



POWHATAN COUNTY PLANNING COMMISSION
AGENDA ~ MONTHLY MEETING
Tuesday July 5, 2016
7:00 PM
Powhatan Village Building Auditorium

- A. **Call to Order** – Karin Carmack, Chair
- B. **Invocation** – David Van Gelder
- C. **Approval of Planning Commission Minutes**
 - 1. June 7, 2016 Meeting Minutes 3
- D. **Administrative Items** 7
 - 1. Monthly Activity Report –May 2015-2016
 - 2. Request to Postpone Action/Amend the Agenda
- E. **Public Comment Period**

At this time, the Commission will hear citizen comments on unscheduled matters involving the services, policies, and affairs of the County government regarding planning or land use issues.
- F. **Presentations** – None
- . **Public Hearings**
 - 1. **16-01-CUP: Virginia Solar LLC (Powhatan Courthouse/Mt. Zion Electoral District)** requests a conditional use permit (CUP) to operate a solar energy farm in the A-10, Agricultural District per §83-162(26) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Residential on the Countywide Land Use Plan Map. The subject property is 898.4 acres in size and is located west of Old Buckingham Road (Rt. 13) south of its intersection with Old Plantation Road (Rt. 644). Reference to Tax Map Parcels #38-28 and #38-3-1. 13
 - 2. **16-02-CUP: Blanton and Debora Gordon (Smiths Crossroads/Pineville/Tobaccoville Electoral District)** request an amendment to 15-06-CUP to operate a conference center in the Agricultural District per §83.162(34) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Preservation on the Countywide Land Use Plan Map. The property is located at 1660 Ballsville Road and is approximately 2.65 acres in size. Reference Tax Map Parcel #35-17B. 145
 - 3. **16-03-CUP: Blanton and Debora Gordon (Smiths Crossroads/Pineville/Tobaccoville Electoral District)** requests a conditional use permit (CUP) to operate a country inn in the Agricultural District per §83.162(49) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Preservation on the Countywide Land Use Plan Map. The property is located at 1659 Ballsville Road and is approximately 3.46 acres in size. Reference Tax Map Parcel #35-17A. 169
- H. **Other Business** –

I. Workshop Meeting –

1. Zoning Ordinance Amendment – Heavy Equipment/Vehicle Repair in A-10 as CUP.
2. Comprehensive Land Use Plan Update – Future Land Use Map

J. Adjournment

VIRGINIA: AT A REGULAR MEETING OF THE PLANNING COMMISSION HELD IN THE POWHATAN VILLAGE BUILDING AUDITORIUM, 3910 OLD BUCKINGHAM ROAD IN POWHATAN COUNTY, VIRGINIA, JUNE 7, 2016 AT 7:00 PM

Planning Commissioners Present:	Karin Carmack, District 1, Chairman Owen Walker, District 2 Jennifer Giovannitti, District 3 Bill Cox, District 4 David Van Gelder, District 5, Vice-Chairman
Planning Commissioners Absent:	None
Staff Members Present:	March Altman, Deputy County Administrator Ed Howland, Planning & Zoning Manager Shaun Reynolds, Environmental Coordinator Tom Lacheney, County Attorney
Staff Members Absent:	None

A. CALL TO ORDER:

Ms. Carmack called the meeting to order at 7:01 PM.

B. INVOCATION:

Mr. Van Gelder gave the invocation.

C. MINUTES:

1. May 3, 2016 Meeting Minutes

Ms. Carmack opened discussion of the adoption of the previous meeting's minutes.
Mr. Altman advised the Planning Commission of an amendment to the minutes on page three to include "Walker" beside Mr.
Ms. Carmack motioned for approval of minutes, as amended, from the May 3, 2016 meeting.

Ms. Carmack, Mr. Walker, Ms. Giovannitti, Mr. Cox, Mr. Van Gelder voted AYE

VOTE 5-0
MOTION Passed

D. ADMINISTRATIVE ITEMS:

1. Monthly Activity Report - May 2015-2016

Mr. Altman advised that construction activity tracking, from the building permit perspective is close to last year, year-to-date. While there is no new subdivision activity, houses that are more valuable are infilling existing subdivisions, resulting in a housing growth in the County.

2. Request for Deferral/Amend the Agenda

Mr. Altman requested, per a conversation with Chair Carmack, that workshop portion of the agenda be amended so that large lot development would not be discussed, and that the Future Land Use Map of the Comprehensive Land Use Plan would be the focus of the workshop discussion.

Mr. Altman updated the Planning Commission on the actions of the Board of Supervisors during their May 23 meeting. The Hancock Road rezoning request, Manage This LLC, was denied by the Board with a 4-1 vote with one abstention; and the Board approved the County's rezoning request for the bus garage, and upheld the Planning Commission's determination of substantial accord.

Ms. Carmack asked if there were any questions of Mr. Altman at this time. There were no questions or comments in reference to the Administrative Items.

E. PUBLIC COMMENT PERIOD

Chairman Carmack opened the public comment period.

Seeing, as there were no speakers, the public comment period was closed by Ms. Carmack.

F. PRESENTATIONS:

There were no presentations.

G. PUBLIC HEARINGS

16-02-REZC: Lesley D. Andrews and Reeves J. Hankins (Powhatan Courthouse/Ballsville

1. **Electoral District**) request the amendment of the proffer statement for the Oakland Estates Subdivision (Case #06-03-REZC) by reducing the cash proffer to \$1,880.00 per dwelling unit.

Mr. Altman provided a brief overview of the case, stating the County would see \$35,000 less in proffers with the reduction for the five remaining lots.

Ms. Carmack opened the public hearing period.

Mr. Thomas Tonks stated that he wanted a commitment from the builders to finish roads within the subdivision when promised and asked for a delay in approval to allow time to question the Board of Supervisors why proffers leave out roads.

Mr. Claude Patierno felt the covenants conditions, such as snow removal, are not being enforced, and does not think the developer should have any special exemption for this.

Mr. Jeff Hankins, developer of the Oakland Estates Subdivision, stated that he heard the residents' concerns and that they are legitimate. Mr. Hankins requested the Planning Commission recommend approval of the proffer reduction as it would allow him to complete this project.

Seeing, as there were no more speakers, the public hearing period was closed by Ms. Carmack.

Ms. Carmack opened the Planning Commission discussion.

Ms. Carmack asked Mr. Cox, if he, would you like to lead with any questions or concerns, since the project was in his district.

Mr. Cox stated that infrastructure is the number one problem the County has in terms of how we pay for it, and that he is not in support of reducing development contribution and asking citizens to pay more.

Ms. Carmack addressed the Commission and asked if there were any questions, stating she vehemently opposes the request for proffer reduction.

Ms. Giovannitti commented that the Commission turned down a project with concerns for road completion, that then went to the Board of Supervisors and was approved. She stated she does not support proffer reduction because it is new development, bringing new infrastructure issues.

On the motion of Mr. Cox, for the Planning Commission to recommend to the Board of Supervisors denial of 16-02-REZ: Lesley D. Andrews and Reeves J. Hankins.

Ms. Carmack, Ms. Giovannitti, Mr. Cox, and Mr. Van Gelder voted AYE; Mr. Walker voted NAY.

**VOTE 4-1
MOTION Passed**

H. Other Business

1. **16-01-PR – Stuart C. Reynolds (Smiths Crossroads/Pineville/Tobaccoville Electoral District)** requesting approval to construct a two (2) lot private road in the A-10 Agricultural District per §6.2-2.2 & §6.2-3.0 of the Subdivision Ordinance. The subject property is a 122-acre tract (T.M Parcel # 26-1-1) located on the west side of Three Bridge Road approximately ½ mile west of Maidens Road.

Mr. Shaun Reynolds gave an overview of the request to the Planning Commission stating that staff recommends approval subject to the conditions.

Chair Carmack asked if the applicant would like to speak. The applicant declined.

Chair Carmack offered an opportunity for the public to speak, although the Planning Commission does not have public hearings on private roads but do allow for public comment if anyone wishes to come forward.

Seeing, as there were no speakers, the comment period was closed by Chair Carmack.

Mr. Van Gelder stated that a private road is warranted in this instance.

Mr. Cox asked Mr. Stuart Reynolds if he understands the proffered conditions.

Mr. Stuart Reynolds addressed the Planning Commission stating that his father was gifting a parcel to his grandchild and understands in the future an upgrade to the private road may be required to accommodate additional lots.

On the motion of Mr. Van Gelder, for the Planning Commission to recommend approval of 16-01-PR, Stuart C. Reynolds.

Ms. Carmack, Ms. Giovannitti, Mr. Cox, Mr. Van Gelder, and Mr. Walker voted AYE.

**VOTE 5-0
MOTION Passed**

Ms. Carmack adjourned the regular meeting and opened the workshop meeting at 7:40 PM.

I. WORKSHOP MEETING

1. Comprehensive Land Use Plan Update Discussion

The Planning Commission discussed the Future Land Use Map considering whether or not to amend the map. The Commission’s discussion included, but was not limited to the following:

- the effect that extending water and wastewater service could have on the Rt. 60 and Courthouse Village Growth Area boundaries;
- the financial impact (cost) of extending water and wastewater service;
- alternatives to providing water service to the Courthouse Village area;
- the creation of development nodes at signalized intersections; and
- directing development into the current Village Growth Areas.

Chair Carmack requested that staff provide the Commission the draft Rt. 60 East Corridor Study land use analysis by Timmons Group and additional maps showing future land use/current zoning with the water and wastewater service district and village growth area boundaries.

Mr. Walker discussed amending the A-10 zoning district to provide for “heavy equipment/vehicle repair” as a conditional use.

Mr. Altman stated that he would draft an ordinance amendment for the Commission to review at its next meeting. If the Commission agreed with the amendment, then it would be advertised for the August meeting.

J. ADJOURNMENT

There being no further business, Ms. Carmack adjourned the meeting at 8:30 PM.

Karin Carmack, Chairman
Chairman

John M. Altman, Jr.
Deputy County Administrator

**Powhatan County Monthly Report
Building Inspections, Planning and Community Development
Departments**

MAY

March Altman
Community Development Director

Ralph O. Shelton Jr.

Ralph O. Shelton
Building Official

Building Permit Fees:	<u>May-14</u>	<u>May-15</u>
Administrative Fees: (Also Includes Septic Fees, Fire Code, Etc.)	<u>\$ 2,075.00</u>	<u>\$ 2,953.50</u>
Commercial: (New & Alterations)	<u>\$ 82.00</u>	<u>\$ 605.00</u>
Residential: Proffers paid on New Construction	<u>\$ 14,552.74</u> \$ -	<u>\$ 39,039.00</u> \$ 36,596.48
Residential: (Additions, Alterations, Demo, Pools, Etc.)	<u>\$ 1,770.00</u>	<u>\$ 2,095.90</u>
Trade Permit Fees: (Residential & Commercial)	<u>\$ 2,914.92</u>	<u>\$ 7,755.18</u>
State Levy:	<u>\$ 385.61</u>	<u>\$ 1,025.53</u>
Planning Department Fees:	<u>\$ 1,403.25</u>	<u>\$ 3,805.00</u>
Total Fees for the Month:	<u>\$ 23,183.52</u>	<u>\$ 93,875.59</u>
Total Fees for Fiscal Year:	<u>\$465,487.74</u>	<u>\$808,602.24</u>

Building Permit Data:	<u>May-14</u>	<u>May-15</u>
Residential (New Construction):		
District 1 Subletts/Manakin/Flatrock	<u>5</u>	<u>1</u>
District 2 Powhatan Station/Graceland	<u>0</u>	<u>0</u>
District 3 Bethesda/Lees Landing	<u>3</u>	<u>3</u>
District 4 Powhatan Courthouse/Ballsville	<u>6</u>	<u>3</u>
District 5 Smith's Crossroad/Pineville	<u>3</u>	<u>4</u>
Total for the Month:	<u>17</u>	<u>11</u>
Total for Fiscal Year:	<u>111</u>	<u>130</u>
Commercial:		
District 1 Subletts/Manakin/Flatrock	<u>2</u>	<u>1</u>
District 2 Powhatan Station/Graceland	<u>0</u>	<u>1</u>
District 3 Bethesda/Lees Landing	<u>2</u>	<u>0</u>
District 4 Powhatan Courthouse/Ballsville	<u>0</u>	<u>1</u>
District 5 Smith's Crossroad/Pineville	<u>0</u>	<u>0</u>
Total for the Month:	<u>4</u>	<u>3</u>
Total for Fiscal Year:	<u>44</u>	<u>47</u>
Residential Additions, Alterations, Pools, Etc.	<u>20</u>	<u>43</u>
Total for Fiscal Year:	<u>182</u>	<u>206</u>

TYPE	ADMIN FEE	BLDCOM	NEW HOMES	ADDITIONS/ALTER	TRADE PERMIT FEES	STATE LEVY	PLANNING DEPT FEES	CASH PROFFER	TOTAL
ADDRESS	1.00			3,530.90		70.62			
ADDRESS2									
ADMIN									
AMEND									
BLD COM		45.50				0.91			
BOND									
BUILD	140.00		39,284.00			764.74	1,150.00	19,558.85	
BURN	100.00								
COND							1,250.00		
COPY									
CUP									
DEMO									
E & S							540.00		
ELE					1,913.38	38.28			
ELE TMP									
ELE 2									
EXTEN									
EVENT									
FAM									
FIRE3					45.50	0.91			
GAS					680.00	13.60			
GAS 2					160.00	3.20			
GAS 3									
MAP									
MECH					2,058.96	41.17			
MECH 2									
MOBIL	50.00		203.00				100.00		
NSP							200.00		
PLUMB					1,282.01	25.63			
PLUMB 2									
POOL				364.00		7.28			
RE-INSPECT									
READV									
RESB1									
ROAD									
RZP									
SEPT	3,700.00								
SF							700.00		
SIGN					20.00				
SITE									
SO									
TENT									
TOWER									
VAR									
ZO									
ZOLTR									
ZONE									
TOTAL	3,991.00	45.50	39,487.00	3,894.90	6,159.85	966.34	3,940.00	19,558.85	78,043.44

ZONING ACTIVITY

	<u>MAY FY2015</u>	<u>MAY FY2016</u>
Rezoning requests approved (acreage)		
Agricultural	<u>0</u>	<u>0</u>
Residential	<u>12.94</u>	<u>0</u>
Commercial	<u>0</u>	<u>7.3</u>
Industrial	<u>0</u>	<u>0</u>
Conditional Use Permits approved	<u>0</u>	<u>0</u>
Business Licenses approved (zoning review)	<u>27</u>	<u>22</u>
Board of Zoning Appeals Cases		
Variances	<u>0</u>	<u>0</u>
Appeals	<u>0</u>	<u>0</u>
Site Plans		
Commercial		
Filed	<u>0</u>	<u>1</u>
Approved	<u>0</u>	<u>0</u>
Industrial		
Filed	<u>0</u>	<u>0</u>
Approved	<u>0</u>	<u>0</u>
Other		
Filed	<u>0</u>	<u>0</u>
Approved	<u>0</u>	<u>0</u>
Average Review Time (Days)	<u>29</u>	<u>0</u>
<u>Subdivision Activity</u>		
Preliminary Plats - Number of Lots Approved		
Residential	<u>0</u>	<u>0</u>
Commercial	<u>0</u>	<u>0</u>
Industrial	<u>0</u>	<u>0</u>
Average Review Time (Days)	<u>27</u>	<u>0</u>

Final Plats - Number of Lots Approved

Residential	<u>0</u>	<u>0</u>
Commercial	<u>0</u>	<u>0</u>
Industrial	<u>0</u>	<u>0</u>
Average Review Time (Days)	<u>25</u>	<u>0</u>

Subdivision Exception Lots Approved

Non-Subdivision	<u>4</u>	<u>1</u>
Single Cut	<u>1</u>	<u>2</u>
Charitable Exception	<u>0</u>	<u>0</u>
Family Division	<u>0</u>	<u>1</u>
Large Lot	<u>6</u>	<u>0</u>

Erosion & Sediment Control

Land Disturbance Plans Approved

Residential	<u>0</u>	<u>0</u>
Commercial	<u>0</u>	<u>0</u>
Industrial	<u>0</u>	<u>0</u>
Other	<u>0</u>	<u>0</u>
Average Commercial Review Time	<u>0</u>	<u>0</u>

Private Road Review

Private Roads Approved

Roads	<u>0</u>	<u>0</u>
Lots	<u>0</u>	<u>0</u>

Family Private Roads Approved

Roads	<u>0</u>	<u>0</u>
Lots	<u>0</u>	<u>0</u>

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16-01-CUP, Virginia Solar LLC

Staff Report prepared for the Planning Commission Public Hearing

This report is prepared by the County of Powhatan Department of Community Development Staff to provide information to the Planning Commission and Board of Supervisors to assist in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission	July 5, 2016	Public Hearing
Board of Supervisors	July 25, 2016	Public Hearing - Tentative

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Request:	Conditional Use Permit to operate a solar energy farm	
Existing Zoning:	A-10, Agricultural District	
Parcel Size:	894.4 acres, 3.6 acres	
Parcel ID#	38-28, 38-3-1	
Owner:	Scott Timberland Company LP	
Location of Property:	4325 Old Buckingham Road, 2 nd parcel unaddressed	
Electoral District:	4	Powhatan Courthouse/Mt. Zion
2010 Land Use Plan Recommendation:	Rural Residential	
Zoning of Surrounding Property:	North:	A-10
	South:	A-10/R-2
	East:	A-10/RR-5
	West:	A-10

III. EXECUTIVE SUMMARY:

The Applicant, Scott-II Solar LLC., is requesting approval of a Conditional Use Permit (CUP) to operate a solar energy farm on a 230-acre portion of the 894 acre Scott

Timberland Co, LP property. The proposed project will be adjacent to the Scott I – VA Solar project (15-10-CUP) approved by the Board of Supervisors January 25, 2016.

A solar energy farm is listed as a conditional use in the A-10 Agricultural District and the definition is as follows:

Solar Energy Farm – A system consisting of solar panels, modules, and related equipment (e.g., heat exchanger, pipes, inverter, wiring, storage) that collects solar radiation and transfers it as heat to a carrier fluid for use in hot water heating or space heating and cooling, and/or that collects solar energy and converts it into electricity. It is designed to meet demands for a larger area and is typically mounted on the ground.

Per §83.162(26) of the Zoning Ordinance, solar energy farms are allowed by Conditional Use Permit (CUP) within the A-10 Agricultural District provided the use complies with all applicable requirements as listed in the Powhatan County Zoning Ordinance.

The applicant conducted a community meeting in the Village Building on May 25, 2016 from 6:30 pm to 8:00 pm to discuss the project with interested citizens. The Planning Commissioner and Board of Supervisors member for the district along with Staff attended the meeting. No concerns were expressed by the few citizens in attendance.

IV. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this conditional use request are as follows:

Section 83-123(F) (4) - Conditional Use Permit Review Standards

A Conditional Use Permit shall be approved if the applicant demonstrates the proposed conditional use:

- a) Is consistent with the purposes, goals, objectives, and policies of the comprehensive plan and other applicable county-adopted plans;
- b) Complies with all applicable zoning district-specific standards in **Articles III through VI**;
- c) Complies with all applicable use-specific standards **Article VII: Use Standards**;
- d) Complies with all applicable development and design standards in **Article VIII: Development Standards**;
- e) Complies with all relevant subdivision and infrastructure standards in **Chapter 68: Subdivisions** of the **Powhatan County Code**;

- f) Is appropriate for its location and is compatible with the general character of surrounding lands and the uses allowed in the zoning district where proposed;
- g) Adequately screens, buffers, or otherwise minimizes adverse visual impacts on adjacent lands;
- h) Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;
- i) Avoids significant deterioration of water and air resources, scenic resources, and other natural resources;
- j) Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
- k) Complies with all other relevant county, state and federal laws and standards; and
- l) Is required by the public necessity, convenience, general welfare, or good zoning practice.

Section 83-123(F) (5) - Expiration

A Conditional Use Permit shall expire in accordance with any expiration date or provisions in a condition of its approval. A Conditional Use Permit shall automatically expire if a Building Permit, Site Plan, or other county approval, whichever occurs first, for the development granted by the Conditional Use Permit, is not obtained within two (2) years after the date of approval of the Conditional Use Permit, or if no subsequent county approval is required, the development is not completed and operational within two (2) years.

V. SUBJECT PROPERTY:

The first subject property (Parcel #38-28) is an 894-acre parcel that includes forested and cleared areas as the parcel has been used for timber harvesting for many years. The second subject parcel (Parcel #38-3-1), which will serve to provide an access road for the project to Rt. 13, is 3.6 acres, and is the site of the former house, 4325 Old Buckingham Road. The house was purchased and demolished to provide access to the Scott I -VA Solar project.

VI. LAND USE ANALYSIS:

Scott-II Solar LLC (the Applicant), proposes to construct, own, and operate the Scott II solar site consisting of a 20 MWAC solar photovoltaic (PV) electricity generating facility located on approximately 349 acres of an 894-acre parcel, as represented by the maximum extents shown in the site plan. The Applicant is seeking a Conditional Use Permit (“CUP”) to permit construction and operation of the facility. The facility will use proven technology which has been used throughout the US. The solar arrays and ancillary equipment will occupy approximately 230 acres of the 349 acres subject to the CUP. The PV modules produce low-voltage direct current (DC) electrical power which is collected and delivered to the inverter and transformer stations located throughout the site where it is converted into medium voltage alternating current (AC). The power from the inverter stations will be collected from across the site to the point of interconnection where it will interconnect with the Dominion Virginia Power distribution line through a pole mounted device. By interconnecting with the distribution lines the facility will help meet local electrical needs first, with the excess then flowing to the overall grid. The perimeter of the facility will be surrounded by a 7’ high chain link fence, topped with 1’ tall barbed wire.

The closest existing residence to any area currently planned to be used is over 400’ away. After construction the day to day operations of the facility will be passive and will make little substantive change to the character of the area. The facility will be monitored remotely on a 24/7 basis to ensure it is operating properly. The facility will be constructed in a single phase and designed for a 35year life. It will produce enough electricity on an annual basis to power approximately 4,800 typical homes.

This Scott II project is separate and independent of Scott-I. The Scott-II project consists of a separate interconnection and will connect to Virginia Power circuit 406 whereas Scott I is on circuit 405. This allows the electricity to flow back to different transformers in the substation. Scott I and Scott II also will each have its own interconnection agreements. There is a shared joint access agreement to allow the projects to both use the entrance off Old Buckingham Road that has been recorded with Powhatan County (Book 0885 Page 0211-0225).

The applicant has provided the anticipated construction schedule for Scott I and II below:

	Jan-2016	Feb-2016	Mar-2016	Apr-2016	May-2016	Jun-2016	Jul-2016	Aug-2016	Sep-2016	Oct-2016	Nov-2016	Dec-2016	Jan-2017	Feb-2017	Mar-2017	Apr-2017	May-2017	Jun-2017	Jul-2017	Aug-2017	Sep-2017	Oct-2017	Nov-2017	Dec-2017
Scott I Construction																								
Scott I Peak Construction																								
Scott II Construction																								
Scott II Peak Construction																								

VII. COMPREHENSIVE PLAN ANALYSIS:

The 2010 Long-Range Comprehensive Plan designates the subject properties as Rural Residential on the Countywide Land Use Plan Map. This request is generally consistent and in accord with the Comprehensive Plan.

VIII. PUBLIC SERVICE ANALYSIS:

Environmental:

Shaun Reynolds (Powhatan County Community Development) stated that the project should conform to all wetland and stream buffers per county ordinance.

Public Safety:

Pat Schoeffel (Powhatan County Fire Department) had no comments on this request.

Virginia Department of Health:

Richard Michniak (VDH) had no comments on this request:

Transportation:

The Virginia Department of Transportation stated that they take no exception to this request for the identified proposed access point, given the conditions of the commercial access permit.

Public Utilities:

Johnny Melis (Powhatan Utilities/General Services) stated that the parcel is outside of the County's Water and Wastewater Service District.

Other County Departments:

No comments were received from other agencies or County Departments.

IX. APPLICANT'S POSTIONS:

The applicant's justification for the proposed request is contained in the application.

X. STAFF COMMENT:

In accordance with the Comprehensive Plan, public necessity, convenience, general welfare and good zoning practice, staff recommends that, if the request submitted by Scott-II Solar LLC to operate a solar energy farm on a portion of parcel 38-28 and parcel 38-3-1 is approved by the Planning Commission, it be subject to the following conditions:

XI. PROPOSED RECOMMENDATION:

In accordance with the Comprehensive Plan, Section 83-123(F)(4), of the Powhatan Zoning Ordinance, and public necessity, convenience, general welfare and good zoning

practice, the Planning Commission recommends (*approval / denial / deferral*) of the request submitted by Scott-II Solar LLC to operate a solar energy farm on the properties subject to the conditions presented above.

Conditions:

1. Scott-II Solar LLC or any successors, current or future lessee, sub-lessee, or owner of the solar energy farm (the “Applicant”) shall consent to annual administrative inspections by Planning Department Staff for compliance with the requirements of this CUP.
2. The Applicant shall sign the list of the adopted conditions for this CUP signifying acceptance and intent to comply with these conditions.
3. All activities associated with this CUP shall be in compliance with all State and Federal laws. The site shall fully comply with all applicable provisions of Section 83-162 of the Powhatan County Zoning Ordinance throughout the life of this CUP.
4. This conditional use permit (CUP) shall be binding on Scott-II Solar LLC or any successors, current or future lessee, sub-lessee, or owner of the solar energy farm.
5. The solar energy farm shall consist of one integrated power generation facility and shall be limited to no more than 230 of the 350 acres of the Property identified as “Scott- II Solar LLC,” as shown on the Maximum Extents Plan prepared by Timmons Group dated April 4, 2016.
6. The only means of access to the Scott-II Virginia Solar energy farm shall be from the existing access point (Parcel #38-3-1) serving the Scott I-Virginia Solar energy farm (15-10-CUP) from Old Buckingham Road as shown on the Maximum Extents Plan prepared by Timmons Group dated April 4, 2016.
7. All site activity required for the construction and operation of the solar energy farm shall be limited to the following:
 - a. All clearing and grading of the site, to include the construction and/or the upgrade of any access roads needed for the Project, shall be limited to the hours of 8 a.m. to 6 p.m., Monday through Saturday;
 - b. All piling driving activity shall be limited to the hours of 8 a.m. to 6 p.m., Monday through Friday, and for two, but only two, Saturdays during the period of construction. Applicant may request permission from the County Administrator to conduct piling driving activity on additional Saturdays, but such permission will be granted or denied at the sole discretion of the County Administrator; and
 - c. All other construction activity on site shall be permitted Monday through Sunday in accordance with the provisions of the County’s Noise Ordinance.
8. A minimum one hundred and fifty (150) foot setback shall be maintained from any adjacent residential dwellings that exist at of the time of the approval by the Board of Supervisors. A minimum fifty (50) foot setback shall be provided around the perimeter of the solar energy farm. The existing vegetation within the minimum

property offset (as indicated by the pink line) as shown on the Scott-II Solar LLC Project Limits and Buffer Map prepared by Timmons Group dated June 16, 2016, shall be maintained. Security fencing shall be permitted within the setbacks.

9. The Applicant shall install a security fence around the solar energy farm that is a minimum six (6) feet in height.
10. Construction lighting shall be minimized and shall be directed downward. Post-construction lighting shall be limited to security lighting only.
11. If the solar energy farm 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 shall provide notice to County Staff immediately upon the site becoming inactive and/or shutting down operation. The current owner of the Project ("Project Owner") shall remove the facilities ("decommissioning") within six (6) months of receipt of notice from the County ("County Notice"). If the facility is not removed within the specified time after the County Notice, the County may cause the removal of the solar energy farm with costs being borne by the Project Owner. Unless the solar energy farm is owned by a public utility in the Commonwealth of Virginia, the costs of decommissioning shall be secured by an adequate surety in a form agreed to by the County Attorney. If the solar energy farm is sold to any entity that is not a public utility, the CUP shall not transfer to the purchaser until such time as the adequate surety is provided.

If a surety is required, the cost estimates of the decommissioning shall be updated every five (5) years and provided to the County. At its option, the County may require the surety amount be increased based on the net cost of decommissioning.
12. The Applicant shall coordinate with the County's emergency services staff to provide materials, education, and/or training to the departments serving the solar energy farm in regard to how to safely respond to on-site emergencies.
13. Scott-II Solar LLC or any successors, current or future lessee, sub-lessee, or owner of the solar energy farm shall provide educational outreach opportunities to learn about solar energy projects to Powhatan County Public Schools.
14. Access roads are to be marked by the Applicant with identifying signage.
15. A Construction Traffic Management Plan and mitigation measures shall be developed by the Applicant and submitted to the Virginia Department of Transportation (VDOT) and the County of Powhatan for review. The Plan shall address traffic control measures, a pre- and post-construction road evaluation, and any necessary repairs to the public road that are required as a result of damage from the Project. If a traffic issues arises during the construction of the Project, the Applicant shall develop appropriate measures to mitigate the issue with input from the County and VDOT.
16. Parking of vehicles or staging of equipment or materials related to the project shall be limited to the 230-acre Project site.

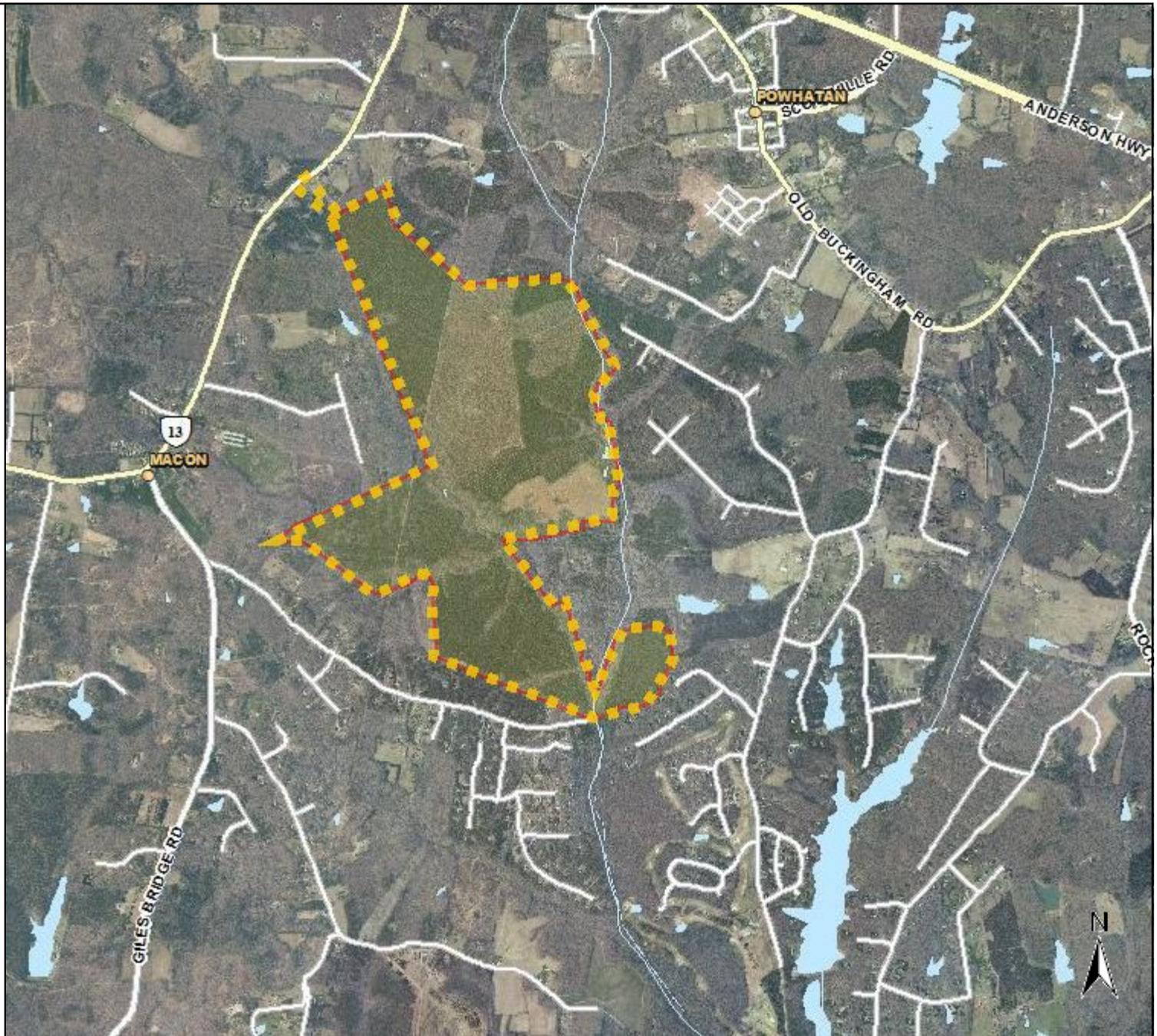
Attachment(s):

1. Map of the General Area of Proposal
2. Zoning Map of Area
3. Application for Conditional Use Permit submitted by Virginia Solar LLC
4. Site Plan
5. Letter from VDOT, dated May 17, 2016
6. List of Adjacent Property Owners
7. Letter to Adjacent Property Owners
8. Affidavit of Mailing

Powhatan County Virginia

Legend

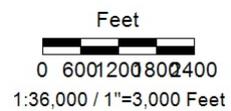
● Places



Title: 15-10-CUP area map

Date: 12/17/2015

DISCLAIMER: Maps and data are for display purposes only and are not intended for legal uses. No warranty, expressed or implied, is made by the County of Powhatan as to the accuracy of the data.



Powhatan County Virginia

Legend

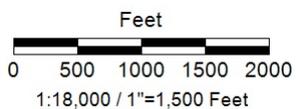
-  Places
-  Parcel ID Labels
-  Parcels
- Zoning**
-  Agricultural Forestal District
-  Agriculture A-10
-  Agricultural/Animal Confinement
-  Commercial
-  Courthouse Square Center
-  Industrial - 1
-  Industrial - 2
-  Mining
-  Office
-  Residential - 2
-  Rural Residential 5
-  Residential Commercial
-  Residential Utility
-  Rural Residential



Title: 15-13-CUP zoning map

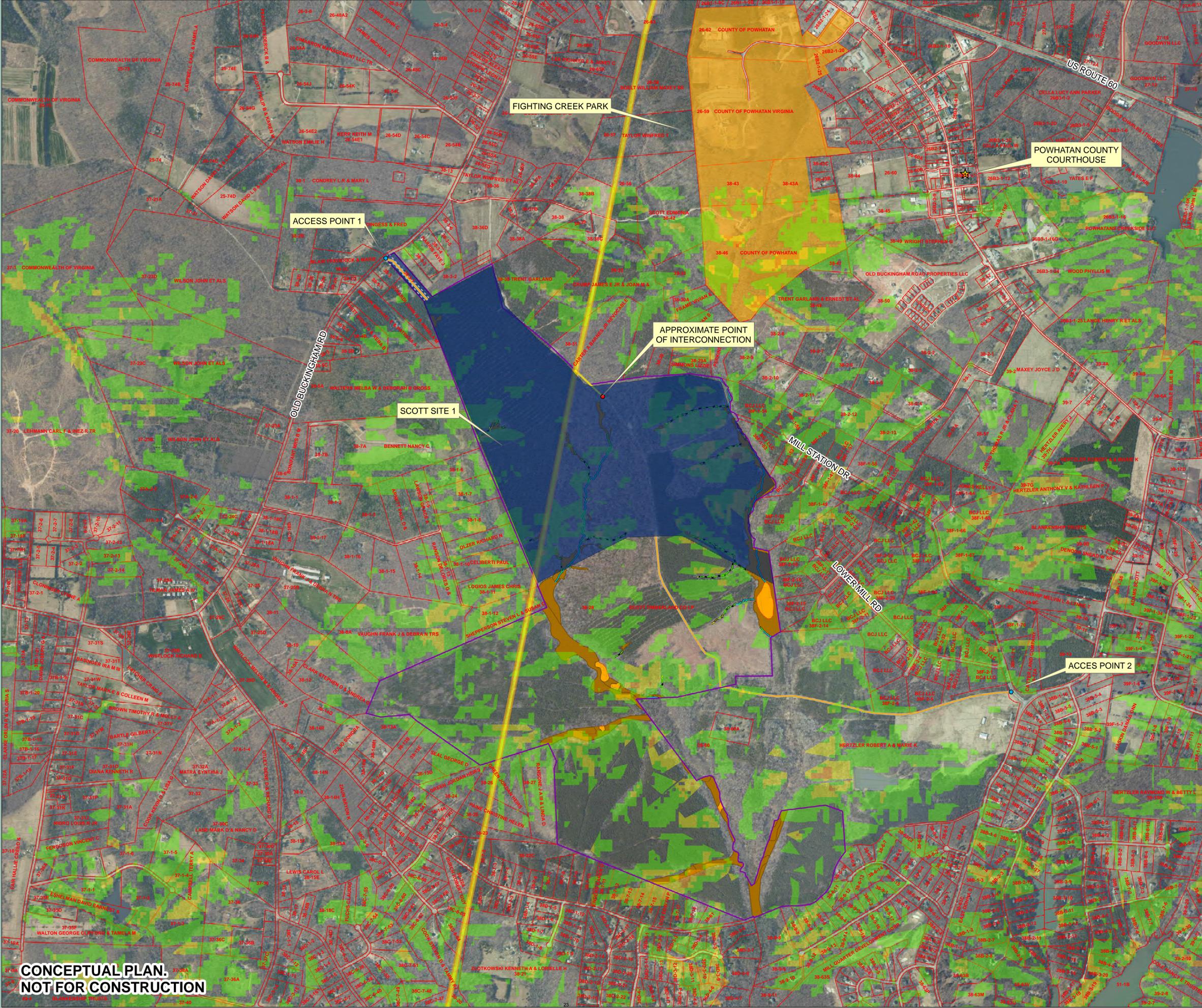
Date: 12/17/2015

DISCLAIMER: Maps and data are for display purposes only and are not intended for legal uses. No warranty, expressed or implied, is made by the County of Powhatan as to the accuracy of the data.

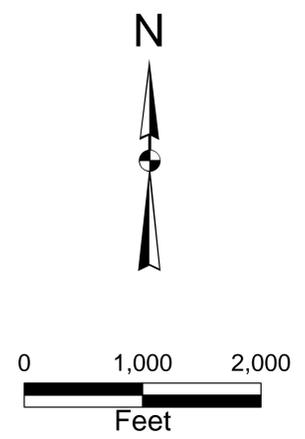


- Legend**
- ★ Powhatan County Courthouse
 - Approximate Point of Interconnection
 - Access Point
 - Access Road
 - Gravel Road
 - Max. Project Extents - 348 Ac.
 - 35kV Distribution Line
 - Dominion Extension Line
- Slopes**
- Percent Grade**
- 0 - 5
 - 6 - 10
 - 11 - 15
 - 16 - 25
 - 26 - 35
- Perennial Stream (R3)
 - Intermittent Stream (R4)
 - Ephemeral Stream (R6)
 - Existing Culvert
 - Fighting Creek Park
 - Parcel
 - Palustrine Emergent (PEM) Wetlands
 - Palustrine Forested (PFO) Wetlands

- NOTES:**
1. WATERS OF THE U.S. WITHIN THE PROJECT STUDY LIMITS HAVE BEEN GPS LOCATED BY TIMMONS GROUP.
 2. WATERS OF THE U.S. HAVE NOT BEEN CONFIRMED BY THE U.S. ARMY CORPS OF ENGINEERS.
 3. PROJECT STUDY LIMITS ARE APPROXIMATE.
 4. COWARDIN STREAM CLASSIFICATIONS ARE BASED SOLELY ON FIELD OBSERVATIONS. NO FORMAL STREAM ASSESSMENT METHODOLOGY WAS COMPLETED TO DETERMINE THESE COWARDIN CLASSIFICATIONS.



**CONCEPTUAL PLAN,
NOT FOR CONSTRUCTION**



THIS DRAWING PREPARED AT THE
CORPORATE OFFICE
1001 Boulders Parkway, Suite 300 | Richmond, VA 23225
TEL: 804.200.6500 FAX: 804.560.1016 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

DATE	REVISION DESCRIPTION

DATE
12/03/2015

DRAWN BY
C. WYATT

DESIGNED BY
C. WYATT

CHECKED BY
R. THOMAS

SCALE
1" = 750'

Site Development | Residential | Infrastructure | Technology | Environmental

TIMMONS GROUP

SCOTT I - VIRGINIA SOLAR
POWHATAN COUNTY, VIRGINIA
MAXIMUM EXTENTS PLAN

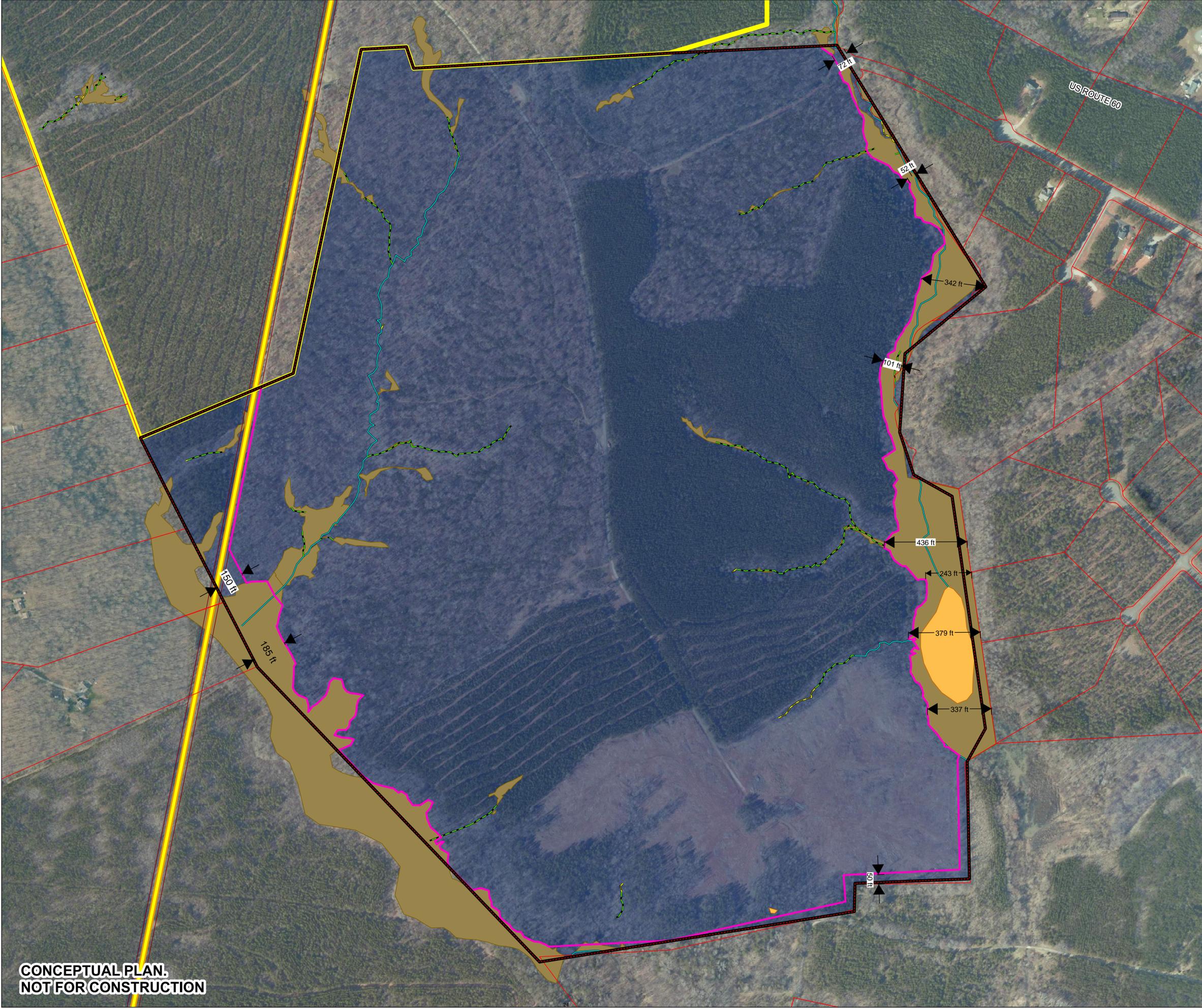
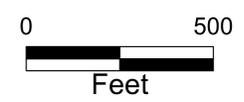
JOB NO.
36876.001

SHEET NO.
1 OF 2

- Legend**
- Project Limits - 348.87 Ac.
 - Property Offset
 - Scott I Limits
 - 35kV Distribution Line
 - 30' Distribution Line Buffer
 - Perennial Stream (R3)
 - Intermittent Stream (R4)
 - Ephemeral Stream (R6)
 - Palustrine Emergent (PEM) Wetlands
 - Palustrine Forested (PFO) Wetlands

NOTES:

1. WATERS OF THE U.S. WITHIN THE PROJECT STUDY LIMITS HAVE BEEN GPS LOCATED BY TIMMONS GROUP.
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**CONCEPTUAL PLAN.
NOT FOR CONSTRUCTION**

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YOUR VISION ACHIEVED THROUGH OURS.

TIMMONS GROUP

SCOTT-II SOLAR LLC.
POWHATAN COUNTY, VIRGINIA
PROJECT LIMITS AND BUFFER MAP

Site Development	Residential	Infrastructure	Technology	Environmental
DATE	DATE	REVISION DESCRIPTION		
	06/16/2016			
DRAWN BY	DESIGNED BY	CHECKED BY	SCALE	
			AS SHOWN	
JOB NO.	36876.007	SHEET NO.	1 OF 1	

**APPLICATION FOR CONDITIONAL USE PERMIT
POWHATAN COUNTY, VIRGINIA**

(NOTE: Please type or print all information)

1. Applicant

NAME: Virginia Solar LLC

ADDRESS: 12610 Lizfield Way, Glen Allen, VA, 23059

TELEPHONE: 919 807 1873

Is the applicant the: Property Owner () Contract Purchaser ()
Check appropriate designation

Other:

technically contract lessee

2. Please list all owners, occupants, or parties in interest of the property:

Scott Timberland Co LP

Virginia Solar LLC

3. The property is located at: (please give exact directions, including Route number of your road or street)

The property can be arrived at either from 4325 Old Buckingham Rd or from the south on Mill Station Dr.

On Mill Station Dr. Take the first left after leaving Mill Quarter Rd. When the road hits a T intersection turn left.

4. The property has a road frontage of 163.37 feet and a depth of 944.28 and consists of 902.01 acres. (Please be exact)

(THIS SECTION TO BE COMPLETED BY COUNTY STAFF)

Case Number 16-01-CUP

Submittal Deadline 4/8/16

PC Meeting 6/7/16

BOS Meeting _____

09112015
CUP

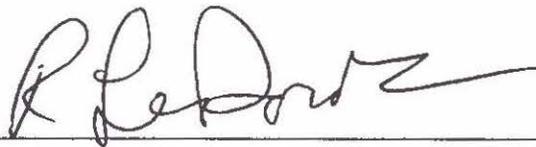
2

STATEMENT FOR VALIDITY OF INFORMATION

Every applicant shall sign the following document to substantiate the validity of submitted information.

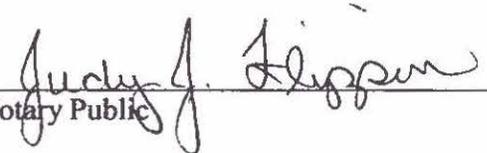
State of Virginia AMELIA
County of ~~Powhatan~~ to wit:

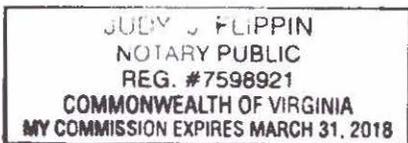
I, R. LEE DOWNING II, declare that I have familiarized myself with the rules and regulation pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.

Signed 

Print Name R. LEE DOWNING II

Subscribed and sworn to before me this 17th day of APRIL, 2016.


Notary Public



OWNERSHIP DISCLOSURE

Both the Code of Virginia and the County Zoning Ordinance allow the County to request full disclosure of ownership in properties subject to this request. To assist us in obtaining this information, please complete this form in full.

Please list below the names and addresses of all owners or parties in interest of the land subject to this request:

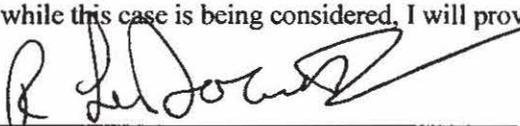
NOTE: If this request is in the name of a corporation, artificial person, joint venture, trust, or other form of ownership, all officers, directors, and any stock holders owning ten percent or more of such stock must be listed.

NAME ADDRESS (Include Zip Code)

WILLIAM LEE SCOTT	P.O. BOX 727 AMELIA, VA 23002
Jo ANNE SCOTT WEBB	P.O. BOX 727 AMELIA, VA 23002
L.O. SCOTT, JR	P.O. BOX 727 AMELIA, VA 23002

I, R. LEE DOWNING II, do hereby swear and affirm that to the best of my knowledge and belief, the above information is true and that I am the applicant for this request for parcel number(s) 28, 3-1 of tax map number(s) 038 (038-28, 038-3-1) requesting Rezoning, Conditional Use Permit, and Variance/Appeal. **(Please circle one)**

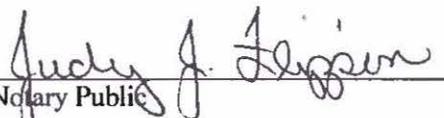
If the above information changes at any time while this case is being considered, I will provide the County with an updated list.

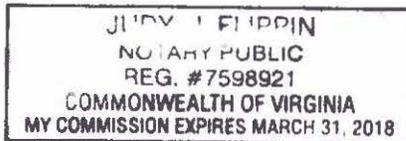

Signature

STATE OF VIRGINIA AMELIA
COUNTY OF POWHATAN, to wit:

This day R. LEE DOWNING II personally appeared before me, JUDY J. FLIPPEN, a Notary Public in and for the County and State aforesaid, and swore or affirmed that the matters stated in the foregoing Ownership Disclosure Affidavit are true to the best of his/her knowledge and belief.

Given under my hand this 7th day of APRIL, 2016.


Notary Public



09112015
CUP

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

1. That I/We

Name _____ Telephone _____
Address _____
Name _____ Telephone _____
Address _____
Name _____ Telephone _____
Address _____
Name _____ Telephone _____
Address _____

being all of the owner(s) of the property described as County tax map numbers:

and authorized to take such action, do hereby make, constitute and appoint:

2. Name _____ Telephone _____
Address _____

to act as my/our true and lawful attorney-in-fact for and in my/own name, place and stead with full power and authority I/we would have if acting personally to seek rezoning, conditional use, or variance, and to set forth and offer such legally acceptable voluntarily proffered conditions including any additions, amendments, modifications or deletions thereto that in his discretion are deemed reasonable, appropriate and necessary except as follows:

3. _____

4. In witness whereof, I/we have hereto set my/our hand and seal this

7th day of APRIL 2016.

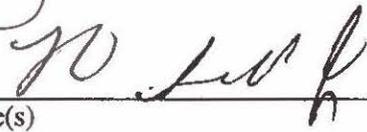
Signature(s)



Signature(s)

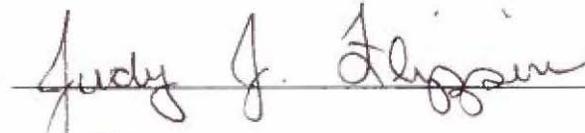


Signature(s)



Signature(s)

Witnessed
by:



Witnessed
by:



NOTE: This document, with original signatures, shall be filed with the application and become a permanent part thereof.

APPLICANT'S PERMISSION FOR INSPECTION OF PROPERTY

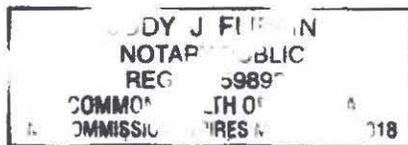
I, JOHNE SCOTT WEBB, hereby grant access to the Planning Director, Zoning Administrator, or assigns thereof, to enter my property during reasonable hours without prior notice to make inspections as deemed necessary for the evaluation of my application for CUP (Specify type of request – rezoning, conditional use permit, private road, variance, etc.).

[Handwritten Signature]
Applicant's Signature

4/7/16
Date

Subscribed and sworn to before me this 7th day of April, 2016.

[Handwritten Signature]
Notary Public's Signature



09112015
CUP



CONDITIONAL USE PERMIT APPLICATION
Scott Solar Project

Submitted By:
Scott-II Solar LLC

Developed By:
Virginia Solar LLC

Submitted To:
Powhatan County Planning & Zoning Commission

POWHATAN COUNTY PLANNING & ZONING
COMMISSION
April 2016

Scott II Solar

Introduction

Viriginai Solar LLC (the Developer) hereby submits on behalf of Scott-II Solar LLC (the Applicant), this proposal to construct, own, and operate the Scott II solar site consisting of a 20 MW_{AC} solar photovoltaic (PV) electricity generating facility (the Project) located on approximately 349 acres of a 898 acres parcel, as represented by the maximum extents shown in the site plan. The Applicant is seeking a Conditional Use Permit (“CUP”) to permit construction and operation of the Project. The Project will use proven technology which has been used throughout the US. The solar arrays and ancillary equipment will occupy approximately 230 acres of the 349 acres subject to the CUP. The PV modules produce low-voltage direct current (DC) electrical power which is collected and delivered to the inverter and transformer stations located throughout the site where it is converted into medium voltage alternating current (AC). The power from the inverter stations will be collected from across the site to the point of interconnection where it will interconnect with the Dominion Virginia Power distribution line through a pole mounted device. By interconnecting with the distribution lines the Project will help meet local electrical needs first, with the excess then flowing to the overall grid. The perimeter of the Project will be surrounded by a 7’ high chain link fence, topped with 1’ tall barbed wire. The design, installation, and operations of the facility will comply with all applicable local, state, and national electrical standards and codes that ensure the safety and protections of local residents and the public at large.

The proposed Project will not result in any population increase and there will be no unduly detrimental or injurious damage to property or improvements in the vicinity. The Project is sited on timberland within the Agricultural 10 Zone District. The surrounding properties are all zoned either Agricultural 10, Rural Residential 5, Residential 2 or Residential Utility classifications. Solar electric generation plants and associated facilities are permitted as a conditional use within the Agricultural 10 Zone District. The proposed use will not impair the integrity and character of the land use district. The closest existing residence to any area currently planned to be used is over 400’. After construction the day to day operations of the Project will be passive and will make little substantive change to the character of the area. The Project will be monitored remotely on a 24/7 basis to ensure the Project is operating properly. The Project will be constructed in a single phase and designed for a 35 year life. The Project will produce enough electricity on an annual basis to power approximately 4,800 typical homes.

This Scott II project is separate and independent of Scott-I. This project consists of a separate interconnection. This project will connect to Virginia Power circuit 406 where Scott I is on circuit 405. This allows the electricity to flow back to different transformers in the substation. Scott I and Scott II will also each have their own interconnection agreements. Further, there will be no shared facilities between the projects. There is a shared joint access agreement to allow the projects to both use the entrance off Old Buckingham Rd. that has been recorded with Powhatan County (Book 0885 Page 0211-0225). Finally there is not expected to be any shared ownership between the projects at this point in time.

**VIRGINIA
SOLAR**

Scott II Solar

Project Rational

Solar generated electricity is rapidly becoming competitive with other forms of energy generation. Growing electricity demands in Virginia are not presently met by existing local generation. The majority of the cost of solar power is realized during facility construction; operating costs are low and fuel is free. The demand for renewable energy is growing at a rapid rate. The result is that once facilities are constructed, solar power will result in a clean, cost-effective, market-dependable source of electricity.

Dominion Virginia Power released its 15 year Integrated Resource Plan last July. In pursuit of this plan Dominion Virginia Power issued a Request for Proposal for solar power generation projects of up to 20MW. Scott I, the previously approved project adjacent to Scott II was purchased by Dominion as part of this RFP. In addition, Virginia is located in an area where wholesale power can be sold directly onto the grid and sent throughout Pennsylvania, Virginia, Maryland, New Jersey, West Virginia, Wisconsin, Delaware, and parts of several adjacent states. All of these facts make Virginia an attractive area to develop solar projects. There is substantial interest from various reputable parties to purchase the power generated by the Scott-I and other solar project throughout Virginia.

Local Economic Benefits

It is anticipated that there will be a maximum of 240 workers on-site for the Project during the construction period, and it will likely include some local suppliers and contractors. The peak of construction is currently planned for summer/fall 2017. The influx of construction workers will provide a steady source of revenue to local hotels and restaurants.

The Project will have employees or contractors onsite periodically for system inspections, vegetation management, and preventative maintenance following the construction period.

Virginia Solar currently estimates the total Project to be valued at approximately \$38 million. A majority of the cost is associated with the purchase of the equipment for the Project. During development and construction the Project will provide direct and indirect benefits to Powhatan County and support local jobs throughout that period. Based on work done by Chmura Economics and Analytics for Dominion on the Scott I project it is estimated that Scott II will generate for Powhatan County 13 direct jobs, 1 indirect job, and 1 induced job with \$1.3 million economic impact in the year the project is built. During post-construction operation the Project will contribute personal income to workers and the landowner. Chmura estimated this impact to Powhatan County to be 1 direct job and 1 induced job with an economic impact of \$1.2 million per year for the next 35 years. Over the life of the project this means the total economic impact to the county will be approximately \$43 million dollars. A copy of the Chmura report can be found in Appendix F.

No Local Economic Burdens

**VIRGINIA
SOLAR**

Scott II Solar

The Project will not cause any long-term burdens to the County. Adjacent, existing land uses will not be impacted during post-construction operations. During construction, the Applicant will take steps to minimize the effect on adjacent landowners.

There will be no increased impact to County services. Whenever possible, construction and related workers will be hired locally. Specialized workers that may be brought in to work on the project will be employed locally only for a short duration. Their employment will not result in an increased impact on schools, police, EMS, or other County resources. There will be no need for new or expanded county public infrastructure as a result of the Project.

There will be minimal to no increased impact on law enforcement. Prevention/deterrence of trespassing will be the main approach to safeguard the solar project, deter crime on site, and reduce the risk of injury to trespassers. Once the project is constructed, the project site will be fenced and locked at all times.

Property Tax

Per state statute § 58.1-3660, as of January 1st 2015 and for projects which file their interconnection requests prior to December 31st 2018, solar energy equipment, facilities, or devices owned or operated by a business that collects or generates, electric energy are considered certified pollution control equipment and facilities if their capacity is 20MW or less, which has the effect of exempting the Project from the Machinery and Tools tax. This site consists of a 20 MW project equals the 20MW capacity limit. As per state interpretation a project is defined as the size at the point of interconnection. The exemption does not include the land on which the Project is located, which will still be subject to property taxes. The property is currently covered under a special use assessment. As a result of this project a portion of the land will be removed from this special use assessment raising the effective value of the land and subjecting the project to roll back taxes. The estimated roll back tax payment will be approximately \$40,000 and the increase in property tax is \$8,622 per year for the Project.

Adjacent Property Values

The Applicant engaged Kirkland Appraisals, LLC to evaluate the effect of the Project on adjacent property values. This report concluded that the Project will not have any negative effect on the adjacent property values. The report is attached as Appendix B.

Land Use Siting Considerations

There are no areas of environmental concern, special management areas, or county and state parks within the Project area. The closest special management areas are the Powhatan Wildlife Management area, approximately 0.84 miles west of the Project and Amelia Wildlife Management area approximately 2 miles south of the Project. In addition, Fighting Creek Park is approximately 0.2 miles to the northwest of the Project. The Project area does not contain any critical habitats, as identified by the U.S. Fish and Wildlife

Scott II Solar

Service (USFWS). There are no protected forests, habitats, or parkland on or adjacent to the Project.

Wildlife

Solar is benign to wildlife. The native grasses planted under the panels, will have a meaningful benefit to habitat and wildlife. As the images below show animals coexist with solar facilities.



Heat Islanding

When the sun's energy arrives at the Earth's surface it is either reflected or absorbed. The term "heat island" is sometimes used to describe the absorption of sunlight by city hardscapes (buildings, parking lots, etc.) that can result in an increased local temperature. Unlike roofs or roadways, solar panels are designed to absorb solar energy and convert it into electricity. Additionally, solar panels are mounted with space between the panel and the ground underneath, allowing airflow above and below the panels and thus eliminating any "heat island" effect.

Visual Resources Siting Considerations

The Project is not anticipated to create any negative visual impact for the area. The solar arrays will be no taller than 8' in height at the highest point (as measured from the highest grade for a given structure), and will be made of a non-reflective material. The inverter stations will be approximately 10' tall, and the poles at the point of interconnection will be

VIRGINIA
SOLAR

Scott II Solar

the same as normal electrical distribution poles. Within the Project area all electrical lines will be buried except for possibly those to cross creeks, wetlands, and the main line to the point of interconnection. The Applicant proposes to include a 50' buffer around the perimeter of the Project where it is adjacent to property not owned by the same land owner at the time of construction. Within the buffer, in areas where there is not at least 15' of native timber remaining on the project parcel, a single row of evergreens will be planted within the 50 foot setback where there is an adjacent property with an existing residence. Such evergreens shall be planted on fifteen (15) foot centers and shall be a Meyers Spruce tree or other similar tree (which alternative tree shall be subject to the prior written approval of the Planning Department), and the evergreen installed shall have an anticipated five year height of six (6) to eight (8) feet after planting and an anticipated mature height of thirty (30) to forty (40) feet. It is desired this requirement may be reduced or waived for a certain part of the project perimeter if agreed to, in writing, by the owner of the residence bordering the project at that certain part of the project perimeter. It is also desired the security fence may be located within the 50' buffer.

The Project is located at least 500' from any public right of way. Properties of these areas have suitable timber or farmland to block any view of the project.

The properties adjacent to the Project are either vacant or are developed for single family residences on large lots. The Project is required to maintain setbacks of 50' or 100' from Fighting Creek and wetland areas per existing ordinance, and as a result the project boundary will be over 150' from any existing residences. It is expected and recommended that this 150' offset from any existing residence at the time of the site plan be a condition of the CUP. Per the above proposed requirements in the buffer area the visual impact should be mitigated.

Historical, Cultural, and Archaeological Resources Siting Considerations

The Applicant evaluated the Project site utilizing the Virginia Department of Historic Resources Virginia Cultural Resources Information System (DHR V-CRIS) (Appendix A). The Project Property is not identified on the Virginia Landmarks Register (VLR) nor listed on the National Register of Historic Places (NRHP). Additionally, there are no identified or archaeological resources, or Department of Historic Resources Easements identified within the Project limits or within ½ mile of the Project. There is one site identified in close proximity to the Project – Fighting Creek Plantation DHR ID # 072-0015 which is located just south of the proposed area of development. Based upon the distance from the proposed Project and topographic conditions, it is not anticipated that the Fighting Creek Plantation site will be impacted by the proposed development.

In the event that an unanticipated discovery of an archaeological resource occurs, construction work within a 150'-wide buffer of the discovery shall cease until an archaeologist can record the site and make a determination of the significance of said resource. Once the site has been recorded, and if the site is assessed as “not eligible” for inclusion into the National Register of Historic Places (NRHP), work on that area will

Scott II Solar

resume pending concurrence from the Virginia Department of Historic Resources (VA DHR) of the assessment. If the site is assessed as “eligible” for inclusion into the NRHP, a mitigation plan will be proposed and sent to the VA DHR for review. All work in the area of the resource will remain halted until the mitigation process will be completed and state and local guidelines are met.

Height Restrictions and FAA Hazard Review

The Project is not located within the vicinity of any airport and will not conflict with airport operations. The nearest airport is Plainview Airport which is 2.9 miles to the east and Saunders Field Airport which is 4.3 miles to the north. FAA Notice of the project is not required as none of the Notice Criteria are exceeded.

Solar Facility Construction

The total estimated timeframe for preconstruction and construction of the solar facility, including the Project interconnection, is 6-to-9 months, which may begin as early as Q1 2017. Construction activities will overlap with one another with grading and access road construction preceding the installation of trackers and associated equipment within each array area.

Temporary staging and assembly areas will be used during the construction period for storage of construction vehicles and equipment, as well as staging of components of the solar facility. All temporary staging, parking, and assembly areas will be located within the Project area boundary.

Construction employees will consist of laborers, electricians, supervisory personnel, support personnel, and construction management personnel. It is expected that most construction workers will commute to the site from nearby communities. It is anticipated that there will be an average of 85-100 workers on-site during the construction period with a maximum of 122-235 workers for the Project. One or more temporary office/construction trailers will be on-site during the construction period and will be removed upon completion of construction. It is expected that the majority of these temporary facilities will be located at an assembly area and a staging area (to be located within the footprint of the Project area) throughout the construction period.

Construction work generally will occur during daylight hours. Non-daylight work hours may be necessary to make up for schedule deficiencies, or to complete critical construction activities including activities that could not be completed during daylight hours. For instance, during hot weather, it may be necessary to start work earlier to avoid pouring concrete during high ambient temperatures. Temporary lighting will be used during the construction period as needed. External lighting of Project facilities will be directed downward and will only be located where required.

For this project it is proposed the construction and operation of the facility shall be limited to the following:

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1. All clearing and grading of the site, to include the construction and/or the upgrade of any access roads needed for the Project, shall be limited to the hours of 8 a.m. to 6 p.m., Monday through Saturday;
2. All piling driving activity shall be limited to the hours of 8 a.m. to 6 p.m., Monday through Friday. Applicant may request permission for the County Administrator to conduct piling driving activity on Saturdays, but such permission will be granted or denied at the sole discretion of the County Administrator; and
3. All other construction activity on site shall be permitted Monday through Sunday in accordance with the provisions of the County's Noise Ordinance.

The PV modules and other materials for the solar facility will be manufactured off site and will be delivered to the Project area by truck. Upon their arrival, the PV models will be inspected and stored in the temporary staging area. Construction materials such as concrete, pipe, wire and cable, fuels, reinforcing steel, and small tools and consumables will be delivered to the Project by truck. The initial grading work will include the use of excavators, graders, dump trucks, and end loaders, in addition to support pickups, water trucks, and cranes.

Solar Facility Operations

During operations, the Project primarily will be remotely managed on a 24/7 basis. The Project will have employees or contractors onsite periodically for system inspections, vegetation management, and preventative maintenance following the construction period.

Equipment

Regardless of the PV modules chosen for this Project, those modules will be certified in accordance with UL or International Electro-technical Commission (IEC) and compatible with the proposed inverter.

PV module connectors or similar products used for this project will be designed for environmental exposure, not interchangeable, and have an ampacity rating not less than the maximum series fuse rating of the module.

The module interconnection cables will be determined with National Electric Code (NEC) guidance including (i) conditions of use with particular consideration of temperature rise due to solar exposure, (ii) terminal ratings, and (iii) as consideration of over current protection and all possible current sources. Module wiring will be marked as type USE-2 or PV and be sunlight resistant.

Combiner boxes will contain the PV source circuits and will be listed to the appropriate UL standard, or will be IEC approved for outdoor wet applications. Materials, finish and corrosion protection of combiner boxes will be selected for strength, toughness, and durability for the design life of the Project.

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Disconnects will be listed to the appropriate UL standard, or will be IEC approved for the application.

PV Inverter systems will be utility grade and specifically designed for PV installations. The inverter systems will be designed for the expected environmental conditions at the site including temperature, humidity, elevation, and seismic vibrations. Inverter voltage, current, and frequency capability will be tailored to the specific PV technology used and the local conditions at the generating facility.

The Medium Voltage Collection System will have a voltage of 34.5 kV. The number of feeder circuits, their configuration and the size of the cables will be optimized to provide a safe, cost-effective system consistent with standard industry practices. All underground and overhead collection/distribution facilities will be constructed to: allow for safe operation of the Project, minimize shading of the PV array, facilitate ease of maintenance and the cost effective collection of energy from each inverter and its delivery to the point of interconnection.

The revenue metering system(s) will meet the independent system operator and utility minimum requirements as indicated in the interconnection agreement. All metering will comply with ANSI and IEEE metering standards.

Performance monitoring / Supervisory Control and Data Acquisition (SCADA). The Project will include specific equipment required by the utility and the independent system operator, (specifically relating to SCADA), for metering and telemetering consistent with the interconnection agreement. The SCADA system also will provide data for the operator to monitor the status of the plant.

Interconnection

The project will interconnect with the existing grid on the parcel. Dominion Virginia Power has informed Scott-II Solar they will need to make some upgrades to their existing distribution system. Based on conversations the principal change needed will be to run an additional set of wires on the same poles as the existing distribution line from Old Buckingham Rd. near the school to the project site. It is understood all work will be within the existing Dominion Virginia Power right of way.

Transportation

There is one proposed access points for the Project from Old Buckingham Rd through tax Parcel 38-3-1. All traffic is expected to arrive and leave through this entrance. The access point will be marked with identifying signage. General construction traffic will consist of passenger vehicles (e.g, pickup trucks) carrying passengers, tools, and minor equipment to and around the construction site. Component deliveries (e.g., solar panels, inverters, concrete trucks, construction equipment, etc.) will vary depending on suppliers and subcontractors. Access to the site will be through the use of Route 60 to Old Buckingham Rd.

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During construction up to 315 delivery trucks will access the Project site for delivery of materials and equipment. At the height of the construction period there will be approximately 165 trips per day to and from the Project for construction employees to access the Project site. Construction worker vehicles will be parked within a temporary use area inside of the Project boundary.

The Applicant will repair any damage to local roads caused by the project construction. In addition it is proposed a Construction Traffic Management Plan and mitigation measures shall be developed by Scott-II Solar and submitted to the Virginia Department of Transportation (VDOT) and the County of Powhatan for review. The Plan shall address traffic control measures, a pre- and post-construction road evaluation, and any necessary repairs to the public road that are required as a result of damage from the Project. If a traffic issues arises during the construction of the Project, the Applicant shall develop with input from the County and VDOT appropriate measures to mitigate the issue.

Operations and maintenance (O&M) for the Project will not measurably increase vehicular traffic. There are not expected to be any permanent employees stationed at the site. O&M personnel typically will use pick-up trucks, primarily during day light hours. Access to the site will be made via the local/county roads, existing access roads, and the access roads built as part of initial construction. During the operations phase, access to the site will occur at least twice a month. For clarification, Scott Timberland Company, the landowner of the Project site and adjacent property, may use either access point to the Project site for its timber cutting operations, which will continue before and after construction and operation of the Project.

Noise

Noise issues associated with the Project will be limited to construction noise. Construction noise will be temporary (short-term) and consist of increased noise levels associated with construction activities and increased traffic on area roadways. Generally, noise generated from construction of solar energy facilities have maximum noise levels of 80 to 90 A-weighted decibels (dBA) at a distance of 50'. As a point of reference power mowers typically generate around 96 dB of sound and a food blender 88dB when standing next to them. The Project's solar equipment will be setback at least 150', excluding any security fencing, to any existing off-site residential dwelling unit in order to minimize the noise effects during construction. The proposed construction time limits outlined above should ensure there are no noise issues with the site.

Water Resources Siting Considerations

Water will be required during construction and operation of the Project. During construction, water will be required for dust control and soil conditioning. Potable water for drinking and domestic needs during construction will be brought to the Project or purchased from the land owner. During operation, the panels will be washed every few years. Water will be purchased from the land owner for those purposes or brought onto site.

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The County Floodplain Map was reviewed to determine if the Project will be affected by any floodplains. No part of the Project Area where panels will be located is within the 100 year flood plain.

Several perennial streams, as well as intermittent and ephemeral tributaries to these streams, are mapped on or adjacent to the Project. The Project is being designed to minimize impact to any of these streams and to avoid any crossing. In addition it is planned that overhead or underground electrical lines will be used to cross these streams and wetlands to minimize the impact.

A delineation of wetlands and waters of the U.S. (WUS) has been conducted to document any wetlands or WUS that occur within the Project area. All necessary permits and approvals will be obtained prior to construction.

Runoff

Solar fields are considered a "permeable" surface, as they cause no additional runoff from the site. Panel racks are driven straight into the ground, with no concrete pads or other barriers to inhibit the flow of water into the ground. The ground underneath solar panels is seeded with native vegetation to control runoff and prevent erosion. Solar panels require occasional cleaning to optimize performance (example, twice per year), but cleaning does not use chemicals that may seep into the ground water. The solar project will therefore not affect the ground water level and neighbors wells.

Storm water flow is taken into account during the design of solar arrays and improvements are made where necessary. This design and review process is always conducted in cooperation with county officials and the Department of Environmental Quality responsible for providing land use approvals and construction permits.

Sanitation

During construction, portable sanitary facilities will be stationed at the construction site and maintained by local sanitary facility contractors.

Solid Waste or Hazardous Waste

Construction equipment will contain various materials such as hydraulic oil, diesel fuel, grease, lubricants, solvents, adhesives, paints, and other petroleum-based products contained in construction vehicles. All potentially hazardous materials will be contained, stored, and used in accordance with the manufacturers' instructions and handled in compliance with the applicable standards and regulations. The Project will take all necessary precautions to prevent littering of the site or neighboring properties. Construction waste will be disposed of in accordance with all applicable requirements. Operation of the Project will not generate solid or hazardous waste.

Security

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The Project will install and maintain a permanent perimeter/boundary fence around the entire portion of the property containing Project equipment. The design minimum will include a security fence around the perimeter of the Project Site that is 7' tall metal chain-link, topped with 1' tall barbed wire. Safety and security signage will be located every 100' along perimeter fencing. Speed limit signs will be posted on all interior roads. The gates at the project entrances will be located sufficiently back from the County road to allow a truck to pull off of the road before having to open the gate. During construction additional temporary fences will be installed to secure the temporary staging areas.

Lighting

Permanent lighting during operations will be minimized except for what is needed for security and safety, and such lighting will be downward facing.

First Responder Training

In order to promote the safety and welfare of the first responders the Applicant offers to facilitate training for the appropriate fire department(s) and other first responders with training relating to the specific hazards of the Project (e.g. transformer fires, shock hazards).

Price of Energy

Solar projects do not raise the price of energy in a community. The energy sold from a solar facility to the local utility is often as cheap as or cheaper than the same electricity otherwise generated and delivered from a conventional power plant. Solar facilities complement existing power plants and help replace the energy supply that is lost due to the retirement of conventional power plants in the area. Many utilities, as well as large commercial & industrial users, are actively seeking to purchase solar power or solar plants in order to diversify energy supply, reduce over reliance on single fuel sources, and enjoy the budgeting certainty that comes with a source of energy generation (sunlight) that is free, limitless, and clean.

Decommissioning

Decommissioning of the site to remove the Project components and return the land to tilled farmland or another authorized land use will be done by the Applicant at the end of the project life (which could be at least 35 years). Any buried items not utilized in the future authorized land use will be removed to a depth of at least 3' below finished grade. No burial of equipment or materials will be permitted other than that which was in the ground prior to decommissioning, when the power plant was operational.

A sample decommissioning plan is attached.

It is proposed: If the solar energy farm 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 shall provide notice to County Staff immediately upon the site becoming inactive and/or shutting down operation. The current

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owner of the Project ("Project Owner") shall remove the facilities ("decommissioning") within six (6) months of receipt of notice from the County ("County Notice"). If the facility is not removed within the specified time after the County Notice, the County may cause the removal of the solar energy farm with costs being borne by the Project Owner. Unless the solar energy farm is owned by a public utility in the Commonwealth of Virginia, the costs of decommissioning shall be secured by an adequate surety in a form agreed to by the County Attorney, including but not limited to a letter of credit, cash, or a guarantee by an investment grade entity. If the solar energy farm is sold to any entity that is not a public utility, the CUP shall not transfer to the purchaser until such time as the adequate surety is provided.

If a surety is required, the cost estimates of the decommissioning shall be updated every five (5) years and provided to the County. At its option, the County may require the surety amount be increased based on the net cost of decommissioning.

Agricultural Use of Surrounding land

The Applicant acknowledges the farming, timber, and ranching activities in the area which may affect the Project. Farming, timber, ranching, swine and animal operations, and other agricultural activities are the primary land use of the Agricultural 10 zone that partially surrounds this project, and that the following activities and practices occur, including but not limited to:

- a. Pesticide spraying (including crop dusting);
- b. Field and ditch burning;
- c. Machinery operations, including well pumps and engines at all hours;
- d. Livestock feeding and feed storage;
- e. Dairy operations;
- f. Grazing and moving of livestock;
- g. Calving, lambing, foal, hatching, and farrowing activities;
- h. Fertilizing;
- i. Composting;
- j. Dust caused by agricultural operations and roads;
- k. Nighttime activities and operations;
- l. Noises associated with agricultural, swine, and/or animal operations;
- m. Strong odors associated with normal agriculture, swine, and/or animal operations.
- n. Flood irrigation and high water runoff, which may result in the flooding of adjacent and nearby properties, including roads, streets, rights-of-way, and easements;
- o. Roaming of livestock; and,
- p. Commercial greenhouses

Other Permits

All power generation projects in the state of Virginia must receive state approval either through a Permit by Rule process administered by the Department of Environmental

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Quality, or through the State Corporations Commission (SCC). In either case consultation will take place with the VA Dept. of Environmental Quality, VA Dept. of Game & Inland Fisheries, VA Dept. of Conservation & Recreation, and the VA Dept. of Historical Resources. This will provide for additional environmental, wildlife, habitat, cultural and historic review. In addition there will be additional public review and input and a public meeting will likely be held with additional project information. The below table lists other permits which may need to be filled, with whom, and their current status.

Other Permits		
Permit	Permitting Agency / Authority	Status
VA Permit by Rule Small Renewable Energy Projects (Solar) Or State Corporations Commission	DEQ or SCC	To be applied for
Conditional Use Permit	Powhatan County	Submitted
Storm water and E&S	Powhatan County, DEQ	To be submitted
Building Permit/Grading Permit/Site Plan	Powhatan County	To be submitted
Decommissioning Plan	Powhatan County	To be submitted
Wetland Non Jurisdiction Letter	US Army Corps of Engineers	Pending
ACOE/VA DEQ Wetlands Permits	US Army Corps of Engineers or DEQ	Need to be determined
Aviation	FAA	None required
Air Permit (for construction phase generators)	VA DEQ	Need to be determined

Conformance with the Comprehensive Plan

The Existing Land Use for the Scott Property is Agriculture/Forest/Undeveloped as shown on the 2010 Long-Range Comprehensive Plan (the Plan), Existing Land Use (Map 6). The Scott Property is designated as Rural Residential in the Plan’s Countywide Land Use Pan (Map 7).

The general locations of existing public facilities are identified on Map 3 of the Plan, Public Facilities. These facilities include electrical facilities, and identify existing electrical distribution lines owned by Dominion Virginia Power that roughly bisect the Scott Property. See Map 3. The Plan provides that future locations for facilities should be guided by the locational standards provided in each section within the chapter (Chapter 6: Infrastructure and Facilities). While Chapter 6 does not specifically reference the extension or future location of electrical utility facilities, as these improvements are specifically identified and included in the Plan, their extension would necessarily be expected to occur on nearby or adjacent lands, including the Scott Property. The development of the Project

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on the Scott Property meets the County’s objective of “concurrently link[ing] land use planning and development decisions so that ...community facilities have capacity for expected growth and are in place when needed.” By interconnecting with existing distribution lines, the Project will help meet local electrical power needs first, with the excess then flowing to the overall grid.

In addition, Chapter 8 Land Use & Community Character specifically lists as an “Appropriate Land Use” in Rural Residential “Institutional uses, such as schools, churches, public safety facilities, and similar uses.” As necessary utility facilities, electrical facilities are similar to and should be included with the other institutional facilities that are permitted in the Rural Residential land use.

For the reasons generally described in this Application, the Project meets the Rural Residential Policy that “on-site development practices and land management in the rural residential areas should create minimal impact to the environmental quality of surrounding uses.” It also meets the following General Land Use Recommendations (see Chapter 8: Land Use & Community Character):

- Maintain the rural character of the county (Land Use Objective 1)
- Protects the rural character of the area around existing wildlife management areas, the county park, and the new state park in order to discourage incompatible land uses that would conflict (Land Use Objective 8)
- Coordinate land use planning with the provision of infrastructure and community facilities (Land Use Objective 9)
- Promotes sustainable growth that promotes “green” practices and the conservation of energy (Land Use Objective 10)

Conclusion

Scott-II Solar believes this project will create economic value for the county, will not adversely affect the health, safety or welfare of the people residing in the vicinity of the Project, nor impair the character of the district in which it is located, nor the value of the properties in the surrounding area.

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Proffer Statement offered by the Applicant

1. Scott-II Solar LLC or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy farm (the “Applicant”) shall consent to annual administrative inspections by Planning Department Staff for compliance with the requirements of this CUP.
2. The Applicant shall sign the list of the adopted conditions for this CUP signifying acceptance and intent to comply with these conditions.
3. All activities associated with this CUP shall be in compliance with all State and Federal laws. The site shall fully comply with all applicable provisions of Section 83-162 of the Powhatan County Zoning Ordinance throughout the life of this CUP.
4. This conditional use permit (CUP) shall be binding on Scott-II Solar LLC or any successors, assignees, current or future lessee, sub-lessee, or owner of the solar energy farm.
5. The solar energy farm shall consist of one integrated power generation facility and shall be limited to no more than the 349 acres of the Property identified as “Scott II – Virginia Solar,” as shown on the Maximum Extents Plan prepared by Timmons Group dated April 4th, 2016.
6. Map Pin Tax Parcel #38-3-1 (“access parcel”) shall be used as the primary access to the solar energy farm.
7. All site activity required for the construction and operation of the solar energy farm shall be limited to the following:
 - a. All clearing and grading of the site, to include the construction and/or the upgrade of any access roads needed for the Project, shall be limited to the hours of 8 a.m. to 6 p.m., Monday through Saturday;
 - b. All piling driving activity shall be limited to the hours of 8 a.m. to 6 p.m., Monday through Friday. Applicant may request permission for the County Administrator to conduct piling driving activity on Saturdays, but such permission will be granted or denied at the sole discretion of the County Administrator; and
 - c. All other construction activity on site shall be permitted Monday through Sunday in accordance with the provisions of the County’s Noise Ordinance.
8. A minimum one hundred and fifty (150) foot setback shall be maintained from any adjacent residential dwellings that exist at of the time of the approval by the Board of Supervisors. A minimum 50’ foot setback shall be provided around the perimeter of the Project where it is adjacent to property not owned by the same property owner as covered in the CUP at the time of the approval by the Board of Supervisors. Within the buffer, in areas where there is not at

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least 15' of native timber remaining on the project parcel, a single row of evergreens will be planted within the 50 foot setback where there is an adjacent property with an existing residence. Such evergreens shall be planted on fifteen (15) foot centers and shall be a Meyers Spruce tree or other similar tree (which alternative tree shall be subject to the prior written approval of the Planning Department), and the evergreen installed shall have an anticipated five year height of six (6) to eight (8) feet after planting and an anticipated mature height of thirty (30) to forty (40) feet. This requirement may be reduced or waived if agreed to, in writing, by the owner of the residence. The security fence may be located within the setbacks in accordance with Section 5.

9. The Applicant shall install a security fence around the solar energy farm that is a minimum six (6) feet in height.
10. Construction lighting shall be minimized and shall be directed downward. Post- construction lighting shall be limited to security lighting only.
11. If the solar energy farm 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 shall provide notice to County Staff immediately upon the site becoming inactive and/or shutting down operation. The current owner of the Project ("Project Owner") shall remove the facilities ("decommissioning") within six (6) months of receipt of notice from the County ("County Notice"). If the facility is not removed within the specified time after the County Notice, the County may cause the removal of the solar energy farm with costs being borne by the Project Owner. Unless the solar energy farm is owned by a public utility in the Commonwealth of Virginia, the costs of decommissioning shall be secured by an adequate surety in a form agreed to by the County Attorney, including but not limited to a letter of credit, cash, or a guarantee by an investment grade entity. If the solar energy farm is sold to any entity that is not a public utility, the CUP shall not transfer to the purchaser until such time as the adequate surety is provided. If a surety is required, the cost estimates of the decommissioning shall be updated every five (5) years and provided to the County. At its option, the County may require the surety amount be increased based on the net cost of decommissioning.
12. The Applicant shall coordinate with the County's emergency services staff to provide materials, education, and/or training to the departments serving the solar energy farm in regard to how to safely respond to on-site emergencies.
13. Access roads are to be marked by the Applicant with identifying signage.
14. A Construction Traffic Management Plan and mitigation measures shall be developed by the Applicant and submitted to the Virginia Department of Transportation (VDOT) and the County of Powhatan for review. The Plan shall address traffic control measures, a pre- and post-construction road evaluation, and any necessary repairs to the public road that are required as a

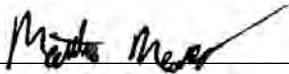
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result of damage from the Project. If a traffic issues arises during the construction of the Project, the Applicant shall develop with input from the County and VDOT appropriate measures to mitigate the issue.

15. Parking of vehicles or staging of equipment or materials related to the project shall be limited to the Project site.

Scott-II Solar LLC



Matthew Meares

Authorized Signatory

Scott II Solar

Appendix A – Timmons VCRIS Report

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MEMORANDUM

TO: Mathew Meares, **Virginia Solar**

FROM: Rick Thomas, PWS, PWD, **TIMMONS GROUP**

RE: Cultural Resource Database Summary – Scott Property
Powhatan County, Virginia

DATE: July 9, 2015

In accordance with the Virginia Department of Environmental Quality (DEQ) Guidance regarding the Solar Permit by Rule (Solar PBR), Timmons Group has completed a preliminary desktop evaluation utilizing the Virginia Department of Historic Resources Virginia Cultural Resources Information System (DHR V-CRIS). The purpose of the desktop evaluation and database query is to provide preliminary compilation of known historic resources within the proposed disturbance zone and within ½ mile of the proposed project. Based upon the results of the evaluation, the Scott Property is not identified on the Virginia Landmarks Register (VLR) nor listed on the National Register of Historic Places (NRHP). Additionally, there are no identified architectural or archaeological resources, individual Historic District Properties, or Department of Historic Resources Easements identified within the project limits.

There is one site identified within close proximity of the project location – Fighting Creek Plantation DHR ID # 072-0015 is located just south of the proposed area of development. Additional data associated with this resource is contained within the attachment. Based upon this sites proximity to the proposed development, view-shed impacts could potentially be a consideration during design development for this project. It appears that there is a significant forested buffer between the proposed development and this property that should provide sufficient screening.

These findings should be presented to the Virginia DEQ as part of the scoping for processing under the Solar PBR. It is our understanding that the DEQ, in consultation with the Virginia Department of Historic Resources, has discretion with respect to the extent and methods for additional cultural resource evaluation with respect to development of this property under the Solar PBR Guidelines. The information contained within this memorandum and the associated attachment will be useful in assisting the DEQ and DHR in development of future study requirements. It should also be noted that the absence of cultural resources within the project limits does not eliminate the possibility of occurrence of cultural resource features, but is more a result of the lack of cultural resource evaluation of the property. Additionally, historic use of the property as a silvicultural operation may have influence cultural resource evaluation scope.



Legend

- Architecture Resources
- Individual Historic District Properties
- Archaeological Resources
- DHR Easements
- County Boundaries



Feet



0 120 240 360 480
1:72,224 / 1"=6,019 Feet

Title: Scott Solar Site

Date: 6/24/2015

DISCLAIMER: Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years from a variety of sources and the representation depicted is a cumulative view of field observations over time and may not reflect current ground conditions. The map is for general information purposes and is not intended for engineering, legal or other site-specific uses. Map may contain errors and is provided "as-is". More information is available in the DHR Archives located at DHR's Richmond office.

Notice if AE sites: Locations of archaeological sites may be sensitive the National Historic Preservation Act (NHPA), and the Archaeological Resources Protection Act (ARPA) and Code of Virginia §2.2-3705.7 (10). Release of precise locations may threaten archaeological sites and historic resources.

Property Information

Property Names

Name Explanation	Name
Historic	Fighting Creek Plantation
Historic/Current	Fighting Creek

Property Evaluation Status

NRHP Listing
 VLR Listing

Property Addresses

Current - 1811 Mill Quarter Road Route 620

County/Independent City(s):	Powhatan (County)
Incorporated Town(s):	<i>No Data</i>
Zip Code(s):	23139
Magisterial District(s):	<i>No Data</i>
Tax Parcel(s):	38/-60 & 60A
USGS Quad(s):	POWHATAN

Additional Property Information

Architecture Setting:	Rural
Acreage:	4.3

Site Description:

1937: 1.1 miles east of Powhatan on Route 60, thence 1 mile south on Route 620, thence 1.5 miles west on a private road. Fighting Creek is a stately old home situated in the middle of a four acre lawn, which was covered in Kentucky Blue Grass and a flower garden surrounded by a border of dwarf boxwood. There were 30 species of trees. Two great spreading elms, one pomegranate, lemon trees and others.

1967: Fighting Creek Plantation is located 0.2 mile west of Fighting Creek, 0.9 mile west of Route 620, and 1.8 miles southwest of Powhatan.

1991: Fighting Creek is situated upon a knoll and is surrounded by several large trees. 2 miles south of Powhatan, 1 mile down a private lane off of Rt. 620.

2012 PIF: This home sits in the middle of a 4.3 acre yard, with imposing elm, black walnut, ash, and cedar trees. At the south end of the home is an English garden with boxwood, butterfly bush, hydrangea, dogwood, and other plantings.

1937: A lovely greenhouse covered with various colored glass was at the south end of the house, and a winding walk led from the front porch to the greenhouse.

1991: There are two modern sheds on the property.

2012 PIF: A swimming pool is located at the southwest corner and a metal pole barn sits at the far rear of the property, in front of an ice pit. Dr. Harvie's office was once located over the ice pit. The ice pit holds pottery shards and bottles. There is also a brick well house with a concrete floor.

Surveyor Assessment:

1937: Fighting Creek home was named for Fighting Creek, which runs close by the house. The creek was so named because Indians going east would meet Indians going west at this point and a bloody fight would take place. Legend was that some times after a fight the water in the creek would be red from so much blood having been shed.

Dr. Harvey was a very prominent physician in Powhatan, and was vestryman at Emmanuel Church. James B. Harvie, son of Dr. Harvie, fought in the War Between The States; was in the Battle of New Market, and was the last survivor. Before the war, Dr. J.B. Harvie sent to New York and bought a Gazometer in which he made gas for light in his house. The gas was made from oil and tar brought from North Carolina. A Mr. Beverly was sent out from Richmond to teach Dr. Harvie how to make the gas. Peter Venable, Dr. Harvie's coachman, and the coachman for the neighbors, would meet at Dr. Harvie's and have a horse racing Sunday afternoons. The gentlemen would have much pleasure in watching them.

1991: Fighting Creek Plantation house is an unusual mixture of Classical and Italianate elements.

2012 PIF: "Fighting Creek Plantation" is a magnificent stucco home on 4.3 landscaped acres adorned with black walnut, cedar, elm, and holly trees. Originally part of a much larger estate, the home is now surrounded by more than one hundred acres of land that once housed a dairy. The home is believed to have been designed by highly esteemed architect Alexander Jackson Davis, who designed the Powhatan Courthouse in the 1940's. "Fighting Creek" owner Dr. John B. Harvie, a prominent physician in Powhatan and Amelia Counties, was a vestryman at Emmanuel Church, as was Philip St. George Cocke of Belmeade, and it is thought that the two men were friends and used the same architect around the same time for their stately houses.

See PIF for additional details.

2013 NRHP: Fighting Creek, a two-story, five-bay central block symmetrical stucco home with north and south one-story wings was built ca. 1841, at a time when few stucco homes were seen in this rural area. This home is an unusual blend of both Classical Revival

and Italianate elements. According to local tradition, it was designed by renowned New York architect Alexander Jackson Davis (1803-1892), who designed the nearby Gothic Revival Belmead Plantation for Philip St. George Cocke; however, this supposition has not been confirmed in historic records. Fighting Creek is locally significant under Criterion C for Architecture as a well-preserved example of a mid-19th century plantation home. This property in 1840 was originally part of a plantation consisting of 1,699 acres conveyed to Dr. John Brockenbrough Harvie and his wife Elizabeth (Blair) Harvie. The property now retains a mere 4.3 acres of the original 1,699 acre tract, which was in 1724 patented by Colonel William Randolph and managed as a quarter by an overseer, Thomas Hobson. Fighting Creek Plantation, although updated to accommodate 20th and 21st century lifestyles, retains its original floors, Palladian windows, exterior architectural embellishments, and interior spacious, symmetrical rooms. It is one of the few remaining mid-19th century well-preserved plantation homes in Powhatan County, Virginia.

The period of significance begins with the construction of the main manor house in ca. 1841. At this time the John Brockenbrough Harvie family was residing in a one-story frame house, believed to have been the caretaker's cottage, while the main house was being built. The period of significance ends around 1900, after the 1885 death of patriarch Dr. John Brockenbrough Harvie; the conveyance of the property by deed of sale to Malcolm W. Nicholls of Hardin County, Ohio; through the 1893 fire and reconstruction by new owner Nicholls. This range reflects the period when the house was recognized as perhaps the only fine large stucco manor in Powhatan County, Virginia, exemplifying architectural elements characteristic of Southern mid-19th century plantation homes.

See nomination for narrative statement of significance.

Surveyor Recommendation: Recommended Eligible

Ownership

Ownership Category	Ownership Entity
Private	No Data

Primary Resource Information

Resource Category: Domestic
Resource Type: Single Dwelling
Date of Construction: 1848Ca
Historic Time Period: Antebellum Period (1830 - 1860)
Historic Context(s): Architecture/Landscape, Domestic
Architectural Style: Italianate
Form: No Data
Number of Stories: 2.0
Condition: Excellent
Interior Plan: Center Hall
Threats to Resource: None Known
Architectural Description:

Undated: Lonely and windswept. Original walls were thought to be of a colonial estate patented by William Randolph who had a plantation called Fighting Creek. The house burned sometime in the 19th century and the walls were used to incorporate this house, which is very Gothic. Arched windows. Painted white. House holders with star finials are on outside of house.

1937: There was a long front porch. There are narrow arched windows on either side of a six-paneled door with arched transom.

2 brick side chimneys; 6/6 windows; metal roof; no shutters or dormers; 6-panel double door and 2 story porch.

The interior contains 14 rooms with 12 foot ceilings; there is a 2 flight open string stair; 5 rooms in the cellar (in bad condition); walls are papered; hardware is modern; no interior cornices; 4 plain mantels; floor boards of varied width (4-6 inches). The house was built in 1837 and is currently in very bad condition.

1958: Stone, 2 story residence, built in the 2nd half of the 19th century, and currently vacant. An old picture of the house shows it to be stone and not covered with plaster. This is one of the few pretentious houses built after the Civil War.

1967: Stone with stucco, 2 stories, hipped roof, two-level pedimented porch. Late 19th century; later addition.

Alternating floorboards. The house has been re-occupied for the last 7 years.

Architecture Summary, 1991: A symmetrical three-part plan, Fighting Creek Plantation house is an unusual mix of Italianate and Classical elements. A two-story, one-bay pedimented porch is imposing on the front facade. The semi-circular arched windows on the first floor are larger than the second floor windows. Each window is topped by an eyebrow lintel. Central fenestrations are composed of double doors surmounted by lunette transom. Narrow side-lights each containing four lights flank the doors. Other ornamentation includes a scored stucco surface, and a corbelled dentil course on the fascia under the eaves.

Description of Additions and Alterations: The south wing has a one story addition to match the north wing.

2012 PIF: Built circa 1841, in the Italianate/Classical Revival style, 2 stories over a basement, and currently in excellent condition. The story central block and wings was constructed of brick with stucco, over a raised foundation of stuccoed brick. Hipped roof with asphalt shingles; a trap door goes from the attic to the roof, where an observation deck once stood. Corbelled dentil course on the fascia under the eaves. There are two interior end brick chimneys. Semi-circular arched windows on the first floor, with eyebrow lintels. Nine 17x31 panes per window, with vertical slide wood sashes, double hung. Open wood two story porch with wood floor, wood railing on the upper porch and a front gable roof.

Exterior Components

Component	Component Type	Material	Material Treatment
Porch	2-story, 3-bay	Wood	Columns, Square
Chimneys	Interior End	Brick	<i>No Data</i>
Roof	Hipped	Asphalt	Shingle
Foundation	Raised	Brick	Stucco
Structural System and Exterior Treatment	Masonry	<i>No Data</i>	Stuccoed

Secondary Resource Information

Secondary Resource #1

Resource Category: Commerce/Trade
Resource Type: Office/Office Building.
Architectural Style: *No Data*
Form: *No Data*
Date of Construction: *No Data*
Condition: Demolished
Threats to Resource: Demolition
Architectural Description:
 2013: Not noted in nomination.
Number of Stories: *No Data*

Secondary Resource #2

Resource Category: Agriculture/Subsistence
Resource Type: Greenhouse/Conservatory
Architectural Style: *No Data*
Form: *No Data*
Date of Construction: *No Data*
Condition: Demolished
Threats to Resource: Demolition
Architectural Description:
 2013: Not noted in nomination.
Number of Stories: *No Data*

Secondary Resource #3

Resource Category: Agriculture/Subsistence
Resource Type: Barn
Architectural Style: No discernible style
Form: *No Data*
Date of Construction: 1990
Condition: Good
Threats to Resource: None Known
Architectural Description:
 2013: Pole Barn, 1990, Non-contributing Building
 The pole barn is located near the southwest corner of the property. The prefabricated building has metal siding, dirt floor, and a metal-clad roof. Two large sliding doors are located on the north elevation. This building postdates the property's period of significance.
Number of Stories: *No Data*

Secondary Resource #4

Resource Category: Domestic
Resource Type: Ice House
Architectural Style: *No Data*

Form: *No Data*
Date of Construction: *No Data*
Condition: *No Data*
Threats to Resource: *No Data*
Architectural Description:
2013: Not noted in nomination.
Number of Stories: *No Data*

Secondary Resource #5

Resource Category: DSS Legacy
Resource Type: Shed
Architectural Style: *No Data*
Form: *No Data*
Date of Construction: *No Data*
Condition: *No Data*
Threats to Resource: *No Data*
Architectural Description:
2013: Not noted in nomination.
Number of Stories: *No Data*

Secondary Resource #6

Resource Category: DSS Legacy
Resource Type: Shed
Architectural Style: *No Data*
Form: *No Data*
Date of Construction: *No Data*
Condition: *No Data*
Threats to Resource: *No Data*
Architectural Description:
2013: Not noted in nomination.
Number of Stories: *No Data*

Secondary Resource #7

Resource Category: Social/Recreational
Resource Type: Pool/Swimming Pool
Architectural Style: No discernible style
Form: *No Data*
Date of Construction: 2001
Condition: Excellent
Threats to Resource: None Known
Architectural Description:

2013: Pool, Ca. 2001, Non-contributing Structure
The in-ground pool with poured concrete apron is located east of the well house. A wood picket fence encloses the pool. This structure postdates the property's period of significance.

Secondary Resource #8

Resource Category: Domestic
Resource Type: Well House
Architectural Style: No discernible style
Form: *No Data*
Date of Construction: 1841
Condition: Remodeled
Threats to Resource: None Known

Architectural Description:

2013 NRHP: Well House, ca. 1841, Non-contributing Building
 The ca. 1841 well house is located a short distance directly east of the pole barn. The walls are composed of brick, while asphalt shingles cover the hipped roof. A replacement door is centered on the west wall. Paired window sash are centered on the north and east walls. Although the building dates from the mid-nineteenth century, it does not retain historic fabric other than the brick walls and thus is non-contributing.

Number of Stories: 1

Exterior Components

Component	Component Type	Material	Material Treatment
Structural System and Exterior Treatment	Masonry	Brick	American/Common Bond
Roof	Hipped	Asphalt	No Data
Windows	Double-hung	Wood	No Data

Historic District Information

Historic District Name: No Data
Local Historic District Name: No Data
Historic District Significance: No Data

CRM Events

Event Type: NRHP Listing

DHR ID: 072-0015
Staff Name: NPS
Event Date: 12/3/2013
Staff Comment
 VIRGINIA, POWHATAN COUNTY, Fighting Creek Plantation,
 1811 Mill Quarter Rd., Powhatan vicinity, 13000890, LISTED, 12/03/13

Event Type: VLR Listing

DHR ID: 072-0015
Staff Name: State Review Board
Event Date: 9/19/2013
Staff Comment
 No Data

Event Type: NRHP Nomination

DHR ID: 072-0015
Staff Name: Beverly S. Baker
Event Date: 6/1/2013
Staff Comment
 No Data

Event Type: DHR Board Det. Eligible

DHR ID: 072-0015
Staff Name: State Review Board
Event Date: 6/21/2012
Staff Comment
 Fighting Creek Plantation, Powhatan County, #072-0015, Criterion C
 Property owner Ms. Beverly Baker noted the construction date of the dwelling is ca. 1840-1841, not ca. 1848 as stated in the PIF summary. Ms. Jean McRae said DHR staff recommended the period of significance for the property coincide with the construction date. Ms. Baker said the original owner of Fighting Creek, Dr. Harvie, was friends socially with architect Alexander Jackson Davis. Mr. Metz said that an inventory of architectural drawings by Davis is available online; the drawings are stored in a repository in New York. Ms. Baker noted Dr. Harvie's son was the longest lived VMI survivor of the Civil War Battle of New Market. The SRB recommended that the property is eligible under Criterion C and that the nomination should proceed.

Event Type: DHR Staff: Eligible

DHR ID: 072-0015
Staff Name: DHR Evaluation Committee
Event Date: 2/16/2012
Staff Comment

Fighting Creek Plantation, Powhatan County, DHR File Number 072-0015
The ca. 1840-1841 house is located on a 4-acre lot but surrounded by vast undeveloped acreage that is currently wooded. The property includes an early 20th century wellhouse, a modern period in-ground pool and modern pole barn, and a large 19th century ice house pit (contributing site). The large two-story stuccoed brick house has a hipped roof and two interior end chimneys with both Italianate and Classical Revival features. A corbelled cornice survives; cornice brackets (shown in historic photos) may be concealed beneath a vinyl soffit. The front and rear porches date to ca. 1900 and postdate a fire that consumed an earlier frame dwelling located to the rear of the current dwelling, a frame hyphen connecting the two, and elaborate two-story verandas (shown in historic photos). A site visit by staff confirmed that everything inside the brick envelope of the current house – stairs, mantels (except for one Classical Revival mantel), trim, windows, and floors – appears to be original to the mid-19th century. Originally the brick house was stuccoed and then painted to look like ashlar block (visible in 1930s WPA photos). Although the house has been restuccoed, the original treatment is visible in the basement stairwell on what was originally an exterior wall. The house also originally had a belvedere (shown in the WPA photos) which no longer survives, but the ladder that led to it does survive in the attic. One of the side wings is original and the other was added ca. 1970 for a modern kitchen. Legend has it that the house was designed by Alexander Jackson Davis, who designed the Powhatan courthouse in the 1840s and the grand Belmead for Cocke also in the 1840s, but additional research would be required to prove this. Dr. John Brockenbrough Harvie bought this property around 1841 and had the existing dwelling constructed. He was a prominent local physician who knew Cocke.

Fighting Creek Plantation is a grand mid-19th century house with good interior integrity. It is the only Italianate style house mentioned in the 1991 countywide survey of Powhatan County. Fighting Creek Plantation was evaluated at the local level of significance under Criterion C (Architecture) with a period of significance of ca. 1840-1900. The committee recommended that the Fighting Creek Plantation proceed to listing with 33 points.

Event Type: DHR Staff Site Visit

Project Review File Number: *No Data*
Investigator: Kirchen, Kristin
Organization/Company: DHR
Sponsoring Organization: *No Data*
Survey Date: 2/9/2012
Dhr Library Report Number: *No Data*
Project Staff/Notes:

Site visit by DHR's Capital Region Preservation office's architectural historian, in support of PIF application.

Event Type: PIF

Project Review File Number: *No Data*
Investigator: Baker, Jr., Mr. & Mrs. Kemper W.
Organization/Company: Unknown (DSS)
Sponsoring Organization: *No Data*
Survey Date: 11/15/2011
Dhr Library Report Number: Mutual Assurance Society of Virginia
Project Staff/Notes:

No Data

Event Type: Survey:Phase II/Intensive

Project Review File Number: *No Data*
Investigator: Tracerics
Organization/Company: Unknown (DSS)
Sponsoring Organization: *No Data*
Survey Date: 3/28/1991
Dhr Library Report Number: Mutual Assurance Society of Virginia
Project Staff/Notes:

No Data

Event Type: Survey:Phase I/Reconnaissance

Project Review File Number: *No Data*
Investigator: Fishburne, Junius R.

Organization/Company: Unknown (DSS)
Sponsoring Organization: *No Data*
Survey Date: 7/1/1967
Dhr Library Report Number: Mutual Assurance Society of Virginia
Project Staff/Notes:
Update of HABS survey with interior and exterior photographs

Event Type: Survey:HABS Inventory

Project Review File Number: 072-0015
Investigator: Wiggins, Robert
Organization/Company: Unknown (DSS)
Sponsoring Organization: *No Data*
Survey Date: 8/1/1958
Dhr Library Report Number: Mutual Assurance Society of Virginia
Project Staff/Notes:
No Data

Event Type: Survey:WPA Virginia Historical Inventory

Project Review File Number: PO-69
Investigator: Weisiger, Louise B.
Organization/Company: Unknown (DSS)
Sponsoring Organization: *No Data*
Survey Date: 7/28/1937
Dhr Library Report Number: Mutual Assurance Society of Virginia
Project Staff/Notes:
Fighting Creek survey with three photographs

Bibliographic Information

Bibliography:

No Data

Property Notes:

No Data

Project Bibliographic Information:

Record Type: Book
Bibliographic Notes: Powhatan County, Virginia 1777-1977

DHR CRM Report Number: Mutual Assurance Society of Virginia
Record Type: MAS Policy
Bibliographic Notes: 8/28/1805, Declarations, Vol. 4, Policy 393, Reel 4, VDHR.

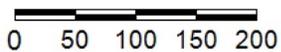


Legend

- Architecture Resources
- Architecture Labels
- Individual Historic District Properties
- Archaeological Resources
- Archaeology Labels
- DHR Easements
- USGS GIS Place names
- County Boundaries



Feet



1:2,500 / 1"=208 Feet

Title: Architecture Labels

Date: 6/24/2015

DISCLAIMER: Records of the Virginia Department of Historic Resources (DHR) have been gathered over many years from a variety of sources and the representation depicted is a cumulative view of field observations over time and may not reflect current ground conditions. The map is for general information purposes and is not intended for engineering, legal or other site-specific uses. Map may contain errors and is provided "as-is". More information is available in the DHR Archives located at DHR's Richmond office.

Notice if AE sites: Locations of archaeological sites may be sensitive the National Historic Preservation Act (NHPA), and the Archaeological Resources Protection Act (ARPA) and Code of Virginia §2.2-3705.7 (10). Release of precise locations may threaten archaeological sites and historic resources.

Scott II Solar

Appendix B – Adjacent Property Values Report

VIRGINIA
SOLAR



Kirkland Appraisals, LLC

Richard C. Kirkland, Jr., MAI
9408 Northfield Court
Raleigh, North Carolina 27603
Phone (919) 414-8142
rkirkland2@gmail.com
www.kirklandappraisals.com

August 31, 2015

Mr. Matthew Meares
Virginia Solar, LLC
106 Woodhall Drive, Suite 200
Richmond, VA 23229

Dear Mr. Meares:

At your request, I have considered the likely impact of a solar farm proposed to be constructed on an 898.4-acre tract of land located at 298 Old Plantation Road, Powhatan, Virginia. Specifically, I have been asked to give my professional opinion on whether the proposed solar farm will “maintain or enhance adjoining or contiguous property values” and whether “the location and character of the use, if developed according to the plan as submitted and approved, will be in harmony with the area in which it is to be located.”

To form an opinion on these issues, I have researched and visited existing and proposed solar farms, researched articles through the Appraisal Institute and other studies, and discussed the likely impact with other real estate professionals. I have not been asked to assign any value to any specific property.

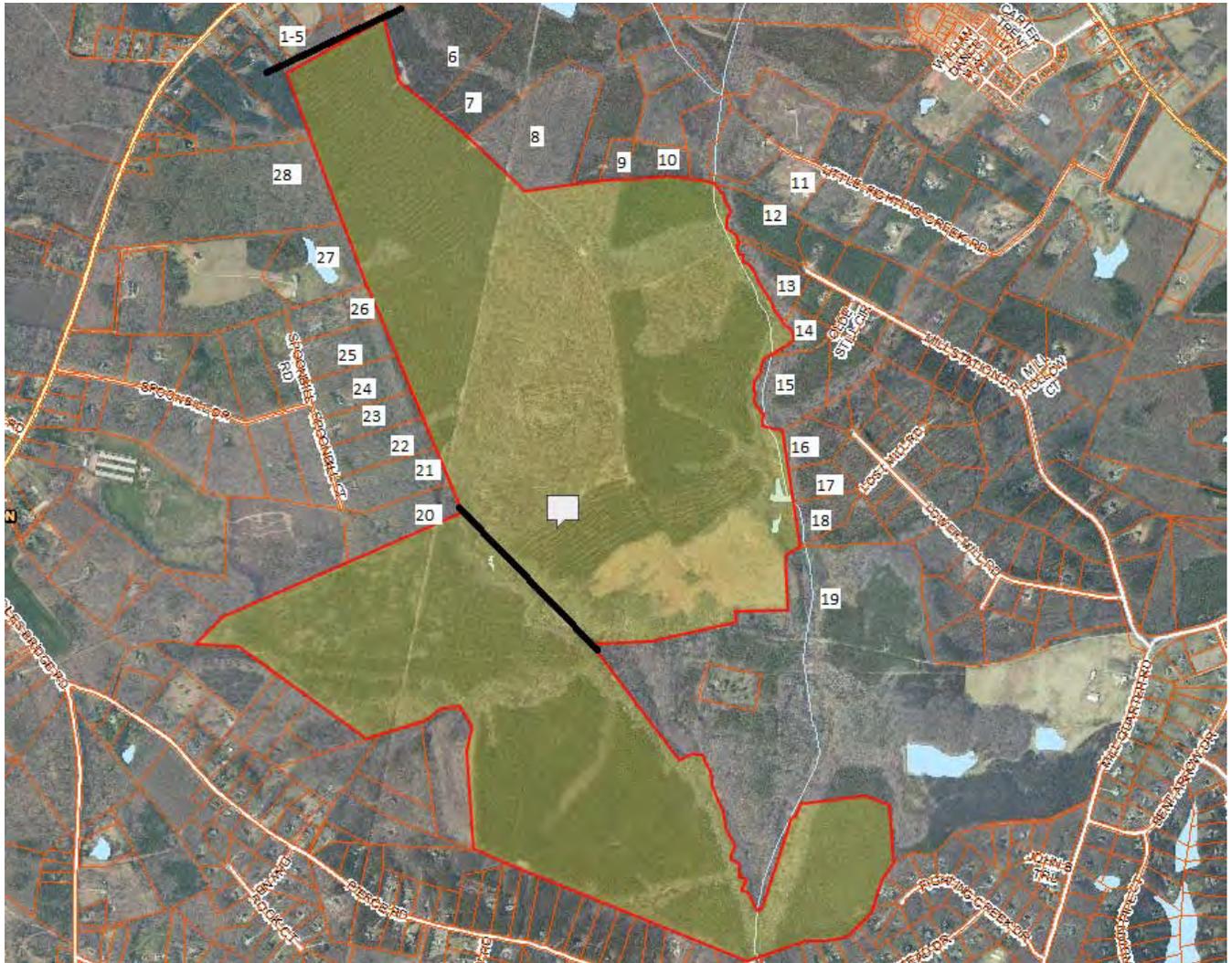
This letter is a limited report of a real property appraisal consulting assignment and subject to the limiting conditions attached to this letter. My client is Virginia Solar, LLC, represented to me by Mr. Matthew Meares. My findings support the Conditional Use Permit application. The effective date of this consultation is August 30, 2015.

Proposed Use Description

The proposed solar farm proposed to be constructed on an 898.4-acre tract of land located at 1580 Goodes Bridge Road, Amelia, Virginia.

Adjoining land is primarily agricultural with a few nearby residential uses. Solar farms are predominately located in residential/agricultural districts as outlined later in this report.

I have considered adjoining uses and included a map to identify each parcel’s location. The proposed solar farm is going to be located near the north end of the tract, so I have focused on that end of the property for adjoining uses as shown on the map below. The breakdown of those uses by acreage and number of parcels is summarized below.



Adjoining Use Breakdown

	Acreage	Parcels
Residential	28.83%	78.57%
Agri/Res	43.52%	3.57%
Agricultural	27.65%	17.86%
Total	100.00%	100.00%

Surrounding Uses

#	MAP ID	Owner	GIS Data		% Adjoining		% Adjoining Distance in Feet:
			Acres	Present Use	Acres	Parcels	Home to Panels
1	38-4A	Walker	10.000	Residential	1.48%	3.57%	960
2	38-3-1	Habel	3.610	Residential	0.53%	3.57%	890
3	38-3-2	Litton	7.260	Residential	1.07%	3.57%	965
4	38-36A	Davis	2.000	Residential	0.30%	3.57%	N/A
5	38-36	Taylor	23.170	Agricultural	3.42%	3.57%	N/A
6	38-35	Trent	25.000	Agricultural	3.69%	3.57%	N/A
7	38-32	Crump	60.400	Agricultural	8.93%	3.57%	N/A
8	38-31	CP Fighting Creek LL	28.530	Agricultural	4.22%	3.57%	N/A
9	38-29	Perkins	8.200	Residential	1.21%	3.57%	N/A
10	38-29A	Simmons	6.000	Residential	0.89%	3.57%	N/A
11	38-2-10	Osterman	10.000	Residential	1.48%	3.57%	1,740
12	38F-1-54	King	10.720	Residential	1.58%	3.57%	N/A
13	38F-1-53	Capitol Land Investr	8.170	Residential	1.21%	3.57%	N/A
14	38F-1-51	HOCAV LLC	3.880	Residential	0.57%	3.57%	N/A
15	38F-1-50	Martin	13.240	Residential	1.96%	3.57%	N/A
16	38F-2-18	Dattalo	7.430	Residential	1.10%	3.57%	N/A
17	38F-2-16	Geary	6.180	Residential	0.91%	3.57%	N/A
18	38F-2-15	Hochstetler	7.550	Residential	1.12%	3.57%	N/A
19	38-60	Hertzler	294.477	Agri/Res	43.52%	3.57%	4,965
20	38-1-12	Shepperson	12.990	Residential	1.92%	3.57%	1,600
21	38-1-11	Logios	10.000	Residential	1.48%	3.57%	1,300
22	38-1-10	Celiberti	10.000	Residential	1.48%	3.57%	N/A
23	38-1-9	Olzer	10.000	Residential	1.48%	3.57%	1,145
24	38-1-8	Vaughan	10.000	Residential	1.48%	3.57%	1,010
25	38-1-7	Burns	10.000	Residential	1.48%	3.57%	730
26	38-1-6	Glazebrook	10.000	Residential	1.48%	3.57%	840
27	38-7C	Meador	17.879	Residential	2.64%	3.57%	910
28	38-5A	Walters	49.971	Agricultural	7.38%	3.57%	N/A
		Total	676.657		100.00%	100.00%	1,421

I. Market Analysis of the Impact on Value from Solar Farms

I have researched a number of solar farms to determine the impact of these facilities on the value of adjoining property. I have provided a breakdown of the adjoining uses to show what adjoining uses are typical for solar farms and what uses would likely be considered consistent with a solar farm use. This breakdown is included in the Harmony of Use section of this report.

I also conducted a series of matched pair analyses. A matched pair analysis considers two similar properties with only one difference of note to determine whether or not that difference has any impact on value. Within the appraisal profession, matched pair analysis is a well-recognized method of measuring impact on value. In this case, I have considered residential properties adjoining a solar farm versus similar residential properties that do not adjoin a solar farm. I have also considered matched pairs of vacant residential and agricultural land.

As outlined in the discussion of each matched pair, I concluded from the data and my analysis that there has been no impact on sale price for residential, agricultural, or vacant residential land that adjoins the existing solar farms included in my study.

1. Matched Pair – AM Best Solar Farm, Goldsboro, NC

This solar farm adjoins Spring Garden Subdivision which had new homes and lots available for new construction during the approval and construction of the solar farm. The recent home sales have ranged from \$200,000 to \$250,000. This subdivision sold out the last homes in late 2014. The solar farm is clearly visible particularly along the north end of this street where there is only a thin line of trees separating the solar farm from the single-family homes.

Homes backing up to the solar farm are selling at the same price for the same floor plan as the homes that do not back up to the solar farm in this subdivision. According to the builder, the solar farm has been a complete non-factor. Not only do the sales show no difference in the price paid for the various homes adjoining the solar farm versus not adjoining the solar farm, but there are actually more recent sales along the solar farm than not. There is no impact on the sellout rate, or time to sell for the homes adjoining the solar farm.

I spoke with a number of owners who adjoin the solar farm and none of them expressed any concern over the solar farm impacting their property value.

The data presented on the following page shows multiple homes that have sold in 2013 and 2014 adjoining the solar farm at prices similar to those not along the solar farm. These series of sales indicate that the solar farm has no impact on the adjoining residential use.

The homes that were marketed at Spring Garden are shown below.



	<p>Americana SqFt: 3,194 Bed / Bath: 3 / 3.5</p>	<p>Price: \$237,900</p> <p>View Now »</p>		<p>Washington SqFt: 3,292 Bed / Bath: 4 / 3.5</p>	<p>Price: \$244,900</p> <p>View Now »</p>
	<p>Presidential SqFt: 3,400 Bed / Bath: 5 / 3.5</p>	<p>Price: \$247,900</p> <p>View Now »</p>		<p>Kennedy SqFt: 3,494 Bed / Bath: 5 / 3</p>	<p>Price: \$249,900</p> <p>View Now »</p>
	<p>Virginia SqFt: 3,449 Bed / Bath: 5 / 3</p>	<p>Price: \$259,900</p> <p>View Now »</p>			

AM Best Solar Farm, Goldsboro, NC

Matched Pairs

As of Date: 9/3/2014

Adjoining Sales After Solar Farm Completed

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	\$/GBA	Style
3600195570	Helm	0.76	Sep-13	\$250,000	2013	3,292	\$75.94	2 Story
3600195361	Leak	1.49	Sep-13	\$260,000	2013	3,652	\$71.19	2 Story
3600199891	McBrayer	2.24	Jul-14	\$250,000	2014	3,292	\$75.94	2 Story
3600198632	Foresman	1.13	Aug-14	\$253,000	2014	3,400	\$74.41	2 Story
3600196656	Hinson	0.75	Dec-13	\$255,000	2013	3,453	\$73.85	2 Story
	Average	1.27		\$253,600	2013.4	3,418	\$74.27	
	Median	1.13		\$253,000	2013	3,400	\$74.41	

Adjoining Sales After Solar Farm Announced

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	\$/GBA	Style
0	Feddersen	1.56	Feb-13	\$247,000	2012	3,427	\$72.07	Ranch
0	Gentry	1.42	Apr-13	\$245,000	2013	3,400	\$72.06	2 Story
	Average	1.49		\$246,000	2012.5	3,414	\$72.07	
	Median	1.49		\$246,000	2012.5	3,414	\$72.07	

Adjoining Sales Before Solar Farm Announced

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	\$/GBA	Style
3600183905	Carter	1.57	Dec-12	\$240,000	2012	3,347	\$71.71	1.5 Story
3600193097	Kelly	1.61	Sep-12	\$198,000	2012	2,532	\$78.20	2 Story
3600194189	Hadwan	1.55	Nov-12	\$240,000	2012	3,433	\$69.91	1.5 Story
	Average	1.59		\$219,000	2012	2,940	\$74.95	
	Median	1.59		\$219,000	2012	2,940	\$74.95	

Nearby Sales After Solar Farm Completed

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	\$/GBA	Style
3600193710	Barnes	1.12	Oct-13	\$248,000	2013	3,400	\$72.94	2 Story
3601105180	Nackley	0.95	Dec-13	\$253,000	2013	3,400	\$74.41	2 Story
3600192528	Mattheis	1.12	Oct-13	\$238,000	2013	3,194	\$74.51	2 Story
3600198928	Beckman	0.93	Mar-14	\$250,000	2014	3,292	\$75.94	2 Story
3600196965	Hough	0.81	Jun-14	\$224,000	2014	2,434	\$92.03	2 Story
3600193914	Preskitt	0.67	Jun-14	\$242,000	2014	2,825	\$85.66	2 Story
3600194813	Bordner	0.91	Apr-14	\$258,000	2014	3,511	\$73.48	2 Story
3601104147	Shaffer	0.73	Apr-14	\$255,000	2014	3,453	\$73.85	2 Story
	Average	0.91		\$246,000	2013.625	3,189	\$77.85	
	Median	0.92		\$249,000	2014	3,346	\$74.46	

Nearby Sales Before Solar Farm Announced

TAX ID	Owner	Acres	Date Sold	Sales Price	Built	GBA	\$/GBA	Style
3600191437	Thomas	1.12	Sep-12	\$225,000	2012	3,276	\$68.68	2 Story
3600087968	Lilley	1.15	Jan-13	\$238,000	2012	3,421	\$69.57	1.5 Story
3600087654	Burke	1.26	Sep-12	\$240,000	2012	3,543	\$67.74	2 Story
3600088796	Hobbs	0.73	Sep-12	\$228,000	2012	3,254	\$70.07	2 Story
	Average	1.07		\$232,750	2012	3,374	\$69.01	
	Median	1.14		\$233,000	2012	3,349	\$69.13	

Matched Pair Summary

	Adjoins Solar Farm		Nearby Solar Farm	
	Average	Median	Average	Median
Sales Price	\$253,600	\$253,000	\$246,000	\$249,000
Year Built	2013	2013	2014	2014
Size	3,418	3,400	3,189	3,346
Price/SF	\$74.27	\$74.41	\$77.85	\$74.46

Percentage Differences

Median Price	-2%
Median Size	-2%
Median Price/SF	0%

The Median Price is the best indicator to follow in any analysis as it avoids outlying samples that would otherwise skew the results. The median sizes and median prices are all consistent throughout the sales both before and after the solar farm whether you look at sites adjoining or nearby to the solar farm. The average for the homes nearby the solar farm shows a smaller building size and a higher price per square foot. This reflects a common occurrence in real estate where the price per square foot goes up as the size goes down. This is similar to the discount you see in any market where there is a discount for buying larger volumes. So when you buy a 2 liter coke you pay less per ounce than if you buy a 16 oz. coke. So even comparing averages the indication is for no impact, but I rely on the median rates as the most reliable indication for any such analysis.

AM Best Solar Farm, Goldsboro, NC



View of home in Spring Garden with solar farm located through the trees and panels visible.



View from vacant lot at Spring Garden with solar farm panels visible through trees.

2. Matched Pair – White Cross Solar Farm, Chapel Hill, NC

A new solar farm was built at 2159 White Cross Road in Chapel Hill, Orange County in 2013. After construction, the owner of the underlying land sold the balance of the tract not encumbered by the solar farm in July 2013 for \$265,000 for 47.20 acres, or \$5,606 per acre. This land adjoins the solar farm to the south and was clear cut of timber around 10 years ago. I compared this purchase to a nearby transfer of 59.09 acres of timber land just south along White Cross Road that sold in November 2010 for \$361,000, or \$6,109 per acre. After purchase, this land was divided into three mini farm tracts of 12 to 20 acres each. These rates are very similar and the difference in price per acre is attributed to the timber value and not any impact of the solar farm.

Type	TAX ID	Owner	Acres	Date	Price	\$/Acre	Notes	Conf By
Adjoins Solar	9748336770	Haggerty	47.20	Jul-13	\$265,000	\$5,614	Clear cut	Betty Cross, broker
Not Near Solar	9747184527	Purcell	59.09	Nov-10	\$361,000	\$6,109	Wooded	Dickie Andrews, broker

The difference in price is attributed to the trees on the older sale.

No impact noted for the adjacency to a solar farm according to the broker.

I looked at a number of other nearby land sales without proximity to a solar farm for this matched pair, but this land sale required the least allowance for differences in size, utility and location.

Matched Pair Summary

	Adjoins Solar Farm		Nearby Solar Farm	
	Average	Median	Average	Median
Sales Price	\$5,614	\$5,614	\$6,109	\$6,109
Adjustment for Timber	\$500	\$500		
Adjusted	\$6,114	\$6,114	\$6,109	\$6,109
Tract Size	47.20	47.20	59.09	59.09

Percentage Differences

Median Price Per Acre	0%
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This matched pair again supports the conclusion that adjacency to a solar farm has no impact on adjoining residential/agricultural land.

3. Matched Pair – Wagstaff Farm, Roxboro, NC

This solar farm is located at the northeast corner of a 594-acre farm with approximately 30 acres of solar farm area. This solar farm was approved and constructed in 2013.

After approval, 18.82 acres were sold out of the parent tract to an adjoining owner to the south. This sale was at a similar price to nearby land to the east that sold in the same time from for the same price per acre as shown below.

Type	TAX ID	Owner	Acres	Present Use	Date Sold	Price	\$/AC
Adjoins Solar	0918-17-11-7960	Piedmont	18.82	Agricultural	8/19/2013	\$164,000	\$8,714
Not Near Solar	0918-00-75-9812 et al	Blackwell	14.88	Agricultural	12/27/2013	\$130,000	\$8,739



Adjoining Use Breakdown

	Acreage	Parcels
Commercial	3.40%	0.034
Residential	12.84%	79.31%
Agri/Res	10.39%	3.45%
Agricultural	73.37%	13.79%
Total	100.00%	100.00%

From the above map, I identified four recent sales of homes that occurred adjoining the solar farm both before and after the announcement of the solar farm. I have adjusted each of these for differences in size and age in order to compare these sales among themselves. As shown below after adjustment, the median value is \$130,776 and the sales prices are consistent with one outlier which is also the least comparable home considered. The close grouping and the similar price per point overall as well as the similar price per square foot both before and after the solar farm.

Matched Pairs

#	TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	\$/GBA	Style	Parking
6&7	0900 A 011.00	Henson	Jul-14	\$130,000	2.65	2007	1,511	\$86.04	1 Story	2 Garage
12	0900 A 003.00	Amerson	Aug-12	\$130,000	1.20	2011	1,586	\$81.97	1 Story	2 Garage
15	099C A 003.00	Smallwood	May-12	\$149,900	1.00	2002	1,596	\$93.92	1 Story	4 Garage
16	099C A 002.00	Hessing	Jun-15	\$130,000	1.00	1999	1,782	\$72.95	1 Story	2 Garage
		Average		\$134,975	1.46	2005	1,619	\$83.72		
		Median		\$130,000	1.10	2005	1,591	\$84.00		

Adjustments*

#	TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	Style	Parking	Total
6&7	0900 A 011.00	Henson	Jul-14	\$130,000	-\$7,500	\$2,600	\$6,453	\$0	\$0	\$131,553
12	0900 A 003.00	Amerson	Aug-12	\$130,000	\$0	\$0	\$0	\$0	\$0	\$130,000
15	099C A 003.00	Smallwood	May-12	\$149,900	\$0	\$6,746	-\$939	\$0	-\$15,000	\$140,706
16	099C A 002.00	Hessing	Jun-15	\$130,000	\$0	\$7,800	-\$14,299	\$0	\$0	\$123,501
		Average		\$134,975	-\$1,875	\$4,286	-\$2,196	\$0	-\$3,750	\$131,440
		Median		\$130,000	\$0	\$4,673	-\$470	\$0	\$0	\$130,776

* I adjusted all of the comparables to a base line 2011 Year Built and 1,586 s.f. based on Lot 12

I also considered a number of similar home sales nearby that were both before and after the solar farm was announced as shown below. These homes are generally newer in construction and include a number of larger homes but show a very similar price point per square foot.

Nearby Sales Before Solar Farm Announced

TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	\$/GBA	Style	Parking
099B A 019	Durrance	Sep-12	\$165,000	1.00	2012	2,079	\$79.37	1 Story	2 Garage
099B A 021	Berryman	Apr-12	\$212,000	2.73	2007	2,045	\$103.67	1 Story	2 Garage
090O A 060	Nichols	Feb-13	\$165,000	1.03	2012	1,966	\$83.93	1 Story	2 Garage
	Average		\$180,667	1.59	2010	2,030	\$88.99		
	Median		\$165,000	1.03	2012	2,045	\$83.93		

Nearby Sales After Solar Farm Announced

TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	\$/GBA	Style	Parking
090N A 040	Carrithers	Mar-15	\$120,000	1.00	2010	1,626	\$73.80	1 Story	2 Garage
099C A 043	Cherry	Feb-15	\$148,900	2.34	2008	1,585	\$93.94	1 Story	2 Garage
	Average		\$134,450	1.67	2009	1,606	\$83.87		
	Median		\$134,450	1.67	2009	1,606	\$83.87		

I then adjusted these nearby sales using the same criteria as the adjoining sales to derive the following breakdown of adjusted values based on a 2011 year built 1,586 square foot home. The adjusted values are consistent with a median rate of \$128,665, which is actually lower than the values for the homes that back up to the solar farm.

Nearby Sales Adjusted				Adjustments*					
TAX ID	Owner	Date Sold	Sales Price	Acres	Built	GBA	Style	Parking	Total
099B A 019	Durrance	Sep-12	\$165,000	\$0	-\$825	-\$39,127	\$0	\$0	\$125,048
099B A 021	Berryman	Apr-12	\$212,000	-\$7,500	\$4,240	-\$47,583	\$0	\$0	\$161,157
090O A 060	Nichols	Feb-13	\$165,000	\$0	-\$825	-\$31,892	\$0	\$0	\$132,283
090N A 040	Carrithers	Mar-15	\$120,000	\$0	\$600	-\$2,952	\$0	\$0	\$117,648
099C A 043	Cherry	Feb-15	\$148,900	-\$7,500	\$2,234	\$94	\$0	\$0	\$143,727
	Average		\$165,500	-\$1,875	\$798	-\$30,389	\$0	\$0	\$134,034
	Median		\$165,000	\$0	-\$113	-\$35,510	\$0	\$0	\$128,665

* I adjusted all of the comparables to a base line 2011 Year Built and 1,586 s.f. based on Lot 12

If you consider just the 2015 nearby sales, the range is \$117,648 to \$143,727 with a median of \$130,688. If you consider the recent adjoining sales the range is \$123,501 to \$131,553 with a median of \$127,527.

This difference is less than 3% in the median and well below the standard deviation in the sales. The entire range of the adjoining sales prices is overlapped by the range from the nearby sales. These are consistent data sets and summarized below.

Matched Pair Summary

	Adjoins Solar Farm		Nearby After Solar Farm	
	Average	Median	Average	Median
Sales Price	\$134,975	\$130,000	\$134,450	\$134,450
Year Built	2005	2005	2009	2009
Size	1,619	1,591	1,606	1,606
Price/SF	\$83.72	\$84.00	\$83.87	\$83.87

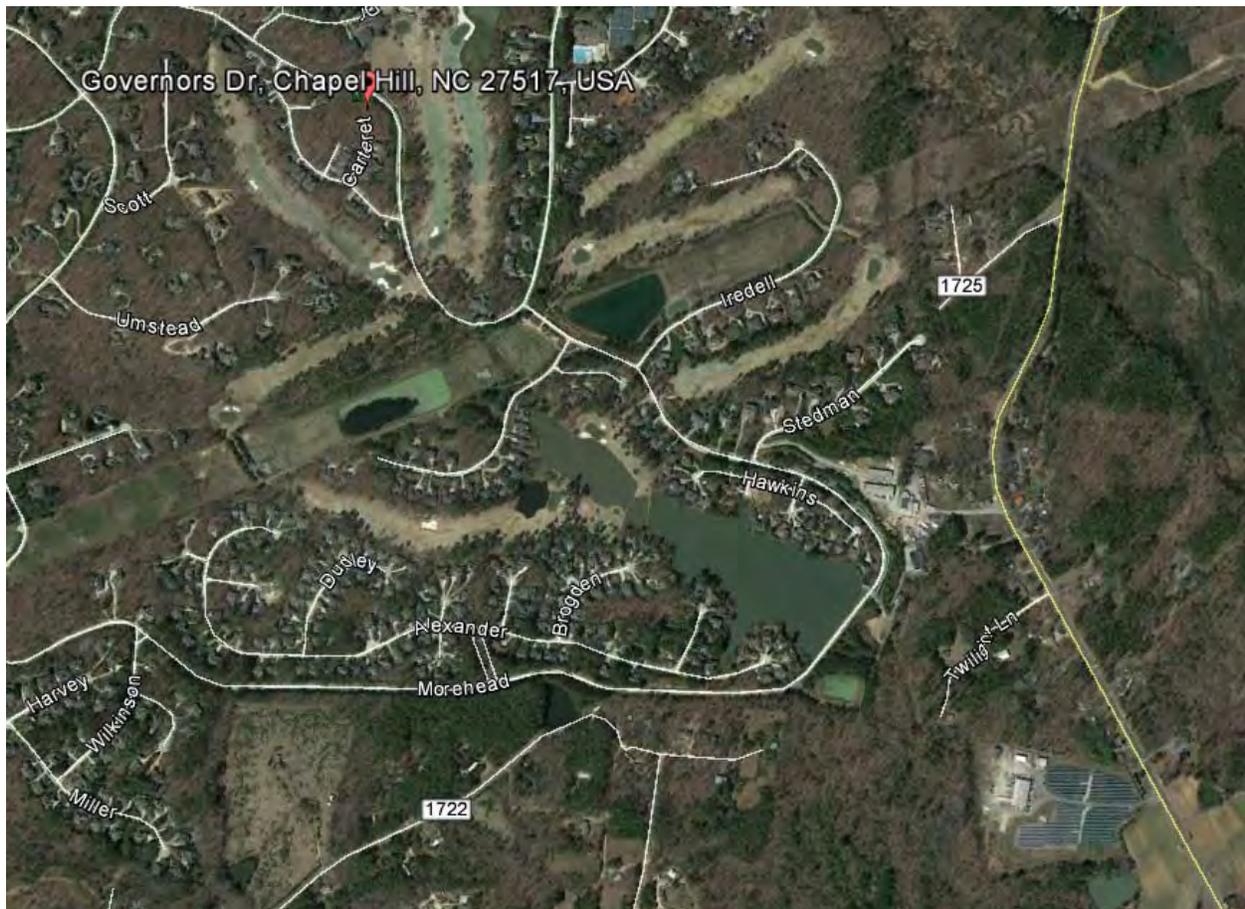
Percentage Differences

Median Price	3%
Median Size	1%
Median Price/SF	0%

Based on the data presented above, I find that the price per square foot for finished homes are not being impacted negatively by the presence of the solar farm. The difference in pricing in homes in the neighborhood is accounted for by differences in size, building age, and lot size. The median price for a home after those factors are adjusted for are consistent throughout this subdivision and show no impact due to the proximity of the solar farm. This is consistent with the comments from the broker I spoke with for this subdivision as well.

II. Harmony of Use/Compatibility

I have visited over 40 solar farms and sites on which solar farms are proposed in North Carolina to determine what uses are compatible with a solar farm. The data I have collected and provide in this report strongly supports the compatibility of solar farms with adjoining agricultural and residential uses. While I have focused on adjoining uses, I note that there are many examples of solar farms being located within a quarter mile of residential developments, including such notable developments as Governor's Club in Chapel Hill, which has a solar farm within a quarter mile as you can see on the following aerial map. Governor's Club is a gated golf community with homes selling for \$300,000 to over \$2 million.



The subdivisions included in the matched pair analysis also show an acceptance of residential uses adjoining solar farms as a harmonious use.

Beyond these anecdotal references, I have quantified the adjoining uses for a number of solar farm comparables to derive a breakdown of the adjoining uses for each solar farm. The chart below shows the breakdown of adjoining uses by total acreage.

Percentage By Adjoining Acreage									All Res	All Comm
	Res	Ag	Res/AG	Park	Sub	Comm	Ind		Uses	Uses
1	Goldsboro	35%	23%	0%	0%	3%	2%	37%	61%	39%
2	Willow Springs	8%	26%	66%	0%	0%	0%	0%	100%	0%
3	Kings Mtn	3%	12%	4%	0%	0%	0%	82%	18%	82%
4	White Cross	5%	51%	44%	0%	0%	0%	0%	100%	0%
5	Two Lines	3%	87%	8%	0%	3%	0%	0%	100%	0%
6	Strata	0%	0%	0%	100%	0%	0%	0%	100%	0%
7	Avery	13%	40%	47%	0%	0%	0%	0%	100%	0%
8	Mayberry	24%	51%	0%	0%	0%	4%	20%	76%	24%
9	Progress I	0%	45%	4%	0%	0%	0%	50%	50%	50%
10	Progress II	1%	99%	0%	0%	0%	0%	0%	100%	0%
11	Sandy Cross	0%	0%	100%	0%	0%	0%	0%	100%	0%
12	Baldenboro	18%	59%	22%	0%	0%	0%	0%	100%	0%
13	Dement	33%	40%	27%	0%	0%	0%	0%	100%	0%
14	Vale Farm	1%	13%	86%	0%	0%	0%	0%	100%	0%
15	Eastover	0%	0%	0%	0%	0%	0%	0%	0%	0%
16	Wagstaff	7%	89%	4%	0%	0%	0%	0%	100%	0%
17	Roxboro	1%	93%	5%	0%	0%	0%	1%	99%	1%
18	McCallum	5%	93%	1%	0%	0%	0%	0%	100%	0%
19	Vickers	21%	58%	13%	0%	0%	2%	6%	92%	8%
20	Stout	52%	38%	0%	0%	0%	0%	10%	90%	10%
21	Mile	0%	36%	45%	0%	0%	0%	18%	82%	18%
22	Sun Fish	19%	57%	23%	0%	0%	0%	0%	100%	0%
23	Freemont	0%	100%	0%	0%	0%	0%	0%	100%	0%
24	Yadkin 601	4%	45%	51%	0%	0%	0%	0%	100%	0%
25	Battleboro	2%	75%	23%	0%	0%	0%	0%	100%	0%
26	Greenville 2	1%	98%	0%	0%	1%	0%	0%	100%	0%
27	Parmele Farm	2%	86%	12%	0%	0%	0%	0%	100%	0%
28	Erwin	63%	9%	0%	0%	22%	2%	3%	94%	6%
29	Star Solar	6%	94%	0%	0%	0%	0%	0%	100%	0%
30	Morgans Corner N	29%	70%	0%	0%	1%	0%	0%	100%	0%
31	Morgans Corner S	16%	84%	0%	0%	0%	0%	0%	100%	0%
32	Whitakers	2%	94%	4%	0%	0%	0%	0%	100%	0%
33	Binks	15%	78%	6%	0%	0%	0%	0%	100%	0%
Average		12%	56%	18%	3%	1%	0%	7%	90%	7%
Median		5%	57%	4%	0%	0%	0%	0%	100%	0%
High		63%	100%	100%	100%	22%	4%	82%	100%	82%
Low		0%	0%	0%	0%	0%	0%	0%	0%	0%

Res = Residential, Ag = Agriculture, Sub = Substation, Com = Commercial, Ind = Industrial.

I have also included a breakdown of each solar farm by number of adjoining parcels rather than acreage. Using both factors provides a more complete picture of the neighboring properties.

Percentage By Number of Parcels Adjoining								All Res	All Comm	
	Res	Ag	Res/AG	Park	Sub	Comm	Ind	Uses	Uses	
1	Goldsboro	47%	3%	0%	0%	3%	3%	43%	53%	47%
2	Willow Springs	42%	37%	21%	0%	0%	0%	0%	100%	0%
3	Kings Mtn	40%	30%	10%	0%	0%	0%	20%	80%	20%
4	White Cross	33%	20%	40%	0%	7%	0%	0%	100%	0%
5	Two Lines	38%	46%	8%	0%	8%	0%	0%	100%	0%
6	Strata	71%	0%	14%	14%	0%	0%	0%	100%	0%
7	Avery	50%	38%	13%	0%	0%	0%	0%	100%	0%
8	Mayberry	42%	8%	0%	0%	0%	25%	25%	50%	50%
9	Progress I	0%	50%	25%	0%	0%	0%	25%	75%	25%
10	Progress II	20%	80%	0%	0%	0%	0%	0%	100%	0%
11	Sandy Cross	17%	0%	83%	0%	0%	0%	0%	100%	0%
12	Bladenboro	62%	28%	7%	0%	3%	0%	0%	100%	0%
13	Dement	83%	6%	11%	0%	0%	0%	0%	100%	0%
14	Vale Farm	10%	20%	70%	0%	0%	0%	0%	100%	0%
15	Eastover	0%	0%	0%	0%	0%	0%	0%	0%	0%
16	Wagstaff	65%	30%	3%	0%	0%	0%	3%	98%	3%
17	Roxboro	33%	50%	8%	0%	0%	0%	8%	92%	8%
18	McCallum	77%	15%	4%	0%	0%	0%	4%	96%	4%
19	Vickers	47%	32%	5%	0%	0%	5%	11%	84%	16%
20	Stout	78%	6%	0%	0%	0%	0%	17%	83%	17%
21	Mile	0%	36%	45%	0%	0%	0%	18%	82%	18%
22	Sun Fish	78%	4%	17%	0%	0%	0%	0%	100%	0%
23	Freemont	14%	86%	0%	0%	0%	0%	0%	100%	0%
24	Yadkin 601	44%	28%	28%	0%	0%	0%	0%	100%	0%
25	Battleboro	53%	33%	7%	0%	7%	0%	0%	100%	0%
26	Greenville 2	38%	50%	0%	0%	13%	0%	0%	100%	0%
27	Parmeale Farm	21%	68%	5%	0%	5%	0%	0%	100%	0%
28	Erwin	67%	5%	0%	0%	5%	19%	5%	76%	24%
29	Star Solar	38%	63%	0%	0%	0%	0%	0%	100%	0%
30	Morgans Corner N	71%	19%	0%	0%	5%	0%	5%	95%	5%
31	Morgans Corner S	69%	31%	0%	0%	0%	0%	0%	100%	0%
32	Whitakers	71%	24%	6%	0%	0%	0%	0%	100%	0%
33	Binks	90%	5%	5%	0%	0%	0%	0%	100%	0%
Average		46%	29%	13%	0%	2%	2%	6%	90%	7%
Median		44%	28%	6%	0%	0%	0%	0%	100%	0%
High		90%	86%	83%	14%	13%	25%	43%	100%	50%
Low		0%	0%	0%	0%	0%	0%	0%	0%	0%

Res = Residential, Ag = Agriculture, Sub = Substation, Com = Commercial, Ind = Industrial.

Both of the above charts show a marked residential and agricultural adjoining use for most solar farms. Every single solar farm considered included an adjoining residential use except for Progress I, which included an adjoining residential/agricultural use. These comparable solar farms clearly support a compatibility with adjoining residential uses along with agricultural uses.

III. Specific Factors on Harmony of Use

I have completed a number of Impact Studies and I have found that the most common areas for impact on adjoining values typically follow the following hierarchy with descending levels of potential impact. I will discuss each of these categories and how they relate to a solar farm.

1. Hazardous material
2. Odor
3. Noise
4. Traffic
5. Stigma
6. Appearance

1. Hazardous material

The solar farm presents no potential hazardous waste byproduct as part of normal operation. Any fertilizer, weed control, vehicular traffic, or construction will be significantly less than typically applied in a residential development or even most agricultural uses.

The various solar farms that I have inspected and identified in the addenda have no known pending environmental impacts associated with the development and operation.

2. Odor

The solar panels give off no odor of which I am aware.

The various solar farms that I have inspected and identified in the addenda produced no noticeable odor off site.

3. Noise

These are passive solar panels with no associated noise beyond a barely audible sound from the electric motor during tracking. The transformer reportedly has a hum that can only be heard in close proximity to this transformer and the buffers on the property are sufficient to make emitted sounds inaudible from the adjoining properties. No sound is emitted from the facility at night.

There will be minimal onsite traffic generating additional noise.

The various solar farms that I have inspected were inaudible from the roadways. I heard nothing on any of these sites associated with the solar farm.

4. Traffic

The solar farm will have no onsite employee's or staff. Maintenance of the site is minimal and relative to other potential uses of the site, such as a residential subdivision. The additional traffic on this site is insignificant.

5. Stigma

There is no stigma associated with solar farms and solar farms and people generally respond favorably towards such a use. While an individual may express concerns about proximity to a solar farm, there is no specific stigma associated with a solar farm. Stigma generally refers to things such as adult establishments, prisons, rehabilitation facilities, and so forth.

I see no basis for an impact from stigma due to a solar farm.

6. Appearance

Solar farm panels have no associated stigma at this time and in smaller collections are found in yards and roofs in many residential communities. Larger solar farms using fixed panels are a passive use of the land that is considered in keeping with a rural/residential area. As shown below, solar farms are comparable to larger greenhouses. This is not surprising given that a greenhouse is essentially another method for collecting passive solar energy. The greenhouse use is well received in residential/rural areas and has a similar visual impact as a solar farm.



The fixed solar panels are all less than 12 feet high, which means that the visual impact of the solar panels will be similar in height to a typical greenhouse or lower than a single story residential dwelling. This property could be developed with single family housing that would have a much greater visual impact on the surrounding area given that a two-story home with attic could be three to four times as high as these proposed panels. The panels will be located behind a chain link fence.

7. Conclusion

On the basis of the factors described above, it is my professional opinion that the proposed solar farm will be in harmony with the area in which it is to be developed.

IV. Market Commentary

I have surveyed a number of builders, developers and investors regarding solar farms over the last year. I have received favorable feedback from a variety of sources; below are excerpts from my conversations with different clients or other real estate professionals.

I spoke with Betty Cross with Keller Williams Realty in Chapel Hill, who sold the tract of land adjoining the White Cross Road solar farm. She indicated that the solar farm was not considered a negative factor in marketing the property and that it had no impact on the final price paid for the land.

I spoke with Lynn Hayes a broker with Berkshire Hathaway who sold a home at the entrance to Pickards Mountain where the home exits onto the Pickard Mountain Eco Institute's small solar farm. This property is located in rural Orange County west of Chapel Hill. This home closed in January 2014 for \$735,000. According to Ms. Hayes the buyer was excited to be living near the Eco Institute and considered the solar farm to be a positive sign for the area. There are currently a number of 10 acre plus lots in Pickards Meadow behind this house with lots on the market for \$200,000 to \$250,000.

A new solar farm was built on Zion Church Road, Hickory at the Two Lines Solar Farm on the Punch property. After construction of the solar farm in 2013, an adjoining tract of land with 88.18 acres sold for \$250,000, or \$2,835 per acre. This was a highly irregular tract of land with significant tree cover between it and the solar farm. I have compared this to a current listing of 20.39 acres of land that is located southeast just a little ways from this solar farm. This land is on the market for \$69,000, or \$3,428 per acre. Generally, a smaller tract of land would be listed for more per acre. Considering a size adjustment of 5% per doubling in size, and a 10% discount for the likely drop in the closed price off of the asking price, I derive an indicated value per acre of the smaller tract of \$2,777 per acre. This is very similar to the recently closed sale adjoining the solar farm, which further supports the matched pair analysis earlier in this report.

Rex Vick with Windjam Developers has a subdivision in Chatham County off Mt. Gilead Church Road known as The Hamptons. Home prices in The Hamptons start at \$600,000 with homes over \$1,000,000. Mr. Vick expressed interest in the possibility of including a solar farm section to the development as a possible additional marketing tool for the project.

Mr. Eddie Bacon, out of Apex North Carolina, has inherited a sizeable amount of family and agricultural land, and he has expressed interest in using a solar farm as a method of preserving the land for his children and grandchildren while still deriving a useful income from the property. He believes that solar panels would not in any way diminish the value for this adjoining land.

I spoke with Carolyn Craig, a Realtor in Kinston, North Carolina who is familiar with the Strata Solar Farms in the area. She noted that a solar farm in the area would be positive: "A solar farm is color coordinated and looks nice." "A solar farm is better than a turkey farm," which is allowed in that area. She would not expect a solar farm will have any impact on adjoining home prices in the area.

Mr. Michael Edwards, a broker and developer in Raleigh, indicated that a passive solar farm would be a great enhancement to adjoining property: "You never know what might be put on that land next door. There is no noise with a solar farm like there is with a new subdivision."

These are just excerpts I've noted in my conversations with different clients or other real estate participants that provided other thoughts on the subject that seemed applicable.

V. Conclusion

The matched pair analysis shows no impact in home values due to the adjacency to the solar farm as well as no impact to adjacent vacant residential or agricultural land. Matched pairs in Goldsboro, Chapel Hill, and Roxboro show no impact on adjoining property value. The solar farm at Pickards Mountain Eco Institute shows no impact on lot and home marketing nearby. The criteria for making downward adjustments on property values such as appearance, noise, odor, and traffic all indicate that a solar farm is a compatible use for a rural/residential transition area.

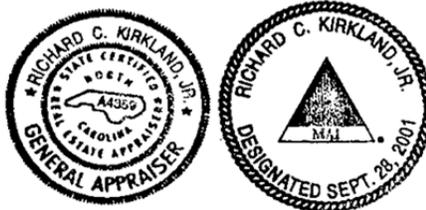
Over a hundred similar solar farms have been approved adjoining agricultural uses and residential developments in the last few years in North Carolina. The adjoining residential uses have included single family homes up to \$260,000 on lots as small as 0.74 acres. The solar farm at the Pickards Mountain Eco Institute adjoins a home that sold in January 2014 for \$735,000 and in proximity to lots being sold for

\$200,000 to \$250,000 for homes over a million dollars. Clearly, adjoining agricultural uses are consistent with a solar farm.

Based on the data and analysis in this report, it is my professional opinion that the solar farm proposed at the subject property will not substantially injure the value of adjoining or abutting property and that the proposed use is in harmony with the surrounding area.

If you have any further questions please call me any time.

Sincerely,



Richard C. Kirkland, Jr., MAI
State Certified General Appraiser

Limiting Conditions and Assumptions

Acceptance of and/or use of this report constitutes acceptance of the following limiting conditions and assumptions; these can only be modified by written documents executed by both parties.

- ❖ The basic limitation of this and any appraisal is that the appraisal is an opinion of value, and is, therefore, not a guarantee that the property would sell at exactly the appraised value. The market price may differ from the market value, depending upon the motivation and knowledge of the buyer and/or seller, and may, therefore, be higher or lower than the market value. The market value, as defined herein, is an opinion of the probable price that is obtainable in a market free of abnormal influences.
- ❖ I do not assume any responsibility for the legal description provided or for matters pertaining to legal or title considerations. I assume that the title to the property is good and marketable unless otherwise stated.
- ❖ I am appraising the property as though free and clear of any and all liens or encumbrances unless otherwise stated.
- ❖ I assume that the property is under responsible ownership and competent property management.
- ❖ I believe the information furnished by others is reliable, but I give no warranty for its accuracy.
- ❖ I have made no survey or engineering study of the property and assume no responsibility for such matters. All engineering studies prepared by others are assumed to be correct. The plot plans, surveys, sketches and any other illustrative material in this report are included only to help the reader visualize the property. The illustrative material should not be considered to be scaled accurately for size.
- ❖ I assume that there are no hidden or unapparent conditions of the property, subsoil, or structures that render it more or less valuable. I take no responsibility for such conditions or for obtaining the engineering studies that may be required to discover them.
- ❖ I assume that the property is in full compliance with all applicable federal, state, and local laws, including environmental regulations, unless the lack of compliance is stated, described, and considered in this appraisal report.
- ❖ I assume that the property conforms to all applicable zoning and use regulations and restrictions unless nonconformity has been identified, described and considered in this appraisal report.
- ❖ I assume that all required licenses, certificates of occupancy, consents, and other legislative or administrative authority from any local, state, or national government or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in this report is based.
- ❖ I assume that the use of the land and improvements is confined within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted in this report.
- ❖ I am not qualified to detect the presence of floodplain or wetlands. Any information presented in this report related to these characteristics is for this analysis only. The presence of floodplain or wetlands may affect the value of the property. If the presence of floodplain or wetlands is suspected the property owner would be advised to seek professional engineering assistance.
- ❖ For this appraisal, I assume that no hazardous substances or conditions are present in or on the property. Such substances or conditions could include but are not limited to asbestos, urea-formaldehyde foam insulation, polychlorinated biphenyls (PCBs), petroleum leakage or underground storage tanks, electromagnetic fields, or agricultural chemicals. I have no knowledge of any such materials or conditions unless otherwise stated. I make no claim of technical knowledge with regard to testing for or identifying such hazardous materials or conditions. The presence of such materials, substances or conditions could affect the value of the property. However, the values estimated in this report are predicated on the assumption that there are no such materials or conditions in, on or in close enough proximity to the property to cause a loss in value. The client is urged to retain an expert in this field, if desired.
- ❖ Unless otherwise stated in this report the subject property is appraised without a specific compliance survey having been conducted to determine if the property is or is not in conformance with the requirements of the

Americans with Disabilities Act (effective 1/26/92). The presence of architectural and/or communications barriers that are structural in nature that would restrict access by disabled individuals may adversely affect the property's value, marketability, or utility.

- ❖ Any allocation of the total value estimated in this report between the land and the improvements applies only under the stated program of utilization. The separate values allocated to the land and buildings must not be used in conjunction with any other appraisal and are invalid if so used.
- ❖ Possession of this report, or a copy thereof, does not carry with it the right of publication.
- ❖ I have no obligation, by reason of this appraisal, to give further consultation or testimony or to be in attendance in court with reference to the property in question unless further arrangements have been made regarding compensation to Kirkland Appraisals, LLC.
- ❖ Neither all nor any part of the contents of this report (especially any conclusions as to value, the identity of the appraiser, or the firm with which the appraiser is connected) shall be disseminated to the public through advertising, public relations, news, sales, or other media without the prior written consent and approval of Kirkland Appraisals, LLC, and then only with proper qualifications.
- ❖ Any value estimates provided in this report apply to the entire property, and any proration or division of the total into fractional interests will invalidate the value estimate, unless such proration or division of interests has been set forth in the report.
- ❖ Any income and expenses estimated in this report are for the purposes of this analysis only and should not be considered predictions of future operating results.
- ❖ This report is not intended to include an estimate of any personal property contained in or on the property, unless otherwise stated.
- ❖ This report is subject to the Code of Professional Ethics of the Appraisal Institute and complies with the requirements of the State of North Carolina for State Certified General Appraisers. This report is subject to the certification, definitions, and assumptions and limiting conditions set forth herein.
- ❖ The analyses, opinions and conclusions were developed based on, and this report has been prepared in conformance with, our interpretation of the guidelines and recommendations set forth in the Financial Institutions Reform, Recovery, and Enforcement Act of 1989 (FIRREA).
- ❖ This is a Real Property Appraisal Consulting Assignment.

Certification – Richard C. Kirkland, Jr., MAI

I certify that, to the best of my knowledge and belief:

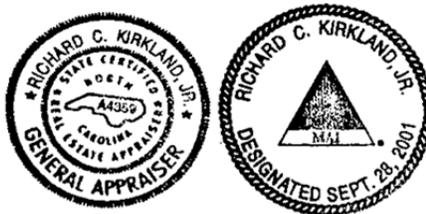
1. The statements of fact contained in this report are true and correct;
2. The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions;
3. I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved;
4. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment;
5. My engagement in this assignment was not contingent upon developing or reporting predetermined results;
6. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of the appraisal;
7. The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and Standards of Professional Appraisal Practice of the Appraisal Institute;
8. The reported analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
9. The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives;
10. I have not made a personal inspection of the property that is the subject of this report, and;
11. No one provided significant real property appraisal assistance to the person signing this certification.
12. As of the date of this report I have completed the requirements of the continuing education program of the Appraisal Institute;
13. I have not appraised this property within the last three years.

Disclosure of the contents of this appraisal report is governed by the bylaws and regulations of the Appraisal Institute and the National Association of Realtors.

Neither all nor any part of the contents of this appraisal report shall be disseminated to the public through advertising media, public relations media, news media, or any other public means of communications without the prior written consent and approval of the undersigned.



Richard C. Kirkland, Jr., MAI
State Certified General Appraiser





Kirkland Appraisals, LLC

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PROFESSIONAL EXPERIENCE

Kirkland Appraisals, LLC , Raleigh, N.C. Commercial appraiser	2003 – Present
Hester & Company , Raleigh, N.C. Commercial appraiser	1996 – 2003

PROFESSIONAL AFFILIATIONS

MAI (Member, Appraisal Institute) designation #11796	2001
NC State Certified General Appraiser # A4359	1999
VA State Certified General Appraiser # 4001017291	
OR State Certified General Appraiser # C001204	

EDUCATION

Bachelor of Arts in English , University of North Carolina, Chapel Hill	1993
--------------------------------------------------------------------------------	------

CONTINUING EDUCATION

Forecasting Revenue	2015
Wind Turbine Effect on Value	2015
Supervisor/Trainee Class	2015
Business Practices and Ethics	2014
Subdivision Valuation	2014
Uniform Standards of Professional Appraisal Practice Update	2014
Introduction to Vineyard and Winery Valuation	2013
Appraising Rural Residential Properties	2012
Uniform Standards of Professional Appraisal Practice Update Supervisors/Trainees	2012
Rates and Ratios: Making sense of GIMs, OARs, and DCFs	2011
Advanced Internet Search Strategies	2011
Analyzing Distressed Real Estate	2011
Uniform Standards of Professional Appraisal Practice Update Business Practices and Ethics	2011
Appraisal Curriculum Overview (2 Days – General)	2009
Appraisal Review - General	2009
Uniform Standards of Professional Appraisal Practice Update	2008
Subdivision Valuation: A Comprehensive Guide	2008
Office Building Valuation: A Contemporary Perspective	2008
Valuation of Detrimental Conditions in Real Estate	2007
The Appraisal of Small Subdivisions	2007
Uniform Standards of Professional Appraisal Practice Update	2006
Evaluating Commercial Construction	2005
Conservation Easements	2005

Uniform Standards of Professional Appraisal Practice Update	2004
Condemnation Appraising	2004
Land Valuation Adjustment Procedures	2004
Supporting Capitalization Rates	2004
Uniform Standards of Professional Appraisal Practice, C	2002
Wells and Septic Systems and Wastewater Irrigation Systems	2002
Appraisals 2002	2002
Analyzing Commercial Lease Clauses	2002
Conservation Easements	2000
Preparation for Litigation	2000
Appraisal of Nonconforming Uses	2000
Advanced Applications	2000
Highest and Best Use and Market Analysis	1999
Advanced Sales Comparison and Cost Approaches	1999
Advanced Income Capitalization	1998
Valuation of Detrimental Conditions in Real Estate	1999
Report Writing and Valuation Analysis	1999
Property Tax Values and Appeals	1997
Uniform Standards of Professional Appraisal Practice, A & B	1997
Basic Income Capitalization	1996

Scott II Solar

Appendix C – Transportation Statement

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SCOTT II SOLAR PROJECT TRANSPORTATION STATEMENT

Scott II Solar / 20MWAC / Powhatan County, VA / Projected Q4 2017 COD

Scott II Solar

1. Purpose

This is a summary of transportation information for construction materials, equipment, and photovoltaic components to assist in the coordination and planning for the Scott II Solar Energy Project construction and O&M period.

2. Background

The Scott II Solar Project is in Powhatan County, Virginia. The site is located off of Old Buckingham Rd. and will be accessed from the address 4317 Old Buckingham Rd., in the unincorporated area of Powhatan County. The site is approximately 903 acres comprised of several contiguous parcels (tax ID 038-28, 38-3-1) of undeveloped land, which is used for timber. Approximately 350 acres of the site will be used for this project. There is one proposed access point. The primary access point during construction and operations will be Old Buckingham Road at the address listed above. General construction traffic would access the site from Buckingham road and would utilize existing public roads. The proposed development consists of the installation of a 20MW photovoltaic solar energy facility.

Construction activity is comprised of temporary disturbance for construction of access roads, laydown/staging areas, overhead and underground electrical feeder collection systems, a meteorological station, installation of solar panels, and water tanks.

3. Project Schedule

Construction start date is tentatively scheduled for Q1 2017. Expected hours of performing work will be between 6:00 AM and 8:00 PM. As weather conditions may impact the productivity of the work, extended hours may occur as needed. Additional hours may be necessary to make up schedule deficiencies or to complete critical construction activities. Some activities may continue 24 hours per day, seven days per week. These activities include, but are not limited to, refueling equipment, staging material for the following day's construction activities, quality assurance/control, and commissioning. The project is expected to take 6-9 months to build. The high degree of variability in timing is due to weather and the availability of the solar components.

4. Construction Traffic Routes

General construction traffic will access the site from all directions along Old Buckingham road to the site and will utilize existing public roads. General construction traffic consists of personal vehicles (e.g, pickup trucks) carrying passengers, tools, and minor equipment to and around the construction site. Due to the remote location of the project, there will be little impact to current public traffic.

Component deliveries (e.g., solar panels, inverters, concrete trucks, construction equipment, etc.) will vary depending on suppliers and subcontractors. Access to the site will be through use either Old Buckingham road to directly access the site.

5. Construction Traffic

a. Types of Vehicles

During construction, there will be a variety of vehicle types on the Project site, ranging from pickup trucks to oversized semitrailer trucks.

Types of vehicles include the following:

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Construction equipment, including bulldozers, graders, forklifts, trailers, plows, trenchers, etc.

Delivery of ready-mixed concrete with traditional ready-mix truck deliveries, if needed.

Delivery of electrical conductor and fiber optic spools on flatbed semitrailer trucks.

- Delivery of major components on flatbed semitrailer trucks.
- Delivery of miscellaneous materials via enclosed semitrailer trucks.
- Pickup trucks for construction workers.

b. Vehicle Loads

All vehicle loads for the project will be supported by appropriate quantity of wheels and axles in compliance with Virginia rules and regulations.

c. Traffic Frequency and Volume

All construction material and equipment will be delivered by truck. Vehicles delivering components, and materials, collector system materials, etc., will be delivered to the site.

The estimated total number of vehicle deliveries for the project is summarized below:

DELIVERIES	VEHICLE TYPE	TOTAL FOR PROJECT
Delivery of ready-mixed concrete with traditional ready mix truck deliveries	Concrete	0-10
Delivery of electrical conductor and fiber optic spools on flat bed semis	Semi	100
Delivery of major components on flatbed semitrailer trucks	Semi	100
Delivery of miscellaneous materials via enclosed semis	Semi	100
Total		300 to 310

During the construction phase of the project will require an average of 85-100 construction workers, and at peak period of construction, the construction work force will range between 122-235 workers. The peak construction period typically occurs for roughly one month roughly $\frac{3}{4}$ of the way through the project construction period when the solar panels are being set.

Construction Duration, Overall (months)	4 to 8
Total Work Days	88 to 175
Workdays per week	5
Hours per day	8
Traffic Trips per Work Day*	157
Total Trips During Construction (Entire Duration)**	27475
*Based on driving to site and away from site with no leaving for lunch. Further based on carpooling of 3 individuals per car.	
**Based on the maximum number of work days: 175 work days x 157 trips per work day = 27475	

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6. Changes in Types and Frequency of Traffic Due to Plant Operation

Operations and maintenance (O&M) for the Scott II Solar Energy Project will not measurably increase vehicular traffic. There are not expected to be any permanent employees stationed at the site. O&M personnel will typically use pick-up trucks, primarily during day light hours. Access to the site will be made daily via the local/county roads, existing access roads, and the access roads built as part of initial construction. During the operations phase, access to the site will occur at least twice a month.

7. Conclusion

Based on the current regulations (24VAC30-155-40), a traffic study is required for rezonings or other administrative land use actions that will “substantially affect” a state-controlled highway. “Substantial affect” is defined within the code as a “proposal that generates more than 5,000 vehicle trips per day at the site’s connection to a state-controlled facility”. Since this project results in less than 5,000 vehicle trips per day, a traffic study should not be required.

Appendix D – Decommissioning Plan

Scott II Solar

SCOTT II SOLAR PROJECT

Scott II Solar / 20MW_{AC} / Powhatan County, VA / Projected Q4 2017 COD

Decommissioning Plan
for the
Scott II Solar Project

4325 Old Buckingham Road Powhatan, VA 23139
Conditional Use Permit

Prepared for:
Powhatan County

Project Proponent:
Virginia Solar LLC

Scott II Solar

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Scott II Solar

1. Introduction

Virginia Solar LLC is proposing to construct, own and operate an approximately 20 megawatt (MW) capacity photovoltaic (“PV”) Scott II solar project (“Project”). The Project will be on tax parcels 038-28, 38-3-1 consisting of approximately 349 acres in Powhatan County, VA. The Project provides this Decommissioning Plan to comply with Conditional Use Permit Application XXXXX.

2. Project Background

The Project is located at a physical address of 4325 Old Buckingham Road Powhatan, VA 23139. The solar farm will consist of 91,238 solar modules, associated solar module racking system and foundations, 10 solar inverters, 10 medium voltage step-up transformers, and associated electrical equipment and materials necessary to connect to the Virginia Electric and Power Company (“Dominion”) distribution system. Based on the general construction details presented for the tracker system, the tracker foundation, the main electrical components such as inverters, switchgear, transformers, and cables, it is estimated that approximately 95% of these listed components contain steel, copper and aluminum that can be recycled at existing recycling and salvage centers.

3. Decommissioning Requirements

The Project must ensure the decommissioning of the solar farm and provide a bond, cash, certified check, parent guarantee from an investment grade company, or irrevocable letter of credit in favor of Powhatan County.

4. Existing Site Conditions

The solar farm will span tax parcels 038-28, 38-3-1, approximately 349 acres. The parcels are currently used for timber. The solar farm will only disturb approximately 210 acres. The overall topography is generally rolling hills to flat.

5. Description of Work to Install Solar farm

5.1. Major Activities

Trenching: Trenching requirements for the direct buried electrical conductors, direct buried conduit, and telecommunication lines would consist of a trench up to approximately three feet deep and one to four feet wide. The trenches would be filled with base material above and below the conductors and communications lines to ensure adequate thermal conductivity and electrical insulating characteristics. The topsoil from trench excavation would be set aside before the trench is backfilled and would ultimately comprise the uppermost layer of the trench. Excessive material from the foundation and trench excavations would be used for site leveling.

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Foundations: The solar modules will be installed on steel racking structures. The posts for the racking structures will be driven approximately 5-6 feet into the ground using a post-driving machine. The solar inverters and medium voltage step-up transformers will be set on concrete pads approximately 12-18 inches deep or on steel skids.



Solar Post for the Racking System

Modules Racking System: Galvanized beams and other structural members will be bolted to the foundation posts of the racking system. The solar modules are then mounted on these structural members using different pieces of hardware.

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Solar Inverters and Medium Voltage Step-Up Transformers: The solar inverters and medium voltage step-up transformers will be offloaded from delivery trucks and placed on concrete foundations or steel skids. These pieces of equipment will be bolted to the concrete foundation or the steel skids. The underground electrical and communication cables will be routed and connected to these pieces of equipment.

5.2. System Overview and Components

Photovoltaic (PV) is a solar energy technology. Solar energy technology refers to the generation of electrical current from sun light. PV solar modules absorb sunlight and use silicone cells to generate electrical current. The PV Modules are mounted on a single axis tracking racking system.

- 5.2.1. **Combiner Boxes:** Combiner boxes allow for the paralleling of multiple conductors/feeder inputs and allow for fewer outputs.
- 5.2.2. **Inverters:** Inverters are high speed switching and power conversion devices which transform direct current (DC) to alternating current (AC). In the case of the Project, there are 10 solar inverters.
- 5.2.3. **Transformers, Recloser, Disconnect Switch:** Transformers are an apparatus for reducing or increasing the voltage of an alternating current. There are 10 medium voltage step-up transformers on this project for distribution to the Dominion distribution system. The Recloser and Disconnect Switch are protection devices that allow the Project or Dominion to isolate the solar farm from the Dominion distribution system.
- 5.2.4. **Underground Cables and Conduits:** Underground power (AC and DC) cables, communication and grounding cables on the Project will be either direct burial or placed in conduit. The cables will be rated for whichever

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application is chosen. The cables will be located in a conduit as per code when transitioning from below grade to above grade.

- 5.2.5. **Access and Internal Roads:** The project will have internal roads to provide access to project equipment. Internal access roads to project equipment will have an aggregate base over compacted native soils.
- 5.2.6. **Buildings and Enclosures:** The Project will not contain any permanent occupied building structures after construction is complete and the plant is operating except for a possible walk in control enclosure. The site will have an approximately 40' long by 8' high and 8' wide storage container used for storing spare parts and materials. The site will be unmanned.
- 5.2.7. **Security Fencing:** To ensure security of the facility, the property will be fenced with seven foot high chain link fencing topped by one foot of three strands of barbed wire. Access to the site will be controlled via locked access gates.



- 5.2.8. **Project Life:** The facility has an estimated useful life of at least 35 years with an opportunity for extension depending on equipment replacements or refurbishments.
- 5.2.9. **SCADA and Communications Equipment Enclosure:** Supervisory Control and Data Acquisition (SCADA) refers to the entire communication and control components. The SCADA equipment for the solar farm will be mounted in a floor mounted enclosure. The SCADA system includes an internet router, server(s), a firewall, battery backup, and other hardware to monitor the solar farm.

6. Decommissioning Process

Decommissioning consists of the removal of above- and below-ground facility components, management of excess wastes and materials, and the restoration of native habitat. The exact procedures for decommissioning will depend upon the future use of the project location (e.g., decommissioning for open space habitat will involve returning the land to natural conditions). Decommissioning activities are expected to take between 6 - 8 months. All removal of equipment will be done in accordance with applicable regulations.

6.1. Site Preparation

Prior to the removal of equipment and restoration, the Site will be prepared before remitted to a contractor for decommissioning and salvage. These preparatory measures will include electrical inspections as well as inspections of water tanks, access routes, drainage crossings, security fences, and gates to ensure all such components are safe and functional. Following these inspections, preparatory measures may be required including, but not limited to, electrical improvements, road improvements, as-needed vegetation clearing, fencing and gate repair, and removal and disposal of materials generated from the above-listed activities. Costs associated with these preparatory tasks are discussed in the next section.

6.2. Equipment Removal

After the facility has been disconnected from the utility power grid and all electrical components have been disconnected within the facility, equipment will be dismantled and removed. Decommissioning will be undertaken by licensed subcontractors using similar techniques and equipment to those used in the construction of the Project. The following describes the methods for dismantling and removal of various Project Components:

PV arrays and associated equipment

- Disconnect all wiring, cables and electrical interconnections.
- Remove PV arrays from racks.
- Dismantle and remove all racks and extract all pile-drive support structures (see Equipment foundations).

Inverter units

- Remove inverter units from bases.
- If concrete foundations have been used for inverter units or the substation they will be removed (see Equipment foundation).

Generation Tie-Line cables

- All above ground cables will be removed and transported off-site to an approved recycling facility or landfill. Underground cable runs will be cut off and will either remain in place, or be removed and recycled or taken to a landfill. All underground cable left in place will be cut off at a minimum depth of three feet below the ground surface.

Equipment foundations

- The inverter units and pile-drive support structures for the solar arrays will have foundations that require removal. Other underground infrastructure requiring removal may include any concrete protective electrical structures. All

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foundation structures and any below ground concrete will be fully removed from the ground and that the affected area will be backfilled as necessary with native soil.

- Should a structure break during excavation, any portion below 3 feet in depth will remain in place with the exception of any concrete foundations for inverter units, which will be entirely removed.

Access roads

- Landowners shall be consulted to determine if any access roads are desired to remain in place for future use.
- Should roads be removed, all aggregate and other underlying materials will be excavated.
- As necessary, all compacted areas will be disced or tilled to restore soil densities consistent with the surrounding area.

Other components

- Fences, gates, and guards, will be removed.

6.3. Site Restoration

The current Project location is primarily used for grazing. The project location will be restored to a state similar to its former condition or to a condition required for the future intended land use, should another use be determined.

6.4. Managing Excess Materials and Waste

A variety of excess materials and wastes will be generated during decommissioning. Most of the materials are reusable or recyclable and some equipment has manufacturer take-back and/or recycling requirements. All materials will be removed and disposed of off-site at appropriate facility(ies). The Project will coordinate with manufacturers, contractors, waste firms, and other entities to maximize the reuse or recycling of materials and will segregate materials to be recycled, reused and/or disposed of. Recyclable materials will be transported offsite managed at approved facilities following federal, state, and county waste management regulations. All residual waste will be removed by a licensed contractor and transported to an approved landfill. No waste materials will remain on the Project site.

6.4.1. PV PANELS

The Project will coordinate the collection and recycling of the PV modules and for minimizing the potential for modules to be discarded. If there is no possibility for reuse, PV panels will either be returned to the manufacturer for appropriate recycling/disposal or will be transported to a recycling facility where the glass, metal and semiconductor will be recycled. Best management practices at the time of decommissioning shall be utilized.

6.4.2. RACKS AND SUPPORTS

All steel racks and pile-driven supports will be transported offsite and recycled at an approved recycling facility.

6.4.3. INVERTER UNITS

All metal components of the inverters, including any fans and other fixtures, if used, will be recycled at an approved recycling facility. Transformers will be transported off-site for reuse. If no reuse option is available, transformers will be recycled or disposed at an approved facility.

6.4.4. GRAVEL AND AGGREGATES

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Should access roads be removed any used gravel or aggregates will be tested for contamination prior to removal if required. All uncontaminated materials will be transported offsite for salvage processing and then reused for construction fill. In the unlikely event that the used gravel or aggregates are found to be contaminated and no construction site which accepts contaminated fill can be found, all will be disposed at an approved facility.

6.4.5. CONCRETE

All concrete, including all foundations, will be broken down and transported to an approved landfill or recycling facility.

6.4.6. CABLES AND WIRING

All copper and/or aluminum wiring will be reused whenever possible. If reuse is not feasible, all materials will be recycled at market value. Associated electronic equipment (e.g., isolation switches, fuses, metering) will also be removed and sent to either an approved recycling or disposal facility.

6.4.7. FENCING

All functional (i.e., those segments not requiring additional repair) chain-link will be removed and stored for reuse on other construction sites. Should reuse not be feasible, all fencing materials will be recycled at a metal recycling facility.

6.4.8. DEBRIS AND RESIDUAL WASTE

Any remaining debris or residual waste will be collected and all recyclable materials will be sorted. All sorted materials will be removed and sent to either an approved recycling or disposal facility.

7. Decommissioning, Closure and Restoration Financials

The Project is currently seeking a building permit for the installation of the solar farm. The total decommissioning estimate for including labor, materials, and equipment and disposal costs is \$1,569,756. Upon decommissioning, many of the materials and components of the solar farm may be able to be sold for salvage/reuse. The total salvage value is estimated to be \$2,046,590. As a result, the final security amount is \$0. A detailed calculation of the final security amount is shown in Exhibit A.

The Project proposes to fund the final security amount through the use of a bond, letter of credit, an investment grade corporate guarantee, cash or certified check. The value of the security shall be based on the estimated cost of executing the decommissioning of the solar farm less the salvage value of the solar farm equipment and materials. The security shall remain in full force and effect until any necessary site restoration is completed to restore the site to a condition comparable to that which existed prior to the issuance of the Conditional Use Permit.

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EXHIBIT A Cost Estimate

ITEM	UNITS	UNIT Rate	QNTY	EXT COST
Concrete Demo				\$88,222
Equipment In/Out	EA	\$ 1,500	9	\$13,636
Operator	HR	\$ 82	196	\$16,169
Laborer	HR	\$ 59	145	\$8,564
Excavator	HR	\$ 151	51	\$7,681
Breaker	HR	\$ 148	51	\$7,541
Forklift	HR	\$ 23	51	\$1,171
Water Truck	HR	\$ 113	73	\$8,230
Loader	HR	\$ 75	73	\$5,470
Pickup	HR	\$ 17	73	\$1,238
Hauling/Disposal Fee	LOAD	\$ 815	23	\$18,523
Site Restoration				\$38,728
Equipment In/Out	EA	\$ 1,500	5	\$6,857
Operator	HR	\$ 82	55	\$4,517
Grader	HR	\$ 255	55	\$14,005
Water Truck	HR	\$ 113	110	\$12,415
Pickup	HR	\$ 17	55	\$934
Fence Removal				\$90,452
Equipment In/Out	EA	\$ 1,500	2	\$3,000
Operator	HR	\$ 82	80	\$6,587
Laborer	HR	\$ 59	720	\$42,394
Loader	HR	\$ 75	120	\$9,025
Pickup	HR	\$ 17	320	\$5,446
Hauling/Disposal Fee	LOAD	\$ 1,500	16	\$24,000
Module Removal	Removal			\$275,015
Equipment In/Out	EA	\$ 1,500	2	\$3,231
Operator	HR	\$ 82	258	\$21,280
Laborer	HR	\$ 59	1508	\$88,766
Forklift	HR	\$ 23	258	\$5,944
Pickup	HR	\$ 17	388	\$6,598
Hauling/Disposal Fee	LOAD	\$ 815	183	\$149,196

Scott II Solar

ITEM	UNITS	UNIT Rate	QNTY	EXT COST
Pile & Tracker Removal				\$386,437
Equipment In/Out	EA	\$ 1,500	9	\$14,090
Operator	HR	\$ 82	751	\$61,877
Laborer	HR	\$ 59	1,503	\$88,494
Pile Driver	HR	\$ 276	451	\$124,445
Forklift	HR	\$ 23	301	\$6,914
Pickup	HR	\$ 17	601	\$10,232
Hauling/Disposal Fee	LOAD	\$ 815	99	\$80,385
UG/OH Cable & Conduit Removal				\$690,902
Equipment In/Out	EA	\$ 1,500	24	\$35,797
Electrician	HR	\$ 75	3,102	\$231,194
Operator	HR	\$ 82	1,938	\$159,561
Crane	HR	\$ 78	29	\$2,239
Excavator	HR	\$ 151	955	\$144,030
Forklift	HR	\$ 23	955	\$21,956
Water Truck	HR	\$ 113	239	\$27,006
Pickup	HR	\$ 17	1,432	\$24,371
Hauling/Disposal Fee	LOAD	\$ 1,500	30	\$44,747
Estimated Decommissioning Total				\$1,569,756

**VIRGINIA
SOLAR**

Scott II Solar

Unit Quantity	Description	Salvage Value US\$	Salvage Rate %	Unit	Total	Comments
1,791	Estimated Steel Salvage	\$216.00	75%	Ton	\$290,181	Global Scrap Register Pricing East coast 9-1-15
1	Transformers, Switchgear, Inverters	\$17,272.73	100%	Lot	\$17,273	
1	Equipment and Office Container	\$2,000.00	100%	Unit	\$2,000	
88,387	Panel Repurpose or Recovery	\$20.00	30%	Each	\$530,322	
827,157	Estimated Copper Salvage	\$1.92	75%	Lb.	\$1,189,865	Global Scrap Register Pricing East coast 9-1-15
160,278	Estimated Aluminum Salvage	\$0.14	75%	Lb.	\$16,949	Global Scrap Register Pricing East coast 9-1-15
0	Fence and fence posts	\$0.00	75%	Ton	\$0	
	Total Salvage Value				\$2,046,590	

SAMPLE

VIRGINIA SOLAR

Scott II Solar

Appendix F – Chmura Economic Benefits

VIRGINIA
SOLAR



CHMURA
Economics & Analytics

The Economic and Fiscal
Benefits of the Proposed
Dominion Scott Timber Solar
Project in Powhatan County,
Virginia

Prepared for Dominion Virginia Power
September 15, 2015

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Background

Dominion Virginia Power (Dominion) is planning to construct a new solar-based electricity-generating station— Scott Timber Solar Project— in Powhatan County, Virginia. Chmura Economics & Analytics (Chmura) was contracted to evaluate the economic and fiscal impacts of this project in Powhatan County and the state of Virginia.

The economic benefit of a power station in a local economy occurs in two phases. The first takes place during the development and construction period of the facility, which, for the Scott Timber Solar Project in Powhatan County, is expected to last from 2015 to 2017.¹ The second phase is the ongoing operation of the generating station, which is expected to commence in December 2016, and the first full year of operation will be 2017. For both cases, the direct, indirect, and induced impacts² in spending and job creation are estimated in this report through the use of IMPLAN Pro[®] models. In addition, tax revenue is estimated for Powhatan County and the state of Virginia.

The preliminary estimate of the total cost of the proposed power station is \$40.8 million. Of this, 12% is expected to be spent on soft costs such as architecture, engineering, and other professional services; 61% will be spent on equipment; and the remaining 27% is expected to be spent on the development and construction of the generating plant facility.³

Although Dominion will use regional firms for supplies and services whenever possible, not every product and service needed for the construction and operations of the solar generating station is available in Powhatan County or in Virginia. Consequently, some of the services and products will be purchased from firms located outside the county and state.⁴ Chmura used information from Dominion to estimate the percentage of demand that is expected to be met within Powhatan or Virginia.

Economic Impact in Powhatan County

Table 1 details the estimated economic impact of the proposed Scott Timber Solar Project in Powhatan County. From 2015 to 2017, it is estimated that the development and construction of the plant will generate a cumulative \$1.0 million direct economic impact in Powhatan County. This will directly create a cumulative total of 13 jobs during the construction period, with the majority of them in construction trades. The cumulative indirect impacts in Powhatan County are expected to total \$0.1 million and will support one job at firms supporting the development and construction with services such as site

¹ The project cannot proceed without the approval of the State Corporation Commission (SCC). Dominion anticipates a SCC decision in 2016. If approved by the SCC, the project would be constructed in 2016 with a commercial operation date anticipated in December 2016. Development activities will continue through the remainder of 2015 and into 2016.

² Direct impact is defined as the economic activity generated by the project under consideration. Indirect impact is the secondary economic activity generated by the project due to suppliers to the development, construction, or ongoing operations. The induced impact is economic activity generated when the workers at the power station and their suppliers spend their income at retail stores, restaurants, and professional offices.

³ Source: Dominion.

⁴ For example, the majority of equipment is assumed to be purchased from out-of-state.

preparation and transportation. The cumulative induced impacts are expected to produce \$0.1 million in spending that will support one cumulative job in the county during the development and construction period. The induced jobs are concentrated in consumer service-related industries such as restaurants, professional offices, and retail stores. On an annual average basis, the development and construction of the Powhatan plant is expected to inject \$0.4 million into the Powhatan economy and support 5 jobs per year from 2015 to 2017.

Table 1: Estimated Economic Impact of Scott Timber Solar Project in Powhatan County

Year		Direct	Indirect	Induced	Total
One-time Development and Construction					
2015	Spending (\$Million)	\$0.1	\$0.0	\$0.0	\$0.1
	Employment	1	0	0	1
2016	Spending (\$Million)	\$0.9	\$0.1	\$0.1	\$1.2
	Employment	11	1	1	13
2017	Spending (\$Million)	\$0.0	\$0.0	\$0.0	\$0.0
	Employment	0	0	0	0
Total (2015-2017)	Spending (\$Million)	\$1.0	\$0.1	\$0.1	\$1.3
	Employment	13	1	1	14
Annual Average (2015-2017)	Spending (\$Million)	\$0.3	\$0.0	\$0.0	\$0.4
	Employment	4	0	0	5
Ongoing Operation					
Annual, 2017 Onward	Spending (\$ Million)	\$0.9	\$0.1	\$0.2	\$1.2
	Employment	1	0	1	2

Note: Impacts are measured in the year when they occur. Numbers may not sum due to rounding

Source: IMPLAN Pro 2013, Dominion, and Chmura

From December 2016 onward, the economic impact of the Scott Timber Solar Project will come from its ongoing operations. In this study, the operational impact is estimated for 2017, the first full year of operation. The station is expected to hire one permanent employee.⁵ The total annual economic impact (direct, indirect, and induced) of the ongoing operations of the plant in Powhatan County is estimated to be \$1.2 million (measured in 2017 dollars), which can support two jobs. In terms of direct impact, the solar power plant is estimated to have an annual direct spending impact of \$0.9 million⁶ while employing one worker. An additional indirect impact of \$0.1 million will benefit other Powhatan County businesses that support the utility plant operations. Induced impact will create one job, with associated annual spending of \$0.2 million per year.⁷

⁵ Source: Dominion.

⁶ The direct spending figure is representative of the gross sales of the generating station estimated by the IMPLAN model. The model treats the facility as a stand-alone business. As a result, the \$0.9 million includes spending on labor, equipment, fuel inputs, and profits.

⁷ The indirect and induced jobs include both full-time and part-time jobs in those industries.

Economic Impact in Virginia

The economic impact of the Scott Timber Solar Project in Virginia is larger than that in Powhatan County. This is because many Virginia businesses outside the county can also benefit from the construction and operations of the Scott Timber Solar Project. During the construction phase, the state of Virginia (Table 2) is expected to see a cumulative direct economic impact of \$14.5 million from 2015 to 2017. This will directly create 250 cumulative jobs during the construction phase in Virginia, with the majority of them in construction trades. The cumulative indirect impact in Virginia is expected to total \$3.8 million and will support 23 jobs in development and construction. The cumulative induced impact is expected to total \$6.7 million, supporting 49 jobs in the state during the development and construction phase, with these jobs concentrated in consumer service-related industries. On an annual average basis, the construction of the Scott Timber Solar Project is expected to inject \$8.4 million into Virginia's economy and support 107 jobs per year from 2015 to 2017.

Table 2: Estimated Economic Impact of Scott Timber Solar Project in Virginia

Year		Direct	Indirect	Induced	Total
One-time Development and Construction					
2015	Spending (\$Million)	\$1.3	\$0.4	\$0.6	\$2.3
	Employment	23	2	5	30
2016	Spending (\$Million)	\$13.1	\$3.5	\$6.0	\$22.6
	Employment	226	21	44	290
2017	Spending (\$Million)	\$0.1	\$0.0	\$0.0	\$0.1
	Employment	1	0	0	2
Total (2015-2017)	Spending (\$Million)	\$14.5	\$3.8	\$6.7	\$25.1
	Employment	250	23	49	322
Annual Average (2015-2017)	Spending (\$Million)	\$4.8	\$1.3	\$2.2	\$8.4
	Employment	83	8	16	107
Ongoing Operation					
Annual, 2017 Onward	Spending (\$ Million)	\$0.9	\$0.2	\$0.3	\$1.4
	Employment	1	0	1	2

Note: Impacts are measured in the year when they occur. Numbers may not sum due to rounding

Source: IMPLAN Pro 2013, Dominion, and Chmura

The statewide total economic impact (direct, indirect, and induced) of the ongoing operations of the power plant is estimated to be \$1.4 million, which would support 2 jobs per year beginning in 2017. The direct impact for the state is the same as that for Powhatan County: \$0.9 million in spending and one permanent employee. The indirect impact for the state is estimated to total \$0.2 million, in businesses that support the plant operations. Induced impact will create one job, with associated annual spending of

\$0.3 million per year.⁸ The beneficiaries of the induced impact are mostly restaurants, professional offices, and retail establishments.

Tax Revenue for County and State Government

The presence of the proposed Scott Timber Solar Project in Powhatan County will also bring in tax revenue for the county and state governments. In order to be conservative, only tax revenue from the direct impact is estimated in this section.⁹

Powhatan County does not have a business, professional, and occupational license (BPOL) tax.¹⁰ As a result, during the construction phase, the county will not collect any tax revenue from construction spending from 2015 to 2017. The state government is expected to receive \$264,526 in cumulative individual income tax and \$8,791 in cumulative corporate income tax during the construction phase (Table 3).

Table 3: Tax Revenue for County and State Government from Scott Timber Solar Project

		County Government	State Government
Cumulative Construction (2015-2017)	Local BPOL Tax	\$0	
	Individual Income Tax		\$264,526
	Corporate Income Tax		\$8,791
Total Construction (2015-2017)		\$0	\$273,317
Annual 2017 Onward	Individual Income Tax		\$8,519
Total Annual Taxes (2017 Onward)		Not Available Now	\$8,519

Source: Chmura Economics & Analytics

After the power plant is in operation, the Virginia government is expected to receive \$8,519 per year in individual income tax, based on the estimated wage of the worker in the Powhatan plant. The estimated state tax revenue does not include Dominion's corporate income tax.

While the solar asset constructed on the property will be exempt from taxation per Virginia regulations, the county will continue to collect property taxes on the assessed value of the property that will be paid to the county on an annual basis.

⁸ The statewide indirect and induced impacts include those impacts in Powhatan County.

⁹ This approach is recommended by Burchell and Listokin in *The Fiscal Impact Handbook*.

¹⁰ Source: http://www.powhatanva.gov/index.asp?Type=B_BASIC&SEC=%7BB62A5A5F-66B6-4767-9BEA-4BD32730F0CD%7D.

Appendix: Impact Analysis Glossary

IMPLAN Professional—an economic impact assessment modeling system. It allows the user to build economic models to estimate the impacts of economic changes in states, counties, or communities. It was created in the 1970s by the Forestry Service and is widely used by economists to estimate the impact of specific events on the overall economy.

Input-Output Analysis—an examination of business-business and business-consumer economic relationships capturing all monetary transactions in a given period, allowing one to calculate the effects of a change in an economic activity on the entire economy (impact analysis).

Direct Impact—economic activity generated by a project or operation. For construction, this represents activity of the contractor; for operations, this represents activity by tenants of the property.

Overhead—construction inputs not provided by the contractor.

Indirect Impact—secondary economic activity that is generated by a project or operation. An example might be a new office building generating demand for parking garages.

Induced (Household) Impact—economic activity generated by household income resulting from direct and indirect impacts.

Ripple Effect—the sum of induced and indirect impacts. In some projects, it is more appropriate to report ripple effects than indirect and induced impacts separately.

Multiplier—the cumulative impacts of a unit change in economic activity on the entire economy.

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Tax Parcel Numbers: 038-3-1
 038-28

JOINT ACCESS EASEMENT AGREEMENT

THIS JOINT ACCESS EASEMENT AGREEMENT (this "Agreement") is made this 18 day of March, 2016 by and between by and between, **SCOTT TIMBERLAND CO., L.P.**, a Virginia Limited Partnership ("Scott Timberland", index as grantor and grantee), **VIRGINIA SOLAR LAND HOLDINGS LLC**, a Virginia limited liability company ("VA Solar", index as grantor and grantee) and **VIRGINIA ELECTRIC AND POWER COMPANY**, a Virginia public service corporation, d/b/a Dominion Virginia Power ("Dominion", index as grantor and grantee). Scott Timberland, VA Solar and Dominion are referred to collectively as the "Parties" and individually as a "Party".

RECITALS

A. Scott Timberland is the fee simple owner of that tract of land containing approximately 898.4 acres of land (the "Main Tract"), which Main Tract is benefitted by a permanent easement thirty (30) feet in width (the "Southern Access Easement"), as such easement is described in that Deed dated March 26, 1959 from A. Barnes Carter and W. Sherwood Carter trading as Carter Land Company to Continental Can Company, Inc. recorded in the Clerk's Office of the Circuit Court of Powhatan County, Virginia (the "Clerk's Office") in Deed Book 71 at page 345. Scott Timberland also is the fee owner of that parcel of land containing approximately 3.61 acres of land located adjacent to the Main Tract and located along the frontage of Old Buckingham Road (the "Access Tract"). The Main Tract, together with its access rights provided in the Southern Access Easement, and the Access Tract are referred to collectively herein as the "Property". The Property is further described on Schedule C-1 attached hereto and made a part hereof.

B. Scott Timberland and VA Solar entered into that certain Option for Ground Lease and Ground Lease Agreement dated September 1, 2015 for the Main Tract, inclusive of the rights under the Southern Access Easement (the "Option for Ground Lease"), as evidenced by that Memorandum of Lease dated September 1, 2015 and recorded in the Clerk's Office in Deed Book 874 at page 862. Scott Timberland and VA Solar amended the Option for Ground Lease by that First Amendment to Option for Ground Lease and Ground Lease Agreement dated December 11, 2015 (the "First Amendment to Option for Ground Lease") to confirm that the

Access Tract is subject to the terms of the option contained in the Option for Ground Lease. The First Amendment to Option for Ground Lease is evidenced by that Memorandum of Lease dated December 11, 2015 and recorded in the Clerk's Office in Deed Book 880 at page 341.

C. Scott Timberland and VA Solar entered into that Second Amendment to Option for Ground Lease and Ground Lease Agreement dated on even date herewith and recorded in the Clerk's Office on even date herewith and prior hereto (the "Second Amendment to Option for Ground Lease") to remove the Access Tract and a portion of the Main Tract from the terms of the Option for Ground Lease. The Option for Ground Lease, as amended by the First Amendment to Option for Ground Lease and the Second Amendment to Option for Ground Lease are referred to collectively as the "Scott-II Option Agreement". Reference is made to Schedule A-2 of the Second Amendment to Option for Ground Lease for a description of the portion of the Main Tract that is subject to the terms of the Scott-II Option Agreement (the "Scott-II Option Property").

D. Scott Timberland and VA Solar entered into that Option for Ground Lease and Ground Lease Agreement (Scott-I Project) dated on even date herewith (the "Scott-I Option Agreement"), which Scott-I Option Agreement applies to and affects the portion of the Property not subject to the Scott-II Option Agreement. The Scott-I Option Agreement is evidenced by that Memorandum of Option for Ground Lease and Ground Lease Agreement (Scott-I Project) dated on even date herewith and recorded in the Clerk's Office prior hereto (the "Scott-I Memorandum of Option"). Reference is made to Schedule A of the Scott-I Memorandum of Option for a description of the portion of the Property that is subject to the Scott-I Option Agreement (the "Scott-I Property").

E. Pursuant to that Notice of Exercise of Option for Ground Lease and Ground Lease Agreement (Scott-I Project) dated on even date herewith and recorded in the Clerk's Office on even date herewith and prior hereto (the "Exercise Notice"), VA Solar has exercised its option as provided in the Scott-I Option Agreement to lease the Scott-I Property (the "Scott-I Prime Lease").

F. VA Solar and Dominion have entered into that Scott-I Solar Ground Sublease Agreement (the "Scott-I Sublease") dated on even date herewith, whereby VA Solar has subleased to Dominion the Scott-I Property. The Scott-I Sublease is evidenced by that Memorandum of Scott-I Solar Ground Sublease Agreement (Scott-I Project) dated on even date herewith and recorded in the Clerk's Office on even date herewith and prior hereto.

G. The Parties desire to enter into this Agreement for the purpose of providing joint use of the Access Tract for access purposes to the Property, and for other purposes as further described herein.

AGREEMENT

NOW THEREFORE, in consideration of the premises, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1. **Status of the Parties.** Each of Scott Timberland (as fee owner of the Property, inclusive of the Scott-I Property), VA Solar (as lessee of the Scott-I Property as confirmed by the Exercise Notice) and Dominion (as sublessee as to the Scott-I Property) has certain rights of use and possession of the Scott-I Property. Further, each of Scott Timberland (as fee owner of the Property, inclusive of the Scott-II Option Property) and VA Solar (as optionee under the Scott-II Option Agreement) have certain rights relative to the Scott-II Option Property. The grants and conveyances provided in this Agreement are based on the rights of the Parties in and to Scott-I Property and the Scott-II Option Property, as applicable, as further provided herein.

2. **Access Road; Construction; Use; Maintenance.**

(a) **Grant of Access, Ingress, Egress and Installation of Utilities on Access Tract.** Each Party hereto gives, grants and conveys unto the others, an easement across the Access Tract for construction, maintenance, repair and replacement of an access road of variable width but in no event less than fifty (50) feet in width (the "Access Road") and installation of utilities in the location shown on Schedule C-2 attached hereto and made a part hereof, for the uses and purposes provided herein. Initial construction of the Access Road shall be performed pursuant to that certain Side Agreement between Virginia Solar LLC, an affiliate of VA Solar, and Dominion dated January 6, 2016. Use of the Access Road by each Party shall be limited to the following purposes:

(1) For Dominion, vehicle and pedestrian ingress and egress for the development, construction, maintenance, operation, repair, replacement and decommissioning of a solar energy generation project to be developed on the Scott-I Property (the "Scott-I Project").

(2) For VA Solar, vehicle and pedestrian ingress and egress to use the Connector Road (defined below) and the Existing Road (defined below) for the development, construction, maintenance, operation, repair, replacement, and decommissioning of a solar energy generation project(s) on the Scott-II Option Property (the "Scott-II Project").

(3) For Scott Timberland, vehicle and pedestrian ingress and egress to use the Connector Road and the Existing Road for its timber operations on the Property, provided that Scott Timberland will not use the Access Road for timber operations during the construction periods of the Scott-I Project and the Scott-II Project. For the avoidance of doubt, in no case will the Access Road be used for timbering the Scott-II Project before the earlier of (i) completion of the construction of the Scott-I Project or (ii) December 31, 2016.

(b) **Security Fences; Gates.** In constructing the Access Road, Dominion shall have the right to install (i) a security fence along the perimeters of the Access Road extending to and connecting with the fence surrounding the Scott-I Project and (ii) two (2) gates which will remain locked when not in use, with one gate at the entrance to the Access Road and another gate at the entrance of the Scott-I Project. Additional gates may be required and shall be allowed for access to the Connector Road, as provided herein.

(c) Maintenance of Access Road.

(1) Dominion will bear one hundred percent (100%) of the maintenance obligation and costs of the Access Road prior to the commencement of construction of the Scott-II Project. Commencement of any site clearing activities for the Scott-II Project will be considered commencement of construction of the Scott-II Project. Upon the commencement of construction of the Scott-II Project, VA Solar will perform all road maintenance on the Access Road and will bear one hundred percent (100%) of the costs of that maintenance until such time that construction is completed on the Scott-II Project. After completion of construction of the Scott-II Project, Dominion shall be responsible for management of all maintenance and repairs to the Access Road, subject to reimbursement for fifty percent (50%) of those costs from VA Solar.

(2) If Scott Timberland uses the Access Road for its timber operations following (or in between) the construction periods of the Scott-I Project and the Scott-II Project, Scott Timberland will bear 100% of the cost to maintain and repair the Access Road during the period for such timbering.

(3) If VA Solar fails to maintain the Access Road during the construction activities for the Scott-II Project, or fails to return the Access Road to the same condition as it existed at the time VA Solar commenced construction activities for the Scott-II Project, and such failure to maintain does not require "Immediate Maintenance" (defined below), Dominion shall provide a written notice and demand to cure to VA Solar specifying where the Access Road needs to be maintained or improved. In such case, if VA Solar has not started the repair and/or improvement work on the Access Road within fifteen (15) days following receipt of the written notice and demand to cure, Dominion shall have the right to perform any necessary maintenance and repairs to the Access Road, subject to reimbursement of one hundred percent (100%) of those costs from VA Solar. Notwithstanding the forgoing, if Immediate Maintenance is required, Dominion shall have the right to perform any necessary maintenance and repairs to the Access Road, subject to reimbursement of one hundred percent (100%) of those costs from VA Solar, without the need to provide prior written notice. For purposes of this Agreement, the term "Immediate Maintenance" is defined as a situation that requires immediate action to maintain, repair and/or improve the Access Road or the Crossing Access, as the case may be, because the condition of the Access Road or the Crossing Access, as the case may be, prevents reasonable access by Dominion to the Scott-I Project, prevents access from one portion of the Scott-I Project to another portion such project, or otherwise poses a threat to persons or property.

(4) If Scott Timberland fails to maintain the Access Road during or following its timber operations, or fails to return the Access Road to the same condition as it existed at the time Scott Timberland commenced its timber operations, and such failure to maintain does not require Immediate Maintenance, Dominion shall provide a written notice and demand to cure to Scott Timberland specifying where the Access Road needs to be maintained or improved. In such case, if Scott Timberland has not started the repair and/or improvement work on the Access Road within fifteen (15) days following receipt of the written notice and demand to cure, Dominion shall have the right to

perform any necessary maintenance and repairs to the Access Road, subject to reimbursement of one hundred percent (100%) of those costs from Scott Timberland. Notwithstanding the forgoing, if Immediate Maintenance is required, Dominion shall have the right to perform any necessary maintenance and repairs to the Access Road, subject to reimbursement of one hundred percent (100%) of those costs from Scott Timberland, without the need to provide prior written notice.

(5) Dominion and/or VA Solar shall be responsible for the maintenance of the Access Road during the respective de-commissioning activities of the Scott-I Project (by Dominion) or the Scott-II Project (by VA Solar).

(6) Any future improvements to the Access Road required by state or local authorities to accommodate timbering operations shall be made at the sole cost and expense of Scott Timberland.

(7) Dominion shall have the right to off-set and deduct from its rent payments under the Scott-I Sublease ("Rent", as that term is further defined in the Scott-I Sublease) any amounts not paid by VA Solar or Scott Timberland for each such Party's respective share of the maintenance costs if such costs are not paid within thirty (30) days of presentment of an invoice from Dominion. If the damage is caused by Scott Timberland, VA Solar shall have the right to seek reimbursement from Scott Timberland for such costs.

(d) Maintenance of Remainder of Access Tract. Scott Timberland shall be responsible for one hundred percent (100%) of the maintenance of the Access Tract located outside the Access Road. Following the completion of construction of the Access Road, Scott Timberland shall plant evergreens as required by any applicable law, including, but not limited to, any conditional use permit, zoning approval, zoning ordinance requirement or site plan requirement related to the Scott-I Project, which evergreens shall be for the purpose of screening the Access Road from adjacent property. Scott Timberland shall be responsible for the regular maintenance of such evergreens. Further, Scott Timberland shall be responsible for reasonably cutting any tall grasses or weeds located outside the Access Road on an as-needed and if-needed basis, but shall not be required to cause such cutting of weeds and tall grasses more than twice each calendar year.

3. **Connector Road.** VA Solar and/or Scott Timberland shall have the right to construct a road from the Access Road generally along the northern boundary of the Scott-I Property (the "Connector Road") to connect with the Existing Road. The exact location where the Connector Road may be constructed shall be in the location shown on Schedule C-2. Construction and use of the Connector Road shall be subject to the following conditions:

(a) The Connector Road shall be constructed at VA Solar's and/or Scott Timberland's sole cost and expense. The Connector Road shall be located within a fifty (50) foot wide easement area as shown on Schedule C-2. Such road shall be limited to thirty (30) feet in width and shall have a 10 foot buffer on each side of that road.

(b) Prior to construction of the Connector Road, VA Solar and/or Scott Timberland shall be required to submit construction plans for the Connector Road to Dominion for Dominion's approval. Dominion may disapprove of those plans if (i) the plans require a change in drainage on the Scott-I Property that negatively affect the drainage infrastructure for the Scott-I Project, as determined in Dominion's reasonable discretion, and/or (ii) the road location would create a violation under any applicable zoning ordinances, conditions of any conditional use permit, site plan or other local land use approvals for the Scott-I Project or any other applicable law. In case Dominion disapproves the construction plans, the Parties will jointly work to find a solution reasonably acceptable to each Party for the construction plans of the Connector Road.

(c) Scott Timberland and VA Solar, and their respective employees, owners, contractors or subcontractors, shall be the only persons that shall have the right to use the Connector Road, and use of the Connector Road shall be limited to ingress and egress for the Scott-II Project from the Access Road to the Existing Road and for Scott Timberland's timber operations.

(d) Scott Timberland and VA Solar shall have the right to install utilities within the fifty (50) foot wide easement area as shown on Schedule C-2. Nothing herein shall limit or modify the rights of Dominion to install utility lines and/or to require the grant of easement to third party utility providers for the Scott-I Project pursuant to the Scott-I Sublease.

4. **Existing Road.** Except as otherwise provided herein, VA Solar and Scott Timberland shall have the right to use the existing gravel and dirt road located within a fifty (50) foot wide easement area on the Property, including the portion of that road located within the thirty (30) foot wide Southern Access Easement, all as shown and identified on Schedule C-2 (the "Existing Road"). Dominion shall have the right to use the Existing Road for the limited purposes provided herein. Maintenance and use of the Existing Road shall be subject to the following conditions:

(a) Improvements to Existing Road. Any improvements to the Existing Road that would change the drainage from that road onto the Scott-I Property shall be subject to Dominion's prior approval. Specifically, prior to any improvement or alteration to the Existing Road that could reasonably cause a change in the drainage from such road onto the Scott-I Property, VA Solar and/or Scott Timberland shall be required to submit construction plans for such improvement to Dominion for Dominion's approval. Dominion may disapprove of those plans if (i) the plans require a change in drainage on the Scott-I Property that negatively affect the drainage infrastructure for the Scott-I Project, as determined in Dominion's reasonable discretion, and/or (ii) the road location would create a violation under any applicable zoning ordinances, conditions of any conditional use permit, site plan or other local land use approvals for the Scott-I Project or any other applicable law. In case Dominion disapproves the construction plans, the Parties will jointly work to find a solution reasonably acceptable to each Party for the construction plans of the Existing Road.

(b) Use. Use of the Existing Road by VA Solar and Scott Timberland north of a point that is six hundred feet south of the Crossing Access shall be limited to access to the Scott-II Project and Scott Timberland's timbering operations on properties owned and/or leased

by Scott Timberland, inclusive of the Property. VA Solar and Scott Timberland will be responsible for repairing damage to the Existing Road (including any improvements) caused by their respective use of the Existing Road.

(c) Crossing Access.

(1) Dominion shall have the right to cross a portion of the Existing Road to provide access and to provide electrical line connections and other utility connections (all as permitted under the Scott-I Sublease) between the two array fields ("Crossing Access") of the Scott-I Project. The right to cross the Existing Road shall include the right, subject to Dominion being responsible for the associated cost, (i) to make necessary improvements to the Existing Road to accommodate the Crossing Access and (ii) to maintain the Crossing Access as necessary to permit vehicular and pedestrian access and to ensure required electrical line and utility connections between the two array fields.

(2) Any damage to the Existing Road comprising the Crossing Access caused by VA Solar or Scott Timberland shall be promptly repaired by the Party causing such damage, which repairs shall be performed to Dominion's satisfaction. If such repairs are not made in a timely manner and such repairs do not require Immediate Maintenance, Dominion shall provide written notice and demand to cure to VA Solar and Scott Timberland specifying where the Crossing Access needs to be repaired. If Scott Timberland or VA Solar has not started the repair on the Crossing Access within fifteen (15) days following receipt of the written notice and demand to cure, for such repairs require Immediate Maintenance, Dominion shall have the right to cause the repairs to be made and: (i) off-set and deduct from its Rent any amounts incurred by Dominion or (ii) invoice VA Solar for such amounts, which shall be paid promptly after receipt. If the damage is caused by Scott Timberland, VA shall have the right to seek reimbursement from Scott Timberland for such costs.

(3) The cost of repairing any damage to electrical line connections and other utility connections located within the Crossing Access caused by VA Solar or Scott Timberland shall be paid by the Party causing such damage provided that such utilities are installed pursuant to the applicable National Electrical Code and/or National Electrical Safety Code standards for installation of such utilities. Dominion shall have the right to cause the repairs to be made and (i) off-set and deduct from its Rent any amounts incurred by Dominion or (ii) invoice VA Solar for such amounts, which shall be paid promptly after receipt. If the damage is caused by Scott Timberland, VA Solar shall have the right to seek reimbursement from Scott Timberland for such costs.

(4) Until the earlier of (i) completion of the construction of the Scott-I Project or (ii) December 31, 2016 VA Solar and Scott Timberland will not be permitted to use the portion of the Existing Road comprising the Crossing Access unless Dominion provides written permission, which permission shall not be unreasonably withheld, conditioned or delayed.

(d) Dominion shall have the right to use the Existing Road for access to the Scott-I Property prior to the completion of construction of the Access Road. Thereafter, Dominion shall have the right to use the Existing Road for access to the Scott-I Property in emergency situations, including any situation that causes the Access Road to be closed for any purpose other than temporary closures due to routine maintenance or repairs. Dominion accepts the Existing Road in its current conditions and will be responsible for repairing damage to the Existing Road (including any improvements) caused by Dominion's use of the Existing Road.

(e) Scott Timberland and VA Solar shall have the right to install utilities within the fifty (50) foot wide easement area as shown on Schedule C-2, subject to the terms of this Agreement, including, without limitation, the obligations contained in this Section 4.

5. Private Agreement.

(a) Covenants Running with the Land. Except as specified in Section 5(b) and the subsections thereunder below, the rights, privileges and easements herein granted are for the use, enjoyment and benefit of each of the Parties, and for the benefit of the respective invitees, licensees, lessees, and guests of each Party and each such Party's respective heirs, successors and assigns. Notwithstanding the foregoing sentence to the contrary, and except as otherwise provided in Section 5(b) below, any invitees, licensees, lessees and/or guests of any Party shall not acquire any independent or separate rights in or to any portion of the Access Road, the Connector Road and/or the Existing Road pursuant to this Agreement, it being understood that all such rights shall attach solely to the Parties and their respective heirs, successors and assigns. Except as otherwise provided in this Agreement, such rights and privileges shall be covenants running with the land, shall constitute a burden to and benefit of each of the Scott-I Property, the Scott-II Option Property and the Property in the aggregate, and shall inure to the benefit of each Party. This Agreement shall not be construed to grant rights to the public in general. Notwithstanding the foregoing or anything herein to the contrary, in the event a public utility or service provider requires its own easement within the easement areas comprising the Access Road, the Connector Road and/or the Existing Road, the Parties shall grant any and all required additional utility easements within the area to the public utility or service provider at no additional cost to the Parties using such public utility's or service provider's standard form easement agreement.

(b) Assignments by VA Solar. VA Solar's right to assign its interest in this Agreement, in whole or in part, shall be subject to the following conditions and restrictions:

(1) VA Solar shall have the right to assign all of its interest in and to this Agreement to any person or entity to whom VA Solar also assigns all of its interest in and to the Scott-I Prime Lease and the Scott-I Sublease. Any such assignment shall be subject to a complete and full assignment and assumption agreement in a form and substance reasonably acceptable to Dominion (the "Complete Assignment and Assumption"). The Complete Assignment and Assumption shall not be effective unless and until (i) Dominion has provided its written acknowledgement of that Complete Assignment and Assumption Agreement, a copy of which acknowledgement will be attached to the Complete Assignment and Assumption, and (ii) the Complete Assignment and Assumption has been recorded in the Clerk's Office. Once the Complete Assignment

and Assumption has met the conditions in the immediately preceding sentence, VA Solar shall be relieved of all further obligations under this Agreement.

(2) Subject to the terms and conditions contained herein, VA Solar shall have the right to partially assign its access and related rights under this Agreement relative to the Access Road, the Connector Road and the Existing Road (the "Partially Assigned Rights and Obligations") in each of the following situations: (i) to any person or entity to whom VA Solar also assigns all of its interest in and to the Scott-II Option; (ii) to any person or entity with whom VA Solar enters into a sublease for the Scott-II Property (the "Scott-II Sublease") after VA Solar has exercised its option under the Scott-II Option; and (iii) to any person or entity to whom VA Solar assigns its interest as sublessor under the Scott-II Sublease and its interest as sublessee under the prime lease for the Scott-II Property. Any such partial assignment in the foregoing situations shall be subject to a partial assignment and assumption agreement (a "Partial Assignment") that is in a form and substance reasonably acceptable to Dominion. No Partial Assignment shall be effective unless and until (i) Dominion has provided its written acknowledgement of that Partial Assignment, a copy of which acknowledgement will be attached to the Partial Assignment, and (ii) the Partial Assignment has been recorded in the Clerk's Office. Notwithstanding the foregoing, after each Partial Assignment VA Solar shall continue to be and remain a party to this Agreement, and VA Solar shall remain liable to Dominion under this Agreement for any maintenance and/or financial obligations required hereunder relative to the Scott-II Property. Further notwithstanding any Partial Assignment, Dominion shall all times have the right of off-set against Rent pursuant to Sections 2(c)(7), 4(c)(2), and/or 4(c)(3) of this Agreement.

(3) VA Solar shall not have the right to assign any of its rights and/or obligations under this Agreement, in whole or in part, except as specified in Sections 5(b)(1) and 5(b)(2) above, it being understood that VA Solar's rights to assign its rights and/or obligations under this Agreement shall be specifically limited to the Complete Assignment and Assumption described in Section 5(b)(1) and the three types of Partial Assignment described in Section 5(b)(2) above.

(c) **Modifications.** The Parties may terminate or modify this Agreement by a written agreement signed by all Parties hereto; provided that these rights, privileges and easements shall continue subject to the other provisions of this Agreement, until said written termination or modification has been recorded in Clerk's Office.

(d) **Non-Merger.** If at any time during the term of this Agreement the fee ownership or leasehold interest in and to the Scott-I Property and/or the Scott-II Option Property, or any interest therein, by the same owner or by an owner and an affiliate entity of such owner shall not create a merger of title, estate, or other merger, including any merger of the dominant and servient estate with respect to the easements and other covenants granted in this Agreement, and therefore shall not terminate any of the easements or other agreements contained herein, so that all of the terms and provisions hereof shall remain in full force and effect for the period provided in this Agreement, regardless of any of the aforesaid common ownerships, now or hereafter existing, of any tract specified herein.

(e) Not a Public Dedication; Ownership and Control. Nothing herein contained shall be deemed to be a gift or dedication of any portion of the Scott-I Property or the Scott-II Option Property to the general public or for the general public or for any public use or purpose whatsoever, it being the intention and understanding of the Parties hereto that this Agreement shall be strictly limited to and for the purposes herein expressed, solely for the benefit of the Parties hereto and their respective licensees, invitees, guests, heirs, successors and assigns. Nothing contained in this Agreement, express or implied shall confer upon any person or entity, other than the Parties hereto, their respective licensees, invitees, heirs, successors and assigns, any rights or remedies under or by reason of this Agreement. In the case of each easement or other right created herein, the owner of the benefited property shall acquire only the limited rights to use the burdened property as set forth herein.

(f) Waiver. Dominion will waive any setback conditions (from the Scott-I Property) that Powhatan County may impose under a conditional use permit or other zoning action for the Scott-II Project provided that such conditional use permit or other zoning action (i) will not permit the installation of any solar energy facilities on the Scott-II Project that will exceed twelve (12) feet in height (ii) will not permit the construction and/or installation of any structures, plants or other improvements that reasonably could be calculated to interfere with the operation, maintenance, repair and/or replacement of the Scott-I Project, (iii) will not cause any additional runoff or other stormwater to be released onto the Scott-I Project greater than the natural sheet flow onto the Scott-I Property at the time of completion of construction of the Scott-I Project, or (iv) will not cause the Scott-I Project to be out of compliance with any local, state and/or federal permits or approvals (including, without limitation, the conditional use permit and site plan approval from Powhatan County for the Scott-I Project).

(g) Withdrawal by VA Solar or Dominion. VA Solar may withdraw from this Agreement if (i) the Scott-I Prime Lease expires or is otherwise terminated, and (ii) the Scott-II Option Agreement expires or is otherwise terminated, or, if such option to lease is exercised, and the lease between Scott Timberland and VA Solar as to the Scott-II Property expires or otherwise is terminated, and thereafter VA Solar has no further right under a lease or option agreement to use any portion of the Property for purposes of development of one or more solar energy projects. Dominion may withdraw from this Agreement if the Scott-I Sublease expires or is otherwise terminated, and Dominion has no further rights to develop, own or maintain a solar energy project on the Scott-I Property. No withdrawal by either VA Solar or Dominion shall be effective until either such party records a notice of withdrawal from this Agreement in the Clerk's Office. If Dominion withdraws, and the Scott-I Prime Lease remains in full force and effect, VA Solar shall succeed to all of Dominion's rights and obligations under this Agreement from and after the date of withdrawal, and VA Solar shall have the right to assign the rights of Dominion to a future sublessee of the Scott-I Property.

6. General Provisions

(a) Notices. Any notices, demands, approvals and other communications provided for herein shall be in writing and shall be delivered by overnight air courier, personal delivery or registered or certified U.S. Mail with return receipt requested, postage or other charges paid, to the appropriate Party at its address as follows:

If to Scott Timberland: Scott Solar I
c/o Scott Timberland Co., L.P.
15830 Goodes Bridge Road
Amelia, Virginia 23002

With a copy to: Scott Solar I
c/o Amelia Lumber Company
P. O. Box 727
Amelia, Virginia 23002

If to VA Solar: Virginia Solar Land Holdings LLC
12610 Lizfield Way
Glen Allen, Virginia 23059

If to Dominion: Virginia Electric and Power Company
ATTN: Director – Renewable Energy
5000 Dominion Boulevard
Glen Allen, Virginia 23060

With copy to: Virginia Electric and Power Company
ATTN: Real Estate
707 East Main Street, 12th floor
Richmond, Virginia 23219

Addresses for notice may be changed from time to time by written notice to the other Parties. Any communication shall be effective (i) if given by mail, upon the earlier of (a) three business days following deposit in a post office or other official depository under the care and custody of the United States Postal Services or (b) actual receipt, as indicated by the return receipt, and (ii) if given by personal delivery or by overnight air courier, when delivered to the appropriate address.

(b) Attorney's Fees. In the event any Party hereto institutes any proceeding against any other Party with respect to any controversy or matter arising out of this Agreement, the prevailing Party shall be entitled to recover from the nonprevailing Party such prevailing Party's reasonable attorney's fees and costs incurred in connection with any such proceeding.

(c) Rights and Remedies. It is expressly understood and agreed that upon a breach of this Agreement by any Party to this Agreement, the nonbreaching Party or Parties shall have any and all rights and remedies for such breach at law or in equity, including injunctive relief.

(d) Indemnification. Each Party (the "Indemnifying Party") shall indemnify, defend and hold harmless the other Parties (each an "Indemnified Party") from and against any and all Losses (defined below), which may be imposed upon or incurred by such Indemnified Party or asserted against such Indemnified Party by reason of, resulting from, whether directly or indirectly, or arising out of (a) the non-fulfillment, breach or nonperformance of any covenant or agreement in this Agreement by the Indemnifying Party; or (b) the negligence or willful

misconduct of the Indemnifying Party in connection with any activities undertaken in relation to this Agreement or contemplated hereby. For purposes of this Agreement, the term "Losses" means, collectively, losses, liabilities, damages, claims, judgments, orders, penalties, fines, costs or expenses, including reasonable legal, accounting and other expenses, including, without limitation, loss of or damage to property or death or injury to persons. NOTWITHSTANDING ANYTHING TO THE CONTRARY CONTAINED HEREIN, NO PARTY SHALL HAVE ANY LIABILITY FOR SPECIAL, CONSEQUENTIAL, INCIDENTAL, INDIRECT OR PUNITIVE DAMAGES OR LOST PROFITS, WHETHER BASED ON STATUTE, CONTRACT, TORT OR OTHERWISE. THE FOREGOING LIMITATION SHALL NOT APPLY TO: (A) A PARTY'S INDEMNIFICATION OBLIGATIONS FOR THIRD PARTY CLAIMS OR (B) DAMAGES ARISING FROM A PARTY'S GROSS NEGLIGENCE OR WILLFUL MISCONDUCT.

(e) Negation of Partnership or Joint Venture. None of the terms or provisions of this Agreement shall be deemed to create a partnership between or among the Parties in their respective businesses or otherwise, nor shall it cause them to be considered joint venturers or members of any joint enterprise.

(f) General Provisions. This Agreement shall be interpreted according to the laws of the Commonwealth of Virginia. This Agreement constitutes the entire agreement and understanding of the Parties with respect to the subject matter hereof and supersedes all prior agreements, oral or written, and all other communications by and among the Parties relating to such subject matter. The waiver by any Party of a breach or violation of any provisions of this Agreement shall not operate as, or be construed to be, a waiver of any subsequent breach of the same or other provision. In the event any provision of this Agreement is held to be unenforceable or invalid for any reason, this Agreement shall remain in force and effect and enforceable in accordance with its terms disregarding such unenforceable or invalid provision unless, by disregarding such provision(s), the general business intent of the Parties cannot be accomplished. This Agreement may be executed in one or more counterparts, each of which shall be an original and taken together shall constitute one and the same document. Signature and acknowledgment pages, if any, may be detached from the counterparts and attached to a single copy of this document to physically form one document. All rights and obligations contained in this Agreement shall benefit and burden the respective heirs, heirs, successors and assigns of the Parties.

(Signatures and Notarial Acknowledgements Appear on the Following Pages)

WITNESS the following signatures and seals.

SCOTT TIMBERLAND:

Scott Timberland Co., L.P., a Virginia limited partnership

By: [Signature]
Name: WILLIAM L. SCOTT
Title: PARTNER

By: [Signature]
Name: JOANNE SCOTT WEBB
Title: PARTNER

COMMONWEALTH OF VIRGINIA:

~~CITY~~/COUNTY OF AMELIA :

The foregoing instrument was acknowledged before me this 18th day of March, 2016 by WILLIAM L. SCOTT as PARTNER of Scott Timberland Co., L.P., a Virginia limited partnership, on behalf of the limited partnership.

My commission expires: March 31, 2018

[SEAL]

[Signature]
Notary Public FLIPPIN
NOTARY PUBLIC
REG. #7598921
COMMONWEALTH OF VIRGINIA
MY COMMISSION EXPIRES MARCH 31, 2018

COMMONWEALTH OF VIRGINIA:

~~CITY~~/COUNTY OF AMELIA :

The foregoing instrument was acknowledged before me this 18th day of March, 2016 by JOANNE SCOTT WEBB as PARTNER of Scott Timberland Co., L.P., a Virginia limited partnership, on behalf of the limited partnership.

My commission expires: March 31, 2018

[SEAL]

[Signature]
Notary Public

(Signatures and Notarial Acknowledgements Continue on the Following Pages)

VA SOLAR:

Virginia Solar Land Holdings LLC, a Virginia limited liability company

By: *Matthew A. Meares*

Name: Matthew A. Meares

Title: Authorized Signatory

COMMONWEALTH OF VIRGINIA:

CITY/COUNTY OF Henrico:

The foregoing instrument was acknowledged before me this 8th day of March, 2016 by Matthew A. Meares as an Authorized Signatory of Virginia Solar Land Holdings LLC, a Virginia limited liability company, on behalf of the company.

My commission expires: March 31 2019



Debra Maingi
Notary Public

(Signatures and Notarial Acknowledgements Continue on the Following Page)

BK 0885PG0225

DOMINION:

Virginia Electric and Power Company, a Virginia public service corporation

By:

Name: James E. Eck

Title: Vice President – Business Development and Merchant Operations

COMMONWEALTH OF VIRGINIA:

CITY/COUNTY OF Richmond:

The foregoing instrument was acknowledged before me this 17th day of March, 2016 by James E. Eck as Vice President – Business Development and Merchant Operations of Virginia Electric and Power Company, a Virginia public service corporation, on behalf of the corporation.

My commission expires: June 30, 2018

[SEAL]

Kimberly Coleman Sumner
Notary Public



Schedule C-1

ALL those certain lots, tracts or parcels of land, with all improvements thereon and appurtenances thereunto belonging, lying and being in the County of Powhatan, Virginia, as shown on that certain plat of survey entitled "Boundary Survey of 3.614 Acres and 176.386 Acres of Land Lying South of Old Buckingham Road" dated February 19, 2016, by Timmons Group, a copy of which plat was attached to and recorded with that certain Memorandum of Ground Lease of even date herewith, made by and between Scott Timberland Co., L.P., a Virginia limited partnership, and Virginia Solar Land Holdings LLC, a Virginia limited liability company, and recorded on even date herewith and prior hereto in the Clerk's Office, Circuit Court, Powhatan County, Virginia, to which plat reference is hereby made for a more particular description of the property hereby conveyed, and thereon described as follows:

176.386 ACRE PARCEL:

Beginning at an iron rod found on the southern right of way of Old Buckingham Road ~ State Route 13, said rod being 1,287± feet west of Old Plantation Road, and labeled P.O.B. hereon.

Thence; leaving said southern right of way; S 40°39'30" E, 958.69 feet to an iron rod found labeled P.O.B. 'A' and being the POINT OF BEGINNING for the 176.386 acre parcel.

Thence, N 61°03'56" E, 621.81 feet to a pipe found;

Thence, N 61°31'20" E, 538.05 feet to a stone found with a rod set next to it;

Thence, S 21°25'23" E, 822.28 feet to a rod found;

Thence, S 50°11'53" E, 923.63 feet to a rod found;

Thence, S 44°10'02" E, 897.68 feet to a rod found;

Thence, N 82°49'50" E, 453.05 feet to a rod found;

Thence, N 82°49'29" E, 393.12 feet to a stone found;

Thence, N 82°16'22" E, 319.52 feet to a rod found;

Thence, N 87°55'15" E, 170.98 feet to a rod found;

Thence, N 89°34'49" E, 255.91 feet to a rod found;

Thence, S 79°42'11" E, 287.72 feet to a rod found;

Thence, S 66°47'08" E, 91.73 feet to a rod set;

Thence, S 00°00'00" E, 403.27 feet to a rod set;

Thence, S 73°39'48" W, 535.60 feet to a rod set;

Thence, S 86°37'40" W, 1345.79 feet to a rod set;

Thence, N 18°38'11" W, 118.85 feet to a rod set;

Thence, S 86°37'40" W, 238.07 feet to a rod set;

Thence, S 11°53'32" W, 1732.54 feet to a rod set;

Thence, S 67°12'47" W, 871.57 feet to a rod set;

Thence, N 20°20'20" W, 2248.72 feet to a stone found with a rod set 0.84 feet to the east;

Thence, N 20°44'30" W, 1186.87 feet to a stone found with a pipe set 0.60 feet to the south;

Thence, N 20°57'16" W, 691.42 feet to a 2" pipe found;

Thence, N 61°03'56" E, 159.96 feet to the true and actual POINT OF BEGINNING containing 176.386 acres or 7,683,375 square feet of land.

AND

3.614 ACRE PARCEL:

Beginning at an iron rod found on the southern right of way of Old Buckingham Road ~ State Route 13, said rod being 1,287± feet west of Old Plantation Road, said iron rod labeled P.O.B. and being the true and actual POINT OF BEGINNING.

Thence; leaving said southern right of way, S 40°39'30" E, 958.69 feet to an iron rod found;

Thence; S 61°03'56" W, 159.96 feet to a 2" pipe found;

AK0885PG0227

Thence; N 41°40'27" W, 944.28 feet to an iron rod found on the southern right of way of Old Buckingham Road ~ State Route 13;

Thence; along said southern right of way, N 48°53'51" E, 66.34 feet to a spike found;

Thence; continuing along said southern right of way, N 58°47'05" E, 97.25 feet to a spike found;

Thence; continuing along said southern right of way, N 62°02'22" E, 11.37 feet to the true and actual POINT OF BEGINNING and containing 157,435 square feet or 3.614 acres of land.

TOGETHER WITH all access rights and easements appertaining to the aforementioned land, including without limitation those rights set forth in that certain Joint Access Easement Agreement made by and among Scott Timberland Co., L.P., Virginia Solar Land Holdings LLC, and Virginia Electric and Power Corporation, dated March 18, 2016, and recorded on even date herewith and subsequent hereto in the aforesaid Clerk's Office.

BEING a part of the real estate conveyed to Scott Timberland Co., L.P., by deed from Virginia Forest Investments, LLC, a Georgia limited liability company, dated September 10, 1999, recorded September 10, 1999, in the Clerk's Office, Circuit Court, Powhatan County, Virginia, in Deed Book 394, page 194; FURTHER BEING the same real estate conveyed to Scott Timberland Co., L.P., a Virginia limited partnership, by Deed from Jason M. Habel and Christina Habel, dated November 9, 2015, recorded December 14, 2015, in the aforesaid Clerk's Office in Deed Book 880, page 336.

BK0885PG0228

Schedule C-2

[Plat Showing Scott-I Property, Scott-II Option Property, Access Tract, Access Road, Connector
Road location and Existing Road]

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MARCH 21, 2016 AT 09:04AM

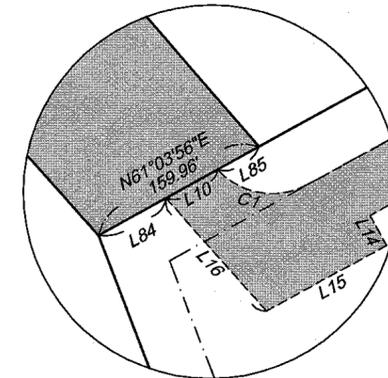
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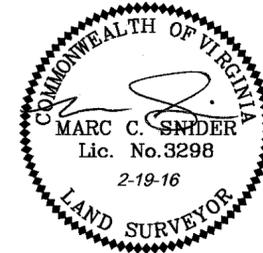
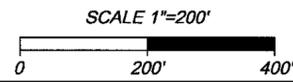
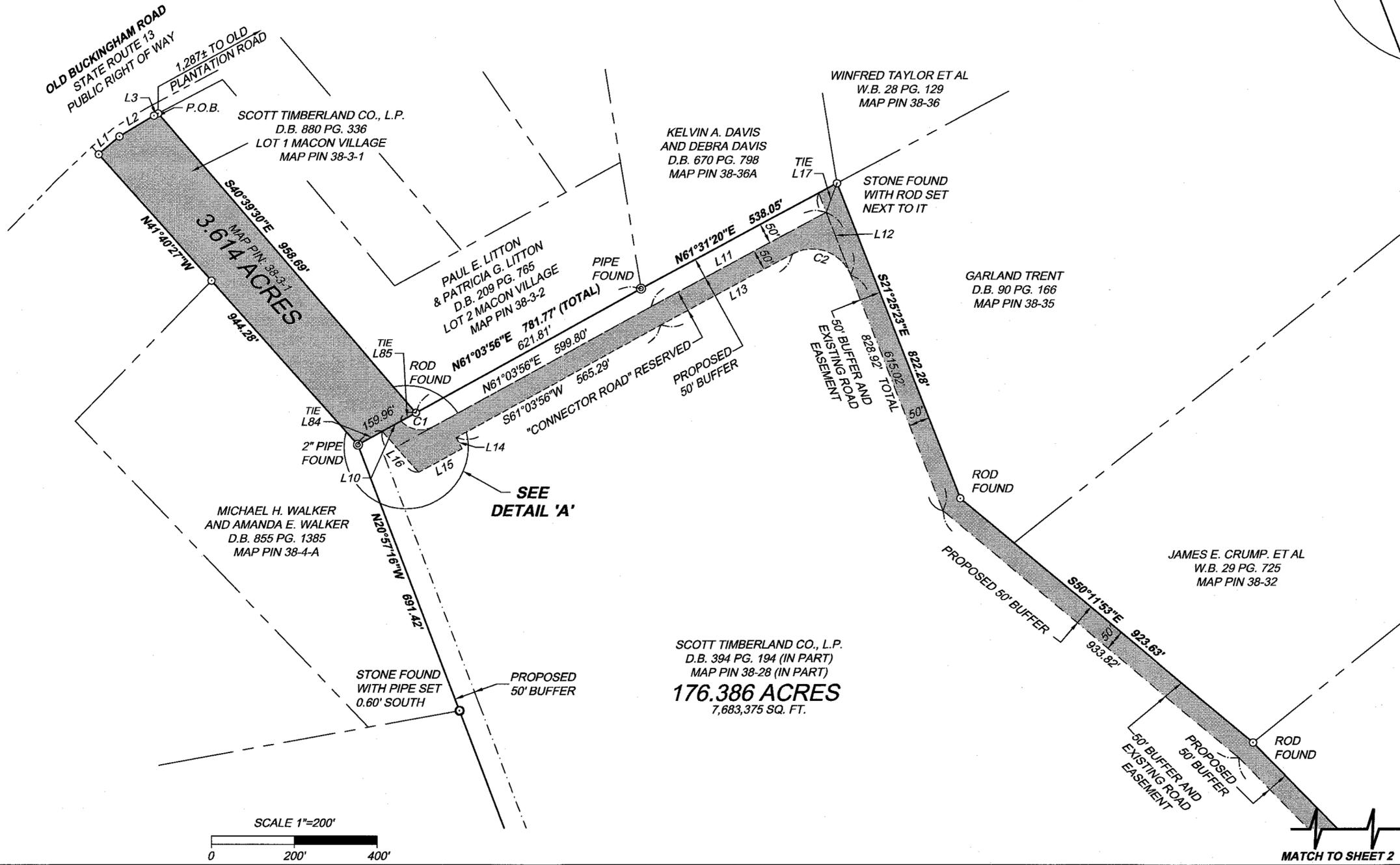


DENOTES JOINT ACCESS
EASEMENT AREAS
(18.056 ACRES)

FOR CURVE TABLE, SEE SHEET 4
FOR LINE TABLE, SEE SHEET 5



DETAIL 'A'
NO SCALE



PLAT SHOWING PROPOSED
JOINT ACCESS EASEMENT
AREAS ACROSS PROPERTY OF
SCOTT TIMBERLAND CO., L.P.
AND OTHERS

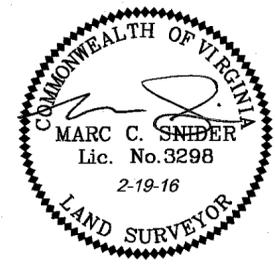
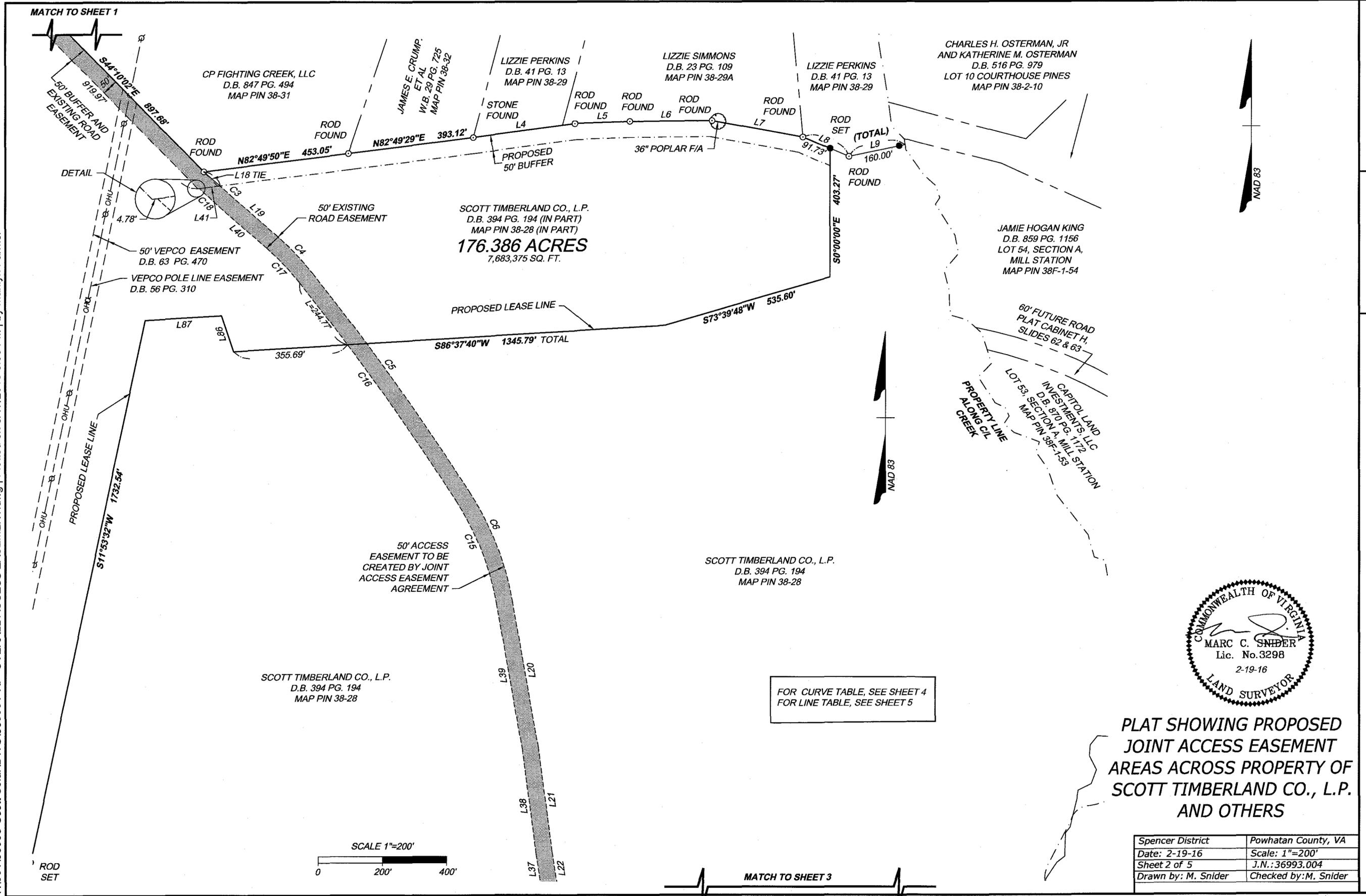
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Date: 2-19-16	Scale: 1"=200'
Sheet 1 of 5	J.N.: 36993.004
Drawn by: M.S.F.	Checked by: M. Snider
Revised:	

THIS DRAWING PREPARED AT THE
CORPORATE OFFICE
1001 Boulders Parkway, Suite 300 | Richmond, VA 23225
TEL 804.200.6500 FAX 804.560.1016 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

TIMMONS GROUP

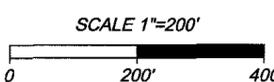
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**PLAT SHOWING PROPOSED
JOINT ACCESS EASEMENT
AREAS ACROSS PROPERTY OF
SCOTT TIMBERLAND CO., L.P.
AND OTHERS**

Spencer District	Powhatan County, VA
Date: 2-19-16	Scale: 1"=200'
Sheet 2 of 5	J.N.:36993.004
Drawn by: M. Snider	Checked by: M. Snider

FOR CURVE TABLE, SEE SHEET 4
FOR LINE TABLE, SEE SHEET 5



THIS DRAWING PREPARED AT THE
CORPORATE OFFICE
 1001 Boulders Parkway, Suite 300 | Richmond, VA 23225
 TEL 804.200.6500 FAX 804.560.1016 www.timmons.com

YOUR VISION ACHIEVED THROUGH OURS.

TIMMONS GROUP

Y:\001\36993-Scott Solar\DWG\36993V-XP OVERALL ACCESS EASEMENT.dwg | Plotted on 3/17/2016 3:06 PM | by Marilyn Farmer

MATCH LINE SHEET 3

SCOTT TIMBERLAND CO., L.P.
D.B. 394 PG. 194
MAP PIN 38-28

SCOTT TIMBERLAND CO., L.P.
D.B. 394 PG. 194
MAP PIN 38-28

50' ACCESS
EASEMENT TO BE
CREATED BY JOINT
ACCESS EASEMENT
AGREEMENT

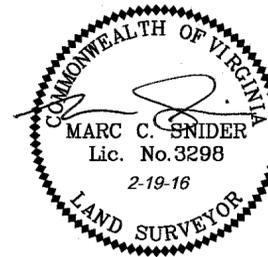
FOR CURVE TABLE, SEE SHEET 4
FOR LINE TABLE, SEE SHEET 5



MATCH TO SHEET 4

MATCH TO SHEET 2

PROPERTY LINE
ALONG C/L CREEK 4-400E



PLAT SHOWING PROPOSED
JOINT ACCESS EASEMENT
AREAS ACROSS PROPERTY OF
SCOTT TIMBERLAND CO., L.P.
AND OTHERS

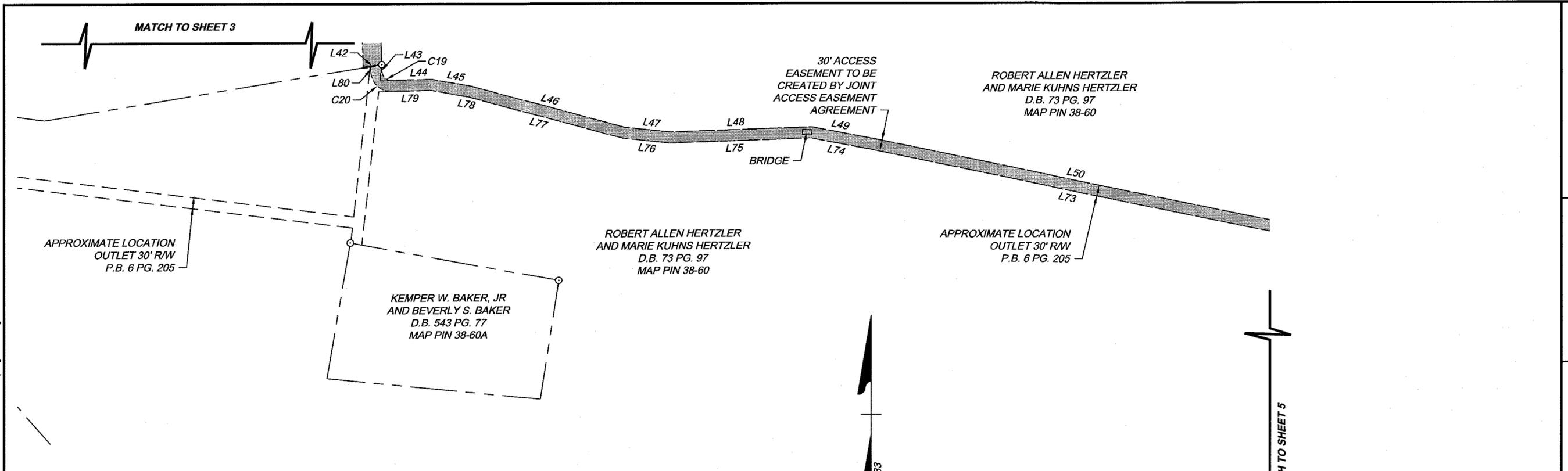
Spencer District	Powhatan County, VA
Date: 2-19-16	Scale: 1"=200'
Sheet: 3 of 5	J.N.: 36993.004
Drawn by: M.S.F.	Checked by: M. Snider

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Y:\1901\36993-Scott Solar\DWG\36993V-XF OVERALL ACCESS EASEMENT.dwg | Plotted on 3/17/2016 3:06 PM | by Marilyn Farmer

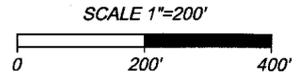


CURVE TABLE

CURVE	RADIUS	LENGTH	TANGENT	DELTA	CHORD BEARING	CHORD
C1	65.00'	86.97'	51.39'	76°39'27"	S80°36'20"E	80.62'
C2	100.00'	169.39'	113.14'	97°03'17"	N69°57'01"W	149.85'
C3	1975.00'	47.33'	23.66'	1°22'23"	S47°49'46"E	47.33'
C4	925.00'	162.51'	81.47'	10°03'58"	S43°28'58"E	162.30'
C5	8031.39'	849.90'	425.35'	6°03'47"	S35°25'06"E	849.51'
C6	925.00'	361.27'	182.97'	22°22'39"	S21°11'52"E	358.98'
C7	925.00'	95.00'	47.54'	5°53'05"	S5°46'41"E	94.96'
C8	375.00'	177.42'	90.40'	27°06'27"	S15°59'15"E	175.77'
C9	125.00'	55.65'	28.29'	25°30'22"	S44°59'26"E	55.19'
C10	225.00'	209.83'	113.24'	53°25'54"	S31°01'40"E	202.30'
C11	175.00'	163.20'	88.08'	53°25'54"	N31°01'40"W	157.35'
C12	175.00'	77.90'	39.61'	25°30'22"	N44°59'26"W	77.26'
C13	425.00'	201.07'	102.46'	27°06'27"	N15°59'15"W	199.20'
C14	875.00'	89.87'	44.97'	5°53'05"	N5°46'41"W	89.83'
C15	875.00'	341.74'	173.08'	22°22'39"	N21°11'52"W	339.57'
C16	7981.39'	844.61'	422.70'	6°03'47"	N35°25'06"W	844.22'
C17	875.00'	153.73'	77.06'	10°03'58"	N43°28'58"W	153.53'
C18	2025.00'	90.09'	45.05'	2°32'56"	N47°14'29"W	90.08'
C19	25.00'	39.05'	24.79'	89°30'23"	S46°41'08"E	35.20'
C20	55.00'	85.92'	54.53'	89°30'23"	N46°41'08"W	77.45'



FOR LINE TABLE, SEE SHEET 5



**PLAT SHOWING PROPOSED
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AND OTHERS**

Spencer District	Powhatan County, VA
Date: 2-19-16	Scale: 1"=200'
Sheet 4 of 5	J.N.: 36993.004
Drawn by: M.S.F.	Checked by: M. Snider
Revised:	

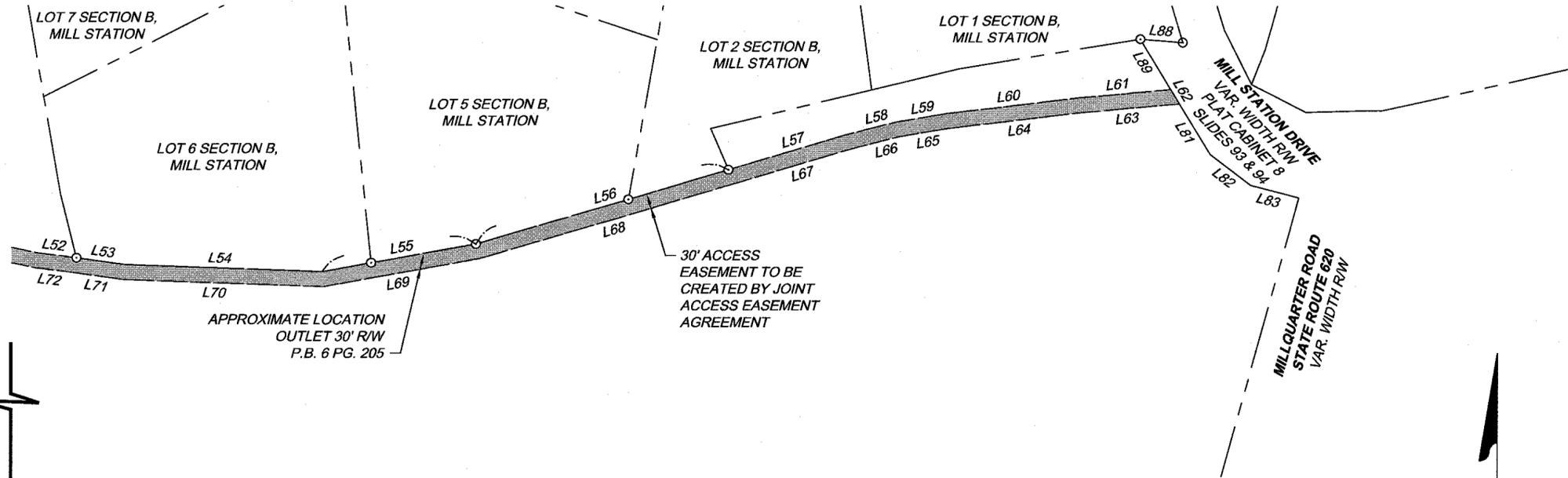
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MATCH TO SHEET 4



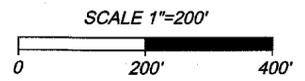
LINE TABLE		
LINE	BEARING	LENGTH
L1	N48°53'51"E	66.34'
L2	N58°47'05"E	97.25'
L3	N62°02'22"E	11.37'
L4	N82°16'22"E	319.52'
L5	N87°55'15"E	170.98'
L6	N89°34'49"E	255.91'
L7	S79°42'11"E	287.72'
L8	S66°47'08"E	155.23'
L9	N77°57'52"E	179.28'
L10	N61°03'56"E	51.24'
L11	N61°31'20"E	481.28'
L12	S21°25'23"E	163.52'
L13	S61°31'20"W	361.75'
L14	S28°43'21"E	30.21'
L15	S61°16'39"W	119.66'
L16	N41°32'33"W	132.97'
L17	N20°02'59"E	75.50'
L18	N48°51'47"W	66.96'
L19	S48°30'57"E	187.80'
L20	S10°00'33"E	468.38'
L21	S7°28'13"E	325.52'
L22	S8°43'13"E	156.50'

LINE TABLE		
LINE	BEARING	LENGTH
L23	S2°50'08"E	258.38'
L24	S2°26'01"E	438.13'
L25	S29°32'28"E	570.63'
L26	S32°14'15"E	728.32'
L27	S57°44'37"E	176.17'
L28	S4°18'44"E	66.31'
L29	S1°55'57"E	250.02'
L30	N1°55'57"W	255.57'
L31	N4°18'44"W	65.27'
L32	N57°44'37"W	176.17'
L33	N32°14'15"W	729.49'
L34	N29°32'28"W	571.81'
L35	N2°26'01"W	440.28'
L36	N2°50'08"W	255.87'
L37	N8°43'13"W	157.05'
L38	N7°28'13"W	324.96'
L39	N10°00'33"W	467.27'
L40	N48°30'57"W	187.80'
L41	N82°49'50"E	64.69'
L42	S80°34'03"W	50.43'
L43	S1°55'57"E	18.84'
L44	N88°33'41"E	108.49'

LINE TABLE		
LINE	BEARING	LENGTH
L45	S80°03'35"E	108.28'
L46	S74°43'56"E	431.75'
L47	S83°59'10"E	124.28'
L48	N88°03'04"E	383.55'
L49	S79°07'18"E	174.02'
L50	S78°12'09"E	1148.06'
L52	S82°47'13"E	77.42'
L53	S81°55'49"E	97.27'
L54	S87°57'49"E	396.00'
L55	N79°42'11"E	313.50'
L56	N73°31'37"E	528.00'
L57	N73°18'55"E	245.01'
L58	N75°41'00"E	106.70'
L59	N80°20'26"E	101.56'
L60	N83°09'02"E	267.49'
L61	N84°41'29"E	184.01'
L62	S31°06'29"E	33.32'
L63	S84°41'29"W	198.11'
L64	S83°09'02"W	266.35'
L65	S80°20'26"W	99.60'
L66	S75°41'00"W	105.00'
L67	S73°18'51"W	244.36'

LINE TABLE		
LINE	BEARING	LENGTH
L68	S73°31'37"W	529.62'
L69	S79°42'11"W	318.36'
L70	N87°57'49"W	400.82'
L71	N81°55'49"W	98.63'
L72	N82°47'30"W	78.32'
L73	N78°12'09"W	1149.10'
L74	N79°07'18"W	170.40'
L75	S88°03'04"W	382.26'
L76	N83°59'10"W	128.79'
L77	N74°43'56"W	432.78'
L78	N80°03'35"W	103.90'
L79	S88°33'41"W	105.50'
L80	N1°55'57"W	14.89'
L81	N31°06'29"W	119.31'
L82	N52°35'29"W	102.45'
L83	N75°31'29"W	100.00'
L84	N61°03'56"E	67.29'
L85	N61°03'56"E	41.43'
L86	N18°38'11"W	118.85'
L87	S86°37'40"W	238.07'
L88	S85°33'29"E	85.00'
L89	N31°06'29"W	118.42'

FOR CURVE TABLE, SEE SHEET 4



PLAT SHOWING PROPOSED
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Spencer District	Powhatan County, VA
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Drawn by: M.S.F.	Checked by: M. Snider
Revised:	

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COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

RICHMOND DISTRICT
2430 Pine Forest Drive
COLONIAL HEIGHTS, VA 23834
www.VDOT.Virginia.gov

Charles A. Kilpatrick, P.E.
COMMISSIONER

May 17, 2016

David Dameron
Zoning Administrator
Powhatan County Zoning
3834 Old Buckingham Road
Powhatan, Virginia 23139

REFERENCE: **16-01-CUP. Virginia Solar LLC**
(Powhatan Courthouse/Mt. Zion Electoral District)
Date VDOT Received: **04/14/16**

Dear Mr. Dameron:

The Virginia Department of Transportation has reviewed the request submitted for a conditional use permit (CUP) to operate a solar energy farm in the A-10 Agricultural District per §83-162(26) of the Powhatan County Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Residential on the Countywide Land Use Plan Map. The property is 898.4 acres in size and is located west of Old Buckingham Road (Rt. 13) south of its intersection with Old Plantation Road (Rt. 644). Reference to Tax Map Parcel #38-28.

The Virginia Department of Transportation is aware of this project and has reviewed and has recommended approval of a proposed commercial entrance from Old Buckingham Road (Rt. 13). VDOT takes no exception to this request for the identified proposed site access point, given the conditions of the commercial access permit.

Should you have any questions, or need any additional information, please do not hesitate to contact me at (804) 674-2560, or Brian Lokker at (804) 674-3874.

Sincerely,

A handwritten signature in cursive script that reads 'J.T. Phillippe'.

J.T. Phillippe
Plan Reviewer
VDOT Richmond District
Central Area Land Use

ALLEN LAYTON L & THELMA C
1624 OLMSTEAD DRIVE
POWHATAN, VA 23139

BAKER KEMPER W JR & BEVERLY S
1811 MILL QUARTER DRIVE
POWHATAN, VA 23139

BESS BESSIE VIRGINIA
4551 HICKY HILL ROAD
KENTS STORE, VA 23084

BRATCHER FELECIA
4170 PIERCE RD
POWHATAN, VA 23139

BURNS DAVID C & BONNIE B
4350 SPOONBILL ROAD
POWHATAN, VA 23139

CAMPBELL GLENN T & CATHERINE W
3940 FIGHTING CREEK DRIVE
POWHATAN, VA 23139

CAPITOL LAND INVESTMENTS LLC
14321 W SALISBURY RD
MIDLOTHIAN, VA 23113

CELIBERTI PAUL
3508 JONWARN CT
POWHATAN, VA 23139

CLARK STEPHEN D & ANDREA G
4499 OLD BUCKINGHAM ROAD
POWHATAN, VA 23139

CLINE JAMES & DONNA S
1626 OLMSTEAD DRIVE
POWHATAN, VA 23139

COX EDWYN P
21 GILLIES LANE
BATH, ME 4530

CP FIGHTING CREEK LLC
2317 MAGNOLIA RD
RICHMOND, VA 23223

CRUMP JAMES E JR & JOAN M &
RAYMOND W
2300 GWYNMILL LANE
POWHATAN, VA 23139

DATTALO PATRICK V &
R MARIE C GUAY
2711 ELLESMERE DR
MIDLOTHIAN, VA 23113

DAVIS JERRY LEE
1634 OLMSTEAD DRIVE
POWHATAN, VA 23139

DAVIS KELVIN A & DEBRA
5525 STONEY MEADOW DR
DISTRICT HEIGHTS, MD 20747

DOBRICK KATHY ANN
4156 PIERCE ROAD
POWHATAN, VA 23139

ENDERS KAREN G
4182 PIERCE RD
POWHATAN, VA 23139

GAROPPO DELLA DEAN TRUSTEE
660 GREENCASTLE RD
N CHESTERFLD VA 23236-2604

GEARY CHRISTOPHER & ANDREA
3329 DOUBLE RIDGE TERR
POWHATAN, VA 23139

GIBSON DENNIS G JR & REBEKAH
1620 OLMSTEAD DR
POWHATAN, VA 23139

GLAZEBROOK STEPHEN P & STEPHANIE G
4360 SPOONBILL CT
POWHATAN, VA 23139

WOOTEN BRYON KEITH & KAREN W
TRS
3944 FIGHTING CREEK DRIVE
POWHATAN, VA 23139

HABEL JASON M & CHRISTINA
4325 OLD BUCKINGHAM RD
POWHATAN, VA 23139

HAYTON DONNIE L & AMBER K
4174 PIERCE ROAD
POWHATAN, VA 23139

HERTZLER ROBERT A & MARIE K
1963 MILL QUARTER
POWHATAN, VA 23139

HOCAY LLC
P O BOX 4309
MIDLOTHIAN, VA 23112

HOCHSTETLER ANTHONY B &
JOANNA ROSE
4942 VALLEY CREST DR APT 202
MIDLOTHIAN, VA 23112

KING JAMIE HOGAN
8619 SHADY MIST DR
NORTH CHESTERFIELD, VA 23235

LARAFFA JOSEPH & JAMIE L
1630 OLMSTEAD DRIVE
POWHATAN, VA 23139

LITTON PAUL E & PATRICIA G
4317 OLD BUCKINGHAM RD
POWHATAN, VA 23139

LOGIOS JAMES CHRIS
4310 SPOONBILL COURT
POWHATAN, VA 23139

MAGILL ROBERT E & SUZANNE M
4318 PIERCE RD
POWHATAN, VA 23139

MARTIN ROBERT M & KAREN E
309 AMBERLEIGH CT SE
WHITE, GA 30184

MCATEER PETER J JR &
CAMILLE MAHAN MCATEER
4224 PIERCE RD
POWHATAN, VA 23139

MEADOR RICHARD L & TRACIE G
4421 OLD BUCKINGHAM RD
POWHATAN, VA 23139

MELTON MICHAEL E & PATRICIA A
4375 OLD BUCKINGHAM ROAD
POWHATAN, VA 23139

MIZELLE SHANE A
4160 PIERCE ROAD
POWHATAN, VA 23139

NILES GERALD E & JERRI J
4040 FOXREST TERRACE
POWHATAN, VA 23139

OLIVER THELMA DAVIS
9004 FLINTWOOD CT
FT WASHINGTON, MD 20744

OLZER RICHARD N
8113 WHIRLAWAY DRIVE
MIDLOTHIAN, VA 23112

OSTERMAN CHARLES H JR &
KATHERINE M
3885 LITTLE FIGHTING CREEK ROAD
POWHATAN, VA 23139

PERKINS LIZZIE
C/O HAMILTON E PERKINS
309 HODDER LANE
HIGHLAND SPRINGS, VA 23075

PHINNEY DUSTIN M & BROOKE R
4280 PIERCE RD
POWHATAN, VA 23139

ROBBINS SHIRLEY F
4194 PIERCE RD
POWHATAN, VA 23139

SCOTT TIMBERLAND CO LP
15830 GOODES BRIDGE RD
AMELIA, VA 23002

SEAL KATHERINE P
1847 FAIRPINE DR
POWHATAN, VA 23139

SHEPPERSON STEVEN L & SUSAN C
4300 SPOONBILL CT
POWHATAN, VA 23139

SHUST CHRISTOPHER M & SHELLEY B
3985 MILL STATION DRIVE
POWHATAN, VA 23139

SIMMONS LIZZIE
C/O HAMILTON E PERKINS
309 HODDER LANE
HIGHLAND SPRINGS, VA 23075

STAFFORD D EDWIN SR
3950 FIGHTING CREEK DRIVE
POWHATAN, VA 23139

STARR CRAIG E & LOIS D
4218 RICHWINE RD
RICHMOND, VA 23234

TAYLOR WINFRED ET AL
4820 POWHATAN LAKES ROAD
POWHATAN, VA 23139

TRENT GARLAND
C/O MARIE TRENT BELL
948 WHITE OAK DRIVE
OXON HILL, MD 20745

TUCKER JOHN R & STEPHANIE BASS
4190 PIERCE RD
POWHATAN, VA 23139

VAUGHAN JAMES I & PAMELA B
4340 SPOONBILL ROAD
POWHATAN, VA 23139

VAUGHN FRANK J & DEBRA N TRS
4459 OLD BUCKINGHAM RD
POWHATAN, VA 23139

WALKER MICHAEL H & AMANDA E
4355 OLD BUCKINGHAM RD
POWHATAN, VA 23139

WALLER WALTER E & LINDA G
4166 PIERCE RD
POWHATAN, VA 23139

WALLING SUSAN L
4178 PIERCE RD
POWHATAN, VA 23139

WALTERS MELBA W & DEBORAH B
GROSS
C/O DEBORAH B GROSS
4509 BELMAR DR
RICHMOND, VA 23234

HABEL JASON M & CHRISTINA
4325 OLD BUCKINGHAM ROAD
POWHATAN VA 23139

BLAIR FREDERICK & MARIE
4332 OLD BUCKINGHAM ROAD
POWHATAN VA 23139

MORRIS KEITH & MICHELE
4335 OLD BUCKINGHAM ROAD
POWHATAN VA 23139

June 21, 2016

The Powhatan County *Planning Commission*, on **July 5, 2016, at 7:00 p.m.** in the **Powhatan Village Building Auditorium, 3910 Old Buckingham Road**, will hold a public hearing taking under consideration the following:

CONDITIONAL USE PERMIT

16-01-CUP. Virginia Solar LLC (Powhatan Courthouse/Mt. Zion Electoral District) requests a conditional use permit (CUP) to operate a solar energy farm in the A-10, Agricultural District per §83-162(26) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Residential on the Countywide Land Use Plan Map. The subject property is 898.4 acres in size and is located east of Old Buckingham Road (Rt. 13) south of its intersection with Old Plantation Road (Rt. 644). Reference to Tax Map Parcel #38-28.

As an adjacent property owner, you are being notified of the request. All Planning Commission meetings are open to the public and you are encouraged to attend on the day and time specified above. Copies of the proposed plans, ordinances, or amendments may be reviewed in the Department of Planning and Community Development in the Powhatan County Administration Building between 8:30 AM and 5:00 PM of each business day. Copies of staff reports are available one week prior to the Public Hearing upon request.

If you have any questions or would like more information on the request, please contact the Planning Department at 598-5621.

Sincerely,

Department of Community Development Staff

AFFIDAVIT

CASE #: 16-01-CUP

SECTION #: 38-28 and 38-3-1

NAME: Virginia Solar, LLC

LETTERS MAILED: June 21, 2016

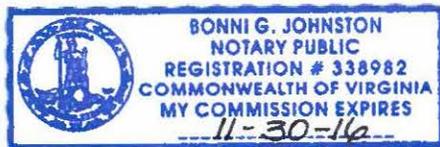
**COMMONWEALTH OF VIRGINIA,
COUNTY OF POWHATAN, to-wit:**

The undersigned affiant, first being duly sworn, states that this affidavit is made pursuant to Va. Code 15.2-2204 to certify that written notice of a pending public hearing on the above case has been sent by first-class mail to the last known address as shown by the current real estates tax assessment books of the owners of each parcel butting and immediately across the street from the affected property.


Signature

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid this day 21 of June, 2016.


Notary Public #338982





16-02-CUP, Blanton & Debora Gordon

Staff Report prepared for the Planning Commission Public Hearing

This report is prepared by the County of Powhatan Department of Community Development Staff to provide information to the Planning Commission and Board of Supervisors to assist in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission	July 5, 2016	Public Hearing
Board of Supervisors	July 25, 2016	Public Hearing – Tentative

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Request:	Amend 15-06-CUP (Conference Center)	
Existing Zoning:	A-10, Agricultural District	
Parcel Size:	2.65 acres	
Parcel ID#	35-17B	
Owner:	Blanton & Debora Gordon	
Location of Property:	1660 Ballsville Road	
Electoral District:	5	Smiths Crossroads/Pineville/Tobaccoville
2010 Land Use Plan Recommendation:	Rural Preservation	
Zoning of Surrounding Property:	North:	A-10
	South:	A-10
	East:	A-10
	West:	A-10

EXECUTIVE SUMMARY:

The Applicants, Blanton and Debora Gordon, are requesting an amendment to 15-06-CUP, which allows them to operate a conference center on the subject property.

The Applicants request that condition #9 be amended to be issued in the name of Fairview Farm Holdings LLC. The Applicants further request that condition #14 be amended to remove the limitation on the facility having no more than 60 events serving more than 25 persons per year.

The Applicants have indicated that the septic expansion will not be completed until the end of July. In addition, the approval and construction of the well upgrade could take several months.

III. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this conditional use request are as follows:

Section 83-123(F) (4) - Conditional Use Permit Review Standards

A Conditional Use Permit shall be approved if the applicant demonstrates the proposed conditional use:

- a) Is consistent with the purposes, goals, objectives, and policies of the comprehensive plan and other applicable county-adopted plans;
- b) Complies with all applicable zoning district-specific standards in **Articles III through VI**;
- c) Complies with all applicable use-specific standards **Article VII: Use Standards**;
- d) Complies with all applicable development and design standards in **Article VIII: Development Standards**;
- e) Complies with all relevant subdivision and infrastructure standards in **Chapter 68: Subdivisions** of the **Powhatan County Code**;
- f) Is appropriate for its location and is compatible with the general character of surrounding lands and the uses allowed in the zoning district where proposed;
- g) Adequately screens, buffers, or otherwise minimizes adverse visual impacts on adjacent lands;
- h) Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;
- i) Avoids significant deterioration of water and air resources, scenic resources, and other natural resources;

- j) Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
- k) Complies with all other relevant county, state and federal laws and standards; and
- l) Is required by the public necessity, convenience, general welfare, or good zoning practice.

Section 83-123(F) (5) - Expiration

A Conditional Use Permit shall expire in accordance with any expiration date or provisions in a condition of its approval. A Conditional Use Permit shall automatically expire if a Building Permit, Site Plan, or other county approval, whichever occurs first, for the development granted by the Conditional Use Permit, is not obtained within two (2) years after the date of approval of the Conditional Use Permit, or if no subsequent county approval is required, the development is not completed and operational within two (2) years.

IV. SUBJECT PROPERTY:

The subject property is a 2.65-acre parcel that includes a farmhouse, barn, and out buildings. The property is surrounded by open fields and other A-10 Agricultural zoned properties to the east, west, north, and south.

VI. LAND USE ANALYSIS:

The proposed conference center utilizes a barn, a farmhouse and several out buildings to host weddings and other events on the property. The large graveled area adjacent to the barn and out buildings is used for event parking and there is an existing graveled driveway access onto Ballsville Road. A second paved driveway that leads to a parking area behind the farmhouse is also used for access to Ballsville Road.

VII. COMPREHENSIVE PLAN ANALYSIS:

The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Preservation on the Countywide Land Use Plan Map. This request is generally consistent with the Comprehensive Plan and specifically supports Objective #7 for Economic Development to “promote environmentally sensitive tourism that attracts visitors from outside the county” through “...tourism based businesses to create an array of attractive destinations in the county.”

VIII. PUBLIC SERVICE ANALYSIS:

Environmental:

Shaun Reynolds (Powhatan County Community Development) has no concerns with this request.

Public Safety:

Pat Schoeffel (Powhatan County Fire Department) had no comment on this request.

Virginia Department of Health:

Richard Michniak (VDH) had the following comments on this request:

The CUP for Fairview Farms had two limitations placed upon it due to the private well and the total capacity of the septic system.

The first restriction is because the property was served by a private well. The restriction to keep them under a private well was that they could not serve more than 25 or more persons 60 or more days of the year. The drainfield was designed to serve 1 event per week with no more than 250 people per event. So because of the limitations to the septic system they could operate no more than 1 day per week with events up to 250 people per event.

If they connect to a new public water supply, then they will no longer be restricted to the 25 persons more than 60 days per year for the public waterworks.

A new septic construction permit was issued (16-172-0030) was issued to operate two weekly events with a maximum of 250 people per event. If this construction permit is installed to expand the septic system and the public well is approved for use, we will be able to change the CUP to say that they can operate two days a week with a maximum of 250 people per event. If the new septic system is not installed, we can't lift the one event per week restriction.

The applicant has indicated that they have received the well test results from the Virginia Department of Health (VDH). The results have been prepared to their engineer to complete the well design, which will need to be resubmitted to VDH for approval prior to final installation. The applicant does not have a timeline for VDH approval.

The applicant indicates that with the well test results received and no issues that they will proceed with the expansion of the septic system and expect to have it completed by the end of July.

Transportation:

The Virginia Department of Transportation had no objection to this request.

Public Utilities:

Johnny Melis (Powhatan Utilities/General Services) stated that the parcel is outside of the County's Water and Wastewater Service District.

Other County Departments:

No comments were received from other agencies or County Departments.

IX. APPLICANT'S POSTIONS:

The applicant's justification for the proposed request is contained in the application.

X. STAFF RECOMMENDATION:

In accordance with public necessity, convenience, general welfare and good zoning practice, staff recommends the conditions below be applied if the Planning Commission approves the request submitted by Blanton and Debora Gordon to amend 15-06-CUP.

However, as a result of the uncertain timeline for completion of the well upgrade and the critical role it plays in the ability of the applicant to increase the number of events at the facility, as requested in this amendment, staff recommends deferral of the request to allow for the receipt of approval for the well upgrade design from the Virginia Department of Health or the completion of the well upgrade prior to approval of the request.

Conditions:

1. The Applicant shall consent to annual administrative inspections by Planning Department Staff for compliance with the requirements of this CUP.
2. The Applicant shall sign the list of the adopted conditions for this CUP signifying acceptance and intent to comply with these conditions.
3. Failure to comply with the conditions of this CUP may result in the issuance of a Notice of Violation (NOV) by the Zoning Administrator. The Zoning Administrator may present this CUP to the Board of Supervisors for revocation if the NOV is not resolved as directed. Upon issuance of a third NOV of the permit, and failure of the permit holder to appeal to the Board of Zoning Appeals, the Zoning Administrator shall present the CUP to the Board of Supervisors for revocation.
4. The Applicants shall be responsible for hiring personnel to provide traffic control on Blenheim Road (Route 684) for events in which there shall be over 100 persons in attendance.
5. The facility shall close no later than 11:30 PM. The only exception to the hours in this paragraph shall be New Year's Eve/New Year's Day when the facility shall close at 1:00 AM.
6. The Applicants shall obtain and display all licenses/permits necessary for the sale of alcoholic beverages during any event at the facility.
7. The facility shall have a maximum of 250 guests per event.

8. All activities associated with this CUP shall be in compliance with all State and Federal laws. The site shall fully comply with all applicable provisions of Section 83-162 of the Powhatan County Zoning Ordinance throughout the life of this CUP.
9. This conditional use permit (CUP) shall be issued to ~~Blanton and Deborah Gordon~~ Fairview Farm Holdings LLC to operate a conference center on the lot.
10. Amplified music, public address system, bands, brass or percussion instruments or disc jockeys shall be permitted outside of the buildings. Said use of amplified music and/or public address system outside shall begin no earlier than 9:00 AM and end no later than 10:00 PM, and shall not be audible plainly inside an adjacent dwelling.
11. All lighting shall be placed, shielded, and directed in a manner that does not shine onto, or be intrusive upon, adjoining properties.
12. There shall be no use of dumpsters for garbage disposal storage. Any refuse receptacle shall be placed in a position that shields it from public view.
13. The Applicants shall be responsible for hiring parking attendants to coordinate the parking for events in which there shall be over 100 persons in attendance.
14. The facility shall not have more than ~~60 events serving more than 25 persons per year~~ 2 events per week.
15. Additional potable water shall be used for events serving more than 26 quests.
16. Address numbers need to be a minimum of four (4) inches in height, reflective, and located so they are highly visible from both directions on Route 630.

XI. PROPOSED RESOLUTION:

In accordance with Section 83-123(F)(4), of the Powhatan Zoning Ordinance, and public necessity, convenience, general welfare and good zoning practice, the Planning Commission recommends (*approval / denial / deferral*) of the request submitted by Blanton and Debora Gordon to amend conditions #9 & #14 of 15-06-CUP as reflected in the conditions presented above.

Attachment(s):

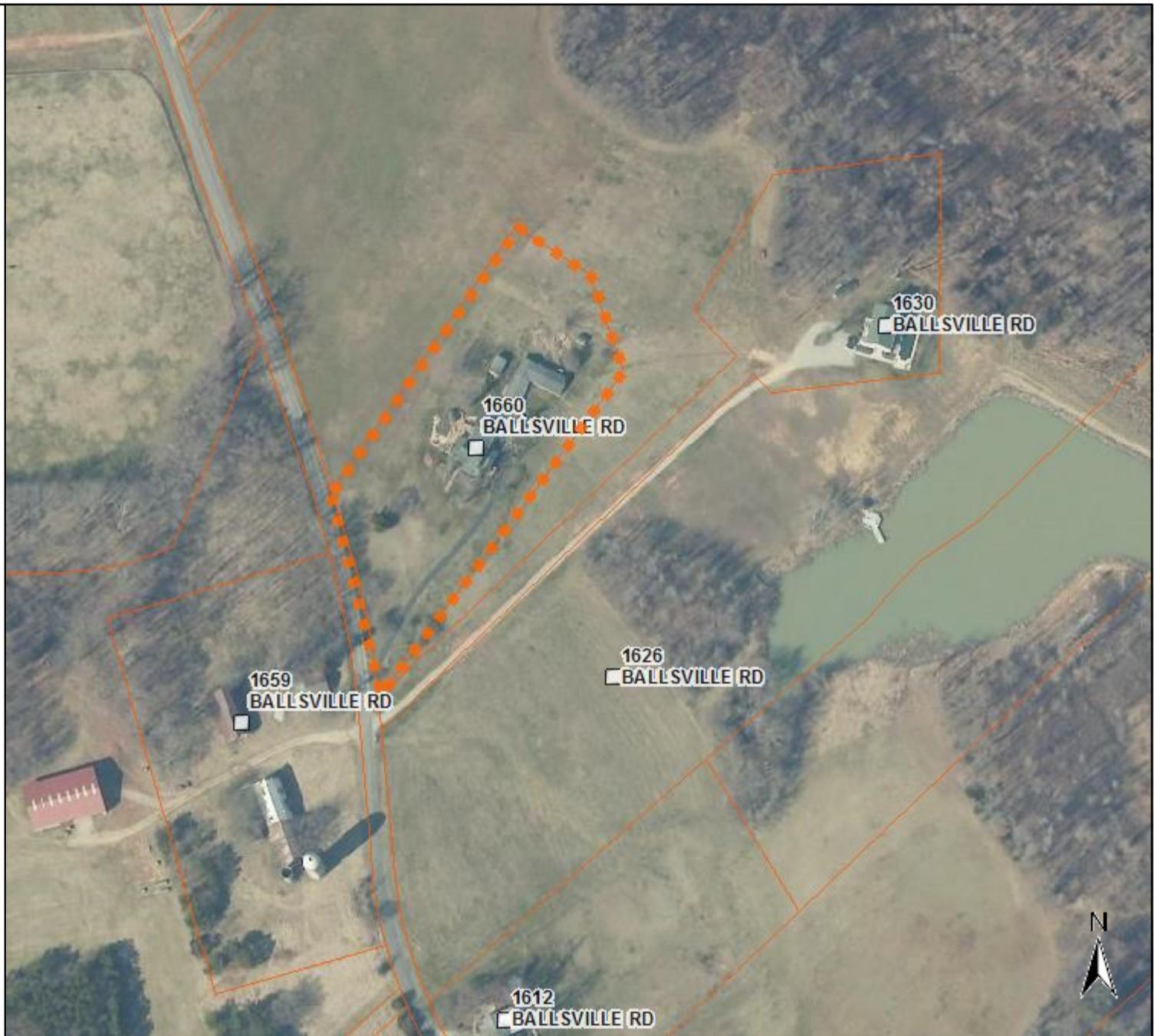
1. Map of the General Area of Proposal

2. Zoning Map of Area
3. Application for Conditional Use Permit submitted by Blanton & Debora Gordon
4. Site Plan
5. Letter from VDOT, dated 6/10/2016
6. List of Adjacent Property Owners
7. Letter to Adjacent Property Owners
8. Affidavit of Mailing

Powhatan County Virginia

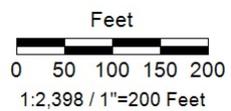
Legend

- Places
- Addresses
- Parcels



Title: 15-11-CUP area map

Date: 11/18/2015

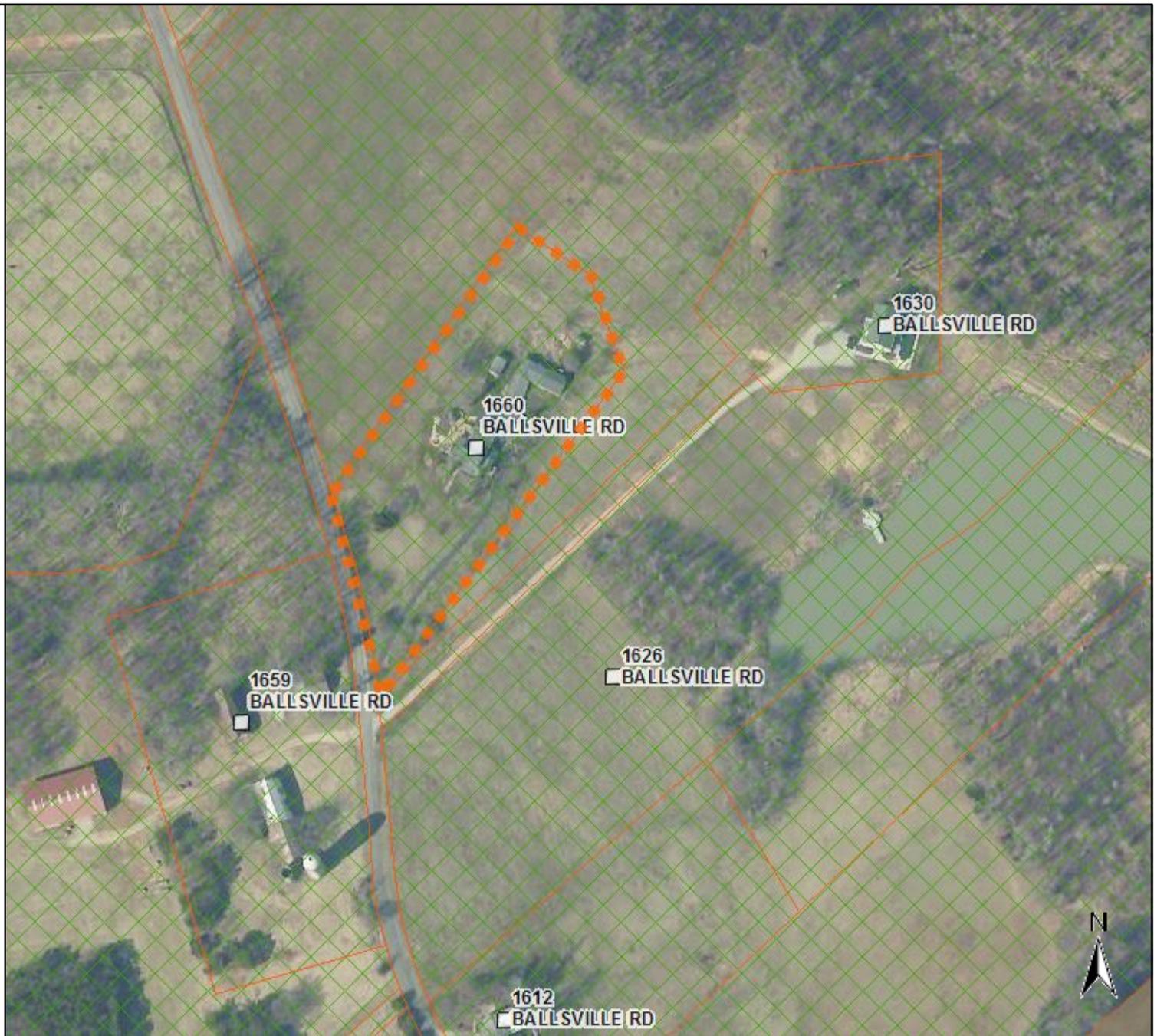


DISCLAIMER: Maps and data are for display purposes only and are not intended for legal uses. No warranty, expressed or implied, is made by the County of Powhatan as to the accuracy of the data.

Powhatan County Virginia

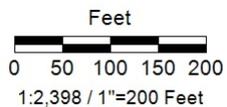
Legend

-  Places
-  Addresses
-  Parcels
- Zoning
 -  Agricultural Forestal District
 -  Agriculture A-10
 -  Agricultural/Animal Confinement
 -  Commercial
 -  Courthouse Square Center
 -  Industrial - 1
 -  Industrial - 2
 -  Mining
 -  Office
 -  Residential - 2
 -  Rural Residential 5
 -  Residential Commercial
 -  Residential Utility
 -  Rural Residential



Title: 15-11-CUP zoning map

Date: 11/18/2015



DISCLAIMER: Maps and data are for display purposes only and are not intended for legal uses. No warranty, expressed or implied, is made by the County of Powhatan as to the accuracy of the data.

**APPLICATION FOR CONDITIONAL USE PERMIT
POWHATAN COUNTY, VIRGINIA**

(NOTE: Please type or print all information)

1. Applicant

NAME: Blanton and Debora Gordon

ADDRESS: 1630 Ballsville Rd.

TELEPHONE: 804-938-2001

Is the applicant the: Property Owner () Contract Purchaser ()
Check appropriate designation

Other:

2. Please list all owners, occupants, or parties in interest of the property:

Blanton Gordon

Debora Gordon

3. The property is located at: (please give exact directions, including Route number of your road or street)

1660 Ballsville Rd.

4. The property has a road frontage of 256 feet and a depth of 440 and consists of acres. (Please be exact)

(THIS SECTION TO BE COMPLETED BY COUNTY STAFF)

Case Number 16-02-CUP
Submittal Deadline 5/6/2016

PC Meeting 7/5/2016
BOS Meeting _____

5. Parcel number 35-17B on Powhatan Real Estate Tax Map Number.

Current Zoning Agricultural.

6. Adjoining Property:

<u>Direction</u>	<u>Zoning</u>
North	<u>Agricultural</u>
East	<u>Agricultural</u>
South	<u>Agricultural</u>
West	<u>Agricultural</u>

7. Describe the proposed use in detail, including the reason for this request for a Conditional Use.

This request is an amendment to condition #14 of 15-06-CUP.

After contacting Rich Michniak, with Chesterfield County, he has agreed to amend our current CUP restriction of no more than 60 events in a year, consisting of 250 guests.

By installing a new public well system and doubling the size of our existing drain field, Mr. Michniak, would allow no more than 500 guests for any given week.

Our request is to have the option to increase our number of events as would be allowed by the changes we are making.

The well has been installed and we are waiting on the engineer's installation design and the state's water test results before we can complete the well installation.

An additional requirement from mr. Michniak is to double the size of our drain field which should be completed by the end of June, depending on weather and the contractor's availability.

WE ALSO LIKE TO HAVE THE CUP UNDER THE
NAME OF "FAIRVIEW FARM HOLDINGS LLC".
THIS WOULD ALLOW OUR CHILDREN THE OPPORTUNITY
TO CONTINUE THE OPERATION IF WE ARE UNABLE
TO PERFORM OUR BUSINESS OBLIGATIONS.

8. Describe any potentially adverse effects (i.e. increased noise, traffic, smells) to adjacent property, surrounding neighborhood(s), or the County in general. Include where applicable, information on the proposed uses effect on public roads, its hours of operation, etc.

There should be little impact since there would be no increase in the number of attendees/event but would allow us to have more events.

STATEMENT FOR VALIDITY OF INFORMATION

Every applicant shall sign the following document to substantiate the validity of submitted information.

State of Virginia
County of Powhatan to wit:

I, Blanton Gordon, declare that I have familiarized myself with the rules and regulation pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.

Signed Blanton Gordon

Print Name BLANTON GORDON

Subscribed and sworn to before me this 4th day of May, 2016.

Aline S. Ownby
Notary Public

ALINE S. OWNBY
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #117465
My Commission Expires 7-31-2019

OWNERSHIP DISCLOSURE

Both the Code of Virginia and the County Zoning Ordinance allow the County to request full disclosure of ownership in properties subject to this request. To assist us in obtaining this information, please complete this form in full.

Please list below the names and addresses of all owners or parties in interest of the land subject to this request:

NOTE: If this request is in the name of a corporation, artificial person, joint venture, trust, or other form of ownership, all officers, directors, and any stock holders owning ten percent or more of such stock must be listed.

NAME ADDRESS (Include Zip Code)

Blanton Gordon
Deborna Gordon

I, Blanton Gordon, do hereby swear and affirm that to the best of my knowledge and belief, the above information is true and that I am the applicant for this request for parcel number(s) _____ of tax map number(s) _____ requesting Rezoning, Conditional Use Permit, and Variance/Appeal. **(Please circle one)**

If the above information changes at any time while this case is being considered, I will provide the County with an updated list.

Blanton Gordon
Signature

STATE OF VIRGINIA
COUNTY OF POWHATAN, to wit:

This day Blanton Gordon personally appeared before me, Aline S Ownby, a Notary Public in and for the County and State aforesaid, and swore or affirmed that the matters stated in the foregoing Ownership Disclosure Affidavit are true to the best of his/her knowledge and belief.

Given under my hand this 4th day of May, 2016.

Aline S Ownby
Notary Public

09112015
CUP
ALINE S. OWNBY
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #117465
My Commission Expires 1-31-2019

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

1. That I/We

Name _____ Telephone _____

Address _____

being all of the owner(s) of the property described as County tax map numbers:

and authorized to take such action, do hereby make, constitute and appoint:

2. Name _____ Telephone _____

Address _____

to act as my/our true and lawful attorney-in-fact for and in my/own name, place and stead with full power and authority I/we would have if acting personally to seek rezoning, conditional use, or variance, and to set forth and offer such legally acceptable voluntarily proffered conditions including any additions, amendments, modifications or deletions thereto that in his discretion are deemed reasonable, appropriate and necessary except as follows:

3. _____

4. In witness whereof, I/we have hereto set my/our hand and seal this

____ day of _____ 20____.

Signature(s)

Signature(s)

Signature(s)

Signature(s)

Witnessed
by: _____

Witnessed
by: _____

NOTE: This document, with original signatures, shall be filed with the application and become a permanent part thereof.

APPLICANT'S PERMISSION FOR INSPECTION OF PROPERTY

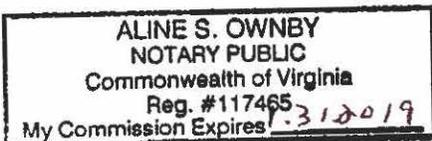
I, BLANTON GORDON, hereby grant access to the Planning Director, Zoning Administrator, or assigns thereof, to enter my property during reasonable hours without prior notice to make inspections as deemed necessary for the evaluation of my application for _____ (Specify type of request – rezoning, conditional use permit, private road, variance, etc.).

Blanton Gordon
Applicant's Signature

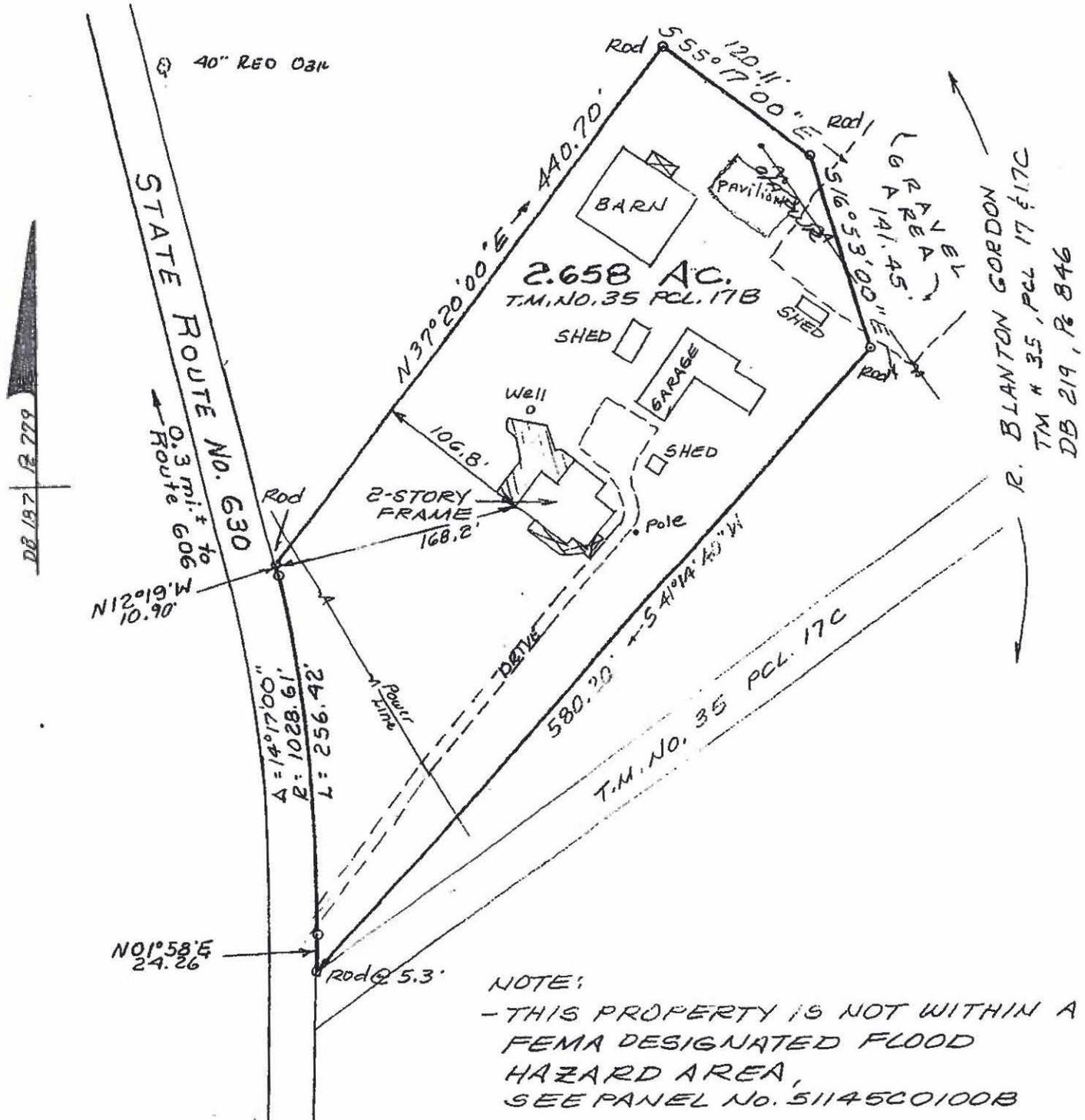
5/4/16
Date

Subscribed and sworn to before me this 4th day of May, 2016.

Alina S. Ownby
Notary Public's Signature



T.M. NO. 35 PCL. 17



NOTE:
 - THIS PROPERTY IS NOT WITHIN A FEMA DESIGNATED FLOOD HAZARD AREA, SEE PANEL No. 51145C0100B
 - ADDRESS:
 1660 BALLSVILLE ROAD



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

RICHMOND DISTRICT
2430 Pine Forest Drive
COLONIAL HEIGHTS, VA 23834
www.VDOT.Virginia.gov

Charles A. Kilpatrick, P.E.
COMMISSIONER

June 10, 2016

David Dameron
Zoning Administrator
Powhatan County Zoning
3834 Old Buckingham Road
Powhatan, Virginia 23139

REFERENCE: **16-02-CUP. Blanton and Debora Gordon**
(Smiths Crossroads/Pineville/Tobaccoville Electoral District)
Date VDOT Received: **05/12/16**

Dear Mr. Dameron:

The Virginia Department of Transportation has reviewed the request submitted for a conditional use permit (CUP) to operate a conference center in Agricultural District per §83-162(34) of the Powhatan County Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Preservation on the Countywide Land Use Plan Map. The property is located at 1660 Ballsville Road and is approximately 2.65 acres in size. Reference to Tax Map Parcel #35-17B.

The Virginia Department of Transportation takes no exception to this request for the identified proposed use of this property. Any modifications to the access point(s) on Ballsville Road will be subject to VDOT review and permitting requirements.

Should you have any questions, or need any additional information, please do not hesitate to contact me at (804) 674-2560, or Brian Lokker at (804) 674-3874.

Sincerely,

A handwritten signature in cursive script that reads 'J.T. Phillippe'.

J.T. Phillippe
Plan Reviewer
VDOT Richmond District
Central Area Land Use

GORDON R BLANTON & DEBORA P
1630 BALLSVILLE ROAD
POWHATAN, VA 23139

FAIRVIEW FARM LLC
1660 BALLSVILLE ROAD
POWHATAN, VA 23139

FAIRVIEW FARM HOLDINGS LLC
1630 BALLSVILLE RD
POWHATAN, VA 23139

BSAF INC
C/O DOUG BRUSH
8066 BARONY WOODS
PITTSFORD, NY 14534

June 21, 2016

The Powhatan County *Planning Commission*, on **July 5, 2016, at 7:00 p.m.** in the **Powhatan Village Building Auditorium, 3910 Old Buckingham Road**, will hold a public hearing taking under consideration the following:

CONDITIONAL USE PERMIT

16-02-CUP. Blanton and Debora Gordon (Smiths Crossroads/Pineville/Tobaccoville Electoral District) request an amendment to 15-06-CUP to operate a conference center in the Agricultural District per §83.162(34) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Preservation on the Countywide Land Use Plan Map. The property is located at 1660 Ballsville Road and is approximately 2.65 acres in size. Reference Tax Map Parcel #35-17B.

As an adjacent property owner, you are being notified of the request. All Planning Commission meetings are open to the public and you are encouraged to attend on the day and time specified above. Copies of the proposed plans, ordinances, or amendments may be reviewed in the Department of Planning and Community Development in the Powhatan County Administration Building between 8:30 AM and 5:00 PM of each business day. Copies of staff reports are available one week prior to the Public Hearing upon request.

If you have any questions or would like more information on the request, please contact the Planning Department at 598-5621.

Sincerely,

Department of Community Development Staff

AFFIDAVIT

CASE #: 16-02-CUP

SECTION #: 35-17B

NAME: Blanton and Debora Gordon

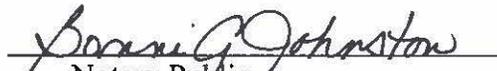
LETTERS MAILED: June 21, 2016

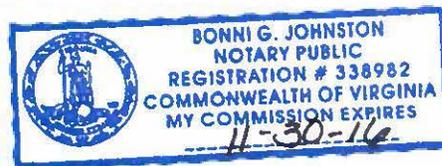
**COMMONWEALTH OF VIRGINIA,
COUNTY OF POWHATAN, to-wit:**

The undersigned affiant, first being duly sworn, states that this affidavit is made pursuant to Va. Code 15.2-2204 to certify that written notice of a pending public hearing on the above case has been sent by first-class mail to the last known address as shown by the current real estates tax assessment books of the owners of each parcel butting and immediately across the street from the affected property.


Signature

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid this day 21 of June, 2016.


Notary Public #338982





16-03-CUP, Blanton & Debora Gordon

Staff Report prepared for the Planning Commission Public Hearing

This report is prepared by the County of Powhatan Department of Community Development Staff to provide information to the Planning Commission and Board of Supervisors to assist in making an informed decision on this matter.

I. PUBLIC HEARINGS:

Planning Commission	July 5, 2016	Public Hearing
Board of Supervisors	July 25, 2016	Public Hearing – Tentative

II. IDENTIFICATION AND LOCATIONAL INFORMATION:

Request:	Conditional Use Permit to operate a country inn	
Existing Zoning:	A-10, Agricultural District	
Parcel Size:	3.46 acres	
Parcel ID#	35-17A	
Owner:	Fairview Farm Holdings LLC	
Location of Property:	1659 Ballsville Road	
Electoral District:	5	Smiths Crossroads/Pineville/Tobaccoville
2010 Land Use Plan Recommendation:	Rural Preservation	
Zoning of Surrounding Property:	North:	A-10
	South:	A-10
	East:	A-10
	West:	A-10

III. EXECUTIVE SUMMARY:

The Applicants, Blanton and Debora Gordon, are requesting approval of a Conditional Use Permit (CUP) to operate a country inn for the lodging of overnight guests on a 3.46-

acre parcel that includes a barn that will be converted into the country inn. The property is located across Ballsville Road from Fairview Farm.

A country inn is listed as a conditional use in the A-10 Agricultural District and the definition is as follows:

Country Inn – A business operated in one or more structures which offers overnight accommodations of up to twenty (20) rooms and may contain a full-service restaurant providing meals to guests and the general public with seating for no more than fifty (50) guests, meeting rooms, and banquet/event facilities; and may include related accessory uses such as an antique or gift shop, sale of baked, packaged or canned food products prepared on the premises, and recreational uses for the sole use of guests at the inn. The owner may or may not live on the premises.

Per §83.162(49) of the Zoning Ordinance, conference centers are allowed by Conditional Use Permit (CUP) within the A-10 Agricultural District provided the use complies with all applicable requirements as listed in the Powhatan County Zoning Ordinance.

The Applicants currently operate a conference center and country inn (05-06-CUP) on parcel 35-17B across from this lot. The requested use of a country inn will complement the existing uses.

IV. APPLICABLE CODE SECTIONS:

The provisions of the Zoning Ordinance that are germane to this conditional use request are as follows:

Section 83-123(F) (4) - Conditional Use Permit Review Standards

A Conditional Use Permit shall be approved if the applicant demonstrates the proposed conditional use:

- a) Is consistent with the purposes, goals, objectives, and policies of the comprehensive plan and other applicable county-adopted plans;
- b) Complies with all applicable zoning district-specific standards in **Articles III through VI**;
- c) Complies with all applicable use-specific standards **Article VII: Use Standards**;
- d) Complies with all applicable development and design standards in **Article VIII: Development Standards**;

- e) Complies with all relevant subdivision and infrastructure standards in **Chapter 68: Subdivisions** of the **Powhatan County Code**;
- f) Is appropriate for its location and is compatible with the general character of surrounding lands and the uses allowed in the zoning district where proposed;
- g) Adequately screens, buffers, or otherwise minimizes adverse visual impacts on adjacent lands;
- h) Avoids significant adverse odor, noise, glare, and vibration impacts on surrounding lands regarding refuse collection, service delivery, parking and loading, signs, lighting, and other site elements;
- i) Avoids significant deterioration of water and air resources, scenic resources, and other natural resources;
- j) Maintains safe and convenient ingress and egress and traffic flow onto and through the site by vehicles and pedestrians, and safe road conditions around the site;
- k) Complies with all other relevant county, state and federal laws and standards; and
- l) Is required by the public necessity, convenience, general welfare, or good zoning practice.

Section 83-123(F) (5) - Expiration

A Conditional Use Permit shall expire in accordance with any expiration date or provisions in a condition of its approval. A Conditional Use Permit shall automatically expire if a Building Permit, Site Plan, or other county approval, whichever occurs first, for the development granted by the Conditional Use Permit, is not obtained within two (2) years after the date of approval of the Conditional Use Permit, or if no subsequent county approval is required, the development is not completed and operational within two (2) years.

V. SUBJECT PROPERTY:

The subject property is a 3.46-acre parcel that includes a barn that will be converted into the country inn. The property is surrounded by A-10 Agricultural zoned properties to the east, west, north, and south.



VI. LAND USE ANALYSIS:

The existing barn to the right of the driveway will be converted for use as a country inn to support the activities on parcel 35-17B, which is used as a wedding venue and country inn. The property has an existing driveway that provides access to Ballsville Road.



VII. COMPREHENSIVE PLAN ANALYSIS:

The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Preservation on the Countywide Land Use Plan Map. This request is generally consistent with the Comprehensive Plan, and specifically supports Objective #7 for Economic Development to “promote environmentally sensitive tourism that attracts visitors from outside the county” through “...tourism based businesses to create an array of attractive destinations in the county.”

VIII. PUBLIC SERVICE ANALYSIS:

Environmental:

Shaun Reynolds (Powhatan County Community Development) has no concerns with this request.

Public Safety:

Pat Schoeffel (Powhatan County Fire Department) had no comments on this request.

Virginia Department of Health:

Richard Michniak (VDH) had no comments on this request:

Transportation:

The Virginia Department of Transportation had no objection to this request.

Public Utilities:

Johnny Melis (Powhatan Utilities/General Services) stated that the parcel is outside of the County’s Water and Wastewater Service District.

Other County Departments:

No comments were received from other agencies or County Departments.

IX. APPLICANT’S POSTIONS:

The applicant’s justification for the proposed request is contained in the application.

X. STAFF RECOMMENDATION:

In accordance with public necessity, convenience, general welfare and good zoning practice, Staff recommends the following conditions if the Planning Commission approves the request submitted by Blanton and Debora Gordon to operate a country inn at 1659 Ballsville Road:

Conditions:

1. The Applicant shall consent to annual administrative inspections by Planning Department Staff for compliance with the requirements of this CUP.
2. The Applicant shall sign the list of the adopted conditions for this CUP signifying acceptance and intent to comply with these conditions.
3. Failure to comply with the conditions of this CUP may result in the issuance of a Notice of Violation (NOV) by the Zoning Administrator. The Zoning Administrator may present this CUP to the Board of Supervisors for revocation if the NOV is not resolved as directed. Upon issuance of a third NOV of the permit, and failure of the permit holder to appeal to the Board of Zoning Appeals, the Zoning Administrator shall present the CUP to the Board of Supervisors for revocation.
4. All activities associated with this CUP shall be in compliance with all State and Federal laws. The site shall fully comply with all applicable provisions of Section 83-162 of the Powhatan County Zoning Ordinance throughout the life of this CUP.
5. This conditional use permit (CUP) shall be issued to Fairview Farm Holdings LLC to operate a country inn on the lots.
6. No amplified music outside shall be permitted in connection with any activity associated with the country inn.
7. All lighting shall be placed, shielded, and directed in a manner that does not shine onto, or be intrusive upon, adjoining properties.
8. There shall be no use of dumpsters for garbage disposal storage. Any refuse receptacle shall be placed in a position that shields it from public view.
9. Address numbers need to be a minimum of four (4) inches in height, reflective, and located so they are highly visible from both directions on Route 630.
10. The country inn will observe quiet hours overnight from 11pm to 7am.

XI. PROPOSED RESOLUTION:

In accordance with Section 83-123(F)(4), of the Powhatan Zoning Ordinance, and public necessity, convenience, general welfare and good zoning practice, the Planning Commission recommends (*approval / denial / deferral*) of the request submitted by Blanton and Debora Gordon to operate a country inn at 1659 Ballsville Road subject to the conditions presented above.

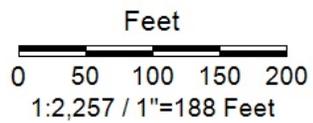
Attachment(s):

1. Map of the General Area of Proposal
2. Zoning Map of Area
3. Application for Conditional Use Permit submitted by Blanton & Debora Gordon
4. Letter from VDOT, dated 6/10/2016
5. List of Adjacent Property Owners
6. Letter to Adjacent Property Owners
7. Affidavit of Mailing

Powhatan County

Legend

-  County Boundary
-  Places
-  Addresses
-  Parcels



Title: 16-03-CUP Area Map

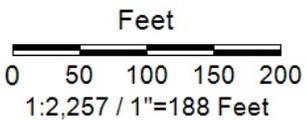
Date: 6/28/2016

DISCLAIMER: ALL INFORMATION DEPICTED ON THIS MAP SHALL BE TREATED AS CONFIDENTIAL INFORMATION AND SHALL ONLY BE USED FOR THE SOLE PURPOSE FOR WHICH IT WAS PROVIDED. ANY OTHER USE OF THIS MAP, OR THE INFORMATION INCLUDED THEREON, IS STRICTLY PROHIBITED. THE DATA SHOWN ON THIS MAP IS FOR INFORMATION PURPOSES ONLY. THIS MAP MAY NOT BE COPIED OR OTHERWISE MADE AVAILABLE TO ANY OTHER PARTY IN PAPER OR ELECTRONIC FORMAT.

Powhatan County

Legend

-  County Boundary
-  Places
-  Addresses
-  Parcels
- Zoning**
-  Agriculture A-10
-  Agricultural/Animal Confinement
-  Commercial
-  Courthouse Square Center
-  Industrial - 1
-  Industrial - 2
-  Mining
-  Office
-  Residential - 2
-  Rural Residential 5
-  Residential Commercial
-  Residential Utility
-  Rural Residential



Title: 16-03-CUP Zoning Map

Date: 6/28/2016

DISCLAIMER: ALL INFORMATION DEPICTED ON THIS MAP SHALL BE TREATED AS CONFIDENTIAL INFORMATION AND SHALL ONLY BE USED FOR THE SOLE PURPOSE FOR WHICH IT WAS PROVIDED. ANY OTHER USE OF THIS MAP, OR THE INFORMATION INCLUDED THEREON, IS STRICTLY PROHIBITED. THE DATA SHOWN ON THIS MAP IS FOR INFORMATION PURPOSES ONLY. THIS MAP MAY NOT BE COPIED OR OTHERWISE MADE AVAILABLE TO ANY OTHER PARTY IN PAPER OR ELECTRONIC FORMAT.

**APPLICATION FOR CONDITIONAL USE PERMIT
POWHATAN COUNTY, VIRGINIA**

(NOTE: Please type or print all information)

1. Applicant

NAME: Blanton and Debora Gordon

ADDRESS: 1630 Ballsville Rd.

TELEPHONE: 804-938-2001

Is the applicant the: Property Owner () Contract Purchaser ()
Check appropriate designation

Other:

2. Please list all owners, occupants, or parties in interest of the property:

Blanton Gordon

Debora Gordon

3. The property is located at: (please give exact directions, including Route number of your road or street)

1659 Ballsville Rd.

4. The property has a road frontage of 848 feet and a depth of 276 and consists of acres. (Please be exact) 3.468

(THIS SECTION TO BE COMPLETED BY COUNTY STAFF)

Case Number 16-03-CUP

Submittal Deadline 5/6/2016

PC Meeting 7/5/2016

BOS Meeting _____

STATEMENT FOR VALIDITY OF INFORMATION

Every applicant shall sign the following document to substantiate the validity of submitted information.

State of Virginia
County of Powhatan to wit:

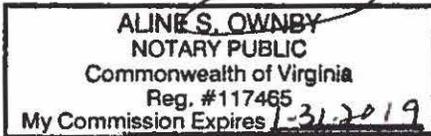
I, BLANTON GORDON, declare that I have familiarized myself with the rules and regulation pertaining to preparing and filing this application. I further declare that the foregoing statements and answers provided throughout the various sections of this application are in all respects true and correct to the best of my knowledge and belief.

Signed Blanton Gordon

Print Name BLANTON GORDON

Subscribed and sworn to before me this 4~~th~~ day of May, 2016.

Aline S. Ownby
Notary Public



OWNERSHIP DISCLOSURE

Both the Code of Virginia and the County Zoning Ordinance allow the County to request full disclosure of ownership in properties subject to this request. To assist us in obtaining this information, please complete this form in full.

Please list below the names and addresses of all owners or parties in interest of the land subject to this request:

NOTE: If this request is in the name of a corporation, artificial person, joint venture, trust, or other form of ownership, all officers, directors, and any stock holders owning ten percent or more of such stock must be listed.

NAME ADDRESS (Include Zip Code)

Blanton Gordon

Debora Gordon

I, Blanton Gordon, do hereby swear and affirm that to the best of my knowledge and belief, the above information is true and that I am the applicant for this request for parcel number(s) 35-17A of tax map number(s) _____ requesting Rezoning, Conditional Use Permit, and Variance/Appeal. **(Please circle one)**

If the above information changes at any time while this case is being considered, I will provide the County with an updated list.

Blanton Gordon

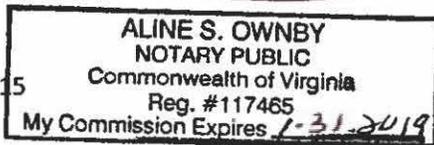
Signature

STATE OF VIRGINIA
COUNTY OF POWHATAN, to wit:

This day 4th day May 2016 Blanton Gordon personally appeared before me, Aline S Ownby a Notary Public in and for the County and State aforesaid, and swore or affirmed that the matters stated in the foregoing Ownership Disclosure Affidavit are true to the best of his/her knowledge and belief.

Given under my hand this 4th day of May, 2016.

Aline S Ownby
Notary Public



09112015
CUP

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

1. That I/We

Name BLANTON GORDON Telephone 938-2001
Address 1630 BALLSVILLE RD
Name DEBORAH GORDON Telephone _____
Address SAME
Name _____ Telephone _____
Address _____
Name _____ Telephone _____
Address _____

being all of the owner(s) of the property described as County tax map numbers:

35-17A

and authorized to take such action, do hereby make, constitute and appoint:

2. Name BLANTON GORDON Telephone _____
Address SAME AS ABOVE

to act as my/our true and lawful attorney-in-fact for and in my/own name, place and stead with full power and authority I/we would have if acting personally to seek rezoning, conditional use, or variance, and to set forth and offer such legally acceptable voluntarily proffered conditions including any additions, amendments, modifications or deletions thereto that in his discretion are deemed reasonable, appropriate and necessary except as follows:

3. _____

4. In witness whereof, I/we have hereto set my/our hand and seal this

____ day of _____ 20____.

Signature(s)

Signature(s)

Signature(s)

Signature(s)

Witnessed
by: _____

Witnessed
by: _____

NOTE: This document, with original signatures, shall be filed with the application and become a permanent part thereof.

APPLICANT'S PERMISSION FOR INSPECTION OF PROPERTY

I, Blanton Gordon, hereby grant access to the Planning Director, Zoning Administrator, or assigns thereof, to enter my property during reasonable hours without prior notice to make inspections as deemed necessary for the evaluation of my application for _____ (Specify type of request – rezoning, conditional use permit, private road, variance, etc.).

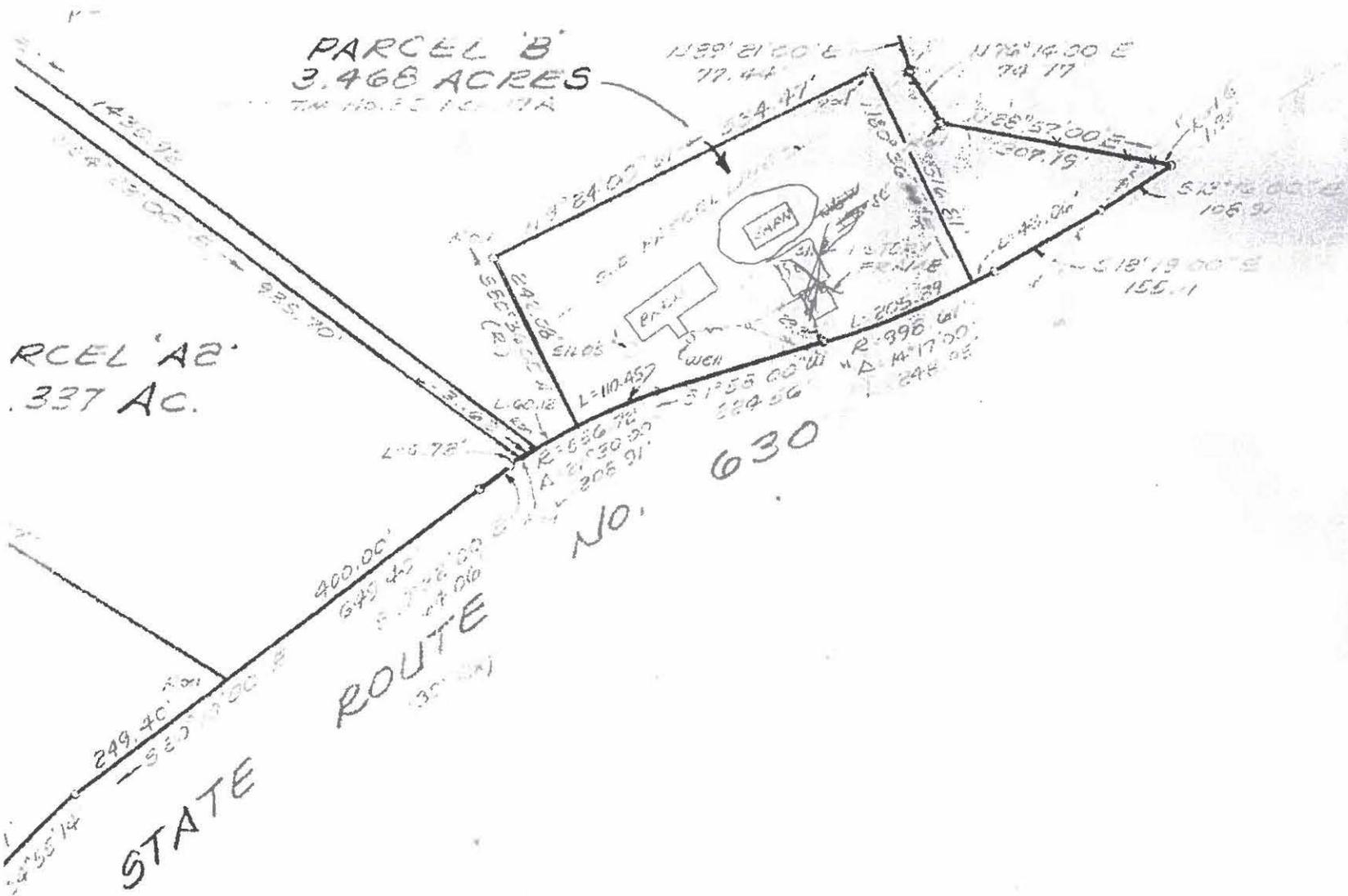
Blanton Gordon
Applicant's Signature

5/4/16
Date

Subscribed and sworn to before me this 4th day of May, 2016.

Aline S. Ownby
Notary Public's Signature

ALINE S. OWNBY
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #117465
My Commission Expires 31-2019



PLAT SHOWING 5 PARCELS
OF LAND LYING ON THE WEST
LINE OF STATE ROUTE NO. 630

MACON DISTRICT - ROWAN COUNTY, VA.



COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

RICHMOND DISTRICT
2430 Pine Forest Drive
COLONIAL HEIGHTS, VA 23834
www.VDOT.Virginia.gov

Charles A. Kilpatrick, P.E.
COMMISSIONER

June 10, 2016

David Dameron
Zoning Administrator
Powhatan County Zoning
3834 Old Buckingham Road
Powhatan, Virginia 23139

REFERENCE: **16-03-CUP. Blanton and Debora Gordon**
(Smiths Crossroads/Pineville/Tobaccoville Electoral District)
Date VDOT Received: **05/12/16**

Dear Mr. Dameron:

The Virginia Department of Transportation has reviewed the request submitted for a conditional use permit (CUP) to operate a country inn in the Agricultural District per §83-162(49) of the Powhatan County Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Preservation on the Countywide Land Use Plan Map. The property is located at 1659 Ballsville Road and is approximately 3.46 acres in size. Reference to Tax Map Parcel #35-17A.

The Virginia Department of Transportation takes no exception to this request for the identified proposed use of this property. Any modifications to the access point(s) on Ballsville Road will be subject to VDOT review and permitting requirements.

Should you have any questions, or need any additional information, please do not hesitate to contact me at (804) 674-2560, or Brian Lokker at (804) 674-3874.

Sincerely,

A handwritten signature in cursive script that reads 'J.T. Phillippe'.

J.T. Phillippe
Plan Reviewer
VDOT Richmond District
Central Area Land Use

GORDON R BLANTON & DEBORA P
1630 BALLSVILLE ROAD
POWHATAN, VA 23139

FAIRVIEW FARM LLC
1660 BALLSVILLE ROAD
POWHATAN, VA 23139

FAIRVIEW FARM HOLDINGS LLC
1630 BALLSVILLE RD
POWHATAN, VA 23139

BSAF INC
C/O DOUG BRUSH
8066 BARONY WOODS
PITTSFORD, NY 14534

June 21, 2016

The Powhatan County *Planning Commission*, on **July 5, 2016, at 7:00 p.m.** in the **Powhatan Village Building Auditorium, 3910 Old Buckingham Road**, will hold a public hearing taking under consideration the following:

CONDITIONAL USE PERMIT

16-03-CUP. Blanton and Debora Gordon (Smiths Crossroads/Pineville/Tobaccoville Electoral District) request a conditional use permit (CUP) to operate a country inn in the Agricultural District per §83.162(49) of the Zoning Ordinance. The 2010 Long-Range Comprehensive Plan designates the subject property as Rural Preservation on the Countywide Land Use Plan Map. The property is located at 1659 Ballsville Road and is approximately 3.46 acres in size. Reference Tax Map Parcel #35-17A

As an adjacent property owner, you are being notified of the request. All Planning Commission meetings are open to the public and you are encouraged to attend on the day and time specified above. Copies of the proposed plans, ordinances, or amendments may be reviewed in the Department of Planning and Community Development in the Powhatan County Administration Building between 8:30 AM and 5:00 PM of each business day. Copies of staff reports are available one week prior to the Public Hearing upon request.

If you have any questions or would like more information on the request, please contact the Planning Department at 598-5621.

Sincerely,

Department of Community Development Staff

AFFIDAVIT

CASE #: 16-03-CUP

SECTION #: 35-17A

NAME: Blanton and Debora Gordon

LETTERS MAILED: June 21, 2016

**COMMONWEALTH OF VIRGINIA,
COUNTY OF POWHATAN, to-wit:**

The undersigned affiant, first being duly sworn, states that this affidavit is made pursuant to Va. Code 15.2-2204 to certify that written notice of a pending public hearing on the above case has been sent by first-class mail to the last known address as shown by the current real estates tax assessment books of the owners of each parcel butting and immediately across the street from the affected property.

Nancy Batterson
Signature

Sworn and subscribed to before me a Notary Public in and for the jurisdiction aforesaid this day 21 of June, 2016.

Bonni G. Johnston
Notary Public #338982



An Ordinance amending and reenacting provisions contained in Section 83-162, Conditional Uses, of Article III, Rural Districts, of the Zoning Ordinance of the County of Powhatan.

BE IT ORDAINED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF POWHATAN that Section 83-162, of the Zoning Ordinance of the County of Powhatan, is amended and reenacted as follows:

ARTICLE III – RURAL DISTRICTS

Sec. 83-160. – Agricultural-10 (A-10) District.

Sec. 83-162. - Conditional uses.

The following uses are allowable as principal uses in the A-10 District only on approval of a conditional use permit and subject to any referenced use-specific standards and all other applicable regulations of this chapter:

- (1) Farm winery, special impact;
- (2) Horse racetrack or show grounds;
- (3) Livestock market;
- (4) Sawmill, commercial;
- (5) Farm worker housing;
- (6) Manufactured home park;
- (7) Assisted living facility;
- (8) Continuing care retirement community;
- (9) Hospice facility;
- (10) Rooming or boarding house;
- (11) Telecommunications tower;
- (12) Community center;
- (13) Museum;
- (14) College or university;
- (15) Private school;
- (16) Vocational or trade school;
- (17) Correctional facility;
- (18) Fire training facility;
- (19) Nursing home;

- (20) Cemetery;
- (21) Club or lodge;
- (22) Halfway house;
- (23) Shelter for victims of domestic violence;
- (24) Airport;
- (25) Helicopter landing facility;
- (26) Solar energy farm;
- (27) Utility use, major;
- (28) Animal grooming;
- (29) Animal shelter;
- (30) Pound;
- (31) Kennel, commercial;
- (32) Kennel, private, less than two acres;
- (33) Veterinary clinic;
- (34) Conference or training center;
- (35) Country club;
- (36) Fairground;
- (37) Golf course;
- (38) Marina, commercial;
- (39) Recreation facility, commercial indoor;
- (40) Recreation facility, commercial outdoor;
- (41) Recreation facility, nonprofit;
- (42) Shooting range, commercial;
- (43) Antique store;
- (44) Art gallery;
- (45) Auction facility;
- (46) Farmers' market;
- (47) Flea market;
- (48) Campground/recreational vehicle park;
- (49) Country inn;
- (50) Commercial landscaping operation;
- (51) Asphalt or concrete plant;
- (52) Brewery or distillery;
- (53) Micro brewery or micro distillery;

- (54) Winery;
- (55) Convenience center, county;
- (56) Heavy Equipment/Vehicle Repair.

In all other respects said Zoning Ordinance of the County of Powhatan shall remain unchanged and be in full force and effect.

APPROVED BY THE POWHATAN COUNTY BOARD OF SUPERVISORS ON XXXX XX, 2016.

William E. Melton, Chairman
Powhatan County Board of Supervisors

ATTEST:

Patricia Weiler, Clerk
Powhatan County Board of Supervisors

Recorded Vote:

David T. Williams	_____
Larry J. Nordvig	_____
Angela Y. Cabell	_____
William E. Melton	_____
Carson L. Tucker	_____