

MINUTES

of the

MECKLENBURG COUNTY PLANNING COMMISSION

May 25, 2023

Present: Kyle Crump, Charles Reamy, Debra Crowder, Donna Dennis, Jerome Watson, David Brankley, Landon Hayes, Jr, Jarrious Lassiter, Randy Crocker, and Mark Warren.

Members not present:

Chairman Crump called the meeting to order.

A public hearing was held on the application by Terry & Sherri Fox for a special exemption permit to allow for a Blues and Rock Festival annually. This property, identified as County Tax Number 144000-A-001, and zoned Agricultural is located on the north side of Hwy 735 (Hite Drive) approximately one (1) and half miles north of its intersection with Route 602 (Old Buffalo Church Road), Election District 1, County of Mecklenburg. Reference Deed Book LR-20-4979.

There was no public input for this application.

Mr. Hendrick advised the commission that no emails, phone calls or letters had been received against this application.

The public hearing was closed.

Upon a motion from Mr. Brankley, seconded by Mr. Warren, the commission unanimously recommended to approve the application with the following conditions:

1. Other festivals are held within the county during the summer months.
2. The owner will be responsible for all activities on the property.
3. The owner will abide to the county noise ordinance.
4. The owner will notify the zoning office three (3) days prior to any event.
5. The owner will notify local law enforcement three (3) days prior to any event.
6. The owner will comply with VDOT entrance requirements.
7. The owner will be responsible for all traffic entering and exiting the property.
8. The festival will provide more tourism activity to the county.
9. No illegal activities are permitted during the event.
10. The event will occur only once a year.
11. Hours of operation shall be as follows:
 1. 10 A.M. to 6 P.M.
 2. Music will be provided from 6 P.M. until 8 P. M.
12. The owner will abide to the county regulations that it set forth in Chapter 10, Article 3, Section 10-91, as it pertains to musical or entertainment festivals.

13. If the owner intends to sell alcohol at the festival, the owner will contact the Virginia Alcohol Beverage Control Authority for permitting.
14. The owner will contact the health department pertaining to food trucks attending the festival.

A public hearing was held on the application by the Mecklenburg County Planning Commission to amend the Mecklenburg County Zoning Ordinance Article 20, Solar Facility to add the following:

1. 20.14 Maximum Acreage for Solar Projects

The maximum aggregate acreage of the fenced-in area of approved solar projects shall not exceed 2,325 acres. The 2,325 acres ceiling applies to Community-Scale Solar, Large-Scale Solar, Medium-Scale Solar and Small-Scale Solar Collectively.

Mrs. Judy Brothers, a representative with the Friends of Meherrin River supports the application. Mrs. Brothers advised the commission, that she resides in the Chase City area where several residents are against solar development. Mrs. Brothers is in support of the 2,325-acre solar development in the county. Mrs. Brothers advised the commission that several of the solar developments within Virginia have received fines from DEQ relating to Erosion and Storm Water issues.

Mr. Gerald Burnette, Sr., property owner within the county, advised the commission, that he had read in the local newspaper about a cap on solar development. Mrs. Burnette advised the commission; that he had paid taxes in the county since 1970, and by putting a cap on solar development it would be violating his 14th amendment rights.

Mr. Steve Sizemore, property owner within the county, and a residence on Pools Mill Road, advised the commission that he is against the application because this would infringe on his rights to do what he wanted with his property. Mr. Sizemore advised the commission that he was a farmer. The county could focus on good solar development.

Mr. Kyle Blanks, property owner within the county, advised the commission that he was against the application. Mr. Blanks advised the commission, that solar development would provide long term and short-term employment in the county. Mr. Blanks stated that he did not reside in the county, however, he felt that some type of cap should be placed on solar development as the 2,300 acres is too low.

Mrs. Suzanne Inge currently owns a business in the town of Boydton. Mrs. Inge feels the amendment would restrict solar development in the county. Mrs. Inge advised the commission that several of the small farmers are no longer farming the land, and this would be income to assist them.

Mr. Andrew Inge advised the commission that he lived on Old Cox Road, and he was not in support of the application. Mr. Inge advised the commission that several of the complaints were solar facilities that were lacking screening and were eyesores. Mr. Inge explained to the commission that cut over timber and old garages are not screened, and they are an eyesores too.

Mrs. Joyce French advised the commission that she owned property on Old Cox Road, and the family had agreed with APEX solar to develop the Inge family farm. Mrs. French advised the

commission to grandfather this project because the development process began in 2021. Mrs. French advised the commission to allow the applications that are in the process to apply and then consider the solar development cap.

Mr. Frank Rennie, attorney on behalf of the Inge family, advised the commission that the Inge family had a good company working with them on their solar project. Mr. Rennie asked the commission to amend the ordinance to allow the developers that were in process could submit their applications. Mr. Rennie advised the commission that there was a problem in Washington with developers being able to connect to the grid. Mr. Rennie asked the commission to allow the Inge project to be grandfathered in because of the grid connections.

Mr. Jeff Hammond, director of project development with APEX Solar, advised the commission that the company had developed many projects in the State of Virginia. Mr. Hammond advised the commission that the Family Tree Solar project is 7 miles east of Chase City and the company had followed all the guidelines in Article 20. Mr. Hammond advised the commission that PJM was currently not reviewing any solar applications until after 2025. Mr. Hammond asked the commission to grandfather this project due to the work the company has performed.

Mr. Nick Bundren, from Blacksburg Virginia, and a member of the Virginia Land Liberty Coalition, advised the commission that he opposed the application. Mr. Bundren advised the commission to limit the amounts of solar development because it trends on the landowner's rights.

Mr. Hendrick advised the commission that he had received 9 letters against this application, and 3 letters for this application.

The public hearing was closed.

Upon a motion from Mr. Crump, seconded by Mr. Warren, and on a vote of 9 to 1, with Mr. Reamy, Mr. Hayes, Mrs. Dennis, Mrs. Crowder, Mr. Lasster, Mr. Wastson, Mr. Crump, Mr. Brankley, and Mr. Warren voting aye, and Mr. Crocker voting nay, the application was recommended for approval with the following reason:

- a. The Planning Commission is responsible for guiding the future development of the Mecklenburg County and is concerned that without an acreage limitation, the agricultural nature of the County will be diminished.
- b. The Planning Commission wishes to provide future applicants with notice that the County will have a limit on the total approved Solar Facilities.
- c. The Mecklenburg Comprehensive Plan acknowledges that prime farmland and timber production are key components of the Mecklenburg County economic base, and the Solar Facilities shrink the amount of available land for these uses.
- d. A total acreage limitation on the amount of approved Solar Facilities will ensure that Mecklenburg County's stream, creeks, lakes, and other waterways will remain protected.
- e. Measuring the fenced-in acreage of the Solar Facilities ensures that all generating equipment and related infrastructure of a project is included, and the fenced-in acreage is a reasonable and generally understandable method for limiting the total amount of Solar Facilities that may be approved.
- f. The plan should preserve the rural characteristics of Mecklenburg County.

Upon a motion from Mr. Reamy, seconded by Mr. Lassiter, the planning commission unanimously approved the April 27, 2023, planning commission minutes.

Mr. Hendrick presented the Zoning and Building permit reports for review.

There being no further business, the meeting was adjourned.

Respectfully submitted,

Charles P. Reamy
Secretary