

The Greensville County Planning Commission meeting was held Tuesday, March 10, 2020, 6:00 P.M., in the Board Room of the Greensville County Government, 1781 Greensville County Circle, Emporia, Virginia.

**PRESENT**

Walter Robinson, Chairman  
 Jeff Robinson, Vice-Chairman  
 Lofton Allen  
 Stephen Allen  
 Joe Antorn, Jr.  
 Dianne Barnes-Rhoades  
 William Cain  
 Annie Odom  
 Kim Wiley

**STAFF PRESENT**

Linwood E. Pope, Jr.  
 Treva Pernell

**OTHERS PRESENT**

Rebecca Cobb, The Berkley Group	Benny Ligon
Karen Kemerait, Fox Rothschild LLP	Clint Slate
Phillip Martin, Ecoplexus	Wilson Clary
Forrest Coldren, Ecoplexus	Amy Lifsey
Susan Gladding, Clearway Energy	Belle Patterson
David Stoner, Clearway Energy	Sheila Ferguson

---

Chairman Robinson called the meeting of Tuesday, March 10, 2020 to order. Mr. Robinson stated that the Commission would start the meeting with prayer. He called on Commissioner Jeff Robinson to offer prayer. The secretary called the roll.

---

**In Re: APPROVAL OF THE AGENDA**

Chairman Robinson entertained a motion for approval of the agenda.

Mr. Lin Pope stated that the agenda was structured differently than usual because there were several cases before the Commission. He said that instead of one large public hearing for all cases, there was an individual public hearing for each case, then regular session for each case so the Commission could make a decision on each individual case so people could leave after their case was decided.

Commissioner Steve Allen made the motion to approve the agenda with changes as stated, seconded by Commissioner Dianne Barnes-Rhoades, with all voting aye, motion carried.

---

**In Re: APPROVAL OF THE MINUTES**

Chairman Robinson entertained a motion to approve the minutes of February 11, 2020.

Commissioner Cain had a question about the statement in the minutes by Susan Gladding concerning the Fountain Creek Solar Project meeting all but two of the points in the Comprehensive Plan. He stated that he knew of four points they had not met.

Mr. Pope stated that the minutes reflect the accurate representation of the statement made by Ms. Gladding at that meeting. He stated that this could be brought up during the regular session of their case. He further stated that the recording of the minutes would be researched for accuracy.

Verbatim section of minutes in question from February 11, 2020 PC meeting

6:32 p.m. – Susan Gladding stated

“All of these items listed, originally part of your original Comprehensive Plan, we have been able to meet and achieve all of those listed there. Next slide, on all of the updated solar specific zoning ordinance and comprehensive plan requirements, as you can see these boxes are marked, all but two requirements we were able to achieve, the ones with asterisks, greater than 1.5 miles from an existing solar facility and less than one mile from a transmission line are the two we could not meet.”

Commissioner Steve Allen made a motion to approve the minutes with any changes needed as per Commissioner Cain’s concerns, seconded by Commissioner Robinson, with all voting aye, motion carried.

Chairman Robinson entertained a motion to go into public hearing to hear SP-2-20 – Spring Church Bed & Breakfast.

Commissioner Steve Allen made a motion to go into public hearing, seconded by Commissioner Barnes-Rhoades, with all voting aye, motion carried.

---

**In Re: PUBLIC HEARING**

Mr. Lin Pope gave the staff report for SP-2-20 – Spring Church Bed & Breakfast and Events. He stated that the Pitts had applied and were approved for a Special Use Permit in 2005 to open this B & B. In 2015, they had stopped operating as a bed and breakfast therefore when they decided to re-open the business they needed to re-apply for an SUP. He also stated that the Health Department had already made their inspection. The County building inspector would make his inspection. He stated that staff recommended the approval of this permit with conditions as specified in the staff report.

Chairman Robinson asked for a motion to go into regular session.

Commissioner Robinson made a motion, seconded by Commissioner Barnes-Rhoades, with all voting aye, motion carried.

---

**In Re: REGULAR SESSION**

**SP-2-20 – Spring Church Bed & Breakfast and Events**

Chairman Robinson entertained a motion for this case.

Commissioner Barnes-Rhoades made a motion to approve with the eight conditions as stated, seconded by Commissioner Robinson, with all voting aye, motion carried and would be recommended to the Board of Supervisors at their next meeting.

---

**In Re: PUBLIC HEARING**

Mr. Lin Pope stated that right before this meeting he had received an email from the County Attorney, Russell Slayton, stating some concerns about solar projects. He stated that they were not specific to this case, just related to solar projects in general. He also stated that as a result of some developments on some solar projects in Southside Virginia, he had some concerns he wants to address with the Planning Commission and Board of Supervisors. He asked that the Commission defer action on this case tonight until a special called meeting on March 24, 2020. He further stated that meanwhile, these issues will be discussed with staff. The applicant is aware of these concerns and they were in agreement to defer action on their permit.

Commissioner Steve Allen made a motion to go into Public Hearing, seconded by Commissioner Robinson, with all voting aye, motion carried.

---

**In Re: SP-3-2020 – Brunswick Road PV1**

Ms. Rebecca Cobb, the Berkley Group, gave the staff report. She stated that the applicant proposes to construct a 150 megawatt, photovoltaic solar energy generation facility, associated substation and associated battery storage on seven (7) parcels zoned A-1 totaling 1,911 acres. The applicant proposes 749 acres of panel coverage on 1,134 acres of project area including 150 foot setbacks and 100 feet of existing or planted vegetation on the exterior of the fence (66% panel coverage). The project includes an on-site substation for interconnection to the grid along the transmission line that crosses the site northwest to southeast. The project includes providing 100 MW battery storage using lithium iron phosphate (LFP) batteries.

Ms. Cobb stated that the staff found that the project would not be detrimental to the community and is in conformance with the County's Comprehensive Plan and Policies. She stated that staff recommended the approval of SP-3-20 – Brunswick Road PV1 with the fourteen (14) conditions as stated in the staff report.

Ms. Karen Kemerait, Fox Rothschild LLP, addressed the Commission stating that the project meets all the requirements for issuance of the special use permit. She introduced Forrest Coldren and Phillip Martin with Ecoplexus.

Mr. Phillip Martin, Ecoplexus, addressed the Commission stating that there is 749.2 acres of panels with a total area of 1,134.2 areas (66% panel coverage). He stated that they would move the battery storage 500' farther into the interior of the site away from the river. He stated that there would be six (6) wildlife corridors using a "Deer Buster" fence that allows smaller animals to go through the fence and deer can jump the fence (no barbed wire). He also stated that they would be in discussions with the County Attorney, Mr. Pope and the property owners in regards to the decommissioning language. He asked about names for a third party decommissioning agent. (Mr. Pope stated that he would furnish this for them.)

Mr. Pope stated that all decommissioning language would have to be approved by the Board of Supervisors.

Chairman Robinson asked for any questions or comments from those present, being none, he stated that he would entertain a motion to defer this decision until the meeting on March 24, 2020 at 6:00 p.m.

Chairman Robinson entertained a motion to go into regular session.

Commissioner Steve Allen made a motion, seconded by Commissioner Barnes-Rhoades, with all voting aye, motion carried.

---

**In Re: REGULAR SESSION**

Commissioner Wiley made a motion to defer SP-3-20 – Brunswick Road PV1 until March 24, 2020 at 6:00 p.m., seconded by Commissioner Steve Allen, with all voting aye, motion carried.

---

**In Re: 2232-1-20 – Fountain Creek Solar Project**

Mr. Lin Pope recommended that the applicant and those present be given an opportunity to express their views on this 2232 Review.

Ms. Susan Gladding, Clearway Energy, gave a quick presentation of a project change. She stated that this project is 1.5 miles from the Meherrin Project, therefore within the guidelines of the Comprehensive Plan. She also stated that they had made a change to the project by installing the gen-tie line underground between Forest Hill Baptist Church and its parsonage and where it crosses Pine Log Road.

Ms. Gladding stated that there were two cultural resources identified by Clearway consultants when they went out to make surveys. She stated that the first one had a cluster of pottery fragments along the proposed gen-tie line. She also stated that Clearway had reached out to the Virginia Department of Historic Resources (VDHR) and provided them with a mitigation plan for handling that area. She further stated that the response letter from VDHR assured them that their avoidance plan would adequately protect that resource.

Ms. Gladding stated that in addition there was a home identified along Brink Road as potentially eligible for listing. She stated that this house is across the road from the project site and due to elevation and topography of the site; the panels would not be seen from the home identified. She stated that it was the opinion of the VDHR that the proposed project would not significantly affect that resource.

Ms. Gladding stated that they would increase set back sites along the eastern portion of the site and add vegetative buffer to mitigate the 1.5 miles from a solar facility. She stated that they have offered a timber preservation along portions of the area along the gen-tie line so that those trees will remain in place for the duration of the project.

Ms. Gladding stated that Clearway had gathered 56 letters of support for the project and 34 of the letters were from people living adjacent to and/or in proximity to the project site.

Mr. Benny Ligon addressed the Commission and stated that this project is not greater than 1.5 miles from the next solar facility; it is only 600'. He stated that it is more than a mile from the transmission line. He also stated that Clearway was incorrect in their statement that the project is 1.3 miles from the "village of Brink".

Mr. Ligon stated that he did not understand why the Commission did not listen to the opinions of its own consultants. He asked that the Commission do their due diligence in the decision of this project.

Mr. David Stoner, Clearway Energy, addressed the Commission. He stated that the panels would not be seen by anyone on Pine Log Road and the gen-tie line would be installed underground. He also stated that they have made this proposed project better over the months since the first 2232 Review.

Mr. Clint Slate addressed the Commission. He stated that he was in favor of this project and feels the land owners should be able to use their land as they see fit. He also stated that the decision that the Commission makes will affect a lot of lives and they need to think about the consequences of their actions.

Mr. Wilson Clary addressed the Commission. He stated that this project would not encroach or entrap any homes. He stated that the mileage from the substation of Pine Log Road and the entrance to the project on Fish Road is 3.2 miles. He also stated he did not see how a project that far from Pine Log Road would affect the people living there; he felt that was a leap.

Ms. Amy Lifsey addressed the Commission. She believes in landowner rights, solar power and solar projects if they are good projects and, as a taxpayer in Greenville County, she highly supports the Fountain Creek Solar Project. She stated that Clearway has done an exceptional job in doing everything the Commission has asked to make this a wonderful project and asked that the Commission grant the approval of this 2232 Review.

Ms. Belle Patterson addressed the Commission. She stated that she is the property owner of Parcel 41-16 and has been in her family for over 100 years. She also stated that Clearway had worked extensively with the County to make this project co-exist in Greenville County.

Ms. Sheila Ferguson addressed the Commission. She stated that she finds it hard to believe that the houses in front of Forest Hill Baptist Church are part of the 39 letters of opposition discussed by Mr. Benny Ligon. She also stated that she found it hard to believe that they would object to a gen-tie line behind them that they would not be able to see or partly see, but they have eight to ten poles in front of their homes that carries the electricity to power their homes.

Commissioner Bill Cain stated that the County has worked hard for the past year on the County's Comprehensive Plan. He stated that this project is not in line with the Comp Plan. He stated that the fact that portions of this site are considered historical should be respected for the efforts that the owner took to have it designated as historical. He also stated that this project is only 600' from the Meherrin Solar Project. He stated that his recommendation is for denial of this project.

Commissioner Kim Wiley stated that she understands what is wonderful about Greensville County. She stated that she also knows that the County needs a tax base, businesses and that the County has to let businesses come into our community. She stated that there are worst neighbors than a solar farm. She further stated that of all things to have to keep our area rural and still produce income for landowners, solar fits the bill. She also stated that she could not see how the Commission could deny this 2232 Review since it had already been passed by this Commission in the past. She stated that this project had gotten better since the previous decision.

Commissioner Cain stated that his vote would be to deny this project.

Commissioner Antorn stated that he had toured the site and felt that this project was the most impressive project of all he had seen.

Commissioner Robinson stated that he had felt all along that this was the perfect solar site because of its remoteness. He stated that in his mind it does substantially comply with the County's Comprehensive Plan. He further stated that if the Virginia Department of Historic Resources considered the impact to be insignificant, then it certainly would be because the VDHR are a very conservative organization. He complimented Clearway on the changes they made to make the proposed project better.

Commissioner Lofton Allen stated that landowners having the right to use their land as they see fit changed when zoning ordinances came into being 30 years ago.

Chairman Robinson entertained a motion on 2232-1-20 – Fountain Creek Solar

Commissioner Robinson made a motion to approve the 2232 Review application, seconded by Commissioner Wiley, with eight (8) ayes and one (1) opposed, the motion carried.

---

**In Re: OTHER MATTERS**

Mr. Pope stated that the Comp Plan Kick Off to update the Comprehensive Plan would be held on March 17, 2020 at 6:00 p.m.

Chairman Robinson stated that this meeting would re-convene on March 24, 2020 at 6:00 p.m.

---

**In Re: ADJOURN**

There being no other discussions, Commissioner Steve Allen made a motion to adjourn this meeting until March 24, 2020 at 6:00 p.m. Commissioner Barnes-Rhoades seconded, with all voting aye. Motion carried and meeting was adjourned.

---

Walter W. Robinson, Jr.  
Chairman