



## **Narrative for Special Use Permit Application**

May 9, 2018

Applicant, Dogwood Solar, LLC, is an affiliate of Urban Grid Solar Projects, a Virginia-based utility-scale solar company that is developing solar energy generation projects in several Virginia localities as well as other states. These projects deliver clean, renewable energy that is reshaping a more diversified electric grid of the future. Urban Grid and its partners have successfully developed and have in operation over 250 megawatts of solar energy projects in the Mid-Atlantic US and the UK and have over 1700 megawatts in various stages of development.

1. Applicant requests a Special Use Permit for the construction and operation of a solar farm in Page County to generate renewable electric power (the "Project") pursuant to Page County Zoning Ordinance Section 125-54(B)(1).
2. Applicant also requests that the Planning Commission find, pursuant to Virginia Code §15.2-2232, that the proposed electrical facility to be "substantially in accord" with the Page County Comprehensive Plan, in separate formal motion after notice and public hearing (concurrently with Applicant's Special Use Permit request above).

### Introduction

Applicant requests a Special Use Permit for a photovoltaic solar electric generating facility on land it will lease that is owned by Dam Acres, Inc. located on Dam Acres Road and identified as Tax Map Parcels 78-A-73, 78-A-62, 78-A-60, 78-A-59, and 78-A-56 containing approximately 340 acres. The Project site is zoned Agricultural (A-1 and AC) and the Project use will be an "Electrical facility operating over 40 kilovolts" allowed by Special Use Permit.

The Project is a solar farm that generates electric power by collecting sunlight. An array of photovoltaic panels will be installed on a combination of either tracker or fixed tilt panel racks. Tracker panels rotate on an axis oriented north-to-south to that tracks the sun and to maximize the panel exposure to sunlight. Fixed tilt systems consist of east-to-west racks of solar panel arrays fixed at the optimum angle to collect sunlight. The photovoltaic panels themselves on both systems are treated with an anti-reflective coating to absorb, not reflect, sunlight.

At peak output, the Project is expected to generate electrical power equivalent to that needed to supply approximately 5,000 households with electricity (assuming average household consumption of 14,000 kWh pa as per EIA 2009 Residential Energy Consumption Survey). The electrical current generated by the solar arrays will be managed by inverters and associated equipment installed within the Project site. The current will then pass through a substation prior to interconnecting with existing transmission facilities, where it will be fed to the electric power grid that serves the immediate area and the Mid-Atlantic region.



The Project site will utilize a VDOT-approved entrance on Dam Acres Rd., at the location indicated on the Dogwood Solar Site Plan that is made part of the Application, for construction, inspection and service of the Project. The Project site will be enclosed by a chain link security fence to protect the solar arrays, equipment and substation.

The Project site is composed of existing agricultural fields and a small section of forest growth. As a result, little ground disturbance is planned (although some grading may be required). Dense meadow grass will be planted under and around the arrays. No Portion of the Project will be located within the 100-year floodplain. During construction or the array field of the solar farm, which likely will last approximately four to six months (depending on the weather). Construction of the solar farm will be limited to hours between sunrise and sunset. There will be no daily traffic to the site during commercial operations. No water or septic services are needed for the Project.

#### Special Use Criteria

The Project is consistent with Page County's Comprehensive Plan and Zoning Ordinance. The Project is proposed to be built on land that is zoned Agricultural (A-1 and AC). In the Agricultural (A-1 and AC) zoning district, an "electrical facility operating over 40 kilovolts" is a use permitted by special use permit. The Project satisfies the applicable requirements set forth in Zoning Ordinance Section 125-54 as follows:

1. *Zoning Ordinance Section 125-54(B)(1) - The Project must satisfy the Supplemental Regulations that apply to "electrical facilities operating above 40 kilovolts."*

The applicable supplemental regulation requirement for an electrical facility operating over 40 kilovolts is that Applicant "file(s) one special use application for the entire route of the transmission line or electrical facility, rather than on a parcel-by-parcel basis." Applicant is filing one application for all parcels of the Project.

2. *Zoning Ordinance Section 125-54(B)(2) - The Project must satisfy the following standards:*
  - a. *The Project must conform to the Comprehensive Plan, or to specific elements of it, and to official policies connected with it, including purposes of the Zoning Chapter.*

Page County's Comprehensive Plan implements the County's vision of its future to maintain a rural quality of life, protect natural and cultural assets while encouraging compatible business and residential growth to provide a higher standard of living for its citizens. The stakeholders who created the Comprehensive Plan believed there was a need to manage change in Page County to promote the efficient use of valuable infrastructure. In the Comprehensive Plan's division of Page County into "Growth Tiers" the Project is located in an "Agricultural Protection Tier". In the Agriculture Protection Tier, as in other tiers, "the range of uses, consistent with the intent and purpose for each tier, is based on *the need for, and ability to provide and fund, necessary public facilities and services.*"



The primary theme running through the Comprehensive Plan is the need to control development that requires costly County infrastructure and converts open land into permanent developments – a phenomenon it calls “Sprawl.” Applicant’s solar farm does not contribute to Sprawl. The Project not deplete water resources or require sanitary sewer, septic fields or other utility infrastructure. It does not permanently convert land to permanent development or increase demand on the County schools, roads, public safety resources, or other infrastructure. The Project will provide jobs, tax revenue and other economic opportunity without depleting the resources of the County.

In keeping with its goal of keeping agricultural lands from being “damaged or lost,” the Comprehensive Plan notes that “developed land is rarely redeveloped as open space.” A solar farm, which is a temporary installation of equipment on land with minimal ground disturbance of the surface area), is that form of development. It is not like, for example, a housing development with streets, water and sewer, foundations and buildings. When the Project reaches the end of its operational life the equipment will be removed, and the land may be returned to its previous agricultural use without any residual effects to the land.

- b. The Project must have “minimum adverse impact on surrounding neighborhoods or community. This includes traffic, noise, light, dust, drainage, water quality, air quality, odor, fumes and vibrations. Due regard must be given to operations, site design, access, screening, or other matters to be regulated to mitigate adverse effect.*

The Project is designed to negate or minimize adverse impact on the surrounding community:

- *No Dust, odor, vibrations:* During operations, the Project will not produce any odors or dust other than that associated with normal maintenance.
- *No Public Water or Septic.* The solar usage requires no public water and will not create septic waste.
- *No Daily Traffic:* Human and vehicular activity on the site will be limited to periodic visits for inspection and maintenance.
- *No Impacts to Air Quality:* The Project produces no emissions. No fumes will be generated by the electrical components on the Project site.
- *Little or No Noise:* The only noise generated by the site will from the axis tracking systems and inverters which are low level sounds not audible outside of the Property and well below noise standards.
- *Light:* The glass covers of the solar panels and their coatings are designed to absorb (not reflect) sunlight, so the facility will generate virtually no glare.
- *Preserve Wetlands and Storm Water Filtration:* The Project will adhere to all local and state level rules and regulations pertaining to wetlands, waterways, and storm water management, including no net increase in the current storm water operations. Storm water management on the Property during operations will be similar to the Property’s current



agricultural use. Rain water will permeate the open ground around and between the arrays on site and collect in the waterways crossing the Property.

- *No Trash or Waste Products:* The solar facility collects sunlight and converts it to electrical energy without any waste or by-products. All construction debris will be removed from the Property following installation of the solar panels, inverters, and related equipment.

Section 125(B)(2) is also concerned with compliance with the specific purposes of the Zoning Code. The Project satisfies this requirement.

The basic purpose of the Page County Zoning Code is to “promote the health, safety or general welfare of the public.” The Zoning Code’s preamble goes on to state the following specific purposes, and how the Project complies with those purposes:

- *Reduce or prevent congestion in the public streets.* Once operational, vehicular entrance into and exit from the project site onto public roads will be infrequent with no daily traffic.
- *Protect against one or more of the following: overcrowding of land; undue density of population in relation to the community facilities existing or available; obstruction of light and air; danger and congestion in travel and transportation; or loss of life, health or property from fire, flood, panic or other dangers.* The development adds no residential or commercial density with buildings or people. It does not obstruct light or air. It creates little impact on public roads, and does not increase risk of loss of life, health or property.
- *Encourage economic development activities that provide desirable employment and enlarge the tax base.* The Project will utilize several hundred workers during construction, and the effect of the construction on the local economy will be significant. During operations, the Project will require ongoing maintenance that could utilize local contractors. The Project will increase tax revenue for Page County in the following ways:
  - The real property comprising the Project site for solar use will be taxed at a higher rate than it currently is in agricultural use.
  - When the real property comprising the Project site is taken out of agricultural use, all applicable rollback taxes will be paid.
- *Provide for the preservation of agricultural and forestal lands and for the protection of surface water and groundwater.* The Project will preserve agricultural lands for future generations and will have no impact on surface water and groundwater that is materially different from its use prior to the Project.
- *Give effect to the policies and objectives set forth in the Comprehensive Plan of Page County.* As discussed above, the Project is in compliance with and supports the Page County Comprehensive Plan.

With respect to special use criteria, Section 125-54(A)(1) states that uses granted special use permits must be “compatible with existing and future uses in the district... depending upon their scale, design, location and conditions imposed by the governing body.” Section 125-10, which sets forth the special use categories in the Agriculture (A-1 and AC) zoning district, is to “preserve the



character” of agricultural portions of the County by “maintaining a low density of development,” and further states that “(v)ery low density development may be permitted in this area.” As described in this Narrative, the Project is carefully designed to utilize and preserve open agricultural land with an innovative, forward-thinking use that harvests sunlight. The Project creates no additional residential or commercial building density.

In summary, the Project conforms to the Comprehensive Plan and creates minimal community impacts in keeping with Section 125-54(B)(2) of the Zoning Ordinance. The solar usage is a passive use that, at the end of the term of the Lease, will be removed, preserving these large agricultural parcels.

3. *Zoning Ordinance Section (C)(2) - Applicant must demonstrate that the Project:*

- *is “in harmony” with the statement of intent of the zoning district*
- *has minimal impacts on adjoining property and neighborhood in terms of public health, safety and general welfare, as well as traffic, noise, light, dust, drainage, water quality, air quality, odor, fumes and vibrations*

As demonstrated above, the Project complies with the basic and specific purposes of the Zoning Ordinance. The Project also meets specific criteria for the zoning district in which the Project is located (A-1 and AC). The Project is in harmony with those elements as follows:

- *The intention to preserve the character of agricultural and low-density uses.* The Project preserves larger parcels and temporarily replaces traditional farming uses with the harvesting of sunlight. The Project will not permanently replace agricultural usage with residential or commercial development of buildings.
- *The maintenance of a relatively low-density of development.* As noted above, the Project does not represent suburban and urban growth that create service impacts discouraged by the Comprehensive Plan.
- *Agricultural preservation.* A solar facility does not permanently take land out of agricultural uses. When the facility is decommissioned, the solar arrays will be removed, and the land will be returned to open fields.

The Project does not negatively impact public health, safety and general welfare. For the larger community, it reduces our use of fossil fuels to produce electricity and helps us convert to renewable energy that is not subject to foreign influence. All electrical and mechanical equipment will conform to applicable local, state and national codes and does not pose a health threat to those who live and work nearby, or to the flora and fauna on the Project site. The Project will be fenced for security and public safety. The Project is an innovative and environmentally friendly use that will deliver electrical energy to the grid sufficient to power approximately 5,000 homes, all of which advances, rather than detracts from, the general welfare of Page County. Finally, the Project impacts to traffic, noise, light, dust, drainage, water quality, air quality, odor, fumes and vibrations, are minimal or non-existent, as set forth above.



Summary

The Project site is well-suited for Applicant's proposed solar generation facility. Solar electricity generation uses the renewable energy from sunlight to produce electricity without harmful emissions, light, sounds or other impacts that detract from public health, safety and welfare. The Project does not require additional County infrastructure investment in roads or services. It preserves larger parcels without division and keeps these available for agricultural land after the facility is removed. The Project will increase the County's tax base and local employment opportunities, while maintaining Page County's rural character. Applicant respectfully requests that the Board, Planning Commission and Planning Department Staff find that the Project conforms with the Comprehensive Plan, is in harmony with the Zoning Ordinance, and approve this for Special Use Permit. Applicant further requests that the Planning Commission's formal motion and approval under Virginia Code §15.2-2232 that the Applicant's electrical generation facility is "substantially in accord" with the Comprehensive Plan.

Respectively submitted on behalf of Applicant by:

Jared L. Burden  
**GreeneHurlocker, PLC**

**COUNTY OF PAGE  
SPECIAL USE PERMIT APPLICATION**

FOR OFFICE USE ONLY:

DATE RECEIVED: May 11, 2018 DENSITY RANGE: Medium  
AMOUNT PAID: \$900.00 RECEIPT #: Ch # 3634  
plus 50.00 sign deposit

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1. The applicant is the owner \_\_\_\_\_ other  (Check one)

2. OWNER/MAILING ADDRESS OPERATOR/APPLICANT (If other than owner)

Name: Dam Acres, Inc. Name: Dogwood Solar, LLC, c/o GreeneHurlocker, PLC

Address: 1295 Dam Acres Rd. Address: 311 S. Main St.  
Stanley, VA 22051 Harrisonburg, VA 22801

Phone Number: (804) 240-6840 Phone Number: (540) 246-0470

3. Site Address: 1295 Dam Acres Rd., Stanley, VA 22851

4. Directions to property:  
South on Court Street to SR 638/Mill Creek Rd. (.7 Mile); Right on SR 639/Lakewood Rd. (.6 Mile);  
Left on SR 616/Leakesville Rd. (6 Miles); Right on US 340 Bus. South; Left on River Rd.; Right on  
SR 617.

5. Property size: Approximately 340 acres.

6. Tax Map Number: 78-A-56; 78-A-59; 78-A-60; 78-A-62; 78-A-73  
Magisterial District: Shenandoah Iron Works

7. Current use of the property: Agricultural

8. Description of proposed use: Solar electricity generating facility

Size of building(s), if any: Please see enclosed Preliminary Plan, Sheet Three

9. Present Zoning:  A-1/AC (Agriculture) \_\_\_\_\_ R (Residential)  
\_\_\_\_\_ C-1 (Commercial) \_\_\_\_\_ I Industrial)  
\_\_\_\_\_ W-C (Woodland Conservation)

10. Applicants' additional comments, if any:

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I (we), the undersigned, do hereby certify that the above information is correct and true. I (we) further understand that in granting approval of this application, the Board of Supervisors may require that I (we) comply with certain conditions and that such approval shall not be considered valid until these conditions are met. *Please refer to the attached "Power of Attorney" form for those applicants that desire to have a spokesperson, who is not the property owner, represent the application and property.*

Signature of Owner:

*Glenn N. Keyser*

Signature of Applicant:

*[Signature]* on behalf of Dogwood Solar, LLC

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**COMMENTS BY PLANNING AND COMMUNITY DEVELOPMENT OFFICE:**

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\_\_\_\_\_  
DIRECTOR

\_\_\_\_\_  
DATE



Submit names and complete mailing addresses of ALL adjoining property owners, including property owners across any road or right-of-way (Continue on separate sheet if needed).

Note: Names and address of property owners may be found in the Real Estate and Land Use Office at the Commissioner of Revenue's Office.

**NAME ADDRESS**

PLEASE SEE ATTACHED SHEET



**ADJOINING PROPERTY OWNER VERIFICATION:**

AS APPLICANT FOR THIS SPECIAL USE PERMIT REQUEST,

I \_\_\_\_\_ (Name)

HEREBY ACKNOWLEDGE THAT I HAVE FAITHFULLY AND CORRECTLY PROVIDED NAMES AND COMPLETE MAILING ADDRESSES OF ALL MY ADJOINING PROPERTY OWNERS AND THOSE DIRECTLY ACROSS THE ROAD OR RIGHT-OF-WAY. I UNDERSTAND THAT FAILURE TO PROVIDE ALL ADJOINING PROPERTY OWNERS WILL LEAVE ME LIABLE FOR ADDITIONAL COSTS FOR RE-ADVERTISEMENT AND NOTICES MAILED AND THAT MY REQUEST COULD BE DELAYED UNTIL PROPER NOTIFICATION HAS BEEN GIVEN TO ALL ADJOINING PROPERTY OWNERS AND THOSE PROPERTY OWNERS ACROSS THE ROAD OR RIGHT-OF-WAY.

5/9/18  
DATE

 on behalf of Dogwood Sales, LLC  
SIGNATURE OF APPLICANT

PLEASE HAVE THE FOLLOWING AGENCIES ENTER THEIR COMMENTS BELOW BEFORE  
SUBMITTING THIS APPLICATION TO THE PLANNING AND COMMUNITY  
DEVELOPMENT DEPARTMENT.

VIRGINIA DEPARTMENT OF TRANSPORTATION- HARRISONBURG RESIDENCY  
3536 NORTH VALLEY PIKE  
HARRISONBURG, VIRGINIA 22802  
(540) 434-2587

Please see attached email correspondence

DATE

VDOT OFFICIAL

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PAGE COUNTY HEALTH DEPARTMENT  
75 COURT LANE  
LURAY, VIRGINIA 22835  
(540) 743-6528

DATE

HEALTH OFFICIAL

\*\*\*\*\*

PAGE COUNTY BUILDING OFFICIAL  
103 S COURT STREET, SUITE B  
LURAY, VIRGINIA 22835  
(540) 743-6674

*no objections*

DATE

BUILDING OFFICIAL

*3-14-18*

*Donald J. ...*

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SUBDIVISION PROPERTY OWNERS ASSOCIATION

DATE

PRESIDENT OR SECRETARY

## Tracy Clatterbuck

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**From:** Snider, Rodney <rodney.snider@vdot.virginia.gov>  
**Sent:** Tuesday, May 15, 2018 6:52 AM  
**To:** Tracy Clatterbuck  
**Subject:** Re: Special use permits

Tracy,

VDOT has no further comments at this time.

Regards,  
Scott

On Mon, May 14, 2018 at 12:34 PM, Tracy Clatterbuck <[tclatterbuck@pagecounty.virginia.gov](mailto:tclatterbuck@pagecounty.virginia.gov)> wrote:

See attached.

Tracy Clatterbuck, CZA

Zoning Administrator

Page County Building and Zoning Department

103 South Court Street, Suite B

Luray, VA 22835

Phone: (540) 743-6674 or (540) 743-1324

Fax: (540) 743-1419

**From:** Snider, Rodney [mailto:[rodney.snider@vdot.virginia.gov](mailto:rodney.snider@vdot.virginia.gov)]

**Sent:** Monday, May 14, 2018 12:30 PM

**To:** Tracy Clatterbuck <[tclatterbuck@pagecounty.virginia.gov](mailto:tclatterbuck@pagecounty.virginia.gov)>

**Subject:** Special use permits

Tracy, Can you please re-send the two special use permits to me again from this morning?

Thanks,

## Roger Bowers

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**From:** Ann Mink  
**Sent:** Friday, February 9, 2018 3:45 PM  
**To:** rodney.snider@vdot.virginia.gov  
**Cc:** Roger Bowers; Lora Monahan; Ann Mink  
**Subject:** Page County - Access for Special Use Permit - VDOT Review  
**Attachments:** SUP Application for Agency Comment 2-9-18.pdf; Preliminary Site Plan Layout - Agency Review - 2-9-18.pdf

Scott,

We understand that in Page County, VDOT needs to review and provide comments on our SUP Application before that Application is submitted to the County. We write to ask what you need for that review. Our firm represents Dogwood Solar, LLC, the Applicant/Lessee of several parcels in Page County of which approximately 120 acres is proposed to be used as a solar facility.

Attached please find the SUP Application information we have pulled together and the page from the Page County SUP Application where VDOT comments need to be provided prior to our submission of the Application to the County.

The Page County tax parcels are:

- (1) 78-A-73;
- (2) 78-A-60;
- (3) 78-A-59;
- (4) 78-A-56; and
- (5) 78-A-62.

Also attached is a preliminary site plan layout showing the proposed project entrance/access point. Please let us know if you have any questions or need additional information in order to provide your comments. We plan to visit the Page County next Thursday to meet with Staff and go over our SUP Application in the hope that we can file the Application soon thereafter.

I can be reached on my cell – 804-338-6400.

Thank you for your assistance.

Best regards,  
Ann

Ann Mink, Paralegal  
FutureLaw, L.L.C.  
Cell: (804) 338-6400  
Direct Fax: (804) 565-6485

## Roger Bowers

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**From:** Ann Mink  
**Sent:** Tuesday, February 20, 2018 3:30 PM  
**To:** Roger Bowers; Lora Monahan  
**Cc:** Ann Mink  
**Subject:** FW: Page County - Access for Special Use Permit - VDOT Review

See VDOT's comments below...

**From:** Snider, Rodney (VDOT) [mailto:Rodney.Snider@vdot.virginia.gov]  
**Sent:** Tuesday, February 20, 2018 3:18 PM  
**To:** Ann Mink <ann@futurelaw.net>  
**Subject:** RE: Page County - Access for Special Use Permit - VDOT Review

Ann,

VDOT performed a site visit to the proposed solar facility. Please have the surveyor show a VDOT approved entrance location at Lat: 38.56801 Lng: -78.58409.

Feel free to submit your SUP application to Page County at your convenience.

Regards,  
Scott

*R. Scott Snider*

*Permit & Subdivision Specialist Sr.*

*Harrisonburg Residency Office  
3536 North Valley Pike | Harrisonburg, VA 22802  
(540) 434-2587  
[rodney.snider@vdot.virginia.gov](mailto:rodney.snider@vdot.virginia.gov)*



**From:** Ann Mink [mailto:ann@futurelaw.net]  
**Sent:** Tuesday, February 13, 2018 2:49 PM  
**To:** Snider, Rodney (VDOT)  
**Cc:** Ann Mink  
**Subject:** RE: Page County - Access for Special Use Permit - VDOT Review

Scott,

Just wanted to thank you for your input on the phone yesterday. Very helpful to understand the process!

My best,  
Ann

Ann Mink, Paralegal  
FutureLaw, L.L.C.

139180143

PLEASE HAVE THE FOLLOWING AGENCIES ENTER THEIR COMMENTS BELOW BEFORE  
SUBMITTING THIS APPLICATION TO THE PLANNING AND COMMUNITY  
DEVELOPMENT DEPARTMENT.

VIRGINIA DEPARTMENT OF TRANSPORTATION- HARRISONBURG RESIDENCY  
3536 NORTH VALLEY PIKE  
HARRISONBURG, VIRGINIA 22802  
(540) 434-2587

Please see attached email correspondence

DATE

VDOT OFFICIAL

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PAGE COUNTY HEALTH DEPARTMENT  
75 COURT LANE  
LURAY, VIRGINIA 22835  
(540) 743-6528

*No objections*

DATE

HEALTH OFFICIAL

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PAGE COUNTY BUILDING OFFICIAL  
103 S COURT STREET, SUITE B  
LURAY, VIRGINIA 22835  
(540) 743-6674

*no objections*

DATE

BUILDING OFFICIAL

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SUBDIVISION PROPERTY OWNERS ASSOCIATION

DATE

PRESIDENT OR SECRETARY

PAGE COUNTY  
SPECIAL USE PERMIT APPLICATION  
(Attachment with Additional Information)  
ADJOINING PROPOERTY OWNER INFORMATION

Map #	Name	Address	Tax Parcel ID	Acreage	Zoning	Property Address:	Notes:
<b><u>SUBJECT PARCELS:</u></b>							
1	Dam Acres Inc.	1295 Dam Acres Rd. Stanley, VA 22851	78-A-73	126.925 ac.	AC		old house; barns
10	Dam Acres Inc.	1295 Dam Acres Rd. Stanley, VA 22851	78-A-62	11.269 ac.	A		
2	Dam Acres Inc.	1295 Dam Acres Rd. Stanley, VA 22851	78-A-60	79.731 ac.	A		
3	Dam Acres Inc.	1295 Dam Acres Rd. Stanley, VA 22851	78-A-59	80.313 ac.	AC		
4	Dam Acres Inc.	1295 Dam Acres Rd. Stanley, VA 22851	78-A-56	42.0 ac.	A		
<b><u>ADJACENT PARCELS:</u></b>							
5	Dam Acres Inc.	1295 Dam Acres Rd. Stanley, VA 22851	78-A-73A	1.0 ac.	A	1299 Dam Acres Rd	
6	Janet Keyser Goode	243 W. Locust Dr. Beckley, WV 25801	78-A-74	0.25 ac.	A		1957 cinderblk bungalow
7	Gloria N. Keyser	1295 Dam Acres Rd. Stanley, VA 22851	78-A-60A	0.956 ac.	A		1977 brick ranch
8	Lynn P. Houser	1212 Dam Acres Rd. Stanley, VA 22851	78-A-72	110.919 ac.	A		1886 2-story
9	Larry J. & Bonnie J. Haley	9604 Ponca Place Ft. Washington, MD 20744	78-A-71	103.35 ac.	A	588 Dam Acres Rd	1913 Colonial + mobile hm
11	Jeffrey E. & Elaine K. Thomas	447 Dam Acres Rd. Stanley, VA 22851	78-A-61A	3.3 ac.	A		improvements; no pics
12	Ralph J. & Lois M. Keyser	518 Dam Acres Rd. Stanley, VA 22851	78-A-61	2.472 ac.	A		
13	Ralph J. & Lois M. Keyser	518 Dam Acres Rd. Stanley, VA 22851	78-A-65	94.269 ac.	A		1900 2-story
14	Donald L. Gordon, JR.	1085 Shipwreck Rd. Shenandoah, VA 22849	78-A-57	12.394 ac.	A		
15	Donald L. Gordon, JR.	1085 Shipwreck Rd. Shenandoah, VA 22849	78-A-58	31.121 ac.	A	359 Dam Acres Rd	1983 ranch
16	Scott A. Ruffner	114 Allison Dr. Luray, VA 22835	78-A-55	51.0 ac.	A	259 Dam Acres Rd	1989 transitional
17	Jeffrey E. & Elaine K. Thomas	447 Dam Acres Rd. Stanley, VA 22851	78-A-63	5.0 ac.	A	642 Dam Acres Rd	1913 Colonial + barns
18	Jeffrey E. & Elaine K. Thomas	447 Dam Acres Rd. Stanley, VA 22851	78-A-62A	0.8 ac.	A		barns only
19	Allen T. & Bonnie A. Housden Life Estate	573 Dam Acres Rd. Stanley, VA 22851	78-A-64	5.13 ac.	A		1970 brick ranch
20	Dalsey Dawn Farms Inc.	2480 Strole Frm Rd. Shenandoah, VA 22849	78-A-23	156.47 ac.	A		
21	James B. Jenkins	337 Jenkins Dr. Shenandoah, VA 22849	78-A-16	26.513 ac.	A		1848 farmhouse
22	Bartley W. & Patricia F. Price	663 Strole Farm Rd. Shenandoah, VA 22849	78-A-15B	31.5 ac.	A		1840 Colonial
23	Chas. Dudley Price & Sandra Hilliard	517 Strole Farm Rd. Shenandoah, VA 22849	78-A-15A	18.417 ac.	A		
24	Chas. Dudley Price & Sandra Hilliard	517 Strole Farm Rd. Shenandoah, VA 22849	78-A-15C	5.0 ac.	A		1989 transitional
25	Stephen P. Howard	605 Omar St. Houston, TX 77009	78-A-13A	1.43 ac.	A	395 Hodnett Ln.	1968 ranch
26	Nicholas Clay & Deborah Gayle Dean	192 Double D Ln. Shenandoah, VA 22849	78-A-11	12.64 ac.	A		1929 farmhouse
27	Kenneth P. & Kathryn M. Deavers	314 Old Farm Rd. Shenandoah, VA 22849	78-A-12	9.45 ac.	A	330 Double D Ln.	1923 bungalow & trailer
28	Timothy R. Williams	P. O. Box 287 Shenandoah, VA 22849	78-A-6	103.119 ac.	A	5395 US Hwy 340	1918 Colonial
29	Becky M. Williams	P. O. Box 287 Shenandoah, VA 22849	78-A-6H	3.166 ac.	A	5135 US Hwy 340	

30	Timothy R. Williams Gary L. & Bonnie Scott	P. O. Box 287 Shenandoah, VA 22849 3205 Swiftwater Ct.	78-A-6G	4.99 ac.	A	5131 US Hwy 340	2007 cape cod
31	Thompson - Co-Trustees Byron Robert II & Joanne	Harrisonburg, VA 22801 7407 Lisle Ave.	78-3-1	4.481 ac.	A	5023 US Hwy 340	trailer
32	Rothenhoefer	Falls Church, VA 22043 4855 US Hwy 340	78-3-2	4.481 ac.	A		
33	Jacob D. Koontz	Shenandoah, VA 22849 4849 US Hwy 340	78-3-3	2.238 ac.	A		1997 2-story
34	Katherine A. Mikus Patrick W. & Barbara J.	Shenandoah, VA 22849 4795 US Hwy 340	78-A-78	2.0 ac.	A		1961 ranch
35	Crosier	Shenandoah, VA 22849 4793 US Hwy 340	78-A-76B	2.319 ac.	A		1988 ranch
36	Michael D. Kraft	Shenandoah, VA 22849 1096 W. Main St.	78-A-76C	1.8875 ac.	A		1977 ranch
37	Lee Roy Weaver, Jr.	Stanley, VA 22851 2 Bethesda Metro Center #1330	78-A-75	2.256 ac.	A	4739 US Hwy 340	1953 ranch
38	PE Hydro Generation LLC c/o Cube Hydro Chas. C. Cyphert, Jr. &	Bethesda, MD 20814 4435 US Hwy 340	78-A-77	3.06 ac.	A	4735 US Hwy 340	\$1.3M in improvements
39	Sandy Campbell - Trustees Chas. C. Cyphert, Jr. Trustee of the Chas. C. Cyphert, Jr.	Shenandoah, VA 22849 4435 US Hwy 340	78-A-76A	8.29 ac.	A		
40	Living Trust	Shenandoah, VA 22849	69-A-36	20.45 ac.	A		



## DECOMMISSIONING PLAN

\_\_\_\_\_, LLC  
Page County

### I. Introduction

This plan for decommissioning (the "Plan") is for the \_\_\_\_\_ Solar Project (the "Project") located in Page County, Virginia (the "County"), and shall be binding on each successor and assignee (the "Facility Owner"). The purpose of the Plan is to ensure the Project is properly removed at the end of the Project's useful life, or earlier if abandoned in whole or in part, and that the Project site is restored to pre-existing conditions. Implementation of this Decommissioning Plan Procedure will be a requirement of the Special Use Permit. Pursuant to this Plan, a Decommissioning Cost Estimate will be provided for County review prior to the issuance of building permits and updated every ten (10) years during the Project Life.

### II. Decommissioning

The expected life of the Project is the period during which the facility can produce electrical energy generation (the "Project Life"). At the end of the Project Life, or earlier in the event of abandonment of all or a portion of the Project, the Facility Owner shall decommission the Project or a portion thereof, as set forth below. The decommissioning process for the Project is generally expected to occur as follows ("Decommissioning"):<sup>1</sup>

1. The following items shall be removed, disassembled (if applicable), packaged and shipped for re-sale or to a salvage/recycling facility or other processing facility where possible, or to a landfill for disposal.
  - a. PV Module
  - b. Racking System
  - c. Mounting Posts
  - d. Electrical wiring/cabling
  - e. Inverters/transformers/connector station
  - f. Fencing
  - g. Concrete Foundations
  - h. Gravel from Access Drive(s)
2. Dispose of any components in a landfill that cannot be salvaged/recycled, re-sold or re-used.
3. Stabilize any exposed soil where equipment was removed, consistent with County and other applicable erosion and sediment control standards.
4. Maintain and replant turf-grass throughout the site, as necessary, unless required otherwise by the landowner.

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<sup>1</sup> It is expected, but not required, that most components of the Project will be salvageable, recyclable, re-usable or re-salable.

5. The Project site or portion thereof shall be restored to its pre-development condition such that it is suitable for a use allowed by right without Special Use Permit.
6. The Project does not generate any hazardous materials. In the unlikely event, and to the extent that, any hazardous materials, as defined by federal, state and/or local laws, are present due to the Project, as part of Decommissioning the Facility Owner shall dispose of all such materials in accordance with applicable federal, state and local laws and regulations governing such materials and the disposal of the same.

### III. Decommissioning Process

Decommissioning generally proceeds in reverse order of installation of the Project.

1. The facility is disconnected from the utility power grid.
2. Solar arrays are disconnected, collected, and either shipped to another project, salvaged, or submitted to a collection and recycling program.
3. Electrical interconnection and distribution cables are removed and recycled off-site by an approved recycler.
4. Array support H-beams and racking are removed and recycled off-site by an approved metals recycler.
5. Electrical and electronic devices, including transformers and inverters are removed and recycled off-site by an approved recycler.
6. Concrete pads (if used for the inverter blocks) are removed and recycled off-site by a concrete recycler.
7. Fencing is removed and recycled off-site by an approved recycler.
8. Any interior Project roads, typically constructed of 4" aggregate base, can either remain onsite should the landowner choose to retain them, or be removed and the gravel repurposed either on- or off-site.
9. Unless agreed otherwise by the landowner, the Project site is returned to its condition prior to installation of the Project, in accordance with applicable land use regulations in effect at the time of Decommissioning.

### IV. Decommissioning Cost Estimate

The Facility Owner shall provide an estimate of the cost to decommission the Project (the "Decommissioning Cost Estimate") prepared by a Virginia Licensed Engineer prior to the issuance of permits for installation of the Project, which shall include the following:

- (a) The gross estimated cost to perform Decommissioning as set forth in Section II above ("Gross Cost");
- (b) An administrative and inflation factor of 10% of the Gross Cost (the "Admin Factor");
- (c) The estimated resale and salvage values associated with the Project equipment ("Salvage Value"); and
- (d) A reduction in the Salvage Value by 10% such that only 90% of the Salvage Value can be used as a credit against the Gross Cost and Admin Factor. The Salvage Value multiplied by 90% is the "Salvage Credit."

Thus, the Decommissioning Cost Estimate formula is:

$$\text{Gross Cost} + \text{Admin Factor} - \text{Salvage Credit} = \text{the Decommissioning Cost Estimate.}$$

The Facility Owner shall provide an updated Decommissioning Cost Estimate on every 10<sup>th</sup> year anniversary of the date when the Project first began to continuously deliver electric energy to the electric grid for commercial sales (the "Commercial Operation Date") during the Project Life, which shall account for inflation, cost and value changes, and advances in decommissioning technologies and approaches.

If the Project lies on property owned by more than one person, entity or group (multiple owners), the Decommissioning Cost Estimate shall include a table allocating the Decommissioning Cost Estimate across the Project site, based on the percentage of generating capacity in megawatts (MW) attributable to each separately owned part of the property (the "Cost Allocation").

#### **V. Timing for Decommissioning**

Upon the earlier of: (i) Completion of the Project Life; or (ii) Abandonment of the Project or any portion thereof, the Facility Owner shall promptly arrange for and be responsible for the full Decommissioning of the Project.

If the Project or any portion thereof has ceased operations and is not maintained for a continuous period of longer than one (1) year and decommissioning is required before the end of the Project Life, the County may provide written notice of suspected abandonment to the Facility Owner. Upon receipt, the Facility Owner shall have a sixty (60) day period in which to refute the claim, remedy any problem, commence Decommissioning, or show why more than sixty (60) days is reasonably necessary to remedy the problem. If at the end of the sixty (60) day period the parties are unable to resolve amicably any dispute arising out of or in connection with this Decommissioning Plan, then such dispute shall be resolved by an action filed in the Circuit Court of Page County, Virginia.

#### **VI. Partial Decommissioning**

If Decommissioning is triggered for a portion, but not the entire Project, prior to the end of the Project Life, the Facility Owner shall commence and complete Decommissioning, in accordance with the Decommissioning Plan, for the applicable portion of the Project. If a portion of the Project is Decommissioned, the remaining portion of the Project would continue to be subject to this Decommissioning Plan.

#### **VII. Completion of Decommissioning**

Decommissioning will be complete when the County Construction Official or County Engineer, or another party appointed by the County, determines that Decommissioning has been completed in accordance with this Decommissioning Plan by issuance of a letter to the Facility Owner.

#### **VIII. Default by the Facility Owner**

If the Facility Owner is in default of its obligation to commence or complete Decommissioning, and such default remains uncured for more than sixty (60) days (as explained in Section V above), each

landowner shall have the right to commence Decommissioning activities within the area it owns. Nothing herein shall limit other rights or remedies that may be available to the County to enforce the obligations of the Facility Owner, including the County's zoning powers.

**IX. Notice under this Decommissioning Plan**

\_\_\_\_\_  
c/o Urban Grid Solar Projects, LLC  
337 Log Canoe Circle  
Stevensville, MD 21666  
Attn: Decommissioning Notice

Page County Department of Planning and  
Community Development

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Attn: Director of Planning

**X. Financial Security**

Financial security shall be in an amount equal to the Decommissioning Cost Estimate (as determined by a Virginia licensed Engineer in Section III) prior to the Commercial Operation Date (the "Decommissioning Security"). When the Decommissioning Cost Estimate is redone during the Project Life, the Facility Owner shall adjust the amount of the Decommissioning Security to match the updated Decommissioning Cost Estimate.

If the Facility is not developed by a public utility company or an independent power producer with an investment grade credit rating with Moody's or Standard and Poor's (a "Qualified Company"), prior to commencement of commercial operations the Facility Owner shall provide financial security for the removal of the Facility. If the Facility is bought by an entity that is not a Qualified Company, that purchaser shall provide such financial security. If such financial security is required to run to the benefit of the County, such security shall also run to the benefit of the landowner. The Facility Owner will only be required to provide one instrument or obligation equal to the Decommissioning Security to satisfy its obligations to both the County and the landowner.

The Decommissioning Security may be provided in one of the following forms: (i) a surety bond, (ii) a letter of credit from a financial institution, or (iii) such other financial instrument as is commonly used in business to secure monetary obligations, so long as such instrument is irrevocable unless replaced with cash or other form of security reasonably acceptable to the parties that benefit from such security.

UG DRAFT 07/18/18

Dogwood Solar, LLC- Page County, VA

1. THIS SPECIAL USE PERMIT IS TRANSFERABLE. IT WILL MEET THE REQUIREMENTS IN AND HAVE PRIVILEGES PROVIDED FOR IN THE PAGE COUNTY ZONING ORDINANCE AND ANY ORDINANCE AMENDMENTS AS OF THE DATE OF APPROVAL OR AMENDMENT AND CONTINUING FOR THE PERIOD SET FORTH WITHIN THE PARAMETERS IN THIS SPECIAL USE PERMIT. THE SPECIAL USE PERMIT SHALL REMAIN WITH THE PROPERTY FOR A PERIOD OF NINETY-NINE (99) YEARS.
2. THE SOLAR ELECTRICITY GENERATING FACILITY MAY CONSIST OF RACKING AND FOUNDATIONS; INVERTERS AND TRANSFORMERS; NECESSARY ELECTRICAL INTERCONNECTIONS AND ALL IMPROVEMENTS AND CONNECTIONS REQUIRED TO STORE, TRANSFER AND DELIVER ELECTRICAL GENERATION AND ANCILLARY SERVICES, INCLUDING BUT NOT LIMITED TO: THREE (3) PHASE EXTENSIONS AND POWER BOX(ES); STRUCTURES TO HOUSE ELECTRICAL AND MAINTENANCE EQUIPMENT; SECURITY FENCING AND GATING ENCLOSING THE PREMISES; SAFETY SIGNAGE AND SOLAR PHOTOVOLTAIC ("PV") PANELS; AND PRIVATE VEHICULAR MAINTENANCE AND ACCESS ROADS (THE "SOLAR ELECTRICITY GENERATING FACILITY"), WHICH SHALL BE IN COMPLIANCE WITH ALL APPLICABLE COUNTY, STATE, AND FEDERAL AGENCY REGULATIONS.
3. THIS SPECIAL USE PERMIT MAY BE REVOKED UPON MATERIAL NON-COMPLIANCE WITH THE TERMS OF THE PERMIT, OR UPON VIOLATION OF ANY OTHER RELEVANT TERMS OF THE ZONING ORDINANCE OR ANY OTHER ORDINANCES OF THE COUNTY OF PAGE, VIRGINIA APPLICABLE TO THE SOLAR ELECTRICITY GENERATING FACILITY.
4. THE UTILIZATION OF LAND FOR SOLAR PANELS AND OTHER EQUIPMENT SHALL BE IN SUBSTANTIAL COMFORMITY WITH AND NOT EXTEND BEYOND THE PROPERTY LIMITS SHOWN ON THE PRELIMINARY SITE PLAN MAP, BY TIMMONS GROUP, LAST REVISED APRIL 6, 2018, INCLUDED IN SITE PLAN/APPLICATION. ANY EXPANSION OF THE SOLAR ELECTRICITY GENERATING FACILITY BEYOND THE ABOVE-DESCRIBED PROPERTY LIMITS WILL REQUIRE AN ADDITIONAL, NEW, OR MODIFIED SPECIAL USE PERMIT AS REQUIRED BY THE PAGE COUNTY ZONING ORDINANCE AT THAT TIME.
5. INSTALLATION OF SOLAR PANELS IS PERMITTED TO PROVIDE A SOLAR ELECTRICITY GENERATING FACILITY CAPABLE OF GENERATING APPROXIMATELY 20 MEGAWATTS AC OF POWER GENERATION ON THE 340 ACRE SITE.

6. BEFORE BEGINNING ANY CLEARING, GRADING, OR OTHER LAND DISTURBING ACTIVITY, THE APPLICANT SHALL OBTAIN APPROVAL OF CONSTRUCTION/ELECTRICAL PLANS AND/OR PERMITS FROM THE PAGE COUNTY BUILDING OFFICIAL, INCLUDING EROSION AND SEDIMENTATION PLANS AND/OR PERMITS AS REQUIRED BY THE PLANNING AND COMMUNITY DEVELOPMENT OFFICE AND/OR DEPARTMENT OF ENVIRONMENTAL QUALITY.
7. THE APPLICANT SHALL ADHERE TO THE LIGHTING PLAN SUBMITTED BY THE APPLICANT WITH ITS CONSTRUCTION PERMITTING APPLICATIONS THAT WAS APPROVED BY THE COUNTY OF PAGE, VIRGINIA. IF AMENDMENTS NEED TO BE MADE RELATED TO LIGHTING, PROPOSED AMENDMENTS MUST BE AT LEAST EQUIVALENT TO WHAT WAS ORIGINALLY APPROVED BY THE COUNTY OF PAGE, VIRGINIA. APPROVED LIGHTING SHALL BE INSTALLED PRIOR TO CLOSEOUT OF CONSTRUCTION PERMITTING FOR THE SOLAR ELECTRICITY GENERATING FACILITY. ALL LIGHTING SHALL BE MAINTAINED IN AN OPERATING CONDITION AT ALL TIMES.
8. ALL EXTERIOR LIGHTING SHALL BE SHIELDED TO DIRECT LIGHT AWAY FROM ADJACENT PROPERTIES AND ROADS. LIGHT FIXTURES FOR THE SOLAR ELECTRICITY GENERATING FACILITY SHALL NOT EXCEED 20 FEET IN HEIGHT.
9. HOURS OF CONSTRUCTION OR CLEARING, GRADING, OR OTHER LAND DISTURBING ACTIVITY SHALL BE LIMITED TO MONDAY THROUGH SATURDAY, SUNRISE TO SUNDOWN. NO CONSTRUCTION SHALL TAKE PLACE ON SUNDAYS OR NATIONAL HOLIDAYS.
10. THE TOTAL HEIGHT OF THE SOLAR ELECTRICITY GENERATING FACILITY TO INCLUDE THE PANELS AND MOUNTS ONLY, SHALL NOT EXCEED 20 FEET ABOVE THE GROUND WHEN ORIENTATED AT MAXIMUM TILT. THIS HEIGHT LIMITATION SHALL NOT APPLY TO THE EQUIPMENT AT THE INTERCONNECTION POINT, WITHIN THE SUBSTATIONS OR THAT IS A PART OF THE TRANSMISSION LINES THAT ARE PART OF THE LOCAL UTILITY POWER GRID.
11. ELECTRICAL WIRING USED IN THE SOLAR ELECTRICITY GENERATING FACILITY SHALL BE UNDERGROUND (TRENCHED) WHERE PRACTICABLE EXCEPT a) WIRING DIRECTLY CONNECTING INDIVIDUAL PANELS AND ARRAYS OF PANELS, b) WHERE NECESSARY TO AVOID NATURAL OBSTACLES, WETLANDS OR ELECTRICAL INTERFERENCE, OR c) WHERE WIRING IS BROUGHT TOGETHER FOR INTERCONNECTION TO SYSTEM COMPONENTS, SUBSTATIONS, AND/OR THE LOCAL UTILITY POWER GRID.

12. THE APPLICANT SHALL BE SOLELY RESPONSIBLE FOR DECOMMISSIONING THE SOLAR ELECTRICITY GENERATING FACILITY ACCORDING TO THE DECOMMISSIONING PLAN PROVIDED BY THE APPLICANT APPROVED BY THE COUNTY OF PAGE, VIRGINIA. DECOMMISSIONING SHALL INCLUDE REMOVAL OF SOLAR COLLECTORS, CABLING, ELECTRICAL COMPONENTS, ANY BASES OR FOOTERS, AND ALL OTHER ASSOCIATED ITEMS. THE APPLICANT IS SOLELY FINANCIALLY RESPONSIBLE FOR DECOMMISSIONING THE SOLAR ELECTRICITY GENERATING FACILITY. DECOMMISSIONING OF THE SOLAR ELECTRICITY GENERATING FACILITY DOES NOT INCLUDE THE EQUIPMENT AND SUBSTATION THAT REMAINS A PART OF THE LOCAL UTILITY POWER GRID AFTER THE SOLAR ELECTRICITY GENERATING FACILITY IS DECOMMISSIONED AND REMOVED.
13. BEFORE THE SOLAR ELECTRICITY GENERATING FACILITY IS ENERGIZED, IT SHALL BE SECURED WITH A FENCE AT LEAST SIX FEET IN HEIGHT. THE FENCE SHALL BE PROPERLY MAINTAINED AT ALL TIMES TO INCLUDE REPAIRS AND LANDSCAPING MAINTENANCE.
14. THE ZONING ADMINISTRATOR OR THEIR DESIGNATED REPRESENTATIVE MAY VISIT THE SITE AT ANY TIME TO ENSURE COMPLIANCE WITH ANY COUNTY ORDINANCES AND SPECIAL USE PERMIT CONDITIONS, SUCH VISITS TO BE IN COMPLIANCE WITH THE SAFETY AND SECURITY PROCEDURES OF THE SOLAR ELECTRICITY GENERATING FACILITY OPERATOR.