

Regular Meeting, Wednesday, February 27, 2019, 6:00 p.m. Government Center, Verona, VA.

PRESENT: Gerald W. Garber, Chairman
Carolyn S. Bragg-Vice Chairman
G.L. "Butch" Wells
Michael L. Shull
Wendell L. Coleman
Marshall W. Pattie
Pam L. Carter
Timothy K. Fitzgerald, County Administrator
Jennifer M. Whetzel, Deputy County Administrator
John Wilkinson, Director of Community Development
Leslie Tate, Planner
James R. Benkahla, County Attorney
Angie Michael, Executive Assistant

VIRGINIA: At a regular meeting of the Augusta County Board of Supervisors held on Wednesday, February 27, 2019, at 6:00 p.m., at the Government Center, Verona, Virginia, and in the 243rd year of the Commonwealth....

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Chairman Garber welcomed the citizens present.

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Senator Frank Nolen led us with the Pledge of Allegiance.

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Pam Carter, Supervisor for the Pastures District, delivered the invocation.

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2018 REVOLVING LOAN REQUEST

The Board considered the committee's recommendation of a revolving loan for Swoope Volunteer Fire Company in the amount of \$500,000.00.

Timothy Fitzgerald, County Administrator, stated this is a request to approve a loan for the Swoope Volunteer Fire Company for a new fire engine. The loan would be for \$500,000.00 and 60% is repayable back to the county.

Ms. Carter moved, seconded by Dr. Pattie, that the Board approve the committee's recommendation of the revolving loan for Swoope Volunteer Fire Company.

Vote was as follows: Yeas: Garber, Bragg, Wells, Shull, Coleman, Pattie, and Carter
Nays: None

Motion carried.

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AUGUSTA SOLAR, LLC SPECIA USE PERMIT (CONT'D)

energy system to be located in the County on property zoned agriculture subject to the issuance of a special use permit. Typically under the ordinance such permits are granted by the Board of Zoning Appeals, but under the amendment adopted with respect to this type of use, it granted the approval authority for these types of uses to the Board of Supervisors. Many of the owners of the parcels that are subject to this application attended and participated in the deliberations effecting the development of this ordinance. After a series of hearings and meetings, it was well known at the time, that those property owners were working on a project in this portion of the County to develop a solar project that would ultimately come forward to the Board pursuant to the terms of the ordinance where it was ultimately adopted. The ordinance that was adopted is consistent with the Virginia Energy Plan which is codified in the state code and clearly states that it shall be the policy of the Commonwealth of Virginia to "promote the generation of electricity through technologies that do not contribute to greenhouse gasses and global warming. The ordinance has a number of requirements that have to be included in an application to safe guard the community and address concerns associated with any type of use. For example, the holding of a community meeting prior to submitting the application, which is completed. It requires that public notices not just be sent to adjacent properties, but to everyone within a mile of the project before the actual filing and consideration of the application. A Site Plan, Cost Benefit Analysis and significant other criteria governing the buffering, landscaping and decommissioning of the project was also submitted. The issue of appropriate setbacks has also been addressed during previous meetings. They have also worked closely with Staff in developing a number of conditions associated with the application. Consistent with the zoning ordinance, this property is located entirely on property that is zoned general agriculture. It has been general agriculture for some time, it has been in the same families for many years and the families intend to keep it in general agriculture. This is not a proposed rezoning. This is a special use permit. The property owners have common goals of keeping the properties in the same classification and in the family. They are also looking for a way to use their property in a way that compliments the current uses of their property and compliments what is going on in that area of the County. The property owners are also familiar with the language in the Comprehensive Plan. This proposed project is for 125 megawatts of electricity through the capture of sunlight through solar panels. These panels will be no taller than eight feet and that's when they are at their full tilt. They produce no audible noise, no reflection, no odors, no lights and no traffic. This is an extremely low intensity use. An overview of proposed future uses was heard and every one of them is taller than eight feet tall, has noise, has lights and has traffic accompanying with it. In addition to the setback and buffering, these properties aren't utilizing the imparity of the parcels that are subject to this application. There is significant land available for future development that is not a part of this project and is compatible with the long term goals of the County. The utility lines have been a topic of discussion. There is nothing about this project that interferes with the existing infrastructure. The current utility lines provide access to surrounding and future development when and if it would ever occur on these properties. Nothing about this project is going to interfere with the existing lines or the ability for future development to tie in. Even if the project was constructed and on the ground, there is still another 750 acres designated under the land use plan for future industrial development that would be available for future development. There is approximately an additional 1,750 acres of other land, in addition to the future industrial classification that is not developed, but would be available for future mixed use development under the plan. There is already significant economic projects in the area and even if this project was constructed there would be plenty of space for potentially 13 additional projects. According to state code section 15.2.2232 this project is substantially in accord with the adopted Comprehensive Plan or a part thereof. Right now the property is zoned agriculture and the County's zoning ordinance allows

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AUGUSTA SOLAR, LLC SPECIA USE PERMIT (CONT'D)

property that is zoned agricultural to request a special use permit. There is no proposal by any of the property owners to rezone this property to a different classification. It is also important to look at the Comprehensive Plan and what it says about people in this situation where there may be a land use designation, but they are wanting something allowed under the current ordinance. The ordinance states that it's important to understand that the policy set forth in the Comprehensive Plan are not land use regulations and are not requirements for future development. It is the current zoning ordinance that determines the type of nature of development within the policy planning areas in any other zoned portion of the County. The Comprehensive Plan policy areas, future land uses and densities are guidelines referred to by the Planning Commission when considering a rezoning. This is not a rezoning. This land is zoned agriculture and proposed to stay agriculture. This language is not the applicant's nor the property owners. This is directly out of the Comprehensive Plan for Augusta County. The Comprehensive Plan also states that in regulating development, insure that the overall long term common good is kept in balance with the individual landowner.

Tom Anderson, Community Energy, gave a brief introduction of his company. Community Energy started as a wind energy developer and has developed more than 700 megawatts of solar projects from small community projects to projects of this scale. Augusta Solar will be constructed on a single axis tracking system, 4-5 feet tall with a max of 8 feet tall. Conditions include buffering and landscaping, grass cover with pollinators, decommissioning and restoration plan with security and emergency responder coordination and training. A healthy grass system wards off run off. There is a professional buffer landscape plan. A buffer height as planned would hide the site. Related studies and permits and approvals for County, state, Federal and electrical grid are being performed. Solar is a quiet neighbor, sustainable land use, secure income, increased tax revenue, economic benefit and operations and maintenance jobs. Mr. Anderson appreciates the Board's time and hopes for a good vote.

Boyce Brannock, Attorney with Timberlake Smith Firm and the landowner representative, stated that the property owners are not faceless and are not asking for a rezoning. The owners want the land to remain agricultural. That is the purpose in having a lease and not selling the property. The special use request conforms to the Comprehensive Plan. The request does not shift or change the tax burden of the citizen. The goal is to keep agricultural land available for future agricultural use. The County loses nothing by approving this application. Approval of this project helps with future planning. It helps by allowing the County to better understand and focus where development will occur.

The Chairman declared the public hearing to be open.

Blaine Piper, 34 Jesten Court Stuarts Draft, is in opposition of the project. He is concerned with the chemical makeup of the panels and how the project will affect his property value.

Bobby Fisher, 29 Kennedy Ridge Court, is in opposition of the project. Tax dollars were used to install the water and sewer lines.

Karen Sikorski, 163 Benz Road Waynesboro, is in opposition of the project. Solar is expensive and heavily subsidized.

Andrea Popick, 16 Cranberry Dr. Stuarts Draft, is in opposition of the project. The Blue Ridge Parkway will be impacted with the view of solar panels. She is also concerned with how solar will impact the wildlife.

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Edward Long, 140 New Hope and Crimora Road, is not for or against the project. A study was completed in 2015 for the year, 193 panels had an output power less than the average. He would like the Board to consider having a technical field evaluation study done for one year.

Scott Kresge, 163 Benz Road Waynesboro, is in opposition of the project. He showed a video of a solar farm in Essex County.

Joyce Joswick, 40 Canada Court Stuarts Draft, is in opposition of the project.

Albert Joswick, 40 Canada Court Stuarts Draft, is in opposition of the project. The solar panel company will ruin the area.

Russell Dean, 228 Labelle Drive Stuarts Draft, is in opposition of the project. Augusta County has done a great job of bringing jobs to the County. The solar farm will produce jobs to build it, but then they will not be needed.

Stan Sikorski, 169 Benz Road Waynesboro, is in opposition of the project. The Comprehensive Plan is a fundamental document and should be followed as designed. CES solar project does not support the Comprehensive Plan.

Rick Pfizenmayer, 30 Round Hill Drive Stuarts Draft, is in opposition of the project. He is concerned with the land and its purpose. Approval of the project would make the county a dumping ground for other projects. There is also a substantial variance in the Comprehensive Plan.

Monica Henry, 78 Mallory Circle Fishersville, is concerned with the future in other areas if this is approved.

Dennis Henry, 78 Mallory Circle Fishersville, is looking to buy land and a new home, but will not purchase in Stuarts Draft if the solar project is approved.

Dean Anderson, 28 Queens Court Stuarts Draft, is concerned with what the panels are made of and how efficient they are. Solar should be placed away from populated areas.

Susan Anderson, 28 Queens Court Stuarts Draft, is in opposition of the project. She is concerned with future unknown health risks. She is also concerned with diminishing property values. Ms. Anderson requests that the Board do plenty of research and learn facts of negative effects.

Brian Burns, 9 Canada Court, is in opposition of the project. Approving this project could be the biggest economic and environmental disaster ever seen. It does not benefit the community.

Lisa Burns, 9 Canada Court, is in opposition of the project. Health concerns are an issue. There are many unknowns regarding the project. Property values could be affected.

Robert Adkins, 20 Old Oak Drive Stuarts Draft, is in opposition of the project. Property values is a concern and there is no marginal benefit.

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AUGUSTA SOLAR, LLC SPECIA USE PERMIT (CONT'D)

Zac Collins, student at Waynesboro High School, is learning about renewable energy. The solar project could potentially bring new jobs to the area. The Board needs to think about future generations.

Katelyn Sizemore, student at Waynesboro High School, Solar energy is renewable. It is a good choice. Going from fossil fuels to solar energy would be a good decision.

James Steele, student at Waynesboro High School, stated solar does not cause destruction to the earth, it helps it. Renewable energy will disappear eventually.

Michael Moneymaker, 201 Alta Drive Stuarts Draft, is in opposition of the project. There are more facts needed and focus needs to be on the part thereof from the Comprehensive Plan.

Jake Wyszynski, student at Waynesboro High School, agrees with Zach Collins.

Carson Lawhorne, student at Waynesboro High School, this is a big opportunity and the County should go for it.

Jonathan Miles, Albemarle County, is a Professor in Integrated Science. The County needs to diversify and expand. The community is in good hands and supports the project.

Rocky Flesher, 162 Shalom Road, is in favor of the project.

Lou Gage, 367 Forest Springs Drive Stuarts Draft, complimented the county on a well done Comprehensive Plan. Thirty years of a special use permit is in fact rezoning. The Board needs to look at the decision very carefully.

Martha Moneymaker, 201 Alta Drive Stuarts Draft, is in opposition of the project. The county should be committed to development through the Comprehensive Plan.

John Avellone, is in opposition of the project. This will open the door for more solar companies to come into the county.

Tim Quillen, 2500 Lyndhurst Road, is in favor of the project. It will bring in revenue and conserves the land. The panels are effectively screened by buffers. This is a positive for the county, community and environment.

Bob Nutt, 324 E. Beverley St Staunton, is in favor of the project. The landowner has a right to do what they want with their land

Tray Day, 209 Cisco Lane Stuarts Draft, is in favor of the project. It is a better alternative than other developments.

Laurie Day, 209 Cisco Lane Stuarts Draft, enjoys her land. She would like land to be farmed forever, but that can't happen. The farmers need another source of income. Ms. Day supports the landowner's rights and supports this project.

Theresa Blimovich, 62 Warren Oaks Lane Waynesboro, respects the landowner's rights, but is concerned about the impact on property value.

James Kindig, 115 King Lane Waynesboro, is in favor of the project to diversify their farm. It is not conclusive that property values will be affected. He has acquired 93 signatures on a petition in support of the project.

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AUGUSTA SOLAR, LLC SPECIA USE PERMIT (CONT'D)

Gloria Stump, 41 Stump Lane Waynesboro, is in opposition of the project. This will make a huge impact for the future.

Charles Hotcavec, 533 Shalom Road Waynesboro, is in favor of the project. A massive development requires more of everything.

Anthony Stollenmaier, 25 Mahogany Drive Stuarts Draft, stated that property value is a concern. He suggests increasing the boundary line for buffering.

Steven Mumbauer, 127 Cathey's River Lane Mount Sidney, is a small business owner. He is an advocate for landowner rights and solar power. The farmers are getting older.

Michele Kresge, 163 Benz Road, is in opposition of the project. The Comprehensive Plan is specific and should not be ignored. This is not good for Augusta County.

Vann Vernier, 384 Shalom Road, is in favor of the project. He has a good understanding of how solar works.

Phil Sandridge, 409 Calf Mountain Road, is in favor of the project. He supports the project for landowner rights and it's a good opportunity for the County.

Stephen Tallent, 57 Kennedy Ridge Court Stuarts Draft, enjoys a farming community. He questions whether solar should be near a residential neighborhood. Property value is a concern and uncertainty is an issue.

Bob Roy, 273 Alta Drive Stuarts Draft, is in opposition of the project due to the visual impact it will have. Consider making the best buffer and consider cleanup. Who will assume the cost?

Rebecca Angelo, 26 East High Street Stuarts Draft, is in opposition of the project. She is overwhelmed with the number of sites involved with the project.

Bradley Tipler, 104 Hall School Road, is in favor of the project.

Jill Reed, 1202 Simmons Gap Road Dyre, is in favor of the project. Her family owns a farm and the landowner rights should count.

Paula Martin, 223 Cisco Lane Stuarts Draft, is in favor of the project.

Morgan Liddick, 883 Cold Springs Road Stuarts Draft, is in opposition of the project. It will be problematic for the community. There is a concern regarding property values. She suggest approving the project partially.

Monica Blessing, 37 Canada Court Stuarts Draft, is in opposition of the project. It does not make sense for this area.

Frank Nolen, 680 Patterson Mill, does not believe the Board has reason to deny the special use permit. With the Planning Commission finding the special use permit to be in accord with the Comprehensive Plan or at least in part thereof, the only out may be the question of adverse impact on the surrounding neighborhood. With no definition of an adverse impact or surrounding neighborhood in the ordinance, it is hard to imagine a legal defense for denial. The solar farm may draw sufficient attention from the Blue Ridge Parkway. It could become a landmark and show what 1000 acres looks like from the parkway. As far as impact on the Service Authority's

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MATTERS TO BE PRESENTED BY STAFF (CONT'D)

Vote was as follows: Yeas: Garber, Wells, Shull, Coleman, Pattie,
and Carter
Nays: None
Abstain: Bragg

Motion carried.

- 2. Employee Appreciation Potato Bar is Friday, March 1, 2019 from 12:00 p.m.-2:00 p.m.
- 3. Special Board worksession for the Augusta Solar, LLC Special Use Permit will be March 20 at 9:00 a.m.

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ADJOURNMENT

There being no other business to come before the Board, Ms. Carter moved, seconded by Ms. Bragg, the Board adjourn subject to call of the Chairman.

Vote was as follows: Yeas: Garber, Bragg, Shull, Wells, Coleman, Pattie
and Carter
Nays: None

Motion carried.

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Chairman
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County Administrator