

Mount Jackson
Planning Commission Meeting
September 13, 2021

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Regular Meeting

Chairman Larry Ambrose called the meeting to order at 7:00 PM in the council chambers at 5901 Main Street. Commissioners Anita Miller, Jim Hines, Dennis Andrick, and Evelyn Burner were in attendance. Also present were Neil Showalter, Town Manager; and Debbie Allen, Town Clerk.

Visitors were Mayor Donnie Pifer, Robert Whitehurst, Eleanor Whitehurst, and Tommy Keeler from the Northern Virginia Daily.

Agenda Additions/Deletions/Changes: None

Introduction of Guests: None

Hear from Visitors: None

Presentations:

1. Robert Whitehurst – OFW Solar

Mr. Whitehurst stated he was present tonight to give a brief introduction on a new solar project, which will be formally presented next month. He stated he was aware of emails being sent from a hate group recently, and wanted to provide accurate information to the Planning Commission. A final solar phase 4 project has been developing over the last 18-24 months. Mr. Whitehurst stated there is new state legislation increasing the solar tax bracket. He stated phases 2 and 3, which have already been approved, are currently grandfathered in under the old tax bracket. However, if phase 4 is approved, phases 2 and 3 will be combined with phase 4 into one larger site, under the newer tax bracket, an increase of over 50% more income to the Town.

Chairman Ambrose asked if he anticipated any local opposition to phase 4, as was the case with the first solar project. Mr. Whitehurst stated he did not expect any, with only two neighboring homes, one being his, and an industry. The new site is directly across from the phase 1 site, and is the same length. Mr. Whitehurst stated there will be a survey going out to neighboring residents regarding their preference in landscaping, and he will inform Mr. Showalter of those results. Millet was planted initially and was fast-growing, but new permanent grass will be planted by the end of September. Mr. Whitehurst stated the emails sent to Commissioners are from a group called Virginia Coalition for Human Rights, which is associated with the Middle East. He stated this group spoke at a meeting in Rockingham County recently, and advised commissioners to be cautious if speaking to this group, as they may misconstrue information. Ms. Burner asked how neighboring resident Melinda Monroe felt about this new solar site, and Mr. Whitehurst stated they have not had that discussion yet. Mr. Whitehurst stated the income for the Town would be approximately \$70,000 per year during the 35 year contract. He stated the total income is 2.5 million for the Town, and 6.7 million for the County. Mr. Showalter stated staff has not completed their review of those calculations.

Ms. Miller asked how long the solar panels last. Mr. Whitehurst stated the lease is 35 years, which is the normal life expectancy, but in the meantime if a panel burns out it will be replaced. Mr. Ambrose asked if the current solar site is functioning now. Mr. Whitehurst stated not totally, but in the final stages. Mr. Hines asked the official name of OFW Solar. Mr. Whitehurst stated the site was named after his mother, Olivia Frederickson Whitehurst, and the solar company is Energix. Ms. Miller asked what happens to the solar panels after the 35 year lease. Mr. Whitehurst stated at that time if solar panels are still relevant and another lease is not signed, the owning company would have to remove the panels and restore the site back

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to its original condition. Mr. Showalter stated a decommissioning plan will be part of the special use permit application, as well as a bond. Mr. Hines asked if the bond and contract were transferred from the original solar company Cypress Creek Renewables. Mr. Whitehurst stated yes, the contract remained exactly the same.

Mr. Andrick stated he researched the concerns regarding the materials used in the glass panels, and it appears it is standard material with no issues. His only concern was the appearance of the solar site, but Energix contacted him and made a conscientious effort to clean up under the panels. Mr. Whitehurst stated they have had issues with landscapers and heavy rains washing away grass plantings, and agreed the excess growth was uncontrollable this year. He is not allowed inside the site, but has done a lot of clean up work on the outside perimeter at his expense, due to his guarantee to the public the site would look nice. There was a discussion about an individual who had complaints regarding water run-off on his property. Mr. Whitehurst stated he has pictures from before and after the storm, and showed them to a VDOT representative, who confirmed the drain system is working properly. Mr. Whitehurst stated neither he nor the solar company is liable. Mr. Showalter advised the commissioners to wait until the formal presentation and the staff report for any remaining unanswered questions.

Approval of the Previous Meeting Minutes – Commissioner Miller MOVED, seconded by Commissioner Burner to APPROVE the Minutes of June 7, 2021 Regular Meeting and Joint Public Hearing.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Andrick			
Commissioner Miller			
Commissioner Burner			
Commissioner Hines			
Commissioner Ambrose			
5 AYES, motion carried			

Old Business: None

New Business:

1. Creation of Staff Planning/Zoning/Development Position.

Mr. Showalter stated last month the Personnel Committee met and discussed the growth of the Town and the increasing demand on staff to be involved in the development process. Out of that meeting, it was felt the need to create a full time planning position. Mr. Showalter stated part of this position would be as zoning technician assisting applicants and comparing zoning permits to the Town code. Another part would be to take the lead in promotional efforts for the Town's recreational, cultural and entertainment activities. Mr. Showalter stated as Zoning Administrator and Town Manager, he felt it was important to have the support of the Planning Commission. The Town is currently paying The Berkley Group nearly \$5,000 per month to assist with the most technical land use applications. The new hire would be a Town employee, and would be expected to handle most of that detailed work, zoning review and comparison to Town code, to help finalize applications. The Town will still utilize The Berkley Group for the most complicated applications, but a significant amount of that savings would be used to fund this new position.

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Ms. Miller asked if the new hire would be required to have a degree. Mr. Showalter stated the position will ask for a degree or equivalent work experience, specifically “any combination of education and experience that is equivalent to graduation from an accredited college with major coursework in planning community development or related field”. Staff is hoping the candidate has worked in zoning for at least 3 years. Mr. Showalter stated New Market made a similar hire this past spring and it has worked out well for them.

Commissioner Andrick MOVED, seconded by Commissioner Burner to APPROVE the Recommendation to Town Council the Creation of a Staff Planning/Zoning/Development Position.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Andrick			
Commissioner Miller			
Commissioner Burner			
Commissioner Hines			
Commissioner Ambrose			
5 AYES, motion carried			

2. Changing the November Regular Meeting Date from November 1, 2021 at 7:00 PM to November 3, 2021 at 7:00 PM.

Mr. Showalter stated the OFW Solar project is the reason for this change request. It is anticipated this project will be formally introduced in October with a joint public hearing in November. The current meeting is scheduled for Monday, November 1, but Tuesday, November 2 is Election Day, and the Visitor’s Center must be closed the night prior to the election. A public hearing on November 1, would crowd the council chambers due to hosting members of the Planning Commission and Town Council, plus any community members who wish to attend. Mr. Showalter stated this request would need to be approved tonight so the paperwork for the October meeting will reflect the correct date.

Commissioner Andrick MOVED, seconded by Commissioner Burner to APPROVE Changing the November Meeting from November 1, 2021 at 7:00 PM to November 3, 2021 at 7:00 PM.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>	<u>ABSENT</u>
Commissioner Andrick			
Commissioner Miller			
Commissioner Burner			
Commissioner Hines			
Commissioner Ambrose			
5 AYES, motion carried			

Board of Zoning Appeals Report: None

Town Council Items – Mr. Andrick: None

Zoning Administrator Report – Mr. Showalter stated he will provide this information at the next meeting.

Board Members’ Items: None

Commissioner Miller made a motion, seconded by Commissioner Burner, to adjourn the meeting at 7:30 PM.

Submitted by: Deborah L. Allen, Town Clerk