

Mount Jackson
Planning Commission and Joint Public Hearing
September 10, 2018

Vice Chairwoman A. Miller called the meeting to order at 7:00 p.m. in the council chamber at 5901 Main Street. Commissioners in attendance included Ms. W. Miller as well as Messrs. Andrick, Thompson and Hines. Councilmembers Shepherd, Rudy, Fultz and Good were also in attendance. Town Manager, Kevin Fauber; Interim Town Clerk, Susan Maziarz were present. Others in attendance included Suzanne Porter, Todd Holtzman, Robert and Eleanor Whitehurst and Matthew Gilliland of Cypress Creek Renewables, and Max Thornberry from the Northern Virginia Daily.

Joint Public Hearing

Special Use Permit Request – Triplett School Cafeteria, LLC (Todd Holtzman). Mr. Holtzman is requesting a Special Use Permit to convert the existing cafeteria into 4 apartments units.

Mr. Holtzman spoke, thank you very much for having me here tonight. I'm applying for four apartments, in the original cafeteria built in the nineteen fifties. The space has been for lease for the past year, hoping to find a commercial application, I'm not expecting that to happen. Having great success with residential applicants I think I can fill that space. The cafeteria is a total of four thousand feet, enough to make 4 units at a thousand square feet each, 2-bedroom apartments. I had hoped to find a Culinary School or catering business along those lines to fill the cafeteria. I had a meeting with the School Board, I tried to get the Triplett Tech School to possibly expand their Culinary School. It would have been a great complement to the project. It would have been a great counter balance, because the school would be used during the day and the Brew House in the evening. Triplett Tech School could not overcome the fact they would have to keep administration in two places.

Commissioner Thompson asked, will these be ADA Compliant?

Mr. Holtzman spoke, it's unlikely they will be ADA Compliant, because this only four units, I think you have to have far more than 4 units to require ADA Compliance

Suzanne Porter spoke, as citizen of Mount Jackson and my partner Steve we live at 6095 in the old log house across the street from the old Triplett School. I speak tonight for the highest regard for our town. This is where I stand on development of the Old Triplett School, I spoke at the last meeting regarding the Project and expressed our concerns to the development. I still remain apprehensive about the presence of a brew pub. To me a bar in a residential area, parking noise and always a threat of petty crime are issues associated with it. I was also worried about disruptions with building of duplexes in the rear would bring. Outside of the brew pub, what was intended for the school's interior now has changed, housing was never mention. And now I learn of a plan to build four apartments in the old school cafeteria space. Each to be a thousand square feet in size. I'm sure the initial intent will be for high end apartments. I question the units are small. Beyond that this seems to me only the beginning of a bigger goal of turning the Old Triplett School into an apartment building. Do the new home owners of expensive duplexes in the back want an apartment in their back year. Would a business want to open shop next door to apartments? I'm active in this community, I'm

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concerned what goes on in the valley. The Old Triplett School is a lasting emblem of the history and heart of this town. We need to treat it with respect it deserves.

Dominique Hoffman spoke, we live right next door to the Old Triplett School property. I'm concerned about the construction debris?

Todd Holtzman spoke, construction happens for the most part during business hours from 6am to 5pm on weekdays. Everything is permitted, the entire process is governed by the Town of Mount Jackson and the County thru permit process of inspections. We have to make sure we are not disruptive to our neighbors, there is no construction overflow and respect the property lines, and that will happen.

Councilwoman Good spoke, did I here you say business hours 6am -5pm? That is right early in the morning. You got housing right there.

Todd Holtzman responded, yes sometimes start at 6am, sometimes start at 8am. There are no constraints with the county, we could work 24 hours a day.

Councilwoman Good spoke, I'm not asking about what the county wants, I'm asking what the citizens wants. Is it fair to have them awakened at 6 in the morning with banging and carrying on? This is something you could control if you wanted to.

Todd Holtzman responded, if you wanted to slow the project down and restrict the hours work from 12pm - 1pm each day.

Councilwoman Good responded, that works.

Commissioner W. Miller spoke, does the town have any noise ordinance?

Town Manager, Kevin Fauber spoke, I believe there something in the code, I would have to check to see what the hours are. Typically, there are noise constraints.

Commissioner W. Miller spoke, so long as Mr. Holtzman meets those constraints then he is within the town's ordinance. I will say to address one of your concerns, as someone who frequents the Woodstock Brewhouse my concern about having a bar in town is negligible based on the way the Woodstock Brewhouse is run. Because it is extremely family friendly, its not a dive, we take our kids there. It is a nice place for families. It is the same folks that run the Woodstock Brewhouse will be running the Mt. Jackson Brewhouse. I understand it is across from your house.

Suzanne Porter spoke, I'm starting to enjoy the fact it will be there, it will bring jobs, it will benefit

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the community. My other concerns are I did not want bring up today was parking. My concern now is if other space in the building is not rented does that become an apartment building? If that becomes an apartment building does that become low income housing and then there could be a parking issue. And I'm also concerned about the construction noise too.

Todd Holtzman responded, the construction noise will be a fraction of the noise of tractor trailers make going down Route 11 using their engine brakes.

Suzanne Porter responded, if the noise does become a problem I will complain about it.

Commissioner A. Miller spoke, could you address the parking?

Todd Holtzman responded, we are working with the architect now, Jason Neal is the architect that designed the Brewhouse in Woodstock. He is designing parking for the Brewhouse in conjunction with the old cafeteria being future apartments the two properties will be shared. I have a parking easement. We will meet the town and county requirements for parking.

Commissioner A. Miller spoke, you will have parking for the apartments in the back?

Todd Holtzman responded, absolutely

Commissioner Hines spoke, do you have a diagram of the what the apartment area is going to look?

Todd Holtzman responded, prior to the next Planning Commission and Council meeting there will be an overhead drawing of the apartments and the whole parcel with parking spaces. And we will have a good conceptional front drawing of the school.

Commissioner Hines spoke, the distances between the two buildings is adequate for fire safety?

Todd Holtzman responded, yes, it is. Keep in mind there was a school there for many years. We will have to go through all the permitting with the County and satisfied the Fire Marshal.

Commissioner Hines spoke, is the cafeteria zoned business?

Town Manager, Kevin Fauber responded, it's in the B-1 district. Mr. Holtzman applied for a Special Use Permit.

Todd Holtzman responded, the Brewhouse is a go. We do have to meet the VDOT requirements for

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the entrances and parking as well as the town's requirements. That building is not going to have housing in it. It is not even conducive the way it was built to be housing. The Brewery will be in the bay area, there will a restaurant in the old school building and the Gym is a time capsule it needs to be preserved.

The Public Hearing is closed.

Regular Meeting

Agenda Additions/Deletions/Changes: None

Presentation: None

Approval of the previous Meeting Minutes – Commissioner W. Miller MOVED, seconded by Commissioner Andrick to APPROVE the Minutes of August 6, 2018, Joint Public Hearing & Regular Meeting.

VOTE:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Commissioner Thompson	None	Commissioner Burner
“ W. Miller		
“ Andrick		
“ A. Miller		
“ Hines		

5 AYES, motion carried

Old Business: None

New Business:

1. Special Use Permit Request – Cypress Creek Renewables – Expansion of the solar farm on the Whitehurst property along Turkey Knob Road. Introduction and Set Public Hearing for October 1, 2018.

Discussion:

Mr. Matthew Gilliland of Cypress Creek Renewables, I'm a project developer, we are the company working with Robert and Eleanor Whitehurst on the continued development of the Mt. Jackson 1 Solar Farm. I'm here tonight to give you an update on the progress on Mt. Jackson 1 Solar Farm and introduce two new applications.

Commissioner W. Miller spoke, are you a different company that presented to us last year?

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Mr. Gilliland responded yes, Virginia Solar came before you last year. We bought that project from them. They were a small development shop. Our firm Cypress Creek Renewables does the engineering, procurement, design and actual construction as well as the operations.

Commissioner W. Miller spoke, is that normal for a project to get started by a smaller company and purchased by a bigger company?

Mr. Gilliland responded yes, it is very common. A lot of the small development shops do not have the capital. They will partner with someone like us and we will pay them for the project and take over their project.

Commissioner Hines spoke, is this the only one in Virginia?

Mr. Gilliland responded, we have twenty projects in Virginia at the moment. Cypress Creek Renewables is the 3rd largest Solar Farm Developer in the United States. Our principle place of operation is in North Carolina. We have built over two hundred and fifty solar projects. I would like to give an update on Mt. Jackson 1, we are currently in the storm water process with the county it take about six months. We expect to break ground the middle of next year. We are in the design phase now. The projects I'm proposing to you tonight are Mt. Jackson 2 and Mt. Jackson 3. They would be located on the adjacent properties at Wissler Road and Turkey Knob Road. This would be similar in size as Mt. Jackson 1 project. Mt. Jackson 2 will be about 160 acres and Mt. Jackson 3 will be about 150 acres. This is all on the same Whitehurst property track. Every thing will on the west side of Turkey Knob and the access would be one of the side streets of Turkey Knob. These projects would be like the Mt. Jackson 1 project. One the benefits with these projects is the economic development, the number of jobs in construction and related jobs. We expect on the order of a hundred to two hundred different construction jobs during the life time of the construction phase. And with that comes the amount of local spending which we think are a great benefit with projects in the community. The spending in food and services and accommodations, raw materials, local workforce can exceed twenty million dollars for projects of this size. These projects have 5 to 6 jobs regular maintenance jobs to maintain landscaping, clean the panels, maintain equipment. With that comes a sustained economic benefit a couple hundred thousand dollars a year in local spending this will bring to the community. These projects will include 5 years of roll back taxes, the land is currently zoned for agricultural. When a solar use comes in it pays 5 years taxes for industrial zone up front. That is another benefit that comes to the community. Cypress Creek cares deeply about engaging with the communities when we do these projects in. Some of the common concerns are the visual, there would be a vegetative buffer with two rows of ever green trees and one hundred fifty foot set back from any residences and a fifty-foot set back from any property line. Many folks are concerned from glare from the panels, if glare is reflecting off the panel it means they are not working. We cover them with anti-reflective glare coating to make sure they are not causing any glare. There is no lighting, there maybe some security lighting it will be shielded. On the subject of noise once they are built they should not make any noise. The pile driving for the pillars that support the racking is noisy, so we would include a condition to restrict to normal business hours. Once in operation there should not be a lot of people going to the site. These things work by themselves. They are monitored remotely. Concern for traffic would be during construction only. On safety, there are high

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voltage equipment on these sites. We would include a six foot tall security fence around the property. That is the brief summary.

Commissioner Thompson spoke, the buffer for greenery, that would be along all road frontages and/or boundaries or adjacent properties?

Matthew Gilliland responded, very minimum with adjacent properties with residences, we should include buffer along road ways as well.

Commissioner Thompson spoke, the maintenance of the property could be left to a local person/company?

Matthew Gilliland responded, yes it could. We always seek bids from local firms.

Mr. Robert Whitehurst spoke, the landscaping on the Mt. Jackson 1, on Georgetown Road and Walker Road there will be landscaping. On Turkey Knob facing the industrial park and our property we did not have it there, only where people would interface with the property.

Commissioner A. Miller spoke, in the buffer zone there will be trees planted there?

Matthew Gilliland responded, yes

Councilwoman Good spoke, you mentioned roll back taxes, from my understanding none of this acreage is anything but farm land is that correct?

Matthew Gilliland responded, currently it is farm land.

Councilwoman Good spoke, so where are the roll back taxes?

Mr. Robert Whitehurst responded, when you take property out of Land Use it would be five or six years of taxes being paid.

Councilwoman Good spoke, Land Use taxes not taxes, and that will affect the town and that would be all and I don't know how sufficient that's going to be. You said it does not need water or sewer? I was understanding you had to clean those things every now and then.

Matthew Gilliland responded, we do not irrigate the sites. Any water needed to be cleaned can be trucked on to the site.

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Councilwoman Good spoke, I was reading on your website, talking about keeping them clean I thought you would need water? It is in a farm area and farmers tend raise a whole bunch of dust all the time.

Matthew Gilliland responded, we don't like dust it makes the panels less efficient. We usually plant cover and grasses and mow it regularly to prevent erosion.

Councilwoman Good spoke, the fence that you are talking about is this around the entire property? A chain link fence I assume?

Matthew Gilliland responded, yes it could be a chain link fence with barbed wire.

Councilwoman Good spoke, do you ever put in any other kind of fences besides chain link?

Matthew Gilliland responded, it is something we are open to explore. The standard is chain link. The number one priority is safety.

Commissioner Thompson spoke, does your site plan require a run off holding pond?

Matthew Gilliland responded, we do not anticipate requiring a holding pond for runoff, there is very little in the way of impervious surfaces that are included in the projects. Only the concrete pads underneath the transformer and the inverter would create additional runoff. The rest of the water infiltrate locally into the soil.

Councilmember Rudy spoke, you mentioned earlier in your presentation "the lifetime of the project" and if I remember correctly from the presentation from the earlier owners of this project, they talked about if the project is no longer viable or needed, they would come in and remove the equipment and restore the land to its original condition. Is that the case with this?

Matthew Gilliland responded, yes, that is called decommissioning. It is in the lease agreement with Robert and Eleanor Whitehurst.

Commissioner Thompson spoke, what is your end of life time for the equipment?

Matthew Gilliland responded, it depends on the equipment. The modules themselves degrade over time, usually fifteen to twenty years we would replace them. The inverters can last about ten years before it is replaced. All that is handled in the maintenance.

Commissioner Thompson spoke, at the end of 35 years will you decide to continue with the project?

Matthew Gilliland responded, the lease agreement we have is for 35 years.

Commissioner W. Miller spoke, what is the oldest project your company has currently in Virginia?

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Matthew Gilliland responded, in Virginia none of our projects are operational. Virginia is still a new market. All twenty are in development.

Commissioner Thompson spoke, how close are you to the nearest one being done in Virginia?

Matthew Gilliland responded, Mt. Jackson 1 is the furthest along. It will be in operation by next year. We expect to have 5 projects operational by next year. All in similar scale to the Mt. Jackson 1.

Commissioner W. Miller spoke, where are you on long term projects?

Matthew Gilliland responded, North Carolina is our biggest market. We have over a hundred projects built there. They have been operational for three or four years many of them. We have projects in the northeast Massachusetts, New York. Our company is five years old. These are fairly new projects.

Commissioner W. Miller spoke, how do you know the life span? If you are new to this as we are? What is your company's experience based off?

Matthew Gilliland responded, there are projects on the west coast, which have been built and studied. There are many projects on the east coast and all over the east coast to look to for data. The projects last as long as we kept the equipment up to date.

Commissioner W. Miller spoke, so how do you have the infrastructure for something like this? My concern is we heard the same thing last year and here we are again now.

Matthew Gilliland responded, we have built two thousand five hundred of megawatts of projects operational. We have already built and have operational two hundred and fifty of these same projects. I think if there is any company that you want to do these projects it would be ours. We are very good at what we do. We are the third largest in the country. And we specialize in small to medium scale projects. We have an excellent engineering team. We construct our projects on schedule as you will see next year when we break ground. I will always be a phone call away and I will be working closely on this project. To an extent I can give you more information or detail in referring you to other towns or counties where we have worked.

Commissioner W. Miller spoke, yes at minimum we would like to call other locations like the four-year ones in North Carolina to see how the process went.

Matthew Gilliland responded, yes, I can do that for you. We will be the one to take Mt. Jackson 1, 2 and 3 to the finish line.

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Commissioner Thompson spoke, you're not just venture capitalist, you're an actual jobber.

Matthew Gilliland responded, we are a jobber, we have six hundred employees spread out of the U.S. mainly in North Carolina.

Commissioner Hines spoke, so you have the construction equipment literally?

Matthew Gilliland responded, it is a mix, sometimes they will subcontract the pile driving. We have the construction management, engineering, procurement and we do have a staff for construction, but given the volume of projects in construction we do use third parties.

Councilwoman Good spoke, is any of the energy going to be developed going to be used anywhere around here?

Matthew Gilliland responded, the electricity will go on the distribution grid. It's the same power lines thru your community. That electricity can be distributed locally or regionally. It's really that point how power is drawn from the grid.

Councilwoman Good spoke, does it have an effect on electric costs?

Matthew Gilliland responded, the individual project level it would be very little incremental impact on costs. Generally solar is the cheapest form of electricity that can be built to this day.

Councilwoman Good spoke, you state there would be five to six jobs. Is that for Mt. Jackson 1, 2 & 3.

Matthew Gilliland responded, that is 5 for Mt. Jackson 2 & 3.

Councilwoman Good spoke, so your talking maybe ten jobs altogether for about five hundred acres.

Matthew Gilliland responded, along with construction jobs that come with it.

Councilwoman Good spoke, are you going to be doing your bidding here in Shenandoah County or all over the state/country?

Matthew Gilliland responded, it is a mix, some of the work is very technical and it has to be done so that it results in a safe project. Any firm that meets the qualifications to the federal standard for these types of electrical infrastructure projects can bid. We would engage and attract local bidders.

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Councilwoman Good spoke, there is with our Special Use Permits a timeline cutoff date. Since this is going to be going on for years, perhaps it should be written into the SUP up front rather than having to renew it every eighteen months after the initial one year.

Matthew Gilliland responded, yes one of the conditions will request the permit not to expire for four or five years.

Councilwoman Good spoke, can you tell me anything other than the construction and seven to ten jobs maybe, what other benefits does this give Mt. Jackson?

Commissioner Andrick spoke, this is seven to ten people that have employment.

Councilwoman Good spoke, on 100 acres.

Commissioner Thompsons spoke, they will pay a business license tax.

Matthew Gilliland responded, there is a guarantee thirty-five years of real property tax revenues.

Commissioner Good spoke, we already have that on farm land, it's not anything more now. The Business License is not expensive.

Mr. Whitehurst spoke, there is one hundred fifty acres of industrial land across within the growth area, next to Jonathan Day there is another eighty acres. There is still two hundred fifty acres of growth area on the east side of Turkey Knob. This project would give the long-term smart growth that we heard from a lot of people wanting. There is a project here that's renewable clean energy greatly needed in the county. We still have industrial property when the county gets their act together across the street. Once that builds up, infrastructure is redone, the population can grow at a normal rate. Then you have other sites coming out after 35 five years, you have another five hundred acres in the town for what ever it needs for industrial, commercial or residential. It's long term growth while making the town and community look good. Because this is the future.

Commissioner Andrick MOVED, seconded by Commissioner Thompson to APPROVE to Set Joint Public Hearing – October 1, 2018 at 7pm. Special Use Permit Request – Cypress Creek Renewables – Expansion of the solar farm on the Whitehurst property along Turkey Knob Road.

VOTE:

AYE
Commissioner Thompson
“ W. Miller

NAY
None

ABSENT
Commissioner Burner

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VOTE Continued:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Commissioner Andrick	None	
“ A. Miller		
“ Hines		

5 AYES, motion carried

Actions of the Board of Zoning Appeals: None

Report on Town Council Items: None

Zoning Administrator’s Report: None

Board Member’s Report: The Town Manager, Kevin Fauber spoke, I would like to welcome Mr. Thompson and Mr. Hines to the Planning Commission.

Commissioner Thompson commented on the jake brakes, Mr. Holtzman commented on jake brakes, I have noticed an increase in trucks using jake brakes on Rt. 11. I have traveled professionally for over 40 years. I was in a lot of towns, at the beginning of the town entrance right when you get off the highway, great big signs “No Jake Brakes”.

Commissioner Andrick spoke, in the state of Virginia if they have an accident in our town jurisdiction and that sign is put up we as the town are liable.

Commissioner Hines made a motion to adjourn the meeting at 8:02 p.m.

Submitted by:

Susan Maziarz
Interim Town Clerk