

MINUTES
PAGE COUNTY PLANNING COMMISSION
August 14, 2018

Members Present

Bernie Miller, District 1	Paul Otto, District 1
Donnie Middleton, District 2	Steve Atkins, District 2
James Holsinger, Secretary, District 4	Duane Painter, District 4
Craig Lancto, District 5	Jonathan Comer, Chairman, District 5

Members Absent

James Turner, District 3	Keith Weakley, Vice Chairman, District 3
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Staff Present

Tracy Clatterbuck
Nathan Miller, County Attorney

Call to Order

Chairman Comer called the August 14, 2018, Page County Planning Commission regular meeting to order in the Board of Supervisors Room at the Page County Government Center, 103 S Court Street, Luray, Virginia, at 7:00 p.m. The call to order was followed by *The Pledge of Allegiance* and a *Moment of Silence*.

Adoption of Agenda

Mr. Otto made a motion to accept the agenda as presented. The motion was seconded by Mr. Miller. The motion passed unanimously.

Public Hearing

None

Citizen Comments on Agenda Items

Chairman Comer requested that the citizen comments be kept as brief as possible so that the commission could get through the items on the agenda.

Wendy Brown- Ms. Brown stated she would be against a solar farm if she didn't know what she knew about climate change. There are flooding, fires, and droughts happening all around us. The most important thing she would like to impress upon the commissioners is that this is a serious problem that is coming our way. That's why there is a push from political leaders. There was a 65% increase in solar jobs in Virginia from 2014-2016. We could be making lots of money from this venture in the county. This could provide a lot of skilled and unskilled job opportunities during construction. She stated she couldn't understand how Republicans could say they are for business on people's property. Landowners should be able to do what they want on their own land. She suggested the public start to think about the children who live around coal-powered plants. Think about the money residents could have in their pockets from employment. This is not about your view and your property. This should be about what this does for Virginia and the rest of the world. The Shenandoah National Park does the most research in the country on air quality. They have complained for years about coal powered plants and how they are affecting our views. Now, all of a sudden they are concerned with what will appear to be a body of water in the distance.

Perry Rule- Mr. Rule stated he lived adjacent to one of the properties being considered for a solar farm. Six years ago he purchased land and built a home. He described his views as breathtaking. Tourist are always taking pictures of the cows in the fields. A solar farm doesn't belong here. It belongs out of sight. He asked

who benefits from this eyesore. Adjacent property owners did not buy their land to look at solar panels. Nor did the families that have lived here for many generations. He is against any permits being issued in the proposed areas. The panels will need to be cleaned which could affect his water source. He said that a solar farm will decrease the value of not only his home but other adjacent property owners as well.

Rolf Gubler- Mr. Gubler stated he has lived in Page County for about 30 years. He said that he is opposed to the Cape Solar project mainly because it goes against the Page County Comprehensive Plan. He referred to the following items in the Comp Plan: natural heritage, protection of open space, ecology, and character, visual appeal of Page County, and the agriculture protection tier. This will have a negative impact on tourism, he said. The PC needs to take a step back and develop a renewable energy policy.

New Business

A. Adoption of Minutes- July 10 2018 and July 24, 2018

Mr. Lancto made a motion to approve the July 10 and 24, 2018 minutes as presented. The motion was seconded by Mr. Holsinger. The motion passed unanimously.

Unfinished Business

A. Cape Solar, LLC & Dogwood Solar, LLC Special Use Permits

Mr. Burden began by stating that Jessica Berger, Project Manager; Dan (last name unknown), from Timmons Group; and Frank Depew, owner of Urban Grid; were present and Mr. Depew would begin the discussion. Mr. Depew stated one of the concerns voiced in the past was how this could affect existing transmission lines. The feasibility study from PJM has been completed, and no network or system upgrades are required. The only disturbance to the lines will be the building of a substation on the Cape Solar project site and the interconnection directly to the distribution line at Dogwood. Copies of the report were provided to all commissioners. In addition, Urban Grid is preparing a binder which will have all of the information concerning questions raised by the commission and concerns raised by the public.

Mr. Depew also addressed the question of where the energy goes. He reviewed a visual describing the site/electricity layout. He explained that electricity follows the path of least resistance. The energy from these systems is first used in the area around the plant and later it may find its way its way to other places. In some localities, you hear where Amazon or Apple claims the power generated from the facility. What happens with this is that all the electricity is sold into the grid. Amazon will help support the project by buying solar credits which make the project financially viable. It's not energy that is going only to them, it's just that they helped put it on the grid financially.

He concluded with the observation that in Virginia, Maryland, and the Mid-Atlantic panels are not washed. They are only washed in the desert or Georgia where there is not a lot of grass. General rainfall cleans the panels in Virginia.

Mr. Burden stated there had been much discussion about taxes in the last meetings. There are tax benefits coming to the county from several angles, he said. In the Cape project- 5 years of rollback taxes, annual tax revenue of the land to be used for solar, and equipment tax installed on the property. They are estimating the following:

Rollback	Current Annual Tax Revenue	Estimated Annual Equipment & Real Estate
\$116,196.86	\$2841	\$187,000 year one
35 year estimate	\$99,435	\$4,471,591

Mr. Bernie Miller asked if the Commissioner of Revenue's Office has signed off on the above listed figures. Mr. Burden stated they had received the figures from the county regarding the rollback tax and the annual real estate tax going forward. As far as the equipment tax is concerned, the estimate is based on the personal property equipment value, which is set by the State Corporation Commission. Mr. Depew stated they have only used the 1% escalator for these numbers. They looked at eight counties in Virginia with solar projects and found that their assessed value per acre is about \$15,000 per acre for solar. They have based these numbers on 56% of the total cost to construct this project. They are trying to be conservative with the numbers. They would be happy to enter into a pilot program which paid at least that much and if you are entitled to more than that is what the County would receive. They don't have any qualms about that number. On the Dogwood project, the state exempts 100% of the tax on equipment. Urban Grid doesn't think that is fair. They would be happy to enter a pilot program which paid 1/5 of what Cape pays.

Ms. Berger presented rendered photos of the Cape Solar and Dogwood Solar projects as requested by the commission. The photos will be provided in the binders. Mr. Lancto asked how tall the trees would be when planted. Ms. Berger replied 3-4 feet. They pick evergreen trees that will grow between 12-24 inches per year. Mr. Painter asked if the security fence would be similar to the one at the airport and at the fairgrounds and Ms. Berger confirmed. Mr. Depew noted this is what is currently being proposed but they are open to discussing buffering options related to spacing, species, etc. There are ways to get the buffer up faster and they are open to working with the county on ideas.

He continued to say these panels appear like a lake or pond when flying over and they do not reflect light but rather absorb light. Mr. Depew stated there would be very little grading required for these sites because they are some of the better sites in Virginia. Mr. Painter stated the rendering of the panels look uniform. Mr. Depew said these will be panels that can tilt on a tracking system.

Mr. Painter asked how quickly they recouped the startup cost for each project. Mr. Depew said that the Cape Project would be roughly a one hundred million dollar project. It costs a lot to get the project approved. 60% will be equipment and the rest will be labor. These projects typically produce about a 6.5 % return over the 35 years. Federal tax credits of about thirty million dollars actually come back through tax credits and there is accelerated depreciation. There is a fair amount of cash flow up front which is generally handled by tax equity investors. Mr. Miller asked regarding the tax revenue, what if this is sold to a utility. How will they be bound to pay? Mr. Depew stated they pay the same tax revenue.

Mr. Otto stated there had been a lot of environmental and economic concerns expressed about these projects. He asked whether Urban Grid would be willing to furnish copies of the environmental impact statement and to provide an economic impact study for these projects. Mr. Depew stated that they are going to provide documentation related to the safety of the equipment in the binders. They have only done environmental studies on the sites, not the solar panels, because they don't want to put one of these facilities on a hazardous waste site. There are fourteen studies they have to go through with DEQ. They can provide information on economic benefits to these projects. They will be discussing job opportunities at the next meeting. Mr. Otto said that it sounded as if they would not be able to get a full blown, third party economic impact and environmental study. These projects can't happen if they don't meet DEQ requirements. Mr. Otto stated they have been asking the PC to take a lot based on faith. The county has no experience with his company or solar projects, and he feels it's asking too much, so the more independent information provided, the better an informed decision can be made.

Mr. Miller asked about the transmission line capacity. What is capability on the transmission lines? Mr. Depew pointed out that the feasibility studies have been completed and provided to the commission. In

order to maintain reliability of the system, they do extensive studies on what the lines can take. These lines can easily handle these projects with no upgrades required. Mr. Miller stated he was not an engineer and didn't understand the report. Mr. Depew stated it was a transparent process and they would attempt to set up a phone call with the person at PJM who completed this study. Mr. Miller requested it in plain written English rather than engineer terms.

Regarding the substantially-in accord requirement, Mr. Burden said that, the comp plan calls itself a tool for managing change such as roads, housing, etc. The county took a stand against that kind of sprawl. Solar farms do not eat up farmland. The land can be returned to its original use at the end of the project life. The equipment will be removed as governed by the decommissioning plan. The farmland will be there. Nothing is lost. The comp plan was not put in place to keep the County from moving forward, as it says it in the preamble. The comp plan doesn't say the county doesn't change. Trends come along such as solar farms. These will not turn the county into a land of subdivisions or require emergency service. This will preserve the agriculture land. It is hard to make the argument that solar energy is not going to be an ever-increasing share of the energy supply of this county, state, Page County. The law enabling comp plans says the comp plan shall be made with the purpose of guiding and accomplishing a coordinated, justified, and harmonious development in the territory in accordance with the future probable needs and resources of the county. It speaks of trends of growth and possible future requirements of its inhabitants. The comp plan law has the future in mind and, Mr. Burden said that he is certain that the citizens of Page County had that in mind when they enacted the comp plan.

Chairman Comer asked if the commissioners had any further comments for the applicants. Mr. Atkins requested that the buffering be added into the conditions of the permit for Old Farms subdivision and possibly Parkview Estates subdivision.

B. Comp Plan Committee Report

Mr. Otto stated that the committee continues to work on chapter seven of the plan. Through the efforts of the GIS, the county now has a land use map that will be included in the new plan. Mr. Lancto asked if the upcoming comp plan addressed renewable energy. Mr. Otto stated they had not got that far yet.

C. Subdivision Committee Report

No report

Open Citizen Comment Period

Margaret Stevenson- Mrs. Stevenson stated she had heard many people say that farmers should be able to do what they want with their land, until what they want to do affects adjoining water supplies. These panels contain material that, she claimed, cause cancer. They would not be able to use their water. Could they live and survive in their homes if these projects are approved?

Jennifer Flynn- Ms. Flynn reminded the commission the Shenandoah National Park was established for the scenic and recreational values it holds. There was a desire to have a park cut in the western cut here on the eastern seaboard. The location here in the Blue Ridge was heavily advocated for by businesses and local communities. They have been a partner and neighbor for over 80 years. They are in it for perpetuity. This is not a passing moment. They have been concerned about air quality for a very long time. They are a Class One Air shed which provides special protection by the federal law, and by protecting the park it protects our communities. She has been challenged by members of the public and staff on why they are worrying so much about view shed when we should be worried about air quality. She offered it was not a one or the other. What they know is there will be view shed impacts from the park if these projects move forward. What

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we don't know is there would be a relative offset for coal powered plants that would improve the valley. There would be green energy added to the system. But there is no guarantee that there would be a tradeoff that would reduce any of the greenhouse gas emitting electric plants in response to that. She would ask that the commissioners weigh what they do know, and that is that the view shed will be impacted. We know that many people come to look out over the valley. They know through an annual study that is done by a private university that the park brings ninety six million dollars of economic impact to the communities that surround us. Twelve hundred people are employed because of those visitors. Three hundred are employed by the park, and three hundred more are employed by Delaware North. Those are the things that they do know.

Rod Graves- Mr. Graves stated that Luray Caverns has been around 140 years this Monday, which mattered a lot to him. He stated he couldn't move his business if these solar projects screw this up. It was his opinion that it would do irrevocable harm to this community because solar power development is not going to stop. He is a supporter of solar energy but the scale is the problem here. View sheds matter in Page County and shouldn't be taken lightly. We can turn this into a positive; not a negative. Some things are not appropriate everywhere like Page County. Be careful not to make hasty decisions like in the past with the landfill. Your decisions will have consequences, he warned the PC. Compared to tourism, the figures are low. Some things are priceless and you can't buy what we have in Page County.

Kris Garrett- Mrs. Garrett pointed out she operated a massage business in Page County. Almost every tourist-client she has tells her how lucky she is to live in such a beautiful place. Right before she left Pennsylvania, she fought against a 327-acre developer in which they won. One of the things they did was the applicant brought in all these forms and documents to the Board of Supervisors. They, as an opposing group, hired an attorney, and hired people to do their own studies specifically related to wetlands, environment, etc. She challenged the commission to really look at the numbers presented. They are not addressing tourism. She presented 2017 revenues that came in for Page County. Would they be willing to sign a contract with people in the tourism business in Page County that says if tourism drops that they will reimburse us that money? I want to make sure the tourism figures continue to rise rather than decline. If this solar farm is allowed to go in, it goes against the Comp Plan, she asked. Will more solar facilities come in? Keep Pandora's box closed for tourism. Our rates will increase because the solar power cost more. Cut out the middle man. Put the panels on our rooftops so that we benefit, not Urban Grid. They are going to take that money and run. Why were the solar industrial sites in other localities sold? Do your due diligence and protect this county.

Dr. Gordon Stevenson- Mr. Stevenson stated he has been in the healthcare business for a long time. He has the degrees, certifications, and license, he said, so take it to the bank. If you pass this [SUP], you will make residents sicker and cancer rates will go up.

Roger Houser- Mr. Houser stated that he and Eddie Baker owned the Cape Solar project locations for over 40 years. They've tried to improve it. They've done lots of projects with soil conservation to improve water quality, etc. Farming next to residential is not always easy: They spread litter on the fields; his prize bull ate a garden one time; we build fence and we repair fence. Eddie and he are at the end of their farming career, he said. This opportunity came up and it looked pretty good. The main reason is that it keeps the farmland intact and there is a lot of buffer and habitat left that won't be used for solar panels. But they are looking at their future and the best decisions for their families. Over the last couple weeks, they have contacted commercial real estate companies to look at alternate uses for their land because they are not going to keep farming it. The highest and best use, according to two companies, is poultry operations, he said. They have buyers waiting to buy land that poultry houses can be put on. They are looking for access along major

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highways which they have, and that is the highest and best use of the land that has been presented to us which is plan B. That is what will happen to the land if solar project isn't able to go.

Chairman's Report

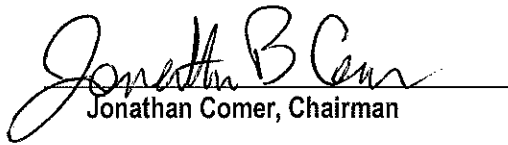
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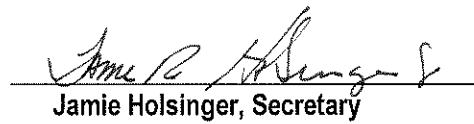
Clerk's Report

Ms. Clatterbuck informed the commission that the zoning amendment related to pools was approved by the BOS.

Adjourn

Chairman Comer adjourned the meeting at 8:34 p.m.


Jonathan Comer, Chairman


Jamie Holsinger, Secretary