



**Board of Supervisors
County of Louisa
Monday, April 19, 2021
Louisa County Public Meeting Room
5:00 PM**

CALL TO ORDER - 5:00 P.M.

Chairman Babyok called the April 19, 2021 regular meeting of the Louisa County Board of Supervisors to order at 5:00 p.m.

ADMINISTRATIVE ITEMS - 6:00 P.M.

Attendee Name	Title	Status	Arrived
Tommy J. Barlow	Mountain Road District Supervisor	Present	5:00 PM
Fitzgerald A. Barnes	Patrick Henry District Supervisor	Present	5:00 PM
Willie L. Gentry Jr.	Cuckoo District Supervisor	Present	5:00 PM
Eric F. Purcell	Louisa County Supervisor	Present	5:00 PM
R. T. Williams	Jackson District Supervisor	Present	5:00 PM
Duane A. Adams	Mineral District Supervisor	Remote	5:00 PM
Robert F. Babyok	Green Springs District Supervisors	Present	5:00 PM

Others Present: Christian Goodwin, County Administrator; Jeff Ferrel, Assistant County Administrator; Helen Phillips, County Attorney; and Bob Hardy, Information Technology;

CLOSED SESSION

The Board voted to enter Closed Session at 5:00 p.m. for the purpose of discussing the following:

1. In accordance with Section 2.2-3711 (A) (5) VA Code Ann., to discuss a prospective business in the Patrick Henry District where no previous announcements have been made of the business interest in locating in the County;
2. In accordance with Section 2.2-3711 (A) (7) VA Code Ann., to discuss probable litigation regarding a contract with Care Environmental Corporation where such consultation in open meeting would adversely affect the negotiating posture of the County; and
3. In accordance with Section 2.2-3711 (A) (8) VA Code Ann., for consultation with legal counsel regarding the Louisa County Water Authority.

REGULAR SESSION

The Board voted to return to Regular Session at 5:00 p.m.

RESOLUTION - CERTIFICATION OF CLOSED SESSION

Tommy J. Barlow	Voter	Yes/Aye
Fitzgerald A. Barnes	Voter	Yes/Aye
R.T. Williams, Jr.	Voter	Yes/Aye

Willie L. Gentry Jr.	Voter	Yes/Aye
Duane A. Adams	Voter	Yes/Aye
Bob F. Babyok, Jr.	Voter	Yes/Aye
Eric F. Purcell	Voter	Yes/Aye

The Board voted to adopt the following resolution:

WHEREAS, the Louisa County Board of Supervisors has convened a Closed Meeting this 19th day of April 2021, pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, ?2.2-3712 of the Code of Virginia requires a certification by the Louisa County Board of Supervisors that such closed meeting was conducted in conformity with the Virginia Law.

NOW, THEREFORE BE IT RESOLVED, on this 19th day of April 2021, that the Louisa County Board of Supervisors does hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting was heard, discussed or considered by the Louisa County Board of Supervisors.

INVOCATION - MR. ADAMS

Mr. Babyok led the invocation, followed by the Pledge of Allegiance.

ADOPTION OF AGENDA

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, The Board voted to adopt the April 19, 2021 agenda, as presented.

MINUTES APPROVAL

Board of Supervisors (BOS) - Special Called Meeting - Apr 5, 2021 4:00 PM

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, The Board voted to approve the minutes of the April 5, 2021 special meeting.

Board of Supervisors (BOS) - Regular Meeting - Apr 5, 2021 5:00 PM

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, The Board voted to approve the minutes of the April 5, 2021 regular meeting.

BILLS APPROVAL

Resolution – To Approve the Bills for the First Half of April 2021

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board adopted a resolution approving the bills for the first half of April 2021.

CONSENT AGENDA ITEMS

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to adopt the Consent Agenda items for April 19, 2021, as follows:

- Resolution – Authorizing a Budget Supplement to General Services Building Enhancements and to Establish an Assignment of Capital Fund Balance for Use by Economic Development for Medical Expansion Within the County
- Resolution – To Approve and Award Contracts for Providing, Installing, Repairing and Maintaining 911 Street Name Signs
- Resolution – To Approve and Award Contracts for Hired Equipment Rental
- Resolution – To Approve and Award a Contract for Providing Auditing Services

RECOGNITIONS**Presentation – Posthumously Appreciation for Goodman Burnett “Budgie” Duke**

Mr. Goodwin read the resolution and Mr. Purcell presented a framed copy to the family members of Goodman Burnett "Budgie" Duke.

Presentation – Proclaiming May 2021 as Older Americans Month

Mr. Goodwin read the resolution and Mr. Gentry presented a framed copy to representatives of JABA.

PUBLIC COMMENT PERIOD

Mr. Babyok opened the public comment period.

Ms. Joe Griffith, Mineral District, appeared before the Board to talk about the aging population and the work of the Commission on Aging in Louisa County.

Ms. Tiny Tang, and other representatives of the Falun Gong Practitioners in VA, appeared before the Board to request their support in passing a resolution to educate Louisa residents and the medical community on the risks of traveling to China for organ transplant.

With no one else wishing to speak, Mr. Babyok closed the public comment period.

INFORMATION/DISCUSSION ITEMS**Presentation – CPACE Funding**

Ms. Abigail Johnson, Virginia PACE Authority, provided the Board with a PowerPoint presentation on the Commercial Property Assessed Clean Energy Financing (C-PACE) for Louisa County. C-PACE - Commercial Property Assessed Clean Energy - is an innovative clean energy financing tool that provides 100% upfront capital to property owners who want to upgrade their commercial and multi-family buildings with energy efficiency, renewable energy, and water management systems. She explained that C-PACE is an innovative financing tool enabled by Statewide legislation; PACE is enabled at the local level via an ordinance. For most states, including Virginia, C-PACE is available for both new construction and existing buildings. C-PACE is a special assessment enforced like any other property tax or assessment. Generally, in

order to use C-PACE, at a minimum, there needs to be a physical structure permanently affixed to a piece of property. Although there are additions and exceptions around the country, every program allows C-PACE financing to be used for upgrades to the property that reduce its energy consumption requirements in some way, or that generate energy. The main characteristic that differentiates C-PACE from other financing methods available to property owners is that this “loan” is placed as a lien on the property tax assessment. Among other advantages, this means that C-PACE financing runs with the land and therefore does not accelerate or become due upon sale. This mechanism also allows for long-term financing, often at fixed rates.

Discussion – Setback Compliance Policy

This item was placed on the agenda, by request of Supervisor Williams, Jackson District.

Discussion ensued regarding the current Setback Compliance Policy that was adopted by the Board in 2009.

Mr. Williams referred to the Foundation Survey and Final Setback Certification that is required as part of the policy. He noted the cost for each survey and asked for the Board to consider revising the restrictions within the policy where both surveys are required.

After discussion, the Board requested staff work on the policy and bring back a recommendation.

Discussion – Marijuana Legislation

Ms. Phillips, provided a brief overview of the Marijuana legislation in Virginia. She explained retail sales of marijuana will become legal in the Commonwealth of Virginia and The Virginia Cannabis Control Authority created the control, the possession, sale, transportation, distribution and delivery of retail marijuana and retail marijuana products in Virginia

The Authority has the power to issue up to the following number of licenses:

- 400 retail marijuana stores
- 450 marijuana cultivation facilities
- 60 marijuana manufacturing faculties

July 1, 2022 - the Board of Supervisors may by resolution petition to Circuit Court for a referendum on the question of whether marijuana retails sales should be prohibited in the locality. The results of the referendum must be certified by December 31, 2022 and the Authority will start accepting applications for licenses in July 1, 2023.

There will be restrictions on retail sales of marijuana. Retailers must sell only to persons 21 years of age or older; sales must be face-to-face: no drive through windows, online sales or delivery; no employees can be under 21 years of age; and marijuana cannot be used on consumed at the retail marijuana sales location.

There is the ability, if retail sales are allowed in Louisa County, for taxation. The Commonwealth will tax 20% of the sales amount of retail marijuana in addition to any retail sales tax applicable and any other provisions of federal, state or local law. Louisa County can, by adoption of an ordinance, tax up to an additional 3% of retail sales in Louisa County.

Possession of marijuana becomes legal in the Commonwealth of Virginia on July 1, 2021. You must be 21 years of age or older to legally possess marijuana, possession cannot be more than one ounce; possession of one ounce to one pound will be issued a civil fine of \$25.00 and possession of more than one pound is considered a felony. Home cultivation of marijuana also becomes legal in Virginia on July 1, 2021. The plants may only be at the person's main place of residence, they must ensure the plant is not visible from public way and must prevent access to plants by persons under 21. Up to four marijuana plants are legal per household and each plant must have a tag attached that shows name of owner, driver's license or personalized ID number and notation that the plant is being cultivated for personal use as authorized by law.

Discussion ensued regarding the legislation and additional provisions to regulate, sell, and cultivate marijuana.

UNFINISHED BUSINESS

(None)

NEW BUSINESS/ACTION ITEMS

Resolution – To Establish and Adopt the Tax Levy for Fiscal Year 2021-2022 for Real Estate, Tangible Personal Property, Merchant's Capital, and Machinery and Tools

On the motion of Mr. Barnes, seconded by Mr. Williams, which carried by a vote of 7-0, the Board voted to establish the following tax levies on Real Estate, Tangible Personal Property, Merchant's Capital, and Machinery and Tools taxes for Fiscal Year 2022:

Per \$100.00 Assessed Value

Real Estate (§58.1-3200, Code of Virginia 1950, as amended).....\$0.72
(Includes Mobile Homes)

Personal Property (§58.1-3500, Code of Virginia 1950, as amended)\$2.43
(Exclusive of household furnishings)

Business Personal Property (§58.1-3500, Code of Virginia 1950, as amended).....\$1.90
(Exclusive of household furnishings)

Machinery and Tools (§58.1-3507, Code of Virginia 1950, as amended)\$1.90

Merchant's Capital (§58.1-3509, Code of Virginia 1950, as amended).....\$0.65

Aircraft (§58.1-3500, Code of Virginia 1950, as amended).....\$0.48

Resolution – To Adopt the Fiscal Year 2022 Operational and Maintenance Budget

The Louisa County Board of Supervisors held a public hearing, in accordance with Code of Virginia §15.2-2506, on the proposed Fiscal Year 2022 budget on March 15, 2021. The Board of Supervisors previously reviewed the proposed budget during several public work sessions;

On the motion of Mr. Williams, seconded by Mr. Gentry, which carried by a vote of 7-0,

the Board voted to hereby adopt the Fiscal Year 2022 Operational and Maintenance Budget in the amount of \$121,360,450 as detailed in the attached. Be it further resolved that the Louisa County Public Schools budget is adopted with the understanding that the Louisa County Department of Parks and Recreation shall continue to use school facilities as in the past. Additionally, the Louisa County Board of Supervisors approve issuance of necessary employment contracts associated with local positions.

Resolution – To Adopt the Fiscal Year 2022 Capital Improvement Plan Budget

The Planning Commission and the Board of Supervisors have both held Public Hearings on the proposed Fiscal Year 2022 Capital Improvement Plan Budget in accordance with the Code of Virginia §15.2-2506. The Planning Commission has reviewed the proposed Capital Improvement Plan Budget over the course of several public work sessions.

The Board of Supervisors has reviewed the proposed Capital Improvement Plan Budget during several public work sessions and a Public Hearing on March 15, 2021.

On the motion of Mr. Williams, seconded by Mr. Gentry, which carried by a vote of 7-0, the Board voted to hereby adopt the Fiscal Year 2022 Capital Improvement Plan Budget in the amount of \$7,414,840.

Resolution – Approving the Issuance of a Bond of the Industrial Development Authority of Louisa County, Virginia and Authorizing the Execution of an Agreement Providing for a Non-Binding Obligation of Louisa County, Virginia to Consider Certain Appropriations to the Industrial Development Authority of Louisa County, Virginia to Facilitate the Financing of an Airport Hanger Project

Mr. Doug Sbertoli with Williams Mullen, appeared before the Board to go over the support agreement for the issuance of a bond of the Industrial Development Authority of Louisa County, Virginia and Authorizing the Execution of an Agreement Providing for a Non-Binding Obligation of Louisa County, Virginia to Consider Certain Appropriations to the Industrial Development Authority of Louisa County, Virginia to Facilitate the Financing of an Airport Hanger.

The Authority desires to issue a revenue bond in an estimated maximum principal amount of \$600,000 (the “Bond”), and use the proceeds thereof to finance the acquisition, construction, and equipping of an airplane hangar project for lease and usage by members of the general public at the Louisa County Airport (the “Project”) and to pay related costs of issuance. As a condition to the purchase of the Bond by the Virginia Resources Authority, as administrator of the Airports Revolving Fund (“VRA”), the Authority is required to obtain from Louisa County, Virginia (the “County”), a non-binding obligation to remedy any deficiencies in payments due on the Bond, subject to the appropriation of sufficient funds for such purpose, and accordingly the Authority has requested the Board of Supervisors of the County (the “Board”) to agree to enter into a support agreement with the Authority and VRA to evidence such obligation (the “Support Agreement”), a draft of which has been presented to this meeting in substantially final form

Comments and questions were addressed by the Board regarding: the terms of the agreement; and the ownership of the Airport, which were answered by Mr. Goodwin and Ms. Phillips.

On the motion of Mr. Williams, seconded by Mr. Adams, which carried by a vote of 6-1,

with Mr. Gentry voting against, the Board voted to approve the issuance of a bond of the Industrial Development Authority of Louisa County, Virginia and Authorizing the Execution of an Agreement Providing for a Non-Binding Obligation of Louisa County, Virginia to Consider Certain Appropriations to the Industrial Development Authority of Louisa County, Virginia to Facilitate the Financing of an Airport Hanger Project

REPORTS OF OFFICERS, BOARDS AND STANDING COMMITTEES

Committee Reports

Mr. Purcell reported on the Louisa County Water Authority regarding: 1) Easements acquisition between Louisa and Goochland for the Shannon Hill Business Park, and 2) Solar facility developed on current plants.

Mr. Barlow reported on the Community Criminal Justice Board.

Mr. Barnes requested the Health Center Commission look into the demographics of those in need or would like to receive the COVID-19 vaccine. He said he would also like for the Blue Ridge Health District to provide an update on the vaccine at an upcoming meeting.

Board Appointments

(None)

County Administrator's Report

Mr. Goodwin reported that there were several monthly reports and items of correspondence in the Board packet and reminded the Board of several upcoming events.

PUBLIC HEARINGS

Resolution – To Approve CUP2020-06 Apple Grove Solar, LLC, Applicant; Seth Maughan, Agent; Robert Bunting III & GPS Property, Inc., Owners –Conditional Use Permit Request

Mr. Gardner provided a brief overview of Conditional Use Permit (CUP2020-06) Apple Grove Solar, LLC, Applicant; Seth Maughan, Agent; Robert Bunting III & GPS Property, Inc., Owners, The application is for a solar facility based on substantially different application revisions from CUP2020-03; which was previously denied by the Board of Supervisors.

A summary of the substantial different application revisions includes:

1. Reducing the facility generation capability from 20MW to 15MW, a 25% decrease.
2. Reducing the entire development envelope from 138.5 acres to 111 acres, a 20% decrease.
3. Reducing the estimated fenced-in footprint from 118 acres to 88 acres, a 25% decrease.
4. Providing six new field documents gathered from recent surveys and studies including the locations of wetland areas on amended Preliminary Concept Plan.

5. Increasing setback areas illustrated on concept plan sheets:
 - a. Between adjacent property lines and solar equipment from 125 to 150 feet, an increase of 17%.
 - b. Between public rights-of way and solar equipment from 250 to 300 feet, an increase of 17%.
 - c. Surrounding an on-site cemetery from 25 to 100 feet, an increase of 75%.
6. Substantial area of “no disturbance” shown north of parcel 83-4, preserving additional vegetation as setbacks, and leaving half of parcel 83-1 to the north for the current owner to use.
7. Establishing three rows of evergreen trees in areas shown on plan sheets.
8. Creating noise suppression by keeping construction laydown or equipment yards a minimum of 500 feet from adjacent property and 1,000 feet from neighboring dwellings.

Apple Grove Solar, LLC, Applicant; Seth Maughan, Agent; Robert Bunting III & GPS Property, Inc., Owners are requesting approval of the following:

- A. Determination that the proposed *utility service, major* solar facility is substantially in accordance with the 2040 Louisa County Comprehensive Plan for the 225 acres under option to lease or purchase.
- B. Issuance of a Conditional Use Permit for a *utility service, major* in accordance with Sections 86-64.3 (new code Section 86-154) Permitted uses - With a conditional use permit in the Agricultural (A-2) zoning district and 86-61.3 (new code Section 86-136). - Permitted uses-With conditional use permit in the Agricultural (A-1) zoning district for a 35 to 50 year solar project with a combined acreage of 225 acres, 111 acres of which could produce up to 15 Megawatts of Alternating Current (MW AC). The Project’s solar arrays and ancillary equipment will occupy approximately 88 acres of the 111 acres.

The properties are located to the northwest of the intersection of Apple Grove Road (Route 657) and Jefferson Highway (Route 33). The properties are further identified as an approximate 234.4 acres of tax map parcels 83-1 and 83-4, in the Cuckoo Voting District. The Louisa County 2040 Comprehensive Plan Future Land Use Map designates this area as Rural Area.

The Planning Commission made a determination that CUP2020-06, establishing a major solar utility and its general or approximate location, character and extent as substantially in accord with the adopted 2040 Plan (Zoning Ordinance Chapter 86, Article X and Virginia Code 15.2-2232 review) as follows:

- a. The project consists of a two parcels west of Jefferson Highway (Route 33) and just north of the intersection of Apple Grove Road (Route 657) and Jefferson Highway.
- b. The proposed solar facility has a 35 to 50 year life span. When this life span is over, the site will undergo decommissioning, including removal of all improvements, and the reversion of this land to Rural Area, thus helping conserve and preserve the County’s rural character and way of life.

- c. The proposed solar facility will generate sustainable energy augmenting the provision of capable public services and the County may receive over \$1.4 Million of additional revenue from the facility to help ensure a healthy future economy.
- d. Once the facility is constructed its operations will generate few vehicle trips, thus helping to preserve the rural character of the surrounding area.
- e. The operation of solar collectors are quiet and this equipment will not disturb adjacent or nearby residents in keeping with the surroundings.
- f. The proposed use of grasses and other ground covers will help reduce stormwater runoff by providing a pervious surface for water absorption.

The Planning Commission also recommended for public necessity, convenience, general welfare, or good zoning practice approval to the Louisa County Board of Supervisors on the request for issuance of a Conditional Use Permit. This proposal conforms to the definition of *utility service, major*, in accordance with Sections 86-61.3 (new code Section 86-154) Permitted uses - With a conditional use permit in the Agricultural (A-2) zoning district and 86-64.3 (new code section Sec. 86-136). - Permitted uses-With conditional use permit in the Agricultural (A-1) zoning district; and found to be in compliance with the 2040 comprehensive plan.

Recommendation of approval was made with the following 31 conditions:

1. The applicant is proposing a solar facility project having a combined acreage of approximately 225 acres encompassing two parcels (TMP83-1 and TMP83-4) that could produce up to 15 Megawatts of Alternating Current (MW AC). The Project's solar arrays, buffers and ancillary equipment will utilize approximately 88 acres as shown in **Exhibit C**.
2. The solar energy facility is a major utility service, as defined in the Louisa County Zoning Ordinance. It will consist of an integrated power generation facility and solar modules on up to 111 acres of disturbed area of the 225 acre property identified as "Apple Grove Solar" as shown on the Preliminary Site Plan, sheets EX1-5, prepared by Kimley Horn dated September 21, 2020 (**Exhibit C**).
3. This CUP is for up to 15 MW AC solar photovoltaic (PV) solar facility constructed, owned and operated by Apple Grove Solar, LLC (Applicant), and designed for a life of 35 to 50 years from the date of commencement of operations. This conditional use permit may not be phased or extended beyond 50 years from the commencement of operations without further approval from the Louisa County Board of Supervisors.
4. Site Plan Requirements. Location of the solar panels and other structures shall be generally consistent with the preliminary layout prepared by Kimley-Horn and dated September 21, 2020, EX-1 thru EX-5 (**Exhibit C**). The Applicant or project owner shall provide the following plans for review and approval for the solar energy facility (the "Project"). The applicant will also provide a certified plat of the project. In addition to all state and local site plan requirements, such plans shall include, at a minimum, those items listed below.

a. Construction Traffic Management and Mitigation Plan

The Applicant or Project Owner shall prepare and submit such a plan to the Virginia Department of Transportation (VDOT) and the County of Louisa for review and approval. The Plan shall address traffic control measures, a pre- and post-construction road evaluation, and any necessary repairs to the public or private roads which are necessary due to damage from the Project. If a traffic issue arises during the construction of the Project, the applicant or project owner shall develop, with input from the VDOT and the County, and complete appropriate measures to mitigate the issue. General maintenance shall occur during construction. All final repairs shall take place within 30 days post-construction to bring roads to a minimum of the pre-construction condition. A video of the existing road conditions will need to be provided to VDOT prior to the start of any construction. VDOT will provide a map detailing the roads that need to be videoed.

b. Construction Traffic Control Plan

1. Traffic control methods, including, if applicable, lane closures, flagging procedures, directional and informational signage, and designated access points for deliveries and employee access.
2. Designated delivery and parking areas.
3. Designated routes for deliveries of equipment and materials on secondary roads to the Property.
4. Plans to direct employee traffic and delivery traffic to specific roadways to access the property to minimize conflicts with local traffic patterns.

c. Construction Mitigation Plan

1. Dust control and mitigation, using water trucks, mulch, or similar methods.
 2. Smoke and burn mitigation and limits, such as containment or similar methods.
 3. Noise mitigation, such as the enforcement of hours of operation.
 4. Daily road monitoring and policing along Jefferson Highway (Route 33) and if used Apple Grove Road (Route 657) shall occur including the cleaning of roadways of soil and mud tracked onto these roads from construction-related traffic.
 5. All waste water (both black water and grey water) requires removal from the Project site and disposal in accordance with County Rules and the Virginia Department of Health.
5. Fencing. The Applicant or Project Owner shall install a chain-link security fence surrounding the Project. The fence shall be a minimum height of a six (6) feet foot high and topped with a one (1) foot tall anti-climbing device, as stated in the application. Installation of such fencing shall be outside the exterior of any solar panels and related equipment and on the interior of the required setbacks/buffers addressed in condition #9 below.
6. Lighting. The project shall not have exterior lighting, except for safety and security which shall face downward. Such safety and security lighting shall not exceed fifteen (15) feet in height and shall be Dark Sky compliant.
7. Noise. Noise generated from construction of solar energy facilities shall comply with the Louisa County Code, Chapter 51 Noise Ordinance.

8. Construction and Deconstruction Hours. All site work shall be limited to Mondays through Fridays between the hours of 7:00 a.m. to 6:00 p.m. only. All decommissioning work follow the same days and hours above.
9. Fiber Optic Contribution. Prior to commencing construction the Applicant shall contribute \$5,000 to the County's fiber optic network buildout to support broadband internet.
10. Solar Panels. All solar panels will use anti-reflective technology.
11. Existing vegetation. The Applicant shall establish and/or maintain all vegetative areas illustrated and noted on the preliminary layout by Kimley-Horn in pages 28 through 32 of **Exhibit C**. Removal of this vegetation requires prior approval from the Zoning Administrator. Criteria for removal shall only involve trees threatening the project, the property, or neighboring property, or when trees grow to a height of greater than thirty five (35) feet and impacts the Project's energy output. A similar type tree having a minimum 2 inch diameter at breast height, or DBH, shall replace each tree removed at the same location. This replacement requirement shall also apply in the case existing trees dies or becomes diseased and there is a resulting in a gap in the visual buffer.
12. Buffers/setbacks and supplemental plantings. The Applicant is proposing several buffers/setbacks and supplemental plantings (**Exhibit C** pages 28-32, **Legend**) as follows:
 - An orange stripe, showing a minimum 100-foot buffer area within a minimum 150-foot setback plus supplemental plantings.
 - A blue stripe, showing a minimum 200-foot buffer area within a minimum 300-foot setback plus supplemental plantings.
 - A green stripe, showing preservation of existing vegetation and additional buffers/setbacks and supplemental planting areas, and a pollinator-friendly area.
 - A black and white stripe with hexagonal patterns, showing natural vegetation regrowth and supplemental plantings of three staggered rows of 5-foot tall Green Giant Arborvitae
 - A black and white stripe with tick marked patterns is a 50-foot setback from wetlands.
 - A black and white stripe with triangles, showing supplemental plantings with evergreen saplings, at a rate of 400 per acre.

Within these setbacks the applicant is committing to not removing vegetation unless it causes safety issues or a decrease in energy creation and approved first by the Zoning Administrator. The area around and under the solar panels will be planted with non-invasive native grasses.

13. Facility Abandonment. If the solar energy facility becomes inactive, completely or substantially discontinuing the delivery of electricity to an electrical grid for a continuous 365 day period, the Zoning Administrator, in consultation with the project owner and other agencies, shall deem the facility abandoned. The County shall notify the applicant or current project owner in writing to begin removing the facilities ("decommissioning")

within six (6) months of receipt of such notice. If removal of the facility does not take occur within the specified time after notice, the County may cause removal of the solar energy facility with costs borne by the project owner. Unless otherwise not allowed by local, state, or federal law, the net costs of decommissioning require an adequate amount of surety in a form agreed to by the County Attorney. Such surety may include a letter of credit, cash, or a guarantee by an investment grade entity, posted within 30 days of the project receiving its occupancy permit or equivalent from the County. A third party engineer will determine an initial surety amount approved by the County prior to site plan approval. Updates of the surety cost estimates shall occur every five (5) years and provided to the County. At its option, the County may require the additional surety amounts based on the updated net costs of decommissioning. The applicant shall provide a Phase I Environmental Site Assessment report to the County when the decommissioning work is completed.

14. Louisa County Staff Training. Upon request, but not more than once per year, the applicant or project owner shall provide materials, education, and/or training, in coordination with the County's Emergency Services staff, to the departments serving the solar energy farm in regard to safely responding to on-site emergencies.
15. Road Access Ways. All accesses to the Project will be from existing public roads via fee simple access with no obligation to the Virginia Department of Transportation or the County of Louisa for construction, maintenance or access. VDOT will be responsible for reviewing and approving access. The applicant or project owner shall provide identification signs for all approved accesses to the Project.
16. Existing Cemetery Protection and Access. The applicant shall keep all construction activity and material stockpiling at least 100 feet away from an existing private cemetery within the Project, and provide an access way for persons visiting the cemetery subject to County for review and approval.
17. Heights. No aspect of a solar facility shall exceed 25 feet in height, as measured from grade to its highest point. Solar panels shall be a maximum of 11 feet in height at the highest point from normal grade level. Such height restriction shall not apply to electrical distribution and transmission lines, or the poles and structures that support them. Within the Project area electrical lines will be below panel height except for possibly those to cross creeks, wetlands, public rights-of-way, and the main line to the point of interconnection.
18. Agency Approvals. Agency approvals. The project's design, construction and testing shall meet relevant local, state and federal standards as applicable.
 - a. All active solar systems shall meet the requirements of the National Electrical Code (NEC), National Electrical Safety Code (NESC), American Society of Civil Engineers (ASCE), American National Standards Institute (ANSI), Institute of Electrical and Electronics Engineers (IEEE), Underwriters Laboratories (UL), or International Electro technical Commission (IEC), as applicable and state building code shall be inspected by a county building inspector through the building permit process.
 - b. Approval of Erosion and Sediment Control plan with a surety bond posted with Louisa

County is necessary prior to commencing any land disturbance activity.

- c. The site shall fully comply with all applicable provisions of the Louisa County Zoning Ordinance, to the extent not modified herein, throughout the life of this Conditional Use Permit.

19. Building Permit Deadlines. Building permits must be obtained within five (5) years from the date of approval for this Conditional Use Permit and the generation of solar electricity shall reach a maximum phase of 15 MW AC within three years from issuance of the building permit, or this Conditional Use Permit shall become null and void.

20. Decommissioning. Deconstruction of the Project shall begin within twelve (12) months after the Project sites are permanently decommissioned. As used herein "deconstructed and removed" shall mean the following:

- a. Removal from the surface of the Property, any Project facilities and appurtenances installed or constructed thereupon, including permanent foundations, however, during the course of deconstruction, structural members three feet or more in the ground which break off shall be abandoned in place,
- b. Filling in and compacting of all trenches or other borings or excavations made in association with the Project,
- c. Removing of all debris caused by the Project from the surface of the Property,
- d. Performing and providing a Phase I Environmental Site Assessment report of the site to the County.

The project owner or operator shall provide to the Zoning Administrator a report detailing compliance with all of Conditional Use Permit requirements required for decommissioning. County staff will review the provided decommissioning report for approval or denial. If denied, a list of corrective actions will be provide to the project owner or operator. At the completion of decommissioning the properties be made ready for agricultural or forestal use, preserving and protecting Louisa County's rural and agricultural character.

21. Soil Stabilization. All disturbed areas shall immediately receive temporary or permanent seeding according to the Virginia Erosion and Sediment Control Hand Book. The site plan shall show a note for use of native Virginia grasses and plants. Species of vegetation that have been classified by VADEQ or DCR as invasive will not be permitted.

22. Stormwater Improvements. All approved stormwater improvements require inspections and approvals by either DEQ staff or a qualified professional engineer and licensed by the Commonwealth of Virginia before commencing any other site work. Evidence of such inspections shall go to Louisa County staff for review.

23. On-Site SWM & ESC Manager. The applicant will provide an individual responsible for performing daily inspections of stormwater and erosion and sediment control practices and devices installed throughout construction. This individual will provide the County a weekly status report and coordinate with the County Erosion and Sediment Control inspector, Thomas Jefferson Soil and Water Conservation District, and the Virginia Department of Environment Quality as necessary, to resolve any stormwater and erosion and sediment control issues that occur on site.

24. Pollinators. The applicant shall establish and maintain a minimum of 5 acres of

pollinator-friendly vegetation on site in accordance with the Virginia Department of Conservation and Recreation's Virginia Pollinator Smart Program's Best Management Practices and Comprehensive Manual. The planting of pollinator vegetation will occur after construction of the solar panels is complete and the project is ready for final site stabilization.

25. Site Plan Approval. Submission and approval of a site plan and inspections of stormwater improvements in accordance with the Louisa County Zoning Ordinance prior to issuance of any building permits.
26. Binding. This conditional use permit (CUP) shall be binding on Apple Grove Solar LLC, or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy farm.
27. Project Liaison. The Operator shall designate at least one public liaison, publicize a toll-free phone number and email address for communication with the liaison during construction, and post it on a temporary sign at each access. This information shall appear on the Operator's website and Louisa County will place it on the County's website and other social media. The liaison shall act as a point of contact between citizens and construction crews. The liaison shall be available in person and by phone during active construction hours and shall respond to any questions related to the Facility or Property within 24 hours. The liaison role shall commence at the initial pre-construction meeting. The public liaison shall prepare a monthly report detailing any complaints, complaint date, resolution, and resolution date of any inquiries. The report shall go to the Zoning Administrator on the first business day of each month throughout the construction period and an additional six (6) months following issuance of the final occupancy permit or equivalent from the County for the Facility.
28. Pile driving notice. The project owner or operator will notify the Louisa County Zoning Administrator and adjacent property owners 7 days prior to the start of any pile driving activity.
29. Waste Disposal. Any solids or hazardous waste carried onto the site during construction or, operation or decommissioning will be contained and managed in accordance with applicable rules and regulations. Such materials include but not limited to materials used for the proper functioning of the plant and machinery, hydraulic oil, diesel, petroleum, grease, solvents, lubricants, paints, adhesives, and other oil-based products). The Applicant will also take all steps required to prevent the littering or contamination of the Project site or adjacent properties with such materials.
30. Site inspection. The Louisa County Board of Supervisors or their designated representative reserves the right to inspect the site at any reasonable time with or without advance notice.
31. Violations. Violations of any condition of this permit shall be grounds for revocation of the Conditional Use Permit. The Louisa County Board of Supervisors may choose to hear any violations of the conditions of the permit affording the applicant due process during a public hearing.

32. Applicability of CUP. This CUP shall run with the land and be binding on Applicant, Project Owner, and Owners of parcels identified as TMP83-1 and TMP83-4, or any successor or assign. Applicant is purchasing TMP83-4 and is leasing a portion TMP83-1 from Robert Bunting III. For the avoidance of doubt, those project features depicted in Exhibit C, that are located on TMP83-1 including, but not limited to buffers and setbacks, which are outside the boundary of the leased area, shall be maintained in accordance with this CUP by all parties bound hereto, including but not limited to Applicant and Robert Bunting III, or any successor or assign.

NOW, THEREFORE, BE IT RESOLVED, on this 19th day of April 2021, that the Louisa County Board of Supervisors hereby approves the issuance of a Conditional Use Permit for a *utility service, major* in accordance with Sections 86-64.3 (new code Section 86-154) Permitted uses - With a conditional use permit in the Agricultural (A-2) zoning district and 86-61.3 (new code Section 86-136). - Permitted uses-With conditional use permit in the Agricultural (A-1) zoning district for a 35 to 50 year solar project with a combined acreage of 111 acres that could produce up to 15 Megawatts of Alternating Current (MW AC). The Project's solar arrays and ancillary equipment will occupy approximately 88 acres of the 111 acres, with the thirty-two (32) conditions listed above.

Members of the Board asked for clarification on what they consider substantially different from the last application.

Mr. Gardner noted the following changes:

1. Reducing the facility generation capability from 20MW to 15MW, a 25% decrease.
2. Reducing the entire development envelope from 138.5 acres to 111 acres, a 20% decrease.
3. Reducing the estimated fenced-in footprint from 118 acres to 88 acres, a 25% decrease.
4. Providing six new field documents gathered from recent surveys and studies including the locations of wetland areas on amended Preliminary Concept Plan.
5. Increasing setback areas illustrated on concept plan sheets:
 - a. Between adjacent property lines and solar equipment from 125 to 150 feet, an increase of 17%.
 - b. Between public rights-of way and solar equipment from 250 to 300 feet, an increase of 17%.
 - c. Surrounding an on-site cemetery from 25 to 100 feet, an increase of 75%.
6. Substantial area of "no disturbance" shown north of parcel 83-4, preserving additional vegetation as setbacks, and leaving half of parcel 83-1 to the north for the current owner to use.
7. Establishing three rows of evergreen trees in areas shown on plan sheets.
8. Creating noise suppression by keeping construction laydown or equipment yards a minimum of 500 feet from adjacent property and 1,000 feet from neighboring dwellings.

Mr. Adams asked if the application met the buffering requirements based on the county's standards.

Mr. Gardner replied no.

Mr. Adams asked for clarification as to why it does not.

Mr. Gardner said he believes the property owner did not want the property wrapped up in the development under the CUP so he could pursue other agricultural development on the property.

Mr. Babyok noted that Mr. Bunting provided a letter expressing his reason behind the lack of buffering on the site.

Mr. Babyok asked if the agent would like to speak.

Mr. Seth Maughan, SolUnesco - Apple Grove Solar, provided some points of clarification on the new application, the substantially different changes, and noted things they have learned from their previous hearing where the Board denied the request.

Mr. Gentry asked for Maughan to take a moment to talk about the concerns at the previous hearing regarding the buffering around the cemetery and how they have addressed those concerns.

Mr. Maughan said the County was unable to provide adequate guidance on buffering around the cemetery so they went with the recommendation that staff provided at the time of application. He noted he realizes now that the recommendation did not provide the respective space for a cemetery. He said since then a cultural survey has been performed and the recommendation is to have a 100 foot buffer around the gravesite.

Discussion ensued regarding the application as presented. Mr. Adams expressed his concerns with the lack of buffering around the site and Mr. Barnes expressed his concerns with the timeline from when the project was denied to where it is at now in the Que. He noted there is only a four month difference from when the application was first denied by the Board.

Mr. Maughan noted the concerns addressed by Mr. Adams and Mr. Barnes and explained that if the project gets delayed or denied again, the project will more than likely diminish.

Back and forth discussion took place regarding the 150 foot buffer requirement.

Babyok opened the public hearing

Ms. Karen Bunting, Cuckoo District, said she has contacted Mr. Bunting and made him aware of the issue with the buffer and noted that he is willing to abide by the County's standards for the buffer.

Mr. Bruce Stone, Cuckoo District, appeared before the Board to speak in favor of the application.

Mr. Peyton Burchell, Hanover County, provided the Board with project merits and reasons it would be beneficial to the locality.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to extend the hearing.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to enter the letters related to this application be entered into the official minute record (See Appendix A).

With no one else wishing to speak, Mr. Babyok closed the public hearing and brought it back to the Board for discussion.

On the motion of Mr. Gentry, seconded by Mr. Barnes, which carried by a vote of 4-2-1, with Mr. Barnes and Mr. Adams voting no and Mr. Purcell abstaining, the Board voted to approve the application, as presented.

The Board took a recess at 8:39 p.m. The Board reconvened at 8:49 p.m.

Resolution – To Approve ZTA2021-01 Proposed Zoning Ordinance Definition Amendment – “Substantially the Same”

On December 7, 2020 at a regular meeting of the Board of Supervisors, staff received direction to amend Chapter 86, Zoning Ordinance, to clarify the meaning of “substantially the same” text. This undefined phrase does not provide specific criteria needed to prevent either denied or withdrawn land use applications from reconsideration before a required 12 month limitation expires. The Louisa County Planning Commission held a public hearing on February 25, 2021 and forwarded the following text amendments to the Louisa County Code to the Board of Supervisors with a recommendation of approval.

After deliberation with members and the Board and staff, the Board agreed to the following changes:

Substantially the same. Land use applications of any type are substantially the same as a previous application if the application includes one of the following:

1. A previously requested land use action on any parcel or parcels included in a previous application; or
2. Any requested land use action that may result in the ability to gain the same or similar land use by definition.

Mr. Barnes asked if the 12 month period will still apply.

Members of the Board and Staff said yes.

Mr. Babyok opened the public hearing. With no one wishing to speak, Mr. Babyok closed the public hearing and brought it back to the Board for discussion.

On the motion of Mr. Williams, seconded by Mr. Purcell, which carried by a vote of 7-0, the Board voted to approve the above reference text amendments to the Louisa County Code, Chapter 86 Land Development Regulations, sec. 86-13 - Definitions.

Resolution – To Approve Modification to CUP2016-01 to Amend the Existing Approved Conditions Associated with the Application Submitted by Kinetic Endeavors, LLC, Applicant: Vallerie Holdings, LLC, Owner

At a regular meeting of the Louisa County Board of Supervisors held April 18, 2016, the Board voted to approve the request for the issuance of a conditional use permit to allow for the staging of an annual triathlon on the property, on nearby roads and in the adjacent waters of Lake Anna in accordance with Sections 86-103 and 86-453 of the Louisa County Zoning Ordinance, for an *outdoor gathering* in the General Commercial (C-2) zoning district.

Approval of the original conditional use permit was made with seventeen (17) conditions.

At the direction of the Louisa County Board of Supervisors, staff conducted a special neighborhood meeting on July 10, 2019 to solicit ideas for improving how the “Rumpus in the Bumpass” Triathlon events are held at Pleasants Landing Marina, in order to address the neighbors’ concerns. This public hearing is to consider the revised conditions applicable to CUP2016-01 resulting from this meeting.

At a regular meeting of the Louisa County Board of Supervisors held September 3, 2019, the Board voted to approve the following amended conditions

Generally:

1. The outdoor gathering use under an approved permit on this property shall be limited to triathlons sponsored by Virginia/Maryland Triathlon Series and/or Kinetic Endeavors, LLC. Greg Hawkins (the “Promoter”). The triathlon may attract roughly 1,500 participants over a weekend event. The event may be a one day or two day event, no single day may have more than 750 participants.
2. This permit is valid for one fall event in 2019, following the fall event, the event holder will meet with the neighbors and Director of Community Development to assess the impact of these amended conditions on the events operations. This CUP and its conditions will be reviewed by the Board of Supervisors prior to the extension or approval of a permit for any additional event. The approved use and the related events shall be in conformity with the Plan of Operation and Course Routes submitted February 12, 2016 (Exhibit A-A).
3. Sound related to the event, music and announcements, will not begin until 8:30 a.m. The event race will start at 9:00 a.m. All event related activities will end by 5:00 p.m.
4. There shall be no overnight camping.
5. The Board of Supervisors or their designated representative reserves the right to inspect the site at any reasonable time without prior notice.

30-day Notifications:

6. The applicant shall notify residents, businesses and others likely affected by the route of the triathlon at least 30 days before the spring or fall events.
7. Each event shall be coordinated as necessary with the following government agencies and others: Virginia Department of Health, Virginia Department of Transportation, Louisa County Emergency Services, Louisa County Sheriff's Office, Dominion Virginia Power, Virginia Department of Game and Inland Fisheries, Louisa County Community Development Department, and any other applicable agency. Notification to all agencies shall take place at least 30 days prior to the event.

Pre-event:

8. The event holder will include parking requirements and advise clients that towing will be enforced with all further advertisements and on the event website.
9. The promoter shall submit the following plans, statements, approvals and other items to the Louisa County Department of Community Development for review and approval at least 30 days prior to the event:
 - a. Detailed sketch showing the location of access, temporary structures, parking arrangements, trash containers, food trucks, staging areas and port-a-johns.
 - b. Current certificate of insurance naming the County of Louisa as an additional insured in the amount of \$1,000,000. The County is not liable for any incidents or lawsuits resulting in such events.
 - c. A copy of the ticket, badge of admission, or advertisement to the event, containing the date(s) and time(s) of the event, and estimated number of persons expected to attend.
 - d. Names and addresses of the promoters of the event, the financial backing of the event, and the names of all persons or groups who will perform at the event.
 - e. Nature and location of the proposed event, the name and address of the owner of the property on which the event is to be held, and the interest of the applicant therein.
 - f. Promoter to submit plans to the Virginia Department of Health that shall review and approve as follows:
 - i. Sufficient sanitation facilities for garbage, trash and sanitary/sewage disposal.
 - ii. Provisions for providing food and water for persons at the event.
 - iii. Satisfactory medical facilities for persons at the event.

- g. Plan for providing adequate parking facilities and traffic control in and around the event area.
- h. An outdoor lighting plan showing the location of such lights and shielding devices to prevent unreasonable glow beyond the property where the event is located. Outdoor lighting shall consist of dark sky variety.
- i. Proposed schedule of activities.
- j. The promoter shall have LCSO perform a preliminary sound check on all generating or amplifying devices used during the event using a sound level meter. Two such readings shall take place near and along the property line or mid lake line facing the residential dwellings to the southeast whichever is closer. Acceptable reading levels at those locations are no greater than 70db daytime and 60db nighttime. Any exceedance during an event shall cause LCSO to inform the promoter who shall promptly reduce the sound to an acceptable level.
- k. Documentation for all required county and state permits and approvals.

During-event:

10. The promoter is responsible for coordinating traffic control and parking as necessary with VDOT, the Virginia State Police, the Louisa County Sheriff's Office, and providing sufficient flaggers, a pilot vehicle and volunteers to:
- i. Ensure that local traffic can travel in one direction and wait times shall be as short as is reasonably and safely possible.
 - ii. Station sufficient numbers of officers at strategic intersections to provide continuous traffic control.
 - iii. Employ flaggers along the runner and cycling routes according to the approved plan.
 - iv. Use a pilot vehicle for guiding queues of vehicles through the one lane traffic zone during the runner and cycling event according to the approved plan.
 - v. "No parking" signs shall be posted along Route 701 (Eastham Road) and Route 1030 (Pleasant Landing Road). Volunteers are to direct vehicles to allowable parking facilities. Towing will be enforced at the vehicle owners expense.
11. The swim route shall not affect or hinder the use of privately owned docks.
12. All expenses associated with adequate on-site emergency services, traffic control or other permits will be the responsibility of the applicant.
13. All sign(s) require a sign permit in accordance with the Louisa County Sign Regulations.

Post-event:

14. At the conclusion of each event remove all temporary structures such as tents and restrooms within 3 business days.
15. The event holder will offer a \$250.00 charitable contribution to a Lake Anna or Louisa County civic organization.
16. Violation of any condition of this permit shall be grounds for considering the revocation of this Conditional Use Permit. In order to maintain due process, the revocation procedures shall include a public hearing, an advertisement noting the hearings upcoming date and location, and notice of the hearing given to the CUP holder of record. At the hearing the Board shall provide opportunity for testimony, cross-examination of witnesses and introduction of evidence. At the end of these proceedings the Board shall decide whether to amend or revoke the CUP.
17. This conditional use permit may receive annual extensions by the Zoning Administrator, after submittal, review and approvals of all required plans, statements and other necessary approvals.

The property is located at the end of Route 1030 (Pleasants Landing Road), on the west side of Route 701 (Eastham Road). The property is further identified as tax map parcel 47-(11)-B2, in the Jackson Voting District. The 2040 Louisa County Comprehensive Plan designates this area of Louisa County as Low Density Residential in the Lake Anna Growth Area.

Mr. Babyok asked if the applicant/agent would like to speak.

Mr. Greg Hawkins, Kinetic Endeavors, appeared before the Board to provide some updates to the Board regarding the fall and spring events. He thanked the Board for their time and suggested the Board provide a better mechanism for an approval of this extent.

Mr. Babyok opened the public hearing.

Mr. Ken Schaffer, Jackson District, appeared before the Board to speak in support of the CUP request.

With no one else wishing to speak, Mr. Babyok closed the public hearing and brought it back to the Board for discussion.

On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to approve the request for a second modification to CUP2016-01 to amend the existing approved conditions adopted on September 3, 2019, associated with the application submitted by Kinetic Endeavors, LLC, Applicant; Vallerie Holdings, LLC, Owner with the following changes to conditions:

1. Change condition #2 “This permit is valid for ~~one fall event in 2019~~ one spring and one fall event in 2021, following the fall event, the event holder will meet with the neighbors and Director of Community Development to assess the impact of these amended conditions on the events operations. This CUP and its conditions will be reviewed by the Board of Supervisors prior to the extension or approval of a permit for any additional event. The approved use and the related events shall be in conformity with the Plan of Operation and Course Routes submitted February 12, 2016 (Exhibit

A-A).

ADJOURNMENT

. On the motion of Mr. Williams, seconded by Mr. Barnes, which carried by a vote of 7-0, the Board voted to adjourn the April 19, 2021 meeting at 9:14 p.m.

BY ORDER OF:
ROBERT F. BABYOK, JR., CHAIRMAN
BOARD OF SUPERVISORS
LOUISA COUNTY, VIRGINIA

APPENDIX A

I am not sure that I will be able to attend the April 19th Board hearing for Apple Grove Solar, but ask that this letter is read into the record during the public comment period:

To the Louisa County Board of Supervisors,

My name is Robert Bunting. I am the owner of Louisa County Parcel 83-1, which is one of the two parcels involved with the Apple Grove Solar Project. It has come to my attention that two questions pertaining to my property arose during the Planning Commission hearing. While I believe the developer answered these questions correctly, I would like to clearly state my position on these items so that the Board can hear it straight from me.

First, my contract with Apple Grove Solar allows for the project to lease a portion of my property for the project, leaving the rest for my continued use. I am happy with this arrangement and have been told that this is a common lease arrangement for this and other development types. I understand that, while the project may not lease all of my land, the Conditional Use Permit will apply to all of parcel 83-1. I have read through the proposed conditions and feel confident that they will allow me to continue to use the remaining land for its current use, and I acknowledge it will restrict me from removing vegetation from the 100-foot area defined as "buffer area" shown in orange on the Preliminary Plan.

Second, the buffer and setback commitments between 83-1 and 83-1A are less than those along other property lines. In addition to owning 83-1, I co-own 83-1A with my stepmother, Karen Bunting (who is CCed on this email, and agrees with this message). The plan along this portion of the property line, as proposed, seems to meet the county code's minimum requirements. Given that we are the only ones impacted by the requirement along this property line, we ask that you not impose additional requirements for our sake – we believe that doing so would have a negative impact on our ability to legally use our property. By not requiring unneeded setback, you are allowing me to leverage my property (83-1) to its full potential for lease revenue. By not requiring unneeded evergreen plantings, you are avoiding a potential challenge to our ability to continue using our adjacent land for farming.

I hope you will consider these points and vote to approve the Apple Grove Solar Project, as proposed. I believe that it now has the complete support of surrounding landowners and it will offer benefits to the county while not imposing any significant impacts. If the Board has further concerns pertaining to my land, I ask that you give me and the developer the opportunity to resolve them, rather than voting against the project.

Thank you,

Robert Bunting

Owner/Co-owner: Parcels 83-1 and 83-1A

APPENDIX A

Eleni Rackley

From: Renee Mawyer
Sent: Monday, April 19, 2021 3:22 PM
To: Eleni Rackley
Subject: FW: Solar Farm



Renee Mawyer

Planning and Zoning Administrative Assistant
County of Louisa, Virginia | Community Development Department
1 Woolfolk Avenue Suite 201 | Louisa, Virginia 23093
Phone (540) 967-3430 | Fax (540) 967-3486
Visit Us Online: www.louisacounty.com

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From: Barbara Evers [mailto:baevers21@gmail.com]
Sent: Monday, April 19, 2021 3:19 PM
To: PlanningZoning <PlanningZoning@louisa.org>; Alexandra McKinley <AMcKinley@louisa.org>
Subject: Solar Farm

CAUTION: External email

Good Afternoon,

We are writing to you on behalf of our support of the Apple Grove Solar farm trying to go in on Rt 33 and Apple Grove Rd. We have the farm across the street on Rt 33 and would love for the project to get the Green Light. We both feel this farm would not only benefit the County it would also be the best use of this space. We feel all the conditions have been met that the County has asked for and I truly do not believe it would be an eyesore in any shape or form....unlike all the clear cutting that is happening throughout Louisa!! Not only would it generate some very good tax revenue it would not cause and burdens to Louisa County in terms of utilities and other resources. I look forward to seeing you at the meeting tonight.

Sincerely,
Dr and Mrs Joseph P Evers .

--
Barbara Evers

APPENDIX A

Eleni Rackley

From: Lisa Barker <msalbarker@gmail.com>
Sent: Monday, April 19, 2021 4:27 PM
To: Info; Willie Gentry; Christian Goodwin; Jeff Ferrel; George Goodwin
Subject: Solunesco application

CAUTION: External email

Louisa County Board members:

The application for a solar facility to be considered by the Board tonight presents the same problems as were considered by the Board for this application less than a year ago. The Louisa County Code prohibits reconsideration of an application within the one year period following denial. In allowing this application to proceed the Board is violating its own law.

Last year I mentioned a number of issues related to this application. Only minor changes have been made, including mention of an insultingly small donation of \$5,000. The Board does current and future County residents a disservice if it continues to ignore the policy and environmental issues related to solar facilities, and if it continues to approve applications without a thorough public review and resolution of those issues.

The Board should adhere to its own law and cease review of this application, as noted above. The application fails to provide conformance with the comprehensive plan and fails to address environmental and other concerns. If the Board determines that it will continue this consideration despite the legal prohibition the application should again be denied.

Thank you for your consideration.

Lisa Barker

Cuckoo District