



County of Albemarle
Community Development Department - Planning

Bill Fritz
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December 6, 2024

Brian Miller, P.E.
Bohler Engineering
9100 Arborteam Parkway Suite 140
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RE: SP202300023 Buck Island Solar

Dear Mr. Miller,

The Albemarle County Planning Commission at its meeting, November 26, 2024, recommended approval of the above noted Special Use Permit by a vote of 4:0 (Commissioners Bivins, Missel, and Moore absent), per the request of the applicant.

1. Development and use must be in general accord with the conceptual plan prepared by BOHLER and NEXAMP dated 10/21/2024 (hereinafter "Concept Plan") and included as Attachment 4, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Concept Plan, development and use must reflect the following major elements as shown on the Concept Plan:
 - a. Location of solar development envelopes,
 - b. Location of equipment yard, and
 - c. Retention of wooded vegetation in stream buffers

Land disturbance, which includes but is not limited to grading, excavation, filling of land, the felling of trees, and the removal of tree stumps, shall be limited to the areas within the limit of disturbance as shown on the Concept Plan.

Minor modifications, with the approval of the Zoning Administrator and the Director of Planning, to the Concept Plan that do not otherwise conflict with the elements listed above may be made to ensure compliance with the Zoning Ordinance, and State or Federal laws.

2. Landscaping and screening locations must be substantially the same as shown on the Concept Plan. Additional landscaping and screening may be required during site plan review if required for compliance with the screening provisions of Chapter 18 of the Code of Albemarle. Planting materials shall be determined by The Agent during site plan review as provided for in Chapter 18 of the Code of Albemarle.
3. The applicant must submit a decommissioning and site rehabilitation plan (hereinafter "Decommissioning Plan") with the building permit application that must include the following items:
 - a. A description of any (e.g. lease) with the landowners regarding decommissioning;

- b. The identification of the party currently responsible for decommissioning;
- c. The types of panels and material specifications being utilized at the site;
- d. Standard procedures for removal of facilities and site rehabilitation, including recompacting and reseedling;
- e. An estimate of all costs for the removal and disposal of solar panels, structures, cabling, electrical components, roads, fencing, and any other associated facilities above ground or up to thirty-six (36) inches below grade or down to bedrock, whichever is less;
- f. An estimate of all costs associated with rehabilitation of the site; and
- g. Provisions to recycle materials to the maximum extent possible.

The Decommissioning Plan must be prepared by a third-party engineer and must be signed off by the party responsible for decommissioning, and all landowners of the property included in the project. The Decommissioning Plan shall be subject to review and approval by the County Attorney and County Engineer and shall be in a form and style so that it may be recorded in the office of the Circuit Court of the County of Albemarle.

- 7. Prior to issuance of a grading permit, the Decommissioning Plan must be recorded by the applicant in the office of the Circuit Court of the County of Albemarle.
- 8. The Decommissioning Plan and estimated costs must be updated every five years, upon change of ownership of either the property or the project's owner, or upon written request from the Zoning Administrator. Any changes or updates to the Decommissioning Plan must be recorded in the office of the Circuit Court of the County of Albemarle.
- 9. The Zoning Administrator must be notified in writing within 30 days of the abandonment or discontinuance of the use,
- 10. All physical improvements, materials, and equipment (including fencing) related to solar energy generation, both above ground and underground, must be removed entirely, and the site must be rehabilitated as described in the Decommissioning Plan, within 180 days of the abandonment or discontinuance of the use. In the event that a piece of an underground component breaks off or is otherwise unrecoverable from the surface, that piece must be excavated to a depth of at least 36 inches below the ground surface.
- 11. If the use, structure, or activity for which this special use permit is issued is not commenced by DATE 3 YEARS AFTER APPROVAL BY THE BOARD OF SUPERVISORS, the permit must be deemed abandoned and the authority granted thereunder shall thereupon terminate.
- 12. The facility must meet the requirements contained in Chapter 18, Section 4.14 of the County Code.
- 13. Products used to clean panels are limited to water, and biodegradable cleaning products.
- 14. No above ground wires are permitted except for those (a) associated with the panels and attached to the panel support structure and (b) tying into the existing overhead transmission wires, and/or necessary to avoid impacting wetlands or stream buffers.
- 15. Prior to activation of the site the applicant must provide training for Fire/Rescue. This training must include documentation of onsite materials and equipment, proper firefighting and life saving procedures and material handling procedures.
- 16. The property owner must grant the Zoning Administrator, or designee, access to the facility for inspection purposes within 30 days of the Zoning Administrator requesting access.

17. Outdoor lighting for the facility shall be permitted only during maintenance periods; regardless of the lumens emitted, each outdoor luminaire must be fully shielded as required by section 4.17; provided that these restrictions shall not apply to any outdoor lighting required by state or federal law.
18. The project must achieve VA Pollinator-Smart Certification as contained in the Virginia Pollinator-Smart Solar program.
19. Fencing must be consistent with the recommendations of the Department of Wildlife resources. This includes a fence at a minimum height of 8 feet to exclude deer with a four inch gap at the bottom.
20. The facility is subject to §58.1-2636(A) of the Code of Virginia.

The Albemarle County Planning Commission at its meeting, November 26, 2024, found that the above noted Special Use Permit is substantially in accord with the adopted comprehensive plan by a vote of 4:0 (Commissioners Bivins, Missel, and Moore absent),

Should you have any questions regarding the above-noted action, please contact me.

Sincerely,
Bill Fritz
Development Process Manager/Ombudsman
Planning Division

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