



County of Albemarle
COMMUNITY DEVELOPMENT DEPARTMENT

401 McIntire Road, North Wing
Charlottesville, VA 22902-4579
Telephone: 434-296-5832
WWW.ALBEMARLE.ORG

May 7, 2021

Robert Jocz
Sun Tribe Development
300 East Main Street, Suite 200
Charlottesville VA 22902
bobby.jocz@suntribedevelopment.com

RE: SP202100001 Midway Solar Project Action Letter

Dear Mr. Jocz

The Albemarle County Planning Commission, at its meeting on April 20, 2021, recommended approval by a vote of 6:0 of the above noted petition with conditions outline in the staff report, and an additional condition to minimize disturbance of prime soils.

The Planning Commission recommended approval by a vote of 6:0, that the above noted petition is in compliance with the Comprehensive Plan.

Listed are the following recommended conditions of approval:

1. Development and use shall be in general accord with the plans prepared by Hewitt Solutions, PLLC titled "Central Virginia Electric Cooperative Midway Solar Project" dated December 17, 2020 (hereinafter "Concept Plan") and included as Attachment C, as determined by the Director of Planning and the Zoning Administrator. To be in general accord with the Concept Plan, development and use shall 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 proposed fence area as shown on the Concept Plan. The location of the proposed entrance and access to the solar facility shall not be subject to this condition.

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 shall be substantially the same as shown on the plans prepared by Hewitt Solutions, PLLC titled "Central Virginia Electric Cooperative Midway Solar Project" dated December 17, 2020 (hereinafter "Concept Plan") and included as Attachment C, as determined by the Director of Planning and the Zoning Administrator.
3. All inverters and solar panels shall be set back at least one hundred (100) feet from property lines and rights-of-way.

4. The applicant shall submit a decommissioning and site rehabilitation plan (hereinafter "Decommissioning Plan") with the building permit application that shall 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 reseeding;
 - 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; and
 - f. An estimate of all costs associated with rehabilitation of the site.
 - g. Provisions to recycle materials to the maximum extent possible.

The Decommissioning Plan shall 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.

5. Prior to issuance of a grading permit, the Decommissioning Plan shall be recorded by the applicant in the office of the Circuit Court of the County of Albemarle.
6. The Decommissioning Plan and estimated costs shall 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 shall be recorded in the office of the Circuit Court of the County of Albemarle.
7. The Zoning Administrator shall be notified in writing within 30 days of the abandonment or discontinuance of the use,
8. All physical improvements, materials, and equipment (including fencing) related to solar energy generation, both above ground and underground, shall be removed entirely, and the site shall 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 shall be excavated to a depth of at least 36 inches below the ground surface.
9. 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 shall be deemed abandoned and the authority granted thereunder shall thereupon terminate.
10. The facility shall be meet the requirements contained in Chapter 18, Section 4.14 of the County Code.
11. Products used to clean panels are limited to water, and biodegradable cleaning products.
12. No above ground wires except for those associated with the panels and attached to the panel support structure and those associated with tying into the existing overhead transmission wires.
13. Prior to activation of the site the applicant shall provide training Fire/Rescue. This training shall include documentation of onsite materials and equipment, proper firefighting and life saving procedures and material handling procedures.
14. The property owner shall grant the Zoning Administrator, or designee, access to the facility for inspection purposes within 30 days of the Zoning Administrator requesting access.
15. Outdoor lighting for the facility shall be permitted only during maintenance periods; regardless of the lumens emitted, each outdoor luminaire shall 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.

16. Plantings for screening shall include a minimum of three species type taken from the Albemarle County Recommended Plants List or as may be approved by the Agent. Species shall be dispersed throughout the site.
17. Construction/truck traffic shall access this property from the west and not from Batesville. This limitation does not apply to passenger vehicles and pickup type vehicles.
18. The applicant make every effort to avoid removal or disturbance of prime agricultural soils as depicted on the map provided with the application.

If you should have any questions or comments regarding the above noted action, please do not hesitate to contact me at (434) 296-5832 ext 3242 or email bfritz@albemarle.org

Sincerely,
William D. Fritz, AICP
Development Process Manager/Ombudsman

Cc. Central Virginia Electric Cooperative
PO Box 247
Lovingston VA 22949
acotter@mycvec.com