Drive:** Stated that his comments they will be brief as we have heard that this will be a multi-generational neighborhood which means young families could reside there with children. I did not see anything addressing the impact on the schools by the developer and I have no children in the school system. I am a taxpayer and I do need to know how these things are going to affect my life in the future. So, I do not know how many children there will be so are we talking a couple hundred new kids and I do not know how the elementary school or middle school can handle that. I know that the high school is ready for it but that is further down the road with this new neighborhood. I am a resident of the Villages of Nahor and I would be opposed to any access being provided to Village Gardens to our streets and neighborhood for traffic. It was mentioned earlier that if perhaps the single exit and I mean the ridiculously single exit from their proposed subdivision would create a backup and then people would because impetuosity is a virtue and would be bolting through our neighborhood even if it is 2,000 feet more the same thousand feet from the entrance that their neighborhood to the entrance of ours and it is a net value they would not even notice a few more vehicles. I see this cut through traffic as a dangerous situation so I do not think we want any kind of access for Village Gardens into the Villages of Nahor at all. The other concern that I have that was already discussed is water pressure and the firefighting suppression capacity for water in this area and should be addressed as well.

**Tom Diggs at 947 Jefferson Drive:** Stated that the Fluvanna County Planning rezoning application checklist identifies six things an applicant must provide for a complete application the fourth item in the list is deed restrictions if applicable, and reading the application included in the package for this meeting posted on the county's website. I did not find any mention of deed restrictions. I find the absence of any mention of deed restrictions unusual especially given that Mr. Soubra had stated in the September 9th meeting with LMOA that quote one of the fundamental parts of land development is looking through land deeds and land titles that can date back many decades and that properties all of these properties have those deeds closed quote. I also looked through titles and I easily found restrictions related to the 17 plus acre parcel currently owned by Ms. Fox. The August 20, 1974 deed between Lake Monticello and Mary Webber is the result of a transfer of land, and a grant of easement from Lake Monticello to Ms. Webber and a covenant and grant of easement from Ms. Webber to Lake Monticello.

Among the recorded deed restrictions are Ms. Webber's grant of a perpetual and an exclusive easement to flood a portion of our land to create what is now Tufton Pond, an easement permitting Lake Monticello to construct and to maintain a fence on and around Ms. Webber's property. The most relevant item to this rezoning application a covenant quoted not to take any action or make any other use of her land other than normal agricultural use closed quote with the covenant to run with the land and be binding on all successors and titles. Ms. Fox acquired this property from Ms. Webber her mother by a deed of gift dated February 5, 1976 in 2014 the anticipation of selling her property to a developer. Ms. Fox sued LMOA with regard to three questions about easements and the covenant deed as the successor and interest to her mother's deed with Lake Monticello. The first two questions related to the easement allowing Ms. Fox to access Jefferson Drive for the express and exclusive purpose of accessing State Route 636, the court issued a decision on May 26, 2015, and following motions for reconsideration a final degree on February 22, 2016, which incorporated the earlier decision in its totality. The court found that the easement would be 50 feet wide as she claimed and that the restriction to use only conventional vehicles on that easement was not applicable to her suit and so did not issue a ruling on that question leaving that restriction in force Ms. Fox did not challenge the requirement to repair any damage to Jefferson Drive by her use of the easement.

The third question was specific to the covenant limiting use of the property to normal agricultural use the court found Ms. Fox's arguments were essentially hypothetical and they declined to issue a ruling leaving that covenant in force even through either its



search of the deeds or its negotiation with Ms. Fox. Southern Development certainly should have been aware of the covenant restricting the property to normal agricultural use the responsibility for damage to Jefferson Drive by its use of the easement, and that this easement is only to access Route 636 since Ms. Fox's property is restricted by a valid covenant which was not voided by the circuit court. It would be improper for Fluvanna to rezone the property from its current A-1 zoning. It would be appropriate for the planning commissioners to require Southern Development to file an amended application that correctly states all deed restrictions on the properties that it intends to develop, explain the relationship of those restrictions to its plan and to reconsider its plan for Village Gardens without being able to use Ms. Fox's property for use other than the normal agricultural use. Assuming it will still want to include that property in the development. Southern Development also needs to address how abandoning State Route 636's access to Jefferson Drive is likely to result in a forfeiture of its easement to use Jefferson Drive from Ms. Fox's property.

**Gary Hannifan at 953 Jefferson Drive East:** Stated that his comments are going to be very brief. One of his main concerns is also about Aqua Virginia supplying the water to all of these developments that are going to be high density throughout this area. I have lived here for about 30 years and in that time I do remember it was not that long ago that the Rivanna River was reduced to just a trickle of water because of the drought. Droughts go in a cycle it is going to happen again. I do not believe that Aqua Virginia is going to be able to supply all of the water needs that these developments will require at the time of that major drought. There were talks about rationing then there was talk about shutting water off the, talks about who was going to have their water shut off. I have concerns as stated with Aqua Virginia providing the water and sewer to this new subdivision. I live at Lake Monticello and having people who are not a part of LMOA having access to our private roads thus having access to our amenities could cause quite a problem. They could be putting boats onto our lake or could use our beaches and if something happens who is responsible for all of this once they enter the Lake.

**Carolyn Ley at 2299 Hunters Lodge Road:** Stated she owns three (3) properties that are abutting this project or affected by this project. With that you might think that I would be against development as not in my backyard that is not what I am here for because I am a pro development person. I am a pro thoughtful development person and I also want the developers to give the whole story and I feel that in to some degree there is been a little bit of smoke and mirrors. So, there is a whole lot going on in my mind but I am going to focus on one thing and that is the commercial part which is the green part of the drawing there. That is a 5.8 acre tract of land that is currently zoned R-3, and its proposal for commercial development as part of the Village Gardens this tract was part of the Villages of Nahor R-3 development. I want to know how this property, which was used to determine the number of new residential units allowed in the Villages of Nahor when they went through that development process and that it was part of the density calculation when they build Nahor because it was owned by that developer at the time. Now it is being used to as part of the density numbers in this next development, and to me seems a little bit of you know like smoke and mirrors by Southern Development.

This 5.8 acre tract has been vacant for about 15 years. It is R-3 now before it was B-1 before coming and talking to you all. You know again being a resident of the area I am familiar with this, did a little drive around the neighborhood and I have been watching of course all of our shopping centers there is still plenty of vacant tenant spaces just sitting around this field. I have lived on two driveways down from this field for seven years and that feels just that vacant. So, I keep hearing a shopping center is coming, a nursing home is coming, a doctor's office is coming, whatever. I think that it is a carrot and the stick thing. I think that they just get us excited that there might be commercial coming and I am just not believing it. It is just how I feel that has been sitting there, we have a lot of other office space that just sits there we have a lot of other areas that are not fully developed and I feel that it is just a way to get everyone all excited. I also want to tell you that I am on the next property down from the proposed exit and that is one

of my properties, and then the second driveway as well. I own two properties both with driveways out there. I invite anyone who wants to come with a cup of coffee at commute time and a doughnut. I will buy the donut whatever, and sit there in a lawn chair and watch that death zone. I take my life in my hands every time I drive in or pull out of one of those driveways as the sight lines from it is up a hill, and just coming up cresting over the hill from Quaint Lea Farm to my house which is the white house that sits on 53. It is a hill there sight lines are horrible, so I am very concerned about well I lost count of how many times that I lost the mailboxes on that driveway and how many accidents have occurred off of my driveway which just is a couple hundred feet away from there, so I will close out with that. I would like you to take a look at the map again and maybe ask them to do some calculations for their new subdivision development.

**Tom Ruffin at 26 Crape Myrtle Drive:** Stated he is a retired law enforcement officer of 40 years and that I first served in the City of Petersburg Police Department in Virginia. I moved to Florida and served in the City of Fort Walton Beach Police Department for 25 years and retired as a Captain. I am both a certified Doppler radar and defensive driver instructor and I was assigned to review the evacuation of approximately 15,000 people from the beaches during major hurricanes. Mr. Chairman brought up a good topic on the Villages of Nahor with concern about traffic going through our neighborhood if this request were approved. My concern is this that even as state roads our roads were not designated to handle a large volume of through traffic specifically as is being proposed.

Currently, the village residential traffic is between 20 and 30 miles per hour and most houses are close to the street and the drivers have to back out of their driveway to get into the street. Increased traffic volumes, to include cars, light trucks and motorcycles and the potential for the vehicle speeds to be higher and keep in mind our residents are 55+ with many residents older than that there. The potential for speeding through our community is highly predictable especially because of young drivers and believe me I can tell you from being a defensive driver instructor as most of my students they were younger drivers. Thus, increasing the potential for accidents, injuries and even fatalities could occur within or near our neighborhood. I would predict that speeds could easily exceed 30 to 40 miles per hour and there appear to be several other issues with this request after reading the staff report. Several other issues need to be resolved by the applicant Southern Development and to approve any zoning changes at this point it would not be advisable. Please continue to look at the access issues on this request.

**Becky Persico at 160 Crape Myrtle Drive:** Stated that she has lived here for over a year and prior to that I owned 17 acres on the Rivanna River at Broken Island for 23 years after having lived in six other states. I have come to love and value this precious place known as Fluvanna County. It is home to most of us in this room and many of us at the Villages of Nahor we could choose to live anywhere in the world. We come from all over from Michigan, Wisconsin, Illinois, Alabama, California, New Jersey and Kansas but we have found our little piece of the American dream in Fluvanna County. The County's Comprehensive Plan is filled with references to maintain the rural character and the first point of focus in the current plan is to maintain Fluvanna's rural character on Page 9 the fourth principle supporting the County's Vision 2035 you have heard this before is that our rural character and natural resources are part of Fluvanna's unique heritage and it should be preserved where practical keyword practical. By the way speaking of unique heritage there are properties in Fluvanna whose deeds date back to the time of King George III so yes unique heritage. Crozet, recognize that name as in the Old Trail Village retirement development that is in Albemarle County well Crozet is the man who surveyed and gave Broken Island its name in the 1700s, again the unique local heritage.

Respectfully, I would like to remind you of the zoning requests at a number of the new developments from Crofton Bridge to the new traffic circle at Effort Baptist Church and Broken Island is 100 acres consisting of about 54 homes ranging from 2 acres to the 17 acres that I use to own. Fox Hollow also 100 acres with homes averaging around four acres, Cunningham Meadows, Seven Oaks, Taylor Ridge, Merry Oaks are all very large

lot subdivisions and none were clear cut and all zoned and built on in a respectful way. Conversely, the Planning Commission and Board approved Sycamore Square, Village Oaks and Colonial Circle as mostly clear cut and all zoned R-3 all using water and sewer through Aqua which goes into the Rivanna River. So, how does building another mostly clear cut development on 122 acres currently zoned A-1 be considered preserving rural character in the Comprehensive Plan. You as the Commissioners and not staff have the power as it is your decision and your votes that impact our lives especially considering the thousands of commuters who already negotiate the dangerous curves up at Michie Tavern and at Monticello in Albemarle County. In the ice, snow, in the heavy rain on a daily basis and please just do not create a baby Pantops in this county and destroy our unique heritage and please maintain the current zoning of A-1 on the subject property.

**Lucas Reynard at 97 Virginia Avenue:** Stated that he is hoping to give some insight into the way that Southern Development does things. So, for one a big issue for us are the roads and access. So, on the roads over in their Village Oaks neighborhood, it is very hard to get two vehicles down the road without anybody parked on there. So, we have community space that is supposed to be available for common area use at the pool. I think we need to make sure that Southern Development addresses issues that have to do with how wide roads are within neighborhoods. We have two vehicles as one of the gentlemen up here mentioned earlier and I mean we are a normal group of guys as I live with my brother. It is impossible to get two vehicles into that driveway right now.

Impossible, so we are left to leave the vehicle out on the road which you cannot do you cannot get an ambulance in there if you already have somebody parked along the road. I mean it is just physically impossible and another thing that they brought up tonight it was the HOA and how they touted their management company. This is not a good idea, it is a very horrible idea, as this management company is very strong armed. They still control access of that HOA they have not turned that over to our neighborhood. I kind of want to understand where those interests lie are those with helping our community or are they forcing their way onto this community. Why are we bending the rules for Southern Development? As it has been brought up tonight that they have not held up obligations for constructing commercial uses. Why are we going to bend the rules for them? Senior living at Village Oaks is that supposed to be the area that was supposed to be commercial in Village Oaks? The questions remain about Southern Development.

**Brook Reynard at 97 Virginia Avenue:** Stated that he is going to feed off some of Lucas' points. Yes, the aforementioned HOA, yes but Southern Development fails to mention is that three of their employees control the HOA. For my concerns lie why not let the residents of that community have a say in what they do. What kind of rules they make or if the even want an HOA. I am not even a fan of any HOA in the County. Go ahead and approve the development people live there when I have HOA let them vote on it. So I do not think that is any of the developers concern again it just props up another shady company in Charlottesville. The senior population I am probably not going to be in the minority opinion on this one as of 2019 Fluvanna County had a 20.5% population over the age of 65. Do you not think that is the target demographic we all need to go after with all of these folks and the older housing that is not available in the County?

I would like to see the road plan you have that everybody keeps mentioning at VDOT. I mean these VDOT roads, these 12 foot wide roads with a shoulder what is the speed limit. I know a lot of guys and people here tonight have mentioned Route 53 being a problem again. I am probably also in the minority of people I would like to see the speed limit go back up to 55 on Route 53. That is for other reasons. I am old enough to have lived in the county to know when it is it has been 55, but Mr. Alan Saunders and I have gone round and round because my professional background is building roads and bridges. I have built roads and bridges in Virginia, North Carolina, Montana, Texas, and Colorado. I have got a lot of experience in building roads and bridges, but Alan will tell you at a 45 mile an hour speed limit the minimum sight distance needed for a new residential entrance its 360 feet the maximum is going to be 500 feet. All of you guys

that have lived in Fluvanna County long enough to know there is not a whole lot of places in this county where you have a 500 foot sight line on anything. I think that requirement needs to be changed but given the traffic on 53 that kind of lends itself more to a light commercial entrance than it does a residential entrance. That is just with the existing traffic that is on Route 53 not adding the other 3,500 cars or trips.

I am not seeing where that is coming into account other than trying to get people to move into this area that are not from this area and do not hold the same values of the people from Fluvanna County. So, I have an issue with that, but I do not mind the new development. I would like to see some commercial businesses come in if that is what in fact that you guys actually are trying to bring in with the development. I mean we are a county that is strapped for business revenue as it is already. Then I would like to see the study on where we are going with this Aqua Virginia water as is that the only place that we are going to try and access water. Here you know the county just spent an absorbent amount of money running a pipeline across the county in any way shape or form infrastructure could be ran to that pipeline or did we only look at Aqua Virginia. So I mean was there another study done or was the Aqua Virginia one the only study that was done. I do not know I have not heard anything have not seen anything.

My background comes in moving dirt, building roads, building bridges, and there is a lot of unanswered questions. So, this looks all nice and colorful and good but I mean every dirt superintendent every dirt foreman and that is the same thing we do when we get a set of plans we take a bunch of highlighters and we start coloring on it, but this does not tell me anything. I mean and then this one level floor plan. I do not know about all of you but the average American family has two kids. What happens when your kids reach 15-16 years old they get a car? So, if you are only accounting for two cars what happens when those kids are 16 and now you have four cars. Now what happens at Thanksgiving and Christmas and grandma wants to come over grandpa wants to come over, aunts, uncles, cousins, kids they all get at the house where is the extra parking or anything proposed in this development so where are people going to park at now?

**Donna D'Aguanno at 148 Crape Myrtle Drive:** Stated that one of her major concerns with this propped community of Village Gardens of 355 homes is the effect that it will have on our property taxes. How will the additional children in Village Gardens impact our schools? Will this new development be required to add new teachers, support staff, a new school building, and all of the necessary infrastructure that goes along with it, including new administrators, social services, counselors, special education teachers, school nurses, furniture, desks and a library? Will the new community cover the cost of all these expenses or will the expenses be more likely covered by requiring an increase in taxes on all property owners within Fluvanna County. How will the new community impact Fluvanna County's fire and rescue and will these new homes cover the cost of providing for additional fire and rescue teams, new additional support employees and service vehicles to the already stretched volunteers. Will these new additional homes cover the funding for any additional necessary law enforcement like deputies and their additional 911 operators, and their support staff will the taxes more than likely be increased for all the property owners in Fluvanna County. Will this new community also increase the cost for renters in Fluvanna County, as rents are based on property taxes will everyone in the county in some way be faced to pay for the new 355 homes.

Please bear in mind if the answer is yes taxes will increase it is more than likely going to hit at a time when most households are feeling the burden of a much higher inflation, increased food costs, fuel costs, home heating and cooling costs, and more than likely an increase in interest rates as well as costs for Aqua's water and sewer service. Please remember that our most vulnerable of our community is our senior citizens who are more than likely on fixed incomes and also the citizens of Fluvanna County who are already pushed to their limits. Residential development is not economic development, rooftops cost the county money. There is a difference between growth and responsible growth, also I live in the Villages of Nahor the gentlemen from Southern Development

always talk about the cars coming out of the development they never talk about cars coming into the development. So if residents are coming back from Food Lion the first turn that they could make is into the Villages of Nahor. They are probably not going to go down to their new entrance. So to come through this is an incompatible use to a senior community which was developed for 55 and older residents so there could be as many as 600 cars coming in that community. Half of them come through that is 300 cars a day going through our community which defeats the purpose of a separated senior community. Chairman Bibb you are right we do have residents that use walkers that are trying to cross the street and it takes a while. So this is a great concern for the residents that are already living there paying taxes and came with no baggage. We do not come in and we did not come with children and all we are doing is paying into the county and using water and sewer please protect our existing senior community roads.

**Gene Ott at 243 Country Creek Way:** Stated that he is moving to 212 Village Boulevard and just found out about this just a couple days ago. I had an option to not move but I am moving because it is a wonderful place to live and I really appreciate the questions that you guys are asking tonight. You are very professional and you have asked a lot of the same questions that we wanted to ask. I am going to talk about the importance of Route 53 and we should not have a development like this that dumps traffic out onto Route 53. As it is in the heart of Fluvanna County there are currently 341 homes in 8 developments along Route 53 from the high school to the county line. Lake Monticello borders 53 on the north with over 4,000 houses the major shopping area in the county is in the middle of all this activity and the new high school is on 53 and it creates a lot of traffic at certain times of the day. Much of the county south of 53 uses 53 to go back and forth to work and it is the most important and most congested road in Fluvanna.

There are long commute lines now in the morning and the afternoon. I hear I am not going out on Route 53 because I am too old, but that is all right, but I do hear that. The new development near the new traffic circle it will impact 53 but not as much as Village Gardens which is right directly in the middle of 53 just like Food Lion, just like us we are sitting right in the middle there. The 355 homes will double or near triple the traffic on 53, you take 341 houses and plus the people coming up it is going to be a major impact.

There is not much VDOT can do to make the road wider so this is a problem we cannot fix easily or maybe not at all. I talked to Alan Saunders at VDOT who is a friend of mine, and it is just in the past when we tried to get 616 widened. You cannot widen the road because you got these areas that drop off due to slope and you cannot do it on Route 53 either. So we are stuck with what we have got there now. We can do roundabouts but we are stuck with the basic two lanes. Here is the key; cars coming on Route 53 in the morning and in the evening. Where you are trying to merge into traffic you got to merge into it currently. These 341 homes are scattered all the way down from the high school to the line, and they just trickle out they just trickle out a little bit here a little bit there most of them are on the other side of the road. Nobody is coming out of Nahor Village, nobody we are just sitting around up there as we are too old to go out early and we are too smart now. Here is the thing we are going to have 600 to 700 new cars and I do not care where you put the line out there. Once this pandemic is over a lot of people are going to start going back to work that are not commuting now. I do not care how many exits you have to go out there you are going to have so much traffic coming out of that road. Where you have got all these people coming up from the lower part of the county onto Route 53 at Ruritan Lake Road. You have got people commuting up going over the Fluvanna line everything is happening right there. There is no reason to put that monster there it is not compatible with anything else that is going into there.

**Patty Reynard: 662 Broken Island Road:** Stated that our taxes is her main focus in this county. We have 110,000 acres and 80,000 acres is within land use of some sort. That means we are not collecting 5 million dollars in taxes. So, the way that this county thinks that we can bring in revenue into our county is allowing subdivisions like this. The fact of the matter is Broken Island, Taylors Ridge, Fox Hollow, Lake Monticello all of

these new communities like Sycamore Square and Village Oaks is like 30% of all taxes is 30% of those people pay over 70 percent of all the county's taxes and that is not the way to bring revenue into the county. I can go on way too far into my five minutes but I do want to talk a little bit about this community. I think it is a terrible idea and I am not the kind of person who beats around the bush, I like to call it like I see it. I see these guys as con artists I see these guys taking advantage of a situation that they know our county needs revenue. So they just dangle that carrot out there about a little bit of a commercial something another but it never happens, it is never going to happen so you know we just need to think about that. I am just going to carry a little further into their property across from Crofton in Village Oaks where my sons rent a new townhouse.

So they are threatened every week with their vehicles being towed they are hung up on when they do call to talk to these guys and they will not even talk to them so this is not family oriented development. So, I cannot even go visit my sons and I am happy to say I am happy that my son is now back from Montana and he is a little closer to home but there is nowhere for me to park there is no parking they do not have any parking.

So you know we are bringing a lot of problems into our community and I think we need to look at the bigger picture here because the only thing these guys see is dollar signs. So you know like I said I can go on about the taxes, but let us talk a little bit about the water issue. I think Lake Monticello water issues need to be fixed we are going to be creating more water issues that they are going to bring along with this community. I feel like the County taxpayers have spent like millions of dollars to take water to Zions Crossroads to where it can be developed we are helping out Louisa. They are doing great but you know what why are we not getting businesses from the water from that same pipeline. I do not know why because we have paid for that out of our taxpayer's money and as far as the roads are concerned we do not have the road infrastructure for additional traffic. It is not here we do not have more tax money that we do not have to bring these roads up to the infrastructure needed for this additional traffic of 12,000 cars a day just on Route 53. I do not know if you guys shop at Food Lion but if you go there you can barely get back out onto 53. That is just a few hundred feet down from where they are proposing this additional traffic. I have a huge problem with bringing in this kind of housing I think it is a horrible idea. I think we need to focus on getting the economic development to the people who already live here as we are losing business because people have to go to Richmond people have to go to Charlottesville to work.

We do not have shopping available but we are not bringing it in all we are hearing is little promises something so that they can get zoning approval to put in these houses. I will tell you what at the end of Broken Island Road Island Hill that is a new Southern Development subdivision. I do not know how they get these approvals and you know how they get these inspections done so fast but that model home it was framed three days and completely framed. I do not know if I want to be in a house like that. I mean like I said you cannot even visit your family cannot even visit your kids there or whether your parents are there. That is terrible that is not how you bring community and family together. They say we are not going to provide you part of the streets are not at VDOT specifications. You cannot even get two vehicles down the street hardly at a time they cannot pass each other in the road. They make rules that they do not follow and make my sons follow rules on how to park and not allow golf carts but they use them to sell their houses from their model home and it is just not right with Southern Development.

**Al Colville at 315 Village Boulevard:** Stated that he been a long time Fluvanna resident in Lake Monticello and now lives at the Villages of Nahor. During that time I have had a number of County and Lake Monticello responsibilities and I do love Fluvanna County. I recently attended a community meeting where people at Villages of Nahor were very angry and afraid that the Village Gardens zoning proposal was about to destroy Route 53. Fluvanna's budget and a number of other things but you have heard everybody else talk about those issues tonight. I am going to concentrate my discussions on the use of Village Boulevard by Village Gardens as a pass-through to get to Route 53. There

are many reasons why this is totally inappropriate first is that Villages of Nahor is a 55 and over community, and the only one in the county. Many residents are over 70 and most hope to live here the rest of their lives. All enjoy the quiet living environment the Village Gardens plan will go a long way to destroying that environment. Second is that the houses are on small plots and are more like city homes close to the road. There are no buffers for noise control and safety from the road traffic. Normal traffic is slow and rather sparse today the normal traffic on Garden Lane is a little over 200 cars a day.

Village Gardens with 350 units will add a huge mix of cars and trucks and buses and delivery vehicles and teenage drivers. At least half of which will be traveling through our quiet community. Third is that all our cars must back out of garages onto a narrow road often with some parked cars out on that road this will be extremely dangerous with the expanded traffic. Our roads are somewhat hilly with poor visibility in places and accidents could be catastrophic. There are no posted speed limits currently and speed bumps may be needed to control speeding. So Villages of Nahor it is unique compared with other housing developments along Route 53. First, none of the other developments on 53 are 55 and older. Second, those homes there are almost all on at least two acres and they are not near the road. They have a country feel rather than the more city feel of Villages of Nahor. Third, there is much less road danger in those developments with very little backing out of driveways. There are no drive-through areas like the one being proposed by Village Gardens, please say no to this proposal.

**Matthew Zabik at 18 Morewood Place:** Stated that we have already heard a variety of reasons why the proposed Village Gardens subdivision case is concerning to the greater community. If you have seen the traffic like we talked about in the evening or in the morning and the ongoing development then you likely share my concern that Fluvanna County is quickly turning into the next Northern Virginia suburb. However this Planning Commission meeting is focused on one thing whether or not to approve or to reject Southern Development's request to rezone several parcels from A-1 to R-3. I would like to ask you to look carefully at this request because I believe that the proposed zoning change is contrary to the established land use patterns in the area, and not completely in conformance with the 2015 Fluvanna County Comprehensive Plan. The purpose of the comprehensive plan is to guide a community's development in an equitable and orderly way that protects the health, safety, and general welfare of all of its citizens.

Page 28 of the Comprehensive Plan defines spot zoning as the reclassification of one or more tracts of land and primarily for the private interests of one or more landowners instead of furthering the welfare of the entire community as a whole. The proposed plan which borders Lake Monticello is the A-1 agricultural land the higher density that Southern Development is proposing is clearly contrary to established land use patterns in the area. If they would have proposed something more reasonable like just single family homes with lot sizes similar to Lake Monticello that would match the established land use pattern. Unfortunately this zoning request does not do that, and I feel that the Planning Commission should look at that and reject it. While the comprehensive plan discusses the need for mixed use and higher density development, it also states that most residents agree that it is important to maintain the very rural and rural suburban character of the surrounding area in the comprehensive plan. Figure LU-13 shows the four major focal points where Fluvanna County wants to promote higher density mixed use. The parcels that Southern Development wants to rezone at this time, however are immediately outside of that area. Turkey's Trail and Lake Monticello Road and Route 53 are clearly shown as focal points. It's almost as if they are moving it to make all the development go completely around Lake Monticello. If they are proposing zoning not in conformance with the 2015 Fluvanna County Comprehensive Plan then the Planning Commission should reject it. Whether it is increased taxes to fund yet another school expansion or an increased burden on volunteer fire fighters or law enforcement or dangerous increases in traffic, or the loss of rural character we all value. The proposed rezoning is simply a private benefit and will not only cost the community and negatively impact our own quality of life in the Lake Monticello community and Fluvanna County.

**Elena Calhoun at 389 Jefferson Drive:** Stated that this development is proposed for the property immediately behind my house and the water company road is right behind my house and their property is proposed just on the other side of Garden lane. Also many people walk, jog, ride their bikes and do all kinds of other cool things back there. It is quiet and it is about the best part of my property. I love having the woods back there and the wildlife but not the low water pressure. I am on that strip where we have no water pressure, and I have lived there for 25 years. I am opposed to this development for many reasons, but I will speak mainly about schools and taxes. I taught at the high school for 36 years and I wonder how the addition of all these new families in Village Gardens will affect our students. This residential development it will require many new teachers, counselors, administrators; and perhaps even some schools. There is another development Colonial Circle that is going in at the traffic circle up by every church, also on 53 and that is going to put a strain on our school system. Will the taxes generated by Village Gardens cover school services for the costs of fire, rescue, police, and water road improvements? I am pretty sure we all know the answer to that currently a house, I think that costs about \$250,000 would pay maybe \$2400 dollars in their annual taxes.

While the cost to Fluvanna County to educate just one child is approximately \$5,000 dollars a year and there could be several children in each of the new homes. The deficit to me is sort of staggering, you know from a taxation basis. The housing taxes are not going to pay for students how much will continued residential development cost the citizens in the form of taxes to cover all of these required services. I am vehemently opposed to any more new housing projects in the already congested Route 53 corridor. I also do not want Route 53 to become a four lane road at any point. So let us keep the rural parcels we have left on this side of the County and develop in other areas. Finally, I am so glad I came tonight to hear all the passion from this community and I want to thank you as Planning Commissioners for listening and considering all of our concerns.

**Chris Fairchild at 5470 Thomas Jefferson Parkway:** Stated that his Comprehensive Plan as a citizen I am rather aware of it. I know that when we create a region of planning it is kind of a lasso, but it does not suggest that every property within that lasso area fits all the possibilities that the plan allows for that area. When I heard that this property was possibly going to have a subdivision of this size with an entrance into that spot in that road. It just never occurred to me that could have ever even been a possibility.

Mr. Bibb you mentioned the Monish Gate and Mr. Miles has mentioned it within his own presentation that is terrible and the thought of now putting just down the road another entrance. I just do not see how we rationalize we can do that to the Monish Gate. When I was a kid on a snowy day a mother was taking us to school just coming from the Effort Baptist side of that slight slope and her station wagon ended up having to go over the hill to miss the traffic down the bank. The bowl that this entrance would be in and that with the slopes on both sides that is blind to each side can you imagine a snowy day with vehicles coming down to the bowl area, just may not work down there.

Today I went on a run before coming here at 5:15 pm and I parked over in the Villages of Nahor I stood on that side of Route 53 trying to get over to Nahor Manor Road to do my run and it took forever to cross. I realized everybody was rubbernecking looking at me and then suddenly I realized why because I looked kind of stupid. Who would do that the traffic was just terrible and I was just shocked to see that not only coming from Charlottesville, but almost equally for whatever reason I do not know coming say from Food Lion the other way. I do not see anything sensible about how this could be done.

Nahor Village the only word I can think to describe it is tranquil, it is a beautiful place of 55+ residents and over there life is slow and easy, and that is why all of those people live there. I go up in there, park at their clubhouse and go across the road to run when I go in I feel like am I driving too fast and I know I am going slow. I cannot imagine that



would become a pass-through for traffic and to say that the developer does not believe that there is a reason to think that cars would not pass through there. So, I just do not know how anybody here could believe that in Virginia and we do have laws that keep people from passing through shopping centers to get around the red lights. Yet we are going to say that that it will not happen here. Of course that is going to happen here yet nobody believes that. They mention that they are a small developer that sound kind of neighborly but does anybody here believe that they are a small developer. So how many homes can we account to this small developer of Sycamore Square in the County?

When Sycamore Square came in it was approved with a certain amount of commercial and economic development promises and later they came back and said well that is not the best use behind the CVS there. That guy changed them to townhomes and part of the pitch to get that change to townhomes that economic development was 10% of Fluvanna County's population is tied to the construction industry. So building is actually economic development which in itself it just did not float for me, but then when those townhomes are coming up Ryan Homes is the paper on the outside and I pulled up in there and looked and I saw other county stickers on commercial trucks. One example is from Manassas you hear things like they are thinking about this or they are looking into that or they are considering you know that anything they say that can be said. If this is not put down in writing then it is not happening. So it is not happening if you approve it we are thinking about you know that the odds are against them so get it in writing now.

Village Oaks for those of you who can remember that was pitched and approved as a place that was going to have senior beds you know have facilities for people aging in place to be able to end up moving over into. You know that there is not a hospital bed in Village Oaks, I believe that where I believe it took a step down between that and where we are now that is all just residential. Nahor Village and that originally was also supposed to have senior care and all this economic development you know if you say economic development that is how that sells in this County. Do you know what is there now a Nahor Village dentist use. I would say in closing VDOT reacts, so when we hear that they have met their standards or I was interested to hear do you not have VDOT comments or has not brought it to their attention the traffic concerns of that entrance onto 53, do you believe that VDOT has not brought that to their attention. I would say that where VDOT reacts our Planners plan and our Planners plan for a better quality of life. I see nothing about this that is going to add to quality of life and the only thing I see above quality of life is public safety and how in the world we could imagine that entrance is going to solve our public safety concerns. How we could imagine that the end of 729, the end of 53 is the way it already is and that backs up its going to create more safety concerns. Thank you for your time and your service to Fluvanna County.

**Eric Anderson at 15 Fleetwood Drive:** Stated that his biggest concern with this new proposal is traffic and not specifically the number of trips. I think that the proposed access point on Route 53 is between two curves one of which is at the top of a hill and one of which is at the bottom of a hill. Visibility sight lines are terrible, and I think that even now if we look at the access as proposed just like what was done at Nahor Village that's a much longer and much straighter stretch of road where they could put in those turning lanes correctly. So, I just do not see that new entrance fitting at all between the existing curves and hills on the road. I think that it is kind of wishful thinking that they would be able to put in an access point as good as the one at Nahor Village. So, I think that really needs to be studied correctly before anything is done out on Route 53.

**Douglas Powell at 415 Jefferson Drive:** Stated that just to be clear half of my driveway is commonly referred to here as the stub road. When I purchased the property it was explained to me that Ms. Fox she had access to her woods which is directly behind my house and many other houses down along Jefferson Drive between my property and Tufton Pond that she had access to her property through that stub road, and the gate that is there because that was the only way she could have access to that property. It

has been explained much better, the legal history of that access tonight so I will not try to go into that, but it just seems to me that once you put a road into that property that access is no longer needed. I have heard it said that it would be nice to have or it is just necessary to have a second access point into that pipestone up in the northeast corner up there. But that to me does not seem to hold water as an argument even within this development there's another pipe stem there that only has one access in it too that is the portion on the northern road. On the northern part of it, I really would encourage you to not change the zoning on this all around the Tufton Pond area of this request.

I would like to point out that one of the nicest things I have enjoyed about living at Lake Monticello and in Fluvanna County is that when I walk out the door it is dark and quiet. So now with 355 homes behind my house it will end that. So, I have heard that they are going to install street lights and they have commented they are going to be down directed street lights. It has been a long time since I took a physics class but one of the things I remember is that light it does not stop when it hits the ground as it bounces up reflects off the streets, reflects off the sidewalks, it reflects off the houses, it reflects off of cars, it reflects off the atmosphere. There is going to be a certain amount of what I would call light pollution. It may not affect anything more than the few of us who are adjacent to the property but it will be there. The other thing I wanted to address is that if you look at the topography of the land most of it if not all of it eventually drains down into Tufton Pond. Tufton Pond drains into Lake Monticello and Lake Monticello drains into the Rivanna River. Right now when it rains that land that is mostly forested absorbs most of that water. I cannot imagine that there would be less runoff when you begin to fill that area up with streets and houses and sidewalks. I noticed on one of the plans that in their road cross section they included in their road cross section, they included ditches on either side of the road. Where do those ditches go. It seems to me that sooner or later regardless of whether they have containment ponds, some of that water is going to end up down in Tufton Pond and then in up in Lake Monticello, and then into the Rivanna River. There is going to be additional pollutants coming off of the roads like oil, gasoline, there will be fertilizer and pesticide draining off of these lawns.

Chair Bibb Closed the Public Hearing at 10:15 pm and then indicated that the Planning Commission would take a ten minute recess. He returned at 10:25 pm and resumed the Planning Commission meeting and asked for discussion with the Commissioners.

#### **Planning Commissioner Comments:**

**Chair Bibb:** Stated there are major concerns about traffic and that needs to be studied further and they need to consider some additional office and commercial land uses for economic development purposes. What other thoughts or concerns do you have now.

**Mr. Johnson:** Stated that he has concerns because we have had about 25 people to speak tonight during the Public Hearing and not the first speaker spoke in support of this land use request. It is around 10:30 pm now and you can look at the people who are still with us tonight against this request. I usually ask before I reach a decision on an issue is what do the adjacent property owners think about the request. Well so you can see that there is strong opposition to the request and therefore I cannot support it.

**Ms. Eager:** She read from the Comprehensive Plan on Page 29 as it states: *Rezoning applications that do not complement the community's vision and address all of the anticipated adverse impacts from the project are not approved... It is not sufficient for an applicant to receive approval for rezoning simply because a property is within a community planning area... Applications that do not address a project's external cost to the community and provide a clear fiscal benefit to the county will not be favorably received.*

**Vice Chair Murray-Key:** Stated that with the way the neighbors feel particularly with the water issues that we have already talked about and the safety of the roads, we still

have school buses that have to travel through that area that and the current line of sight and just really understanding the finality of the plan. Several people pointed out the Comprehensive Plan text as did Ms. Eager. I do want to be clear that I do believe that Fluvanna needs to have development and unless we have that we are not going to be able to do the things that we need to do as in other communities. People will be forced to continue to travel to Charlottesville, Richmond, or Louisa and those funds that we could use in our community will go there. We have to be deliberate we have to be particular we have to make sure that we are reviewing what has already been put in place and make adjustments as necessary. To an account for what is happening in our community because as previously stated in not only this particular meeting but in several others a lot of us are transplants from other places. So, you know we are part of the same growth that we are concerned about. You know clearly that without even having all of the information and the information finished from VDOT, I mean just being a traveler of the road, myself I will have you know I have had to give CPR and to assist people who have been in serious accidents on that road. So, that does not go over my head, but I just think that we have to be considerate of all of these things. So, to allow the emergency access and how that does affect Lake Monticello and the fact that the water issues have not been resolved for some Lake residents already. I think people's concern and my concerns is the safety of our neighborhood is very important as we move forward with the decision. When I heard the applicant say that they were not aware of the traffic issues. I mean anybody driving the road even whether for the first time we just need to be mindful of those decisions and I think this commission has been listening and engaging with the community members. So that is my position and I think with the questions that I asked and waiting on those answers are going to be relevant as well to the decision-making process.

**Mr. Zimmer:** Stated he thought you folks have expressed the potential concerns well.

**Mr. Lagomarsino:** Stated there is no opportunity to expand on these comments that were made as there are gaps in the application. So, how can we be deliberate any further with gaps in the application and they need to be addressed by the applicant.

**Mr. Lancaster:** he approached and requested a 60 day deferral to work with Fluvanna County and VDOT staff members on the transportation concerns that have been raised tonight and brought to our attention along with completing work with Aqua Virginia.

<b>MOTION:</b>	The Planning Commission accepted the Applicant's Sixty Day Deferral of ZMP 21:04, a request to amend the Fluvanna County Zoning Map with respect to 122.6 acres of Tax Maps 8 Section A Parcel 18A, 17 Section A Parcel 10 and 17 Section 9 Parcels 1 & 2 to rezone from A-1, Agricultural, General, and R-3, Residential Planned Community to R-3, Residential, Planned Community and subject to the proffers dated August 25, 2021.				
<b>MEMBER:</b>	<b>Bibb (Chair)</b>	<b>Murray-Key (Vice Chair)</b>	<b>Johnson</b>	<b>Zimmer</b>	<b>Lagomarsino</b>
<b>ACTION:</b>				<b>Motion</b>	<b>Seconded</b>
<b>VOTE:</b>	<b>No</b>	<b>Yes</b>	<b>No</b>	<b>Yes</b>	<b>Yes</b>
<b>RESULT:</b>	<b>3-2 Vote on Applicant's 60 Day Deferral to November 9, 2021</b>				

6. **PRESENTATIONS:**

None

7. **SITE DEVELOPMENT PLANS:**

None

8. **SUBDIVISIONS:**

None

9. **UNFINISHED BUSINESS:**

None

10. **NEW BUSINESS:**

None

11. **PUBLIC COMMENTS #2:**

At 10:30 pm, Chair Bibb opened the second round of Public Comments.

**Chris Fairchild at 5470 Thomas Jefferson Parkway:** Stated that he heard people talk tonight about the good old boy network and believing that things were going to be that developers can just get their projects through the approval process. There should not have been an opportunity for him to just step up and do what he did and request that his case be deferred so why would you not just allow everyone else to step up and to speak which I am doing now. As it completely changed the outcome of this meeting. I just do not see how that happens and the community has just lost faith and that they have the ability to positively affect things in their community and participation in their local government actions and I say that will all due respect. I mean but I am so very disappointed with what happened on the applicant's deferral of the zoning request.

**Chair Bibb:** Stated to Mr. Fairchild, that the Planning Commissioners are just the advisors and that the actual decision will be made by the Board of Supervisors.

**Suzy Morris at 6840 Thomas Jefferson Parkway:** Stated that she wanted to make sure that everybody heard what Mr. Diggs said. As I am a part of that agreement along with Lake Monticello. I am one of the daughters, I am a sister of one of the people that has a teacher. I just want to be sure that everybody did hear that nobody brought up the fact that part of the agreement says that land should remain perpetually in agricultural use.

**Debra Kurre at 6440 Thomas Jefferson Parkway:** Stated that the meeting tonight it cements and signifies for me what my issue really has been is that we need a serious look at the Comprehensive Plan. We need to and I am asking you all too please have community meetings and comments about the Comprehensive Plan. I know you do need volunteers, but the passion of the folks this evening, please let us to put the new Comprehensive Plan on the front burner and finish it. So that the community can be involved in the decision-making process of where we go from here as we are at a real critical juncture in this community.

**Sandra Radford at 121 Mulberry Drive:** Stated that she heard alot of unhappy people tonight during this Public Hearing but you know what I have not seen or heard tonight is the proper parliamentary procedures. I mean Robert's Rules of Order is what most organizations follow when they make a decision. To just let an applicant stand up and say all of sudden I heard what is wrong and now I want to go home and fix it, it is just wrong. What you heard tonight these are the people who vote in this community and pay their taxes that are here and want to be heard. I have been with them ever since we started this back on August 12th at our clubhouse. I have heard it is not going to happen, the good old boys network with money under the table, and I do not care about the money under the table, but they do think this is kind of a done deal now.

That is why half of my community signed our petition and half did not and I do think you all need to do the right thing by listening to the people and make the vote correctly the way you should and to pull out your copy of Robert's Rules of Order and use them. Please read them and use them then maybe we will get some more work done on this request. It is bad enough we have congressmen in the United States and we cannot do anything about that but we can listen to you and you can listen to us. I wish you would.

**Chair Bibb:** Stated that normally we have three different decisions we can make which is to recommend approval, denial or to accept or make a deferral in a procedural vote.

**Vice Chair Murray-Key:** Stated that I need to make sure people are clear that I do not work with anybody under the table but from the seat that I sit in it is important for me to hear everybody's perspective. Also as long as in consultation with our attorney we have options to be given to us and I know that people can be disappointed with any of the decisions that are made. I want to be very clear that just because a decision that I particularly make I am not meeting with someone outside of anything. I am looking at the information as it is presented to me and I am making a decision based on all of the information that is presented to me. I think it is very important that is being made clear because it is that there is a difference between the community talking directly to us. In this situation so we followed the protocol and we got the legal advice that we needed.

With no one else coming forward or online Chair Bibb closed the Public Comments period at 10:36 pm.

**12. ADJOURNMENT:**

Chair Bibb adjourned the Planning Commission meeting of September 14, 2021 at 10:37 pm.

Minutes were recorded by Valencia Porter, Administrative Programs Specialist.

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**Barry A. Bibb, Chair**  
**Fluvanna County Planning Commission**



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# COUNTY OF FLUVANNA

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P.O. Box 540  
Palmyra, VA 22963  
(434) 591-1910  
Fax (434) 591-1911  
[www.fluvannacounty.org](http://www.fluvannacounty.org)

## PLANNING COMMISSION STAFF REPORT

**To:** Fluvanna County Planning Commission  
**Request:** Major Utility Special Use Permit

**From:** Douglas Miles, AICP, CZA  
**District:** Fork Union District

**General Information:**

A Special Use Permit for a three (3) megawatt major utility / solar generation facility request for a Planning Commission Public Hearing on Tuesday, October 12, 2021 at 7:00 pm within the Carysbrook Performing Arts Center.

**Applicant:**

Carysbrook Solar, LLC / Sun Tribe Development - Charlottesville

**Requested Action:**

**SUP 21:06 Carysbrook Solar, LLC** – A Special Use Permit request in the A-1, Agricultural, General District to construct a major utility use (solar generation facility) on 36 +/- acres of a 361.3 +/- acre parcel, Tax Map 42, Section 1, Parcel 1. The property is located on the east side of Carysbrook Road (SR 615) and generally north of James Madison Highway (Route 15) at 1084 Carysbrook Road. The subject parcel is within the Rural Preservation Area and the Fork Union Election District.

**Existing Zoning:**

A-1, General Agricultural Zoning District

**Planning Area:**

Rural Preservation Area

**Adjacent Land Uses:**

Adjacent properties are zoned A-1, General Agricultural and contain single-family dwellings or are vacant parcels. Carysbrook Elementary School and the Schools Division Bus Garage is located to the south along with the Sun Tribe Solar array that supplements the elementary school power needs that was installed back in 2020.

**Comprehensive Plan:**

The current 2015 Comprehensive Plan contains a section about Green Infrastructure and Energy Efficiency where clean energy requests such as solar generation facilities help to support and implement such planning concepts to become an integral part of the built infrastructure like renewable energy in Fluvanna County. Preservation of wetlands, wildlife corridors and similar sensitive habitats lessens a new proposed project's environmental impact and improves the final product in this case a solar facility use. Renewable resources such as solar energy production helps to conserve natural resources and the promotion of growth and limited solar development and it helps to preserve farmland, wildlife habitats and future recreational and environmental County amenities.

### **Planning Staff Analysis:**

The proposed request is classified as a Major Utility and it is defined in the Zoning Ordinance as: facilities for the distribution, collection, treatment, production, transmission and generation of public, private and central utilities including, but not limited to, transmission lines, production plants, electrical substations, pumping stations, treatment facilities, information and communication facilities. A Major Utility is permitted by special use permit in the A-1 zoning district and the land use is subject to a site development plan approval prior to site construction.

When evaluating proposed land uses for a special use permit, in addition to analyzing the potential adverse impacts of the use, staff utilizes two (2) general guidelines for evaluation as set forth in the zoning ordinance. First, the proposed use should not tend to change the character and established pattern of the area or community. The proposed solar land use has been designed to be integrated into the existing land with the site grading and it is screened completely from view. The new solar generation facility works together with the existing electrical substation to be able to supply clean, renewable energy to the residents and to business owners of Fluvanna County.

Second, the proposed use should be compatible with the uses permitted by right in that zoning district and shall not adversely affect the use of or the value of neighboring property. Sun Tribe Solar has already been partnering with the Fluvanna County School System at each school site with long term power purchase agreements supplying solar power energy to operate our schools.

This Carysbrook Solar project it is following the main intent of the A-1 District by requesting a land use that will require minimal traffic impact with monthly service visits to their site facility. The proposed land use will be habitat friendly to local wildlife, will produce very little noise and it will be properly screened from view from the public right-of-ways and adjoining landowners.

### **Transportation Planning:**

Timmons Group performed a field review in the vicinity of the Carysbrook Solar project site and did not uncover any intersection or any roadway conditions that are deemed unsafe or would prohibit the use of James Madison Highway (Route 15) or Carysbrook Road (SR 615) for site ingress or egress purposes. Traffic volumes on both of these facilities, at 5100 ADT and 490 ADT respectively, indicate sufficient available capacity to accommodate traffic generated by the solar site during construction and operations of the use. The pavement on both US Route 15 and Carysbrook Road are both in good condition with minor patching and alligator cracking being noted along Carysbrook Road in the vicinity of the site but nothing that would indicate that the pavement is not structurally sound and the applicant will abide by all issued VDOT road permits.

Timmons Group contacted the Fluvanna County Public Schools Department of Transportation regarding the school bus operations at Carysbrook Elementary School. Carysbrook ES is served by 32 school busses; 27 use the front bus loop and the remaining 5 busses use the side bus lot and all bus traffic it enters from Route 15. The drivers do not take their busses home, they are parked at various facilities around the County close to their residence so the busses come in from several directions, mainly from Route 15. Overall, there is nothing in this area that would prohibit the site-generated traffic from using Route 15 and Carysbrook Road. However, some consideration

should be given to coordinating delivery and employee arrivals around the start and dismissal times of Carysbrook ES to minimize traffic conflicts between approximately 7:25 am and 2:45 pm for school traffic. The bulk of the site construction work will be utilizing Carysbrook Road.

**Neighborhood Meeting:**

A Neighborhood Meeting was conducted virtually on Thursday, September 30, 2021 at 6:00 pm by the Sun Tribe Development Team. They presented their proposed solar generation facility request to the subject property owner online and answered site development questions relative to site access and screening. They explained it was a request by Sun Tribe Solar - Charlottesville to construct a three (3) megawatt (MW) photovoltaic (PV) solar generation facility and there were no adjacent property owners in attendance only the subject property owner. One adjacent land owner, Carysbrook Holdings aka the Silk City Printing Plant did provide a letter in support of this request and other adjacent landowners seem to be satisfied with the siting of this request.

**Recommended Special Use Permit Conditions:**

1. This Special Use Permit is granted for a three (3) megawatt photovoltaic solar generation facility / major utility use to Carysbrook Solar, LLC or any successors as the owner or operator of such use located on a 36 acre portion of Tax Map 42 Section 1 Parcel 1.
2. All site activity required for construction, expansion and operation of the solar energy facility / major utility use shall be limited to the following days and times: All pile driving and site deliveries shall be limited to the hours from sunrise to sunset Monday through Saturday. All other site construction and expansion activity may occur Monday through Sunday from sunrise to sunset and be in compliance with the noise ordinance.
3. A Construction Traffic Management Plan, including certain mitigation measures shall be developed by the applicant, owner or operator and shall be submitted to the Virginia Department of Transportation (VDOT) and the County Administrator or his designee for review and approval. The Plan shall address traffic control measures along Carysbrook Road (SR 615) pre-and post-construction road evaluation and any necessary repairs to the public roads that are required as a result of any damage from the solar generation facility construction and/or expansion. All VDOT permits must be received and be approved by VDOT and an approved copy provided to the County Administrator or his designee prior to site construction or expansion occurring on the premises.
4. A Site Parking and Staging Plan shall be submitted as a part of the Site Development Plan approval process that demonstrates a site access plan directing both employee and delivery traffic to minimize conflicts with local traffic on Carysbrook Road (SR 615) and state roads leading to the site such as James Madison Highway (Route 15) to avoid traffic delays during peak construction times.
5. A Construction Mitigation Plan shall be submitted as a part of the Site Development Plan approval process that addresses dust mitigation where all construction roads and areas shall remain dust-free by the use of a water truck or other approved method to keep soil and sediment on the premises. Burning operations must follow all local and state burning restrictions and distances from property lines and combustibles. The plan must address



both dust and smoke migration so as not to be of a general nuisance to adjoining property owners during site construction, expansion and/or burning operations on the premises.

6. A minimum fifty (50) foot setback shall be maintained from all public right-of-ways and all agriculturally and residentially zoned properties, either occupied or unoccupied, until such time that the property is converted to commercial or industrial uses, at such time the setback can become the underlying zoning district setback amount for such district.
7. A twenty-five (25) foot vegetative buffer utilizing double staggered rows of evergreen trees planted every ten (10) feet on center with a minimum planting height of four (4) feet and achieving eight (8) feet in height within three (3) years shall be installed when there is not mature vegetation on the perimeter of the premises along the public right-of-way or adjacent to agricultural or residential land uses. Site groundcover for the use should consist of a variety of native groundcovers that benefit bees, birds and beneficial insects and the use of any synthetic herbicides to control and maintain groundcover areas post-construction or post-expansion shall not be permitted on the premises.
8. The applicant, owner or operator shall coordinate directly with the Fluvanna County Fire Chief to provide solar energy educational information and/or training to the respective County personnel responding to the solar energy facility use in regards to how to respond to any emergencies that may occur on the premises. The Fire Chief shall be provided with the construction manager's direct contact information during construction or expansion and the remote manager's direct contact information during site operations.
9. A decommissioning plan shall be approved by the County Administrator or his designee prior to approval of a site development plan or any building permits being issued for the solar energy facility use. If the solar energy facility use is inactive completely or substantially discontinuing the delivery of electricity to an electrical grid for a continuous twenty-four (24) month period it shall be considered abandoned. The applicant, owner or operator shall provide notice to the County Administrator or his designee in writing once the property becomes inactive as a solar energy facility use. The decommissioning of the site shall commence within six (6) months of receipt of such notice from the applicant, owner or operator with Fluvanna County and a name and physical address of such entity that would perform such decommissioning of the site shall be provided for the premises.

**Suggested Motion:**

I move that the Planning Commission recommend (Approval / denial / deferral) of SUP 21:06, a special use permit request to allow for a major utility / solar energy facility on 36 +/- acres known as Tax Map 42 Section 1 Parcel 1 and subject to the nine (9) recommended conditions within the Staff Report.

**Attachments:**

SUP Application and APO Letter  
Applicant's APO Letter and Map  
Textual Statement & Conceptual Plan

RECEIVED

AUG 27 2021



COMMONWEALTH OF VIRGINIA  
COUNTY OF FLUVANNA

Application for Special Use Permit (SUP)

Fluvanna County  
Planning Dept

Owner of Record: Richard H and Julia N Rose  
Address: 749 Carysbrook Road, Fork Union, VA 23055  
Phone: 804-513-8979 Fax: N/A  
Email: rosejulianeal@gmail.com

Applicant of Record: Carysbrook Solar, LLC  
Address: 107 5th Street SE, Charlottesville, 22902  
Phone: 720-244-1924 Fax: N/A  
Email: john.townsend@suntribeddevelopment.com

Representative: John Townsend  
Address: 107 5th Street SE, Charlottesville, 22902  
Phone: 720-2441924 Fax: N/A  
Email: john.townsend@suntribeddevelopment.com

Note: If applicant is anyone other than the owner of record, written authorization by the owner designating the applicant as the authorized agent for all matters concerning the request shall be filed with this application.

If property is in an Agricultural Forestal District, or Conservation Easement, please list information here:  
N/A

Tax Map and Parcel(s) 42-1-1  
Acreage 36 of 361.282 Zoning A-1  
Location of Parcel: 1084 Carysbrook Road

Deed Book and Page: DB 502, Page 205

If any Deed Restrictions, please attach a copy

Request for an SUP for the purpose of: Construction of a solar energy generating facility

\*Ten copies of a sketch plan (8.5x11 inches or 11x17 inches) must be submitted, showing size and location of the lot, dimensions and location of the proposed building, structure or proposed use, and the dimensions and location of the existing structures on the lot.

By signing this application, the undersigned owner/applicant authorizes entry onto the property by County Employees, the Planning Commission, and the board of Supervisors during the normal discharge of their duties in regard to this request and acknowledges that county employees will make regular inspections of the site.

Date: \_\_\_\_\_ Signature of Owner/Applicant: \_\_\_\_\_

Subscribed and sworn to before me this 26 day of August, 2021

Notary Public: [Signature] Register # 7689527

My commission expires: 9/30/24

Certification: Date: 8/26/21



Office Use Only

Date Received: 8/27/21 Pre-Application Meeting: 7/15/21 PH Sign Deposit Received: 8/27/21 Application #: SUP 21:06

\$800.00 fee plus mailing costs paid: CHECK # 1045 Mailing Costs: \$20.00 Adjacent Property Owner(APO) after 1st 15, Certified Mail

Amendment of Condition: \$400.00 fee plus mailing costs paid:

Telecommunications Tower fee plus mailing costs paid: \_\_\_\_\_ Telecom Consultant Review fee paid: \_\_\_\_\_

Election District: FORK UNION

Planning Area: RURAL PRESERVATION

Public Hearings

Planning Commission	Board of Supervisors
Advertisement Dates:	Advertisement Dates:
APO Notification:	APO Notification:
Date of Hearing:	Date of Hearing:
Decision:	Decision:

RECEIVED

JUN 27 2021

Fluvanna County  
Planning Dept



Commonwealth of Virginia  
County of Fluvanna  
Public Hearing Sign Deposit

Name: John Townsend  
Address: 107 5th Street Southeast  
City: Charlottesville  
State: VA Zip Code: 22902

I hereby certify that the sign issued to me is my responsibility while in my possession.  
Incidents which cause damage, theft, or destruction of these signs will cause a partial or full  
forfeiture of this deposit.

 8/26/2021  
Applicant Signature Date

\*Number of signs depends on number of roadways property adjoins.

OFFICE USE ONLY	
Application #: <b>BZA</b> _____ :	<b>CPA</b> _____ : <b>SUP</b> _____ : <b>ZMP</b> _____ : <b>ZTA</b> _____ :
\$90 deposit paid per sign*:	Approximate date to be returned:

Describe briefly the **improvements** proposed. State whether new buildings are to be constructed, existing buildings are to be used, or additions made to existing buildings.

Please see attached supplementary documentation.

**NECESSITY OF USE:** Describe the reason for the requested change.

Please see attached supplementary documentation.

**PROTECTION OF ADJOINING PROPERTY:** Describe the effects of the proposed use on adjacent property and the surrounding neighborhood. What protection will be offered adjoining property owners?

Please see attached supplementary documentation.

**ENHANCEMENT OF COUNTY:** Why does the applicant believe that this requested change would be advantageous to the County of Fluvanna? (Please substantiate with facts.)

Please see attached supplementary documentation.

**PLAN:** Furnish plot plan showing boundaries and dimensions of property, width of abutting right-of-ways, location and size of buildings on the site, roadways, walks, off-street parking and loading space, landscaping, etc. Architect's sketches showing elevations of proposed buildings and complete plans are desirable and may be required with the application.  
Remarks:

**Commonwealth of Virginia**

**County of Fluvanna**

**Special Use Permit Checklist**

The following information shall be submitted with the application and is to be provided by the applicant for the processing of the application:

Applicant must supply	Staff Checklist
Completed Special Use Permit signed by the current owner(s) or lessee or written confirmation from the current owner or lessee granting the right to submit the application	
Ten (10) copies of a Site Plan for any expansion or new construction Include: <ul style="list-style-type: none"> <li>• Plot plan or survey plat at an appropriate scale</li> <li>• Location and dimension of existing conditions and proposed development</li> <li>• <i>Commercial and Industrial Development:</i> parking, loading, signs, lighting, buffers and screening</li> <li>• Copy of the Tax Map showing the site (preferred)</li> <li>• General Location Map (preferred)</li> </ul>	
Supporting photographs are not required, but suggested for evidence	

*All maps and plans submitted are to be either 8.5"x 11" or 11"x 17". One original of any size may be for staff use at the public hearing.*

Staff Only	Staff Checklist
Preliminary review by planning staff for completeness and content: <ul style="list-style-type: none"> <li>• Technical Review Committee review and comment</li> <li>• Determine all adjacent property owners</li> <li>• Placed as a Public Hearing on the next available agenda of the Planning Commission.</li> </ul>	
Notification of the scheduled Public Hearing to the following: <ul style="list-style-type: none"> <li>• Applicant</li> <li>• All adjacent property owners</li> <li>• Local Newspaper advertisement</li> </ul>	
Staff Report to include, but not be limited to: <ul style="list-style-type: none"> <li>• General information regarding the application</li> <li>• Any information concerning utilities or transportation</li> <li>• Consistency with good planning practices</li> <li>• Consistency with the comprehensive plan</li> <li>• Consistency with adjacent land use</li> <li>• Any detriments to the health, safety and welfare of the community.</li> </ul>	

**For Applicant**

The Special Use Permit application fee is made payable to the **County of Fluvanna**.

**Meetings for the processing of the application**

Applications must be submitted by the first working day of the month to have the process start that month. Applications received after the first working day will have the process start the following month.

**Process:**

1. Placed on next available Technical Review Committee Agenda.
2. Placed as a Public Hearing on the next available agenda of the Planning Commission the following month. Staff Report and Planning Commission recommendation forwarded to the Board.
3. Placed as a Public Hearing on the next available agenda of the Board of Supervisors (usually the same month as the Planning Commission).

**Applicant or a representative must appear at the scheduled hearings.**

The Technical Review Committee provides a professional critique of the application and plans. The Planning Commission may recommend to the Board of Supervisors: approval; approval subject to resubmittal or correction; or denial of the special use permit.

**Board Actions**

After considering all relevant information from the applicant and the public, the Board will deliberate on points addressed in the Staff Report.

The Board may approve; deny; or defer the request pending further consideration; or remand the case back to the Planning Commission for further consideration.

With **approval**, the development may proceed.

If **denied**, an appeal to the Courts may be prescribed by law

*No similar request for a Special Use Permit for the same use at the same site may be made within one year after the denial.*



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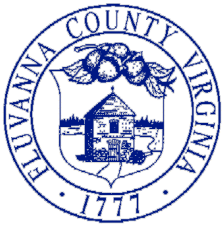
## MEMORANDUM

**Date:** October 1, 2021  
**From:** Valencia Porter  
**To:** Douglas Miles  
**Subject:** APO Memo Complete

Please be advised the attached letter went out to the attached list of Adjacent Property Owners for the October 12, 2021 Planning Commission meeting.







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## PUBLIC HEARING NOTICE

**October 1, 2021**

**RE: SUP 21:06 Carysbrook Solar, LLC Special Use Permit Request at 1084 Carysbrook Road**

This is to notify you that the Fluvanna County Planning Commission will hold a public hearing on:

- Meeting:** Planning Commission Public Hearing  
**Date:** Tuesday, October 12, 2021 at 7:00 pm
- Location:** Carysbrook Performing Arts Center  
8880 James Madison Highway Fork Union, VA 23055
- NOTE:** This will Not be held at the Fluvanna County Library

**SUP 21:06 Carysbrook Solar, LLC** – A Special Use Permit request in the A-1, Agricultural, General District to construct a major utility use (solar generation facility) on 36 +/- acres of a 361.3 +/- acre parcel, Tax Map 42, Section 1, Parcel 1. The property is located on the east side of Carysbrook Road (SR 615) and generally north of James Madison Highway (Route 15) at 1084 Carysbrook Road. The subject parcel is within the Rural Preservation Area and the Fork Union Election District.

Please be advised that you can attend the meeting in person, join the meeting via Zoom or by a phone call where you will have an opportunity to provide Public comments. Instructions for participation in the Public Hearing will be available on Fluvanna County's website along with the Meeting Agenda and Staff Report.

You can also contact the Fluvanna County Planning & Community Development Department, 8:00 am – 5:00 pm, Monday through Friday. If you have any questions regarding the application or the public hearing, please contact me at 434.591.1910 or at [dmiles@fluvannacounty.org](mailto:dmiles@fluvannacounty.org) for any further information.

Sincerely,

*Douglas Miles*

Douglas Miles, AICP, CZA  
Community Development Director



## Appendix G - Decommissioning Plan



Decommissioning Plan  
**Carysbrook Solar Center**  
**Fluvanna County, Virginia**

Submitted By:

Carysbrook Solar, LLC  
107 5<sup>th</sup> Street Southeast  
Charlottesville, VA 22902

Submitted To:

Fluvanna County, Virginia  
Planning and Zoning Department  
132 Main Street  
Palmyra, VA 22963

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## Introduction

The Carysbrook Solar Project (“Project”), is a solar photovoltaic (“PV”) power generating facility on approximately 35 acres of land in Fluvanna County, Virginia. This conceptual plan outlines the responsible parties and timeframes for proper removal and disposal of all Project facilities at the end of the useful life of the Project, or when the Project is otherwise abandoned. The expected cost to remove the Project will be posted as a secure bond before the beginning of construction, by the Project Owner (“Owner”).

## Project Components

Photovoltaic power generating systems are arrays of solar panels containing a material that converts radiation into direct current (“DC”) electricity. The Project uses inverters to convert the direct current to alternating current (“AC”), which is required for connecting to and distributing power on the existing electrical grid.

The project will consist of photovoltaic modules affixed to a low-profile, single axis, racking system. The racking system uses a ‘rammed post’ technique for installing the steel posts directly into the soil, eliminating the need for concrete footings. In different sections of the facility the cabling will be (1) affixed to the underside of the photovoltaic panels, (2) run in a cable tray or another above ground cable management system, or (3) directly buried, in order to conduct electricity generated by the solar panels to the electrical grid. The system is designed to operate efficiently for a lifespan of more than twenty-five years.

The photovoltaic modules will be mounted on racking along a north/south axis,, which will be connected to a drive system to rotate the modules. This set ups is called a tracker system, and will align itself in the most advantageous position relative to the sun throughout the day. Electrical equipment, including inverters and transformers are grouped throughout the site. Inverters convert the low voltage DC electricity generated by the modules to AC electricity. Transformers then increase the voltage of the AC electricity to match the voltage of the electrical grid at the point of interconnection with the local utility.

## Access Roads

Existing site access off State Route 615 will be used to access the Project. Internal to the site, an improved gravel maintenance road will be located throughout the Project to provide maintenance, and emergency personnel, access to the solar facility. The perimeter of the Project will be secured by a fence, and locked access gates will be located at the Project entrance.

The Carysbrook Solar Project will be an unmanned facility. All internal access roads will be designed to accommodate a vehicular load of 75,000 lbs and will be finished with an all-weather gravel substrate.

## Fencing and Racking Posts

The solar array construction consists primarily of ramming galvanized steel piles into the ground. Typically, the piles are embedded approximately seven (7) feet into the ground. The proposed fence will be six (6) feet tall and topped with three (3) strands of barbed wire adding twelve (12) inches of height, totaling seven (7) feet above ground. Two access gates will be positioned to allow traffic into, or out of, the Project.

## Decommissioning Plan

At the conclusion of the facility operation, the Owner will perform decommissioning activities to remove all equipment and materials related to the operation of a solar PV project and restore the property to its condition prior to the project's construction.

### Planning and Permitting

Governmental regulations at the time of decommissioning may require specific plans and permits to be in place prior to site decommissioning activities. The Owner will develop a comprehensive, site specific plan based on this conceptual Decommissioning Plan to follow during the deconstruction process. The Owner will identify and acquire all local, state, and federal permits required for this work. The Owner will identify subcontractor(s) and waste/recycling companies during the planning phase.

### Removal of PV Equipment

1. All PV modules will be removed and disposed of at a licensed disposal facility that recycles or safely deconstructs PV modules, if such a facility is available at the time of decommissioning. If such a facility is not available, modules will be returned to the PV modules supplier via any available take-back or manufacturer recycling program. If such a recycling facility or take-back program is not available, PV modules will be disposed of in accordance with applicable law and then current environmental standards.
2. Above ground racking support structures will be removed. Below ground piles will be removed entirely where practical. Any such structures that cannot be practically removed will be pulled out (for example, post embedded in bedrock) will be cut three feet below grade and the remainder will be left in place and covered. This will allow agricultural activities to resume over top of the material.
3. All power collection equipment including, cabling, combiner boxes, inverters, transformers, control cabinets and switchgear, will be removed from the site and disposed of at a licensed disposal facility or recycling center.
4. Underground cables buried at least 30" will remain in place. All above ground cable will be removed from the site. This will allow agricultural activities to resume over top of the material.
5. All concrete foundations will be broken up and debris removed from site to a licensed disposal or recycling facility.

### Site Restoration

1. The site fence will be pulled out and removed from the site.

2. Gravel access roads, and staging areas, will remain until all other decommissioning operations have been completed. Once equipment removal has concluded, access road material will be removed from the site and replaced with fill. The fill will be graded to follow the contours of the site. If the landowner selects to have any of the access roads, access road improvements, or staging areas, remain post decommissioning, that intent will be recorded in writing and presented to the County planning department as official record.
3. Any disturbed areas will be covered with topsoil, consistent with the composition of the soil prior to construction of the Project.
4. Existing access shall be left in place so that the property owner can continue to access their property.
5. Any vegetation planted as buffer and screening for the facility will remain.

#### **Additional Plan Notes**

1. All decommissioning construction shall take place during the daylight hours and shall conform to any applicable restriction related to noise levels.
2. Environmental mitigation measures like those employed during the construction of the Project shall be implemented to reduce environmental effects during the decommissioning operation.
3. Fluvanna County and all stakeholders shall be notified thirty days in advance of any action to decommission the Project.
4. The Owner shall provide proof of disposal to Fluvanna County, or other agencies, upon request.

### **Decommissioning Schedule**

The Project is intended to operate for a term of 20 years with the potential for additional terms totaling 35 years. The Project has the legal rights to lease the Project site for 35 years. At the end of the operational life of the project, or the lease terms, the Owner will cease operation of the Project and execute a Final Decommissioning Plan agreed to by the Landlord and Owner. The duration of the decommissioning activities will be approximately 6 months.



## Appendix I – FAA Notice Criteria Letter



August 23, 2021

John Townsend  
Sun Tribe Development, LLC  
107 5<sup>th</sup> Street Southeast  
Charlottesville, VA 22902

Re: Carysbrook Solar Project

Dear Mr. Townsend,

Capitol Airspace assessed the proposed Carysbrook Solar project located in Fluvanna County, Virginia to determine if proposed structures would exceed notice criteria defined by 14 CFR Part 77.9. These notice criteria have been established by the Federal Aviation Administration (FAA) to ensure that structures that exceed certain heights or are near airports are reviewed by the FAA to determine if they would pose a hazard to air navigation.

The criteria states that structures with a planned height greater than 200 feet above ground level (AGL) must be submitted to the FAA for aeronautical study. In addition, structures that exceed a 100:1 (run:rise) slope within 20,000 feet of a public use airport runway (longest runway greater than 3,200 feet in length), 50: 1 slope within 10,000 feet of a public use airport runway (longest runway less than 3,200 feet in length), or 25:1 slope within 5,000 feet of a public use heliport landing area must also be submitted to the FAA for aeronautical study.

In addition to 14 CFR Part 77.9 notification criteria, Capitol Airspace also evaluated “instrument approach areas” incorporated by reference in FAA Order 7400.2N. Proposed structures that exceed 14 CFR Part 77.9 notification criteria or instrument approach areas must be submitted to the FAA for aeronautical study.

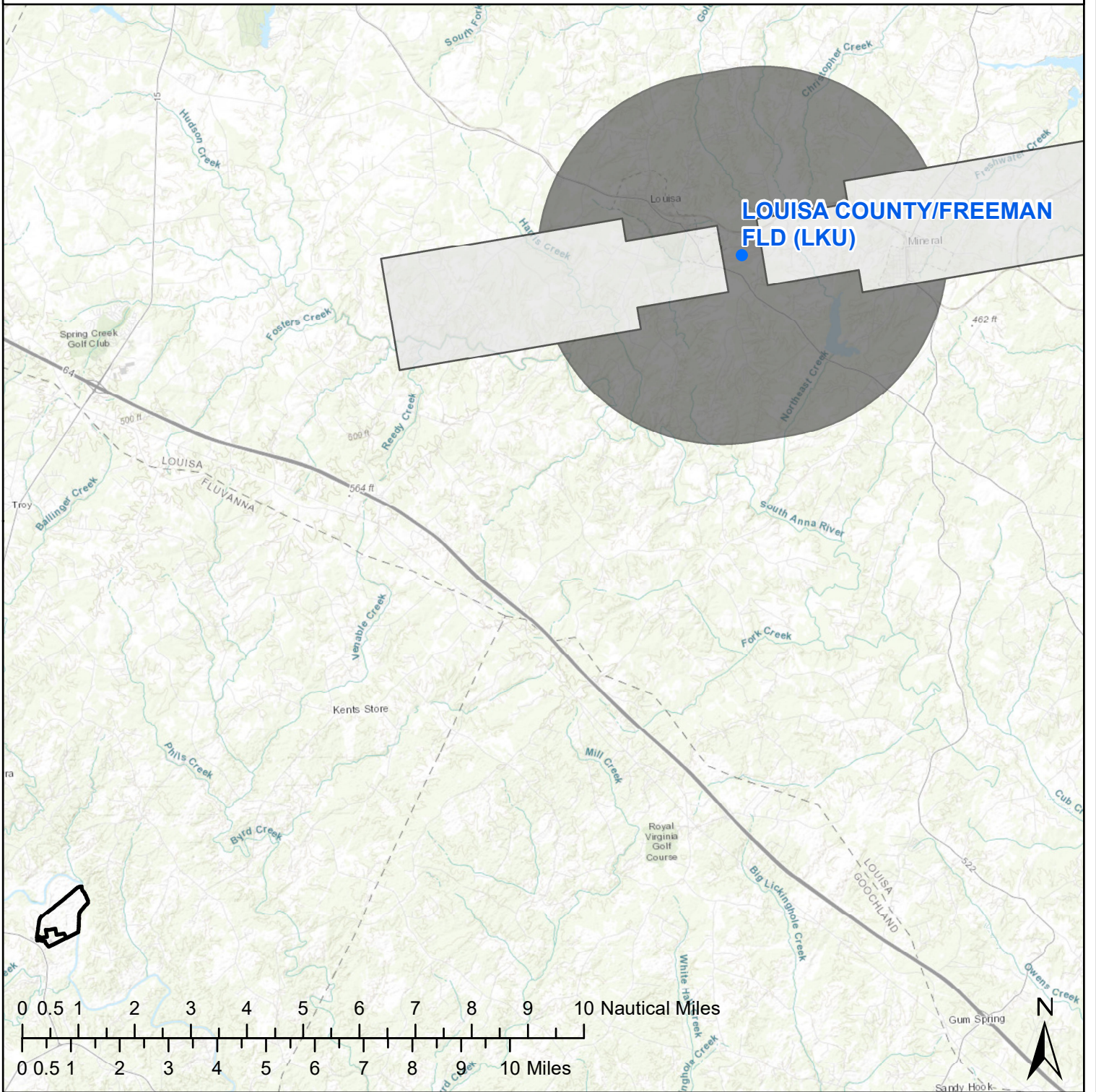
Based on the location information provided by Sun Tribe Development, LLC , the proposed Carysbrook Solar project is located outside §77.9(b) notification surfaces and FAA Order 7400.2N instrument approach areas (**Figure 1**). Additionally, the maximum proposed structure height of 40 feet AGL is below 200 feet AGL and would not exceed §77.9(a) notice criteria. Therefore, notice is not required for the Carysbrook Solar project.

Please direct any questions regarding the findings of this analysis to [Joe Anderson](#) or [Wesley Williamson](#) at (703) 256-2485.

Regards,

Wesley Williamson  
Senior Airspace/GIS Specialist  
Capitol Airspace Group  
5400 Shawnee Road  
Suite 304  
Alexandria, VA 22312

In addition to 14 CFR Part 77.9 notification criteria, this assessment included analysis of the instrument approach areas defined by FAA Order 7400.2N Chapter 5 Section 2 Figure 5-2-5



**LOUISA COUNTY/FREEMAN  
FLD (LKU)**

- 14 CFR Part 77.9(b) Notification Surface
- FAA Order 7400.2N Instrument Approach Area
- Project Boundary

**Carysbrook Solar Project**  
Notice Criteria Map

**Plot Date:**  
23 August 2021

**Coordinate System:**  
NAD 1983 UTM Zone 17N

Wesley Williamson

**Figure 1**



## Appendix J – Landowner Authorization Letter

August 24, 2021

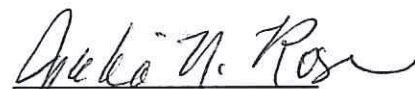
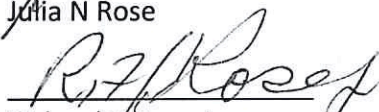
Richard H Rose, Jr  
Julia N Rose  
749 Carysbrook Road  
Fork Union, VA 23055

County of Fluvanna  
132 Main Street  
Palmyra, VA 22963  
Telephone: 434-591-1910  
Fax: 434-591-1911

RE: Special Use Permit Application of Carysbrook Solar, LLC  
Fluvanna County parcel 42-1-1

To Whom It May Concern:

As owner of record of the parcel of real property that is subject of the application referenced above, I hereby designate Carysbrook Solar, LLC, a wholly owned subsidiary of Sun Tribe Development, LLC, as owner's authorized agent for all matters concerning the application for Special Use Permit on Fluvanna County parcel 42-1-1.

  
\_\_\_\_\_  
Julia N Rose  
\_\_\_\_\_  
Richard H Rose Jr

## Appendix K – Neighbor Letter of Support

August 25, 2021

Fluvanna County  
Douglas Miles, Director of Community Development  
132 Main Street  
PO BOX 540  
Palmyra, VA 22963

Dear Mr. Miles,

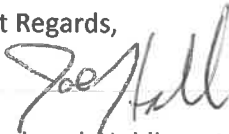
Carysbrook Holdings, LLC is writing to express support for the Carysbrook Solar project located on Carysbrook Road. As an adjacent landowner, Carysbrook Holdings, LLC is a part of the project, participating through providing an electrical facilities easement to interconnect to the existing grid infrastructure.

We have also considered the project as an adjacent landowner and think the project will be a positive addition to Fluvanna County. The project will create long term stability and revenue for Fluvanna County with the additional taxes it will pay annually. These added tax dollars will help support local government services, reducing the need to increase taxes on residents in the future.

The project will also be a boost to the local economy of Fluvanna County. Some of the project money will inevitably go towards local hiring for land prep and construction crews and spending in Fluvanna's economy. Sun Tribe is also based in Virginia, so this project supports even more jobs and spending within the state. Finally, having a solar project in Fluvanna shows companies that this is a good place to set up a business. As an industrial property who attracts businesses, this is important. Large companies (Amazon, Walmart, Microsoft amongst others) are looking for places that are welcoming to new, forward-thinking opportunities. They're looking to bring their business to places where they can buy low-emission, clean energy and sustainability is a priority. Supporting this project could help Fluvanna to draw in those types of high-impact businesses.

Thank you and we respectfully ask that you vote to approve this project.

Best Regards,

A handwritten signature in black ink, appearing to read "Joe Hill", written over a horizontal line.

Carysbrook Holdings, LLC

**Fluvanna County Neighborhood Meeting**  
**Virtual Neighborhood Meeting Letter**

Sun Tribe Development  
107 5<sup>th</sup> Street Southeast  
Charlottesville, VA 22902  
John.Townsend@Suntribedevelopment.com  
800-214-4579 Ext. 724

Dear Neighbor,

We, Sun Tribe, invite you to attend a virtual community meeting hosted by Sun Tribe Development and Fluvanna County to share comments and ask questions regarding our request for construction of a 3-megawatt solar-energy electrical generation facility occupying approximately 30 acres on a 361-acre parcel. This proposed project is located on Tax Map 42-1-1 which is located on Carysbrook Road, Route 615.

The Sun Tribe team, established just up the road in Charlottesville, combines national expertise with local solutions – working with landowners, schools, businesses, state and municipal governments, and leading utilities to transition to a twenty-first-century energy economy, create educational opportunities for students, and save taxpayers and businesses tens of millions of dollars.

Whether building the first solar array to sit on an abandoned coal mine in Virginia’s history, powering the first 100 percent solar school district east of the Mississippi, installing solar on flagship state government buildings, or working with Fortune 200 companies to help meet their sustainability goals, Sun Tribe specializes in creating a brighter energy future through long-lasting, sustainable partnerships.

To help prevent the transmission of COVID-19, we invite you to ask questions and share comments about the proposed project at a virtual Neighborhood meeting. The virtual meeting will be held through an online video stream on **September 30<sup>th</sup>, 2021 at 6:00 p.m.**

The Meeting will be held via Zoom and can be attended either by phone or over the computer at the following address:

<https://us02web.zoom.us/j/86540147998>

Meeting ID: 865 4014 7998  
Passcode: 623261



Dial by your location

+1 646 558 8656 US (New York)

+1 301 715 8592 US (Washington DC)

Meeting ID: 865 4014 7998

Passcode: 623261

If you would like us to email you the zoom link directly, please call, or send me an email with your address at the following address:

**Email:** [John.Townsend@SunTribeDevelopment.com](mailto:John.Townsend@SunTribeDevelopment.com)

**Phone #:** 720-244-1924

We look forward to hearing from you.

Sincerely,



John Townsend

Attached: Preliminary Site Design for the Carysbrook Solar Project



T 800.214.4579 | F 434.829.4744 | [SunTribeDevelopment.com](http://SunTribeDevelopment.com)  
107 5<sup>th</sup> Street Southeast | Charlottesville, VA 22902





Special Use Permit Application  
**Carysbrook Solar Center**  
**Fluvanna County, Virginia**

Submitted By:

Carysbrook Solar, LLC  
107 5<sup>th</sup> Street Southeast  
Charlottesville, VA 22902

Submitted To:

Fluvanna County, Virginia  
Planning and Zoning Department  
132 Main Street  
Palmyra, VA 22963

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## About Sun Tribe

As Sun Tribe's provider of large-scale renewable energy solutions, Sun Tribe Development partners with landowners, local governments, and leading utilities as they move towards a cleaner energy future. With an emphasis on quality, community-focused projects, Sun Tribe Development specializes in sustainable solar solutions. Sun Tribe Development has built one of the most experienced teams in the business, with over 20 gigawatts of collective renewable energy experience. For more information about Sun Tribe Development, see [Appendix A](#).

## Project Proposal

This Application for Special Use Permit is submitted to Fluvanna County (the "County") by Carysbrook Solar, LLC, (the "Applicant"), wholly owned by Sun Tribe Development, LLC ("Sun Tribe"). This application is to construct a three (3) megawatt photovoltaic ("PV") solar energy generating system on less than 36 acres of Parcel 42-1-1 (361.2 acres) in the Fork Union Election District and Rural Preservation Planning District of Fluvanna County. The Project Site is located on Virginia State Route 615 (Carysbrook Road), approximately 1/2 of a mile north of the intersection of State Route 615 and Route 15 (James Madison Highway). The Project Parcel is owned by Richard H Rose Jr, and Julia N Rose, and Option to Lease agreement has been established to allow the Applicant to develop and construct a 3 MW solar array. See [Appendix B](#) for Conceptual Layouts depicting existing and proposed site features.

The Project Site is located in the Rivanna Watershed within the larger James Watershed. Because the site will not require the removal of significant vegetation or soils, and the facility consists of a mix of panels and vegetation, the project's unique use does not impact water quality as a traditional impervious development would, due to limited site access and low potential for pollutant runoff. A solar energy facility such as Carysbrook Solar will provide an increase in direct, indirect, and induced revenue to Fluvanna County. The County will also achieve a significant increase in tax revenue from the Project site through the permitting and operation of the facility while requiring minimal to no use of County services such as water, wastewater, schools, and other infrastructure.

Carysbrook Solar will provide clean, renewable energy to the residents and businesses of Central Virginia. Carysbrook Solar has consulted and will continue to consult with State and Federal agencies to ensure all environmental protection measures are met and exceeded during the construction and throughout the life of the facility. An operating solar facility has virtually no impact on post construction stormwater runoff as the site as areas under the panels will remain vegetated and maintain high permeability. Appropriate stormwater and erosion and sediment control best management practices will be utilized as required by Fluvanna County and the Department of Environmental Quality ("DEQ"). Areas disturbed during construction will be replanted with species that will prevent erosion and will increase the biodiversity on site.

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

## Compliance with Zoning Ordinance

The Project Site is currently zoned A-1. The development and construction of solar energy facilities is allowable within the A-1 zoning district as a Major Utility via the County's Special Use Permitting process. The Project Site has historically been used for agricultural production and seasonal hunting. The Project Site was selected to be located outside of a flood hazard area, AG Forestal District, and conservation easement.

The project site will only utilize approximately 36 of the parcels 361.2 acres. The parcel acreage outside of the Project Site will be kept in its current condition, with forested vegetation being preserved.

Construction of Carysbrook Solar means that the landowner can preserve the remaining 325 acres in its existing form, for agricultural use. At the end of the Project's useful life, the Project will be decommissioned including removal of all equipment from the Project Site as per [Appendix G](#). The site can be returned to its approximate pre-construction condition which would allow future agricultural uses.

According to Chapter 22 Article 17 Section 22-17-4 (D), the governing body shall consider the special use application with the following guidelines:

- 1. The proposed use shall not tend to change the character and established pattern of the area or community which it proposes to locate.**

The Carysbrook Solar Project is aligned with the intention of the A-1 District. The proposed use will require minimal traffic (approximately 1 visit per month during the operational period), continue to allow habitat for local wildlife, produce extremely low noise levels, and have minimal-to-no visual impact on surrounding area and its rural character.

- 2. The proposed use shall be compatible with uses permitted by right in that zoning district and shall not adversely affect the use and/or value of neighboring property.**

The proposed use is compatible, and less intensive, than several permitted by right uses such as: shooting range, mobile home park, or greenhouses. Additionally, a real estate impact analysis was performed by a licensed appraiser, Kirkland Associates, for a similarly sized project within the last year and found that solar did not negatively impact property values. Please see the Real Estate Impact section and [Appendix H](#) for additional information.

- 3. The applicant shall also submit with the application a current survey of the subject property and a sketch plan of all proposed improvements.**

Please see [Appendix B](#) for a sketch plan (Conceptual Plan) as well as a general area map, and existing survey from the public record. An updated boundary survey will be performed prior to the site plan submission to Fluvanna County.

## Consistency with Comprehensive Plan

As per VA Sec. 15.2-2223, Fluvanna County has developed a Comprehensive Plan to assist in guiding development decisions. We have reviewed the 2015 Fluvanna County Comprehensive Plan and believe Carysbrook Solar conforms to and helps to fulfill the following goals and objectives pursued by the County.

- “Maintain Fluvanna’s rural character”

Carysbrook Solar will utilize approximately 36 acres of the parcel for the solar facility, less than 10% of the 361 acre parcel, allowing the remaining land to be used for agriculture and rural preservation. The facility will be set back hundreds of feet from all public roads, making it extremely low impact on local viewshed, if it is visible at all, and will not produce any emissions, noise outside project boundaries, or traffic impacts during the operational period. Once the useful life of the facility has been met, the Project Site may be returned to its previous condition.

- “Diversifying the tax base through economic development”

Carysbrook Solar will add to Fluvanna County’s tax base without adding significant investment or service burdens to the County. Unlike a residential development or commercial business, solar has few to no draws on public schools, County roads, or water and sewer infrastructure.

- “Investing wisely in infrastructure which can facilitate desirable growth”

Businesses looking to invest and relocate are historically attracted to areas with renewable energy infrastructure. 50% of Fortune 500 companies currently have sustainability and renewable energy targets. Small to medium businesses are following suit. When choosing the county in which to make their home, businesses are giving priority to areas with access to renewable energy and improved energy infrastructure.

### Rural Preservation Planning Area

The Rural Preservation Planning Area is intended to maintain the rural character of the area and discourage high-impact uses that require the build-out of additional water and sewer infrastructure. Carysbrook Solar meets the desired goals of the planning district in the following ways:

- “...passive open spaces should comprise most of the land use...and minimize or exclude utilities such as wells and septic or reserve areas.”

The Project Site will bring a healthy, consistent income source for the landowner while not requiring the extension of utilities such as wells or septic areas.

- “Developing in these (rural residential and rural preservation) planning areas should be designed to manage erosion, stormwater, and nutrient loads into streams or rivers. To achieve this goal, it is necessary to minimize site disturbances such as excess grading and removal of vegetation.”



Carysbrook Solar was intentionally sited on previously cleared, and mostly flat, pasture. Minimal grading or tree clearing will be required for the project. Existing vegetation will be used for screening whenever possible. Carysbrook Solar will meet all Fluvanna County and Department of Environmental Quality requirements for erosion and sediment control.

- “Landholders in these (rural preservation) planning areas should be given the opportunity to pursue options that will supplement their income. This is particularly the case for landowners who may need to supplement their income to maintain rural land uses.”

Carysbrook Solar will create an avenue for the landowner to diversify their revenue among an appropriate mix of land uses, while also allowing them to retain the property for their family in perpetuity.

## Public Need and Benefit

### Direct Revenue to the County

Fluvanna 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 of the project.

After construction of the solar project, the Applicant anticipates the real property tax to increase by more than \$3,500 in year 1 of operation. Additionally, the roll back taxes associated with taking the acreage out of land use will generate a one-time payment of approximately \$13,000.

Accounting for the additional Tax revenue associated with the construction of this project, Fluvanna County is expected to receive over \$150,000 in additional tax revenues over the life of the facility – an increase of \$113,000 in comparison to the current tax base for the parcel, which would be expected to result in approximately \$37,000 over the next 40 years. When considering this additional potential tax revenue it is also important to consider that Carysbrook Solar requires virtually no corresponding public services or expenditures. Unlike other types of development, it will have no significant draw on public resources such as schools, emergency services, or roads. Because of this, the benefits of the additional tax revenue are amplified by the lack of additional public costs to support them.

### 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 and lighting installers to panel electricians and construction laborers, significant local job creation during the engineering and construction of the solar facility is guaranteed. In addition, it is estimated that as many as 20 people could be working on site at a time during peak construction. This estimate aligns with the Jobs and Economic Development Impact (JEDI) model produced by the National Renewable Energy Laboratory (NREL), a branch of the US Department of Energy. This direct economic impact is also paired with the indirect impact naturally induced when laborers eat, shop and sleep at local establishments, as is typical for all solar facility job sites.

In addition to that, a sizable portion of the projects budget will go towards spending at local businesses during development and construction of the project. The Applicant expects to spend approximately \$6 million to develop and build Carysbrook Solar and some of that money will be spent in local area restaurants, stores, and accommodations.

Finally, Sun Tribe is a Virginia-based company supporting jobs within the state and paying local and state taxes. Several employees of Sun Tribe live, and pay taxes, in Fluvanna County. We value the community that has helped us grow and we take pride in building responsibly in our home state.

### Environmental Protection

Carysbrook Solar will also have positive effects on Fluvanna County’s environment. Unlike fossil fuel energy sources, a solar energy installation produces no emissions to create energy for local consumption. This results in an estimated 433 tons of carbon dioxide offset annually – the equivalent of 94 cars being removed from Virginia roads. In addition, solar energy reduces certain pollutants that are harmful to human health including sulfur dioxide (SO2), nitrous oxide (NOx) and particulate matter (PM2.5). In this way, Carysbrook Solar will help to make the air cleaner, while also helping to meet Virginia’s clean energy goals.

## Quantification and Mitigation of Potential Development Impacts

### Neighboring Parcels

Four parcels border the Project Site. One adjacent parcel is owned by the Project Site landowner, and is their primary residence. One adjacent parcel is zoned industrial (I-1). The remaining two adjacent parcels are used for agricultural purposes, with one being separated from the parcel by the Rivanna River. There are no residences within 1,500 feet of the Project Site.

Table 1 Adjacent Parcels

Landowner	Parcel ID (acres)	Parcel Address	Occupancy
Richard H and Julia N Rose	42-1-2 (298)	987 Carysbrook Road	Dwelling
Carysbrook Holdings LLC	42-A-14 (75)	60 Carysbrook Road	Commercial
John Michael Holland	42-2-B2AS (68)	James Madison Highway	Vacant
Wilmington Land Company LLC	31 A 61 (550)	2882 Courthouse Road	Dwelling

The proposed Project will mitigate impacts to neighboring parcels by using naturally occurring vegetative screening.

### Visual

Recognizing the importance of conservation of scenic resources, great care was taken to select the site and design Carysbrook Solar in a way that protects the viewshed of the neighboring properties, roadways and the Rivanna River. This is accomplished through property setbacks, leaving mature vegetative buffering in place, and supplementing with additional native buffering where appropriate.

The racking and panels which comprise the solar generating facility will not exceed the height restriction. Measured from the base of the structure to its highest point, the facility will be less than 17 feet at the highest point. There will be no signage on site, except for that required for safety and

security and any required by the interconnecting utility. Existing slopes, mature vegetation, and supplemental vegetation will further reduce the visual impact.

### **Real Estate**

Solar generating facilities have been shown to have no impact, positive or negative, on the value of neighboring properties across the Commonwealth of Virginia. In August 2020, a matched-pair real estate impact analysis was performed on Sun Tribe's Midway Solar, a similarly sized solar facility in Albemarle County. This analysis showed that the project will have no impact on home values on abutting or adjoining properties and no impact on adjacent vacant residential or agricultural land. It is important to note that the analysis also determined that solar farms using fixed or tracking panels are a passive use of the land that is in keeping with a rural/residential area. The results of a real estate matched-pair analysis performed by Kirkland Appraisals can be found in [Appendix H](#).

### **Glint and Glare**

Solar panels are designed to capture light, not reflect it. Research shows solar panels produce less glare than standard residential window glass, snow, or concrete. Photovoltaic panels are covered in anti-reflective coating to mitigate any low levels of glare and glint.

To confirm that Carysbrook Solar will not have a negative impact on the surrounding skies and air traffic, the Applicant consulted with Capitol Airspace Group to evaluate whether the proposed site conditions would require notification to the Federal Aviation Administration. Capitol Airspace Group evaluated Project Site latitude, longitude, horizontal datum, site elevation, and structure height and found that the project characteristics did not meet the notice criteria defined by 14 CFR Part 77.9, does not pose a risk to air traffic, and that no further glint and glare study would be required. The supporting documentation can be found in [Appendix I](#).

### **Noise**

An operating solar facility produces negligible noise when operating. Any noise produced by the operating facility becomes inaudible at approximately 150 feet from the noise-producing components. These noise-producing components, such as inverters, 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, there will be no noise produced at night.

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 six months or less. 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**

The Applicant recognizes and appreciates the County's efforts to protect the county's dark skies. To that end, lighting will only be installed as required by Fluvanna County or Dominion Energy and will comply with the applicable sections of the Fluvanna County Code of Ordinance (Zoning Ordinance)

Chapter 22 Article 25 Outdoor Light Control. Lighting, if required, will be kept to the minimum illumination necessary to ensure the safe operation of the facility. All lighting will be designed to prevent spillover lighting and will be arranged or shielded to reflect light away from adjoining residences and roads.

### Water Resources

Rivanna River and water resource protection is closely tied to land use and ground cover as activities upstream have an impact on the downstream environment. Carysbrook Solar is sited on a previously cleared pasture, and minimal clearing (less than 2 acres) will be required for the project. The establishment of healthy ground cover after the construction phase will be heavily monitored and emphasized as the first step in water quality protection, in addition to the temporary erosion and sediment control and permanent stormwater Best Management Practices (BMPs) that will be implemented in accordance with County and DEQ guidance. Vegetation in all areas outside the Project Limits of Disturbance (LOD) will be untouched and preserved.

### Hazardous Materials Statement

The Project does not pose a risk to public health due to hazardous materials. Although PV panels may contain small amounts of some potentially hazardous materials such as lead, these materials are sealed within the panel to prevent environmental exposure. See [Appendix D](#) for a detailed description of panel construction and additional discussion of the negligible public health and safety impacts of solar PV projects.

## Quantification of Potential Impacts of Environmental Features

### Wildlife

As part of the environmental due diligence performed for the Carysbrook Solar project site, the Applicant engaged with an industry-expert consulting firm, Timmons Group, to determine the likelihood of encountering any species on the State or Federal list of Threatened and Endangered Species. The complete Threatened and Endangered Review conducted for the Carysbrook Solar site is available in [Appendix E](#). 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*

Agency	Database
U.S. Fish and Wildlife Services	Information, Planning and Consultations System
Virginia Department of Game and Inland Fisheries	Virginia Fish and Wildlife Information System
Virginia Department of Game and Inland Fisheries	Wildlife Environmental Review Map Services
Virginia Department of Game and Inland Fisheries	Northern Long-eared Bat Winter Habitat and Roost Locator
Virginia Department of Game and Inland Fisheries	Little Brown Bat and Tri-colored Bat Winter Habitat and Roosts Locator
Virginia Department of Game and Inland Fisheries	Division of Natural Heritage Database
The Center for Conservation Biology	Virginia Eagles Nest Locator

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

Common Name	Scientific Name	Status	Agency Source
Northern Long-eared Bat	Myotis septentrionalis	Federal Threatened	USFWS
Atlantic pigtoe	Fusconaia masoni	State Threatened	USFWS, VDWR, VDCR
Green floater	Lasmingona subviridis	State Threatened	VDWR, VDCR
James Spiny mussel	Pleurobema collina	Federal Endangered, State Endangered	USFWS
Yellow Lance	Elliptio lanceolate	Federal Endangered, State Endangered	VDWR, VDCR

The results of the detailed review determined:

- Northern Long-Eared Bat: Review of the Virginia Department of Game and Inland Fisheries 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.*
- Atlantic Pigtoe: The Atlantic pigtoe inhabits medium to large, fast-moving, minimally polluted streams with sandy and gravelly bottoms. It was determined the closest suitable habitat for this species was the Rivanna River. *The Rivanna River is located approximately 900 feet east of the Project Site, and the river will not be disturbed as part of this facility.*
- Green Floater: The Green floater inhabits pools and calm waters that are minimally polluted with sandy and gravelly bottoms. It was determined the closest suitable habitat for this species was the Rivanna River. *The Rivanna River is located approximately 900 feet east of the Project Site, and the river will not be disturbed as part of this facility.*
- James Spiny mussel: The James spiny mussel prefers free flowing streams that vary in dept. It was determined that the closest suitable habitat for this species is the Rivanna River. *The Rivanna River is located approximately 900 feet east of the Project Site, and the river will not be disturbed as part of this facility.*
- Yellow Lance: The yellow lance is a freshwater mussel that occurs in minimally polluted freshwater streams and rivers with coarse sands, medium sands, and gravel substrates. This species has been observed within the 2-mile site search radius, in the Rivanna River. *The Rivanna River is located approximately 900 feet east of the Project Site, and the river will not be disturbed as part of this facility.*

Coordination with Timmons Group will continue throughout development to evaluate and mitigate any concerns regarding threatened or endangered species.

### Cultural and Historical Resources

The Applicant engaged a highly respected third-party expert, Timmons Group, to conduct a comprehensive desktop review which determined if any known historical and archaeological resources were present on the project parcel and within a one-half-mile buffer surrounding the

parcel. Two architectural and two archaeological resources are located on site, and seven architectural and four archaeological resources are located within the one-half mile buffer. The two architectural resources on the parcel are Eligible for listing on the NHRP and VLR. The identified resources are not within 1,000 feet of the project site boundaries and existing land topography and vegetative screening will prevent the view of the project from these sites. The complete Cultural and Historical Resource study can be viewed as [Appendix E](#).

## Streams and Wetlands

A wetland delineation was performed by Timmons Group to identify all streams and wetlands on the Carysbrook Project Site. The complete Wetland Delineation for the Carysbrook Solar Project Site can be viewed as [Appendix F](#).

The Project is designed to minimize impact on any identified streams or wetlands. Any tree clearing or land disturbance will comply with Fluvanna County Zoning Ordinance Chapter 19 Article 7 Section 7 Riparian Protection Areas.

The Applicant is currently coordinating with Timmons Group and the U.S. Army Corps of Engineers (USACE) to confirm the stream and wetland areas identified in the delineation through a Jurisdictional Determination. In addition, the Project will be developed and constructed in conformance with all applicable federal, state, and local laws and regulations, including the Chesapeake Bay Act, Clean Water Act, and VA-DEQ Stormwater Management Program Regulations.

## Facility Considerations

### Design

The Carysbrook Solar Project is a three megawatt (3 MW) alternating current (“AC”) photovoltaic solar electric power generation facility.

The Project will utilize photovoltaic (PV) panels to convert the sun’s energy into electricity (direct current, “DC”). The PV panels are electrically connected and mechanically mounted on racking equipment made from metal framing driven into the ground. The racks are oriented in rows along a north-south axis. These rows of panels use self-powered 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 provides more megawatt hours (MWhs) of power production as compared to a fixed-tilt racking system using a similar footprint. Additionally, most panels used on the Project Site will be bifacial, 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 wires in both aboveground and underground conduits before connecting to inverters that convert the electricity from direct current to alternating current. The inverters are then connected through additional wiring in conduit to transformers that step up the power to a higher voltage for transmission and interconnection to the existing electrical grid. Inverters and transformers will be strategically placed throughout the site.

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, 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.

### **Interconnection**

Interconnection of the Carysbrook Solar Project will occur onto circuit 320 of Dominion's 34.5 kV distribution system via attachment facilities on Parcel 42-A-14. Carysbrook Solar LLC is in the process of obtaining an easement agreement from the landowner of parcel 42-A-14 to extend the current distribution line to the solar facility for the entire operational life of the solar facility.

The attachment facilities consist of pole mounted electrical equipment including switches, reclosers, and meters.

### **Project Site Access**

Access to the Project Site will occur by a single gravel access road off State Route 615. Minimum impact to traffic is expected during construction. A Traffic Management Plan ("TMP") will be developed in coordination with Fluvanna County and the Virginia Department of Transportation and will be submitted to the County for approval. Once operational, there will be no daily staff on site and operations and maintenance staff visits are expected to be limited to approximately two times per month, or less.

### **Vegetative Buffer**

Currently existing, mature vegetation will be utilized to screen the project wherever possible on the Project Site. Any needed additional vegetative screening needed will adhere to the requirements set out in Chapter 22, Article 24 Section 7 of the Zoning Ordinance and be no less than twenty-five (25) feet in depth, utilizing double staggered rows of evergreen trees planted every ten (10) feet on center with a minimum planting height of four (4) feet and achieve eight (8) feet in height within three (3) years. Native, non-invasive species will be utilized for all installed vegetative buffering. Vegetative buffering will be maintained throughout the life of the Project.

### **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 (NEC). 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 in areas where the security fencing may impact the viewshed of neighboring properties.

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 located every one hundred (100) feet along the perimeter security fencing. Temporary instructional or safety signs will be posted during construction, as appropriate and/or required by Fluvanna County.

## Facility Permitting

### Stormwater Management Plan

The Applicant will coordinate with the Virginia Department of Environmental Quality (“DEQ”), as the designated program authority for the Virginia Stormwater Management Program (“VSMP”), for review and approval of Carysbrook Solar’s stormwater management plan.

### Erosion and Sediment Control

Carysbrook 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 Fluvanna County, as the designated Erosion and Sediment Control program (“VESCP”) Authority, on submittal and review of the Project’s erosion and sediment control plans.

### Local Building and Electrical

The Applicant will adhere to all County building and electrical codes. The Applicant will coordinate with the 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 Quality Permit By Rule (“PBR”) process. Projects with nameplate capacity under 5 MW AC - such as Carysbrook Solar - are exempt from the Permit By Rule provisions set forth in 9VAC15-60-30. Instead, 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.” The Carysbrook Solar Project falls into this category and will coordinate with Fluvanna County to apply for DEQ approval as a ‘de minimis’ project.

## Facility Construction

Construction of the Carysbrook Solar project is expected to take approximately four months, beginning in the spring of 2022, and concluding in the fall of 2022.

A Sun Tribe Solar 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 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, internal site road construction, construction entrances and material laydown area
- Fence: Permanent fence surrounding 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

Materials and equipment necessary to construct Carysbrook 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, 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 Carysbrook Solar are monitored and operated remotely. The facility will be monitored 24/7 for performance and security by the owner operator, and for service quality and interruption by the interconnection utility, Dominion Energy. 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 (“the Owner”) will perform decommissioning activities. The Owner will provide notification to the Zoning Administrator of the abandonment or discontinuance of the use, and complete physical removal of the project within 6 months of abandonment. Decommissioning includes the remove all equipment and materials related to the operation of a solar PV project, including:

- Removal of all racking, panels, and electrical equipment
- Removal of all cabling above 30”
- Removal of all above ground cabling
- Removal of all sub-surface equipment to a depth of 3-feet
- Removal of all internal roadways and fencing, at the discretion of landowner

Any existing vegetation and buffering will remain in place and disturbed areas will be covered with topsoil and re-seeded and stabilized. All refuse and materials will be removed from the site and disposed of according to applicable laws and regulations. Where possible, materials will be recycled, salvaged, or reused. Decommissioning is designed to restore the property to its condition prior to the Project's construction.

The Applicant has developed a conceptual preliminary Decommissioning Plan. Prior to Project construction the Owner will enter into a written agreement with the County to decommission the facility in the event the 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 Projects Preliminary Decommissioning Plan can be viewed in [Appendix G](#).

## Appendix A – Sun Tribe Informational

## Appendix B – Conceptual Plan and Area Map

## Appendix C – Manufacturer’s Specification Sheets

## Appendix D – Hazardous Materials Review

**Appendix E – Timmons Group Review**  
**THREATENED AND ENDANGERED SPECIES**  
**CULTURAL AND HISTORIC RESOURCES**

## Appendix F – Wetland Delineation



## Appendix G – Decommissioning Plan

## Appendix H – Real Estate Impact Analysis

## Appendix I – FAA Notice Criteria Letter

## Appendix J – Landowner Authorization Letter

## Appendix K – Neighbor Letter of Support