

**Albemarle County Planning Commission
Work Session and Regular Meeting
Final Minutes June 25, 2024**

The Albemarle County Planning Commission held a public hearing on Tuesday, June 25, 2024, at 4:00 p.m.

Members attending were Fred Missel, Chair; Karen Firehock; Julian Bivins; Lonnie Murray; and Nathan Moore.

Members absent: Luis Carrazana, Vice-Chair. Corey Clayborne.

Other officials present were Jodi Filardo; Lea Brumfield; Kevin McDermott; Rebecca Ragsdale; Michael Barnes, Director of Planning; Andy Herrick, County Attorney's Office; and Carolyn Shaffer, Clerk to the Planning Commission.

Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

Public Hearing

SP202400008 Crown Orchard Solar

Rebecca Ragsdale, Planning Manager, said that there was a proposed one-and-a-half-acre solar facility at an existing orchard operation, which was part of Crown Orchards' overall operations and properties. She said that since the definition of a solar facility states it as being over half an acre, even though it will not be utility scale and solely supports the orchard, the special use permit was still required. She said that the location of this solar facility was at the end of Crown Orchard Road, off Plank Road, in the Craigs Store area of the County. She said that the solar panels would be situated on a hillside near the cold storage and other orchard operations, accessed by existing farm orchard access.

Ms. Ragsdale said that upon reviewing it, staff took into account the topography and the limited area they would occupy, finding no concerns regarding visibility. She said that the application had been reviewed by their rural area planners, engineering, and their usual project team for any concerns related to impacts on adjacent properties or consistency with the comprehensive plan. She said that although it supported an orchard operation, they ensured to consider all other portions of the plan.

Ms. Ragsdale said that they acknowledged it was in the mountain overlay protection area, but based on how it was sited and the limited area, there were no concerns with impacts to that. She said that staff recommended approving this special use permit, subject to a number of conditions. She said that the conditions included development in general accord with the plan, increased setbacks, protection of wooded areas, provision for decommissioning, and standard conditions regarding site and training for Fire Rescue and all of those typical things.

Ms. Firehock said that they were approving the use of solar at the location. She asked if there was anything in the conditions or application that specified a restriction on the number of panels.

She asked whether it was possible for the solar arrays to spread beyond and go outside of the small cluster they saw.

Ms. Ragsdale said that they must be within that cluster, which was specified in the conditions.

Ms. Firehock said that she wanted to clarify that because she saw they were considering the location but not the extent of the installation.

Ms. Ragsdale said that staff would ensure that aspect was covered if it was not already. She said that in Condition 1A, location of the solar development envelope, made a reference to the plan that regulated that.

Ms. Firehock said that it should be specific to the location and the extent.

Ms. Ragsdale said that they would ensure that was clarified when the item appeared before the Board of Supervisors for consideration.

Mr. Missel opened the public hearing. He asked if the applicant had a report for the Planning Commission.

Andrew Jenner stated that he resided in Harrisonburg and served as the branch manager for Paradise Energy Solutions, the contractor for this project. He said that they were the solar company proposing to construct this solar installation for Crown Orchard. He said that the Commission had received all the materials related to their special use permit application, which included electrical drawings, a project narrative, and other items. He said that he would provide a brief overview of the project. He said that the system was designed to be 491-kilowatts in size, intended to offset the usage of 16 meters at Crown Orchard Company.

Mr. Jenner said that regarding expanding the array in the future, one limiting factor was that it was net metering, not utility scale solar. He said that therefore, the size of the array was limited by what the utility allowed. He said that it was not a power plant feeding solar onto the grid, which was more typical where they could theoretically want to come back and do more later. He said that this usage was as large as the utility would allow in this specific circumstance based on the usage of these meters owned by Crown Orchard Company. He said that the installation was located near an existing cold storage facility.

Mr. Jenner said that they were planning to cover about 1.5 acres, which consisted mainly of solar panels and the steel structure to hold them. He said that the panels were quite low to the ground. He said that people had likely seen similar installations before, as they were not very tall. He said that the tallest thing would be a new utility pole. He said that once built, it would not cause any noise, dust, or traffic problems. He said that environmental benefits were one of the major things this project provided, as it produced a significant amount of renewable electricity for decades to come.

Mr. Jenner said that the points made in the staff report and their narrative highlighted several goals of the zoning ordinance and the comprehensive plan that they felt were supported by this project. He said that their company, a turnkey solar PV company, specialized in commercial, residential, and agricultural work. He said that established about 15 years ago in Pennsylvania, their branch had been in Virginia out of Harrisonburg since 2017. He said that they had completed a few projects in Albemarle County; however, none had been large enough to bring them before the Commission and Board until now.

Mr. Jenner said that the most recent one was in Spring Valley Orchard, owned by the same Crown Orchard Company and located near Nelson County, southwest of here. He said that it began operating earlier this month after being built in the spring. He said that the project was about a third of this size, supporting agricultural operations only. He said that included was a picture to demonstrate its modest scale. He said that another project for the same customer was in Campbell County at another orchard they owned. He said that the proposed project was about three times the size of that one; however, by modern standards of large-scale solar, it remained fairly modest.

Mr. Bivins asked if this solar installation would be solely used by the orchard and no other residential structures.

Mr. Jenner said that the installation was designed to offset for the 16-meter area owned by the Crown Orchard Company. He said that he was uncertain about the specific details, but there were multiple residences located there.

Mr. Bivins asked if it could be used by both commercial and residential.

Mr. Jenner said that it was possible, and this arrangement was quite unusual in comparison to how things usually worked. He said that typically, the method used for net metering allowed only one meter to be involved, which offset its usage. He said that in certain circumstances, some utilities permitted meter aggregation; however, this was not technically meter aggregation but behaved similarly. He said that they would be interconnected at a new electrical service, but the size of the array and the projected production were based on 16 total meters owned by Crown Orchard and located contiguously. He said that he was unsure about the nature of all those 16 meters; it could be that some of them were used for farm worker housing, as there were many such structures in the area.

Mr. Bivins said that he would suggest that they determine whether the use was being used for only commercial or for residential use as well before this application was presented to the Board of Supervisors.

Mr. Missel asked if viewsheds had been considered as part of this proposal.

Mr. Jenner said that this was a question that staff had raised early on, and he believed Mr. Ragsdale met his colleague there to examine it in person. He said that the terrain, with the south-facing slope and the road coming into the property, made it quite hidden. He said that it was difficult to see until one was right at the dead end of the public road, which ended at the cold storage facility.

Ms. Firehock asked if it was possible if the restrictions or guidelines that limited the solar panels for this specific location could be changed in the future.

Mr. Jenner said that it was possible. He said that those regulations were established by the State Corporation Commission and the legislature.

Ms. Firehock asked if those regulations were referring to the size or usage of the facility.

Mr. Jenner said that it was based on usage. He said that in a rural co-op, they could size at 100% of the past 12 months' usage. He said that for instance, if he used 100,000 kilowatt hours, he could build an array that would produce up to 100,000 kilowatt hours. He said that in Dominion

and Appalachian Power Territory, it allowed up to 150% of one meter's usage. He said that meter aggregation could change this a bit more. He said that while there were nuances, it was based it on electricity consumption. He said that in this case, it was referring to the total of those 16 meters.

Ms. Firehock asked if the regulations were designed to right-size the project for its use.

Mr. Jenner said yes. He said that regarding the size of the array, which was directly related to the production amount, if there was a condition restricting them to what had been proposed currently, then if the owner in the future experienced increased usage or faced a policy change allowing more production, they would need to seek a new special use permit or an amendment to this one.

Mr. Missel asked if there were any comments from the public. Seeing none, he asked the Clerk if there were any speakers signed up online.

Ms. Shaffer said that there were none.

Mr. Missel closed the public hearing and the matter rested with the Commission.

Mr. Murray requested that staff include stream buffers on the maps even when they were not affected by the proposed development.

Ms. Firehock motioned that the Planning Commission recommend approval of SP202400008 Crown Orchard Solar for the reasons stated in the staff report and with the staff-recommended conditions, which was seconded by Mr. Moore. The motion passed unanimously (5:0). (Commissioners Carrazana and Clayborne were absent)

Adjournment

At 8:14 p.m., the Commission adjourned to Tuesday, July 9, 2024, Albemarle County Planning Commission meeting, 6:00 p.m. in Lane Auditorium.



Michael Barnes, Director of Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

Approved by Planning Commission
Date: 07/09/2024
Initials: CSS