**Albemarle County Planning Commission**
**Draft Minutes December 12, 2023**

The Albemarle County Planning Commission held a public hearing on Tuesday, December 12, 2023, at 6:00 p.m.

Members attending were: Fred Missel, Vice-Chair; Julian Bivins; Karen Firehock; Nathan Moore; Lonnie Murray.

Members absent: Corey Clayborne, Chair; Luis Carrazana.

Other officials present were: Kevin McDermott, Deputy Director Planning; Rebecca Ragsdale; Andy Herrick, County Attorney's Office; Carolyn Shaffer, Clerk to the Planning Commission.

### Call to Order and Establish Quorum

Ms. Shaffer called the roll.

Mr. Missel established a quorum.

### Other Matters Not Listed on the Agenda from the Public

There were none.

### Consent Agenda

There were no items scheduled on the Consent Agenda.

### Public Hearings

**SP202300012 Kenridge Landscaping Amendment**

Planning Manager Rebecca Ragsdale said that she would be presenting information regarding a special use permit amendment that pertained to only one specific condition. She said that she would provide some background information and then discuss the details of the condition amendment. She said that this was related to the Kenridge project, a residential development situated between Boxwood Estate and White Gables, across from Birdwood on 250 West. She said that this area of the County, where White Gables, Kenridge, and Boxwood are located, was zoned commercial. She said that the general area included Birdwood and further down, Boar's Head. She noted that the bright green areas along the property perimeter were subject to this special use permit amendment, which focused solely on landscaping.

Ms. Ragsdale said that the applicant had provided an updated concept plan, available in the Commission packet, detailing general buffer areas, depth, and species information. She explained that this special use permit aimed to make the landscape more workable and flexible based on experience since its original approval several years ago. She said that the proposal focused on the perimeter landscaping condition, which had been reworded to be consistent with modern language, easier to administer, and concentrated on the location and width of buffers rather than specific species. She said that the revised condition considered the characteristics of the buffers and screening, such as whether it was a single row or a double staggered row in certain locations.

She said that this revision was based on the applicant's detailed experience and report, which highlighted the need for flexibility in maintaining healthy buffers while ensuring proper screening.

Ms. Ragsdale said that the updated condition did not remove any major elements but provided a more adaptable approach that benefited both the applicant and administration. She said that staff supported this landscaping amendment due to its narrowly focused special use permit condition. She said that there was no community meeting held, but they received inquiries from adjacent property owners regarding maintenance responsibilities. She said that this amendment established requirements for landscape changes, which would be subject to a site plan amendment under the zoning that runs with the land. She said that the private agreements between White Gables adjacent property owners would not be affected.

Mr. Bivins said that in the previous document, it stated that they would have a sprinkler system. He said that however, in this document, it mentioned there would be no sprinkler system. He said that he was also seeking clarification from the applicant regarding how these plants would survive without a sprinkler system or if they would not have one and who would be responsible for maintaining that. He asked whether they had received any input from those residing in Boxwood Estate on the eastern side, which appeared to have numerous vacant areas or dead plantings based on the images shared.

Ms. Ragsdale said that they received communication from them before submission, and they were included in the abutting owner notification process. She said that no concerns had been expressed.

Mr. Bivins asked if there were no concerns from people in the west.

Ms. Ragsdale said that was correct.

Mr. Missel asked if there were any further questions from the Commission. Seeing none, he opened the public hearing and asked the applicant if they had a presentation.

Scott Collins stated that he was representing the Kenridge Homeowners Association for this special use permit application. He said that they had attempted to outline the history of this project and provide all relevant information in their narrative. He said that this process has been somewhat simple for him as it was one of the first projects he worked on when he started working in Albemarle County back in 2005 and 2006, allowing him to witness the entire evolution of Kenridge. He said that he remembered many elements from that time and what was going on when the project was approved. He said that originally, the buffer landscaping plan was developed by a local architect and landscape architect, Charles Stick. He said that he did an excellent job in conceptualizing how the buffering should be implemented.

Mr. Collins said that as the special use permit process progressed, it became apparent that Kenridge would be an infill development surrounded by several established neighborhoods. He said that the project faced significant concerns during its construction phase. He said that as the special use permit was being reviewed and approved, the buffer tree plantings expanded, and their spacing became more compact. He said that the project had an intense construction buffering system that proved effective for nearly 15 to 20 years. He said that this buffering helped screen the project from nearby neighborhoods during the construction process.

Mr. Collins said that however, as time passed, a transition occurred from construction to viability, revealing issues with the approved design. He said that the spacing was too tight, and the specified tree species were not well-suited for the site's topography, leading to disease, root problems, and the loss of many trees due to weather and storms. He said that this caused a significant degradation of the existing buffer.

Mr. Collins said that instead of returning to plant some replanting, which would not be the correct approach, they had attempted to examine this project and determine what should actually be done. He said that they proposed going back to the original buffer exhibit that was prepared at the beginning of this project in 2005 and attempt to conform to it if someone wished to change the landscaping on their property or replace it, and that was their primary focus tonight.

Mr. Collins said that another notable aspect of this neighborhood, which differed from recent projects they may have seen frequently, was the absence of any common open space. He said that there was not much common open space in the area. He said that all their lots run up to the property lines, which meant that landscaping buffering occurred on individual lots. He said that many people might argue that if the landscaping was on someone's personal property, they owned it and were responsible for maintaining, but in fact, with Homeowners Associations there were covenants, restrictions, and guidelines in place.

Mr. Collins said that landscaping was a significant aspect of these rules in Kenridge. He said that residents could not plant anything they desired; they must have their plans reviewed and approved by the HOA. He said that the HOA was attempting to present a viable landscape plan approved by the Planning Commission and ultimately the Board of Supervisors that could be implemented in a way that worked and gave residents some flexibility regarding the existing terrain, which varied from lot to lot. He said that the HOA oversees the landscaping itself; it was ultimately controlled by the HOA and would be implemented accordingly.

Mr. Collins said that over a period of four or five months, they had reviewed various plans and concepts with the neighborhood through the HOA Board and Homeowners Association meetings to ensure that residents were supportive and understood the implications. He said that if they did not wish to implement these changes, they could maintain their current situation if the Leland Cypress buffer still existed on their property, and if it did not, they must conform to the new plan. He said that as for irrigation, they were considering species native to Virginia to minimize the need for such systems.

Mr. Collins explained that irrigation was primarily set up for construction purposes, ensuring that the 10- to 12-foot-high Leland cypresses planted at the beginning of the construction would survive and grow. He said that that was the main reason for installing the underground sprinkler system, which had not been active for approximately 12 years, since the construction stopped.

Mr. Collins said that because of this, the removal of the underground sprinkler system was necessary. He added that the HOA Board had communicated with both White Gables and Boxwood Estates neighbors regarding this matter. He said that they would continue to maintain constant communication with them as they worked through the process and implemented the changes.

Mr. Murray said that he noticed in the provided list of evergreens, there were no native species listed, other than magnolia, which he assumed referred to southern magnolia. He said that his

suggestion would be to also include red cedar, white cedar, and magnolia virginiana for appropriate sites.

Mr. Collins said absolutely.

Mr. Missel asked if there were any further questions from the Commission for the applicant. Seeing none, he opened the public comment for the public hearing.

Paul Sullivan said that he was a resident of Kenridge and the president of the HOA. He thanked the Planning Commission for their attention and consideration of their proposal. He said that he had been living in Kenridge since 2009 and cherished their community. He said that it was a small neighborhood, and he emphasized that property owners were invested in its appearance. He said that the area had a dense backdrop with White Gables on one side and Boxwood on the other side, and of course Route 250.

Mr. Sullivan said that the initial plan was developed when the zoning was commercial, and the building was not working. He said that they hired Mr. Collins and collaborated with him to create a more suitable solution. He said that it was worth mentioning that some lots in their community had varying topography, with significant differences in sun exposure. He noted that a majority of the trees, approximately 80%, were on private property.

Mr. Sullivan said that to make any changes or additions in accordance with the County's special use permit, they must be approved by their Homeowners Association review board. He said that as the governing body of Kenridge, they approved it and the residents had to follow it. He said that this community effort had been beneficial for their relationships with neighbors, as many things had changed over the past few years. He said that he appreciated the Planning Commission’s help they had given to them.

Cindy Hewitt stated that she and her husband owned Boxwood Estate next to Kenridge. She said that it was a wonderful community. She said that unfortunately for herself, the original Charles Stick plan called for a continuous evergreen hedge of Leland cypresses on both sides of Kenridge. She said that it did not specify how far apart they should be planted or how many trees were needed, nor their size. She said that over the past two years, 66 of these large trees had been removed. She said that some were leaning, some were diseased, but she was certain that not all 66 were in such poor condition. She said that she understood the desire to change and acknowledged that there were different hillsides and topographies, with some receiving more sunlight than others.

Ms. Hewitt said that her primary concern was the trees being replanted, as they had collaborated with Kenridge and provided what they believed were reasonable compromises for making changes. She said that they managed to come up with some compromises, such as fewer trees, farther apart, and not as tall. She said that her concern was about the fact that they would be evergreen trees. She said that the original plan did call for deciduous trees in front of the Leyland cypress, which were never planted; however, the original plan did include this detail. She said that her concern was that the trees they were going to plant would not be sufficient.

Ms. Hewitt said that what she believed they were calling for was eight- to 10-foot trees in the plan. She said that this was acceptable, but some of those already replanted in sections 57 and 58 were emerald-green arborvitae, which did not grow more than 12 feet tall or four feet wide, and currently they were about five feet tall. She said that she believed that this did not meet the

agreement's requirements. She said that if they increased the spacing and decreased the size of the tree, they must consider the species to still provide screening.

Doug Brooks stated that he was the managing agent for White Gables Condominium Unit Owners Association. He said that they were a neighboring development on the eastern boundary of Kenridge referred to as Buffer Area 3 in the application. He said that the nature of their condominium consisted of 30 units, half of which faced the rear of their buildings, immediately adjacent to the property on which Kenridge was located. He said that the buffer area in question served as a front yard for these homes within their community. He said that they had an existing agreement signed by the developers of both neighborhoods that ran with the land, whereby Kenridge HOA was responsible for maintaining plant screening between their properties.

Mr. Brooks said that the current boards of Kenridge and White Gable were not around when the original agreement was signed nor when the developer of Kenridge planted this line of Leyland cypresses along this shady, narrow area. He said that this planting essentially doomed the trees to becoming too tall, too crowded, fragile, and mostly unattractive. He said that regarding this application, White Gables supported and applauded Kenridge for incorporating very sound and acceptable plans and alternative plantings to replace the Leylands. He said that they truly appreciated the concepts and looked forward to collaborating with Mr. Sullivan and Kenridge to align their respective planning projects.

Mr. Brooks said that as previously mentioned via email, their sole concern was regarding the language in the application before gaining a clearer understanding from Commission staff, and he thanked Ms. Ragsdale. He said that the wording in the narrative, as they read it, appeared more focused on the applicant providing a detailed description of the design rather than establishing a legal foundation that could lead to various issues with other agreements and so forth. He said that they now felt confident in their improved comprehension of the narrative's meaning.

Mr. Brooks said that in conclusion, he wanted to thank the staff and Commission for their patience and assistance during their review of the application. He said that he also wanted to thank Kenridge for proposing an outstanding design, as Scott Collins was a highly skilled engineer who had delivered exceptional work. He said that they fully embraced all these aspects. He said that in closing, they wished to reiterate their understanding for the record, which was that the narrative accompanying the application did not establish any responsibilities or anything that could impact their existing recorded agreement.

Mr. Missel asked the applicant to present any responses to public comment and closing remarks.

Mr. Collins said that he would clarify one point regarding the landscaping along the Boxwood property line. He said that the reinstallation was completed prior to their involvement in this process. He said that it was initiated by the homeowners as an understanding that the existing trees had been taken down or had died, and they needed to replace them. He said that they were engaged to organize everyone involved and bring the project back on track. He said that their intention was to plant eight- to 10-foot trees along the property line, as specified in the plans, with a focus on evergreen plantings for their durability and suitability in that area.

Mr. Bivins said that he was in favor of the initiative and hoped that the property to the west could work closely with Kenridge to ensure that their development plans met the necessary criteria. He said that these plans should not only replace what was there previously but also provide adequate

buffer zones as initially planned in the early to mid-2000s. He reiterated that he was supportive of the application.

Ms. Firehock said that she wanted to commend the applicant for actually taking control of the situation and attempting to create a cohesive plan. She apologized that it stated in the narrative that somehow it was transformed into being only Leyland Cyprus. She said that she would like, for the benefit of the public, to read a note from the United States Extension Service about Leyland cypress. She said that they were often added as landscape screens in development projects because they were considered relatively pest-free. She said that however, due to their relatively shallow root system and being planted too close together in poorly drained soils, they were prone to root rot and severe damaging canker diseases, particularly during periods of prolonged drought, such as the one they were currently experiencing.

Ms. Firehock said that she did not subscribe to the idea of it ever being the sole type of vegetation for screening and was strongly in favor of incorporating hardwoods and various species. She said that certainly, native plants were great, and she trusted them to provide the right kind of consulting. She said that in general, she hoped they would not see future proposals that only included Leyland cypress, as it was not a good choice for long-term use. She said that they often died, and they could not police all landscape buffers effectively. She said that consequently, they may fail without their knowledge. She said that with this in mind, she was supportive of the proposal, which was straightforward and well-presented.

Ms. Firehock motioned to recommend approval of SP202300012 Kenridge Landscaping Amendment for the reasons stated in the staff report. The motion passed unanimously (5-0). (Mr. Carrazana and Mr. Clayborne were absent).

**CCP202300003 Secretarys Sand Solar Facility**

Rebecca Ragsdale stated that she would be leading the presentation on this item, which was slightly different from the previous. She said that Bill Fritz, Development Process Manager, was also present, working on the solar considerations of amendments to their ordinance related to solar energy systems. She said that she would provide some background on how they arrived at this type of application for a solar facility, as it differed from what they had seen before. She said that typically, they had reviewed them all in one with the special use permit. She said that since 2017, they had had solar energy systems as a use category by special use permit in rural areas, recognizing that the facilities required a certain land area. She said that this classification, like all special use permits, was used to consider potential suitability but may not be appropriate for every location.

Ms. Ragsdale said that over the years, four such projects had been approved using this special use permit process. She said that this was the fifth project under consideration, with the first step being compliance with the comprehensive plan review. She said that since September 2022, the Board had initiated a study for possible ordinance amendments. She said that as she mentioned, Mr. Fritz had primarily worked on that. She said that there had been a work session in February, and then the Board in June had a work session where they had been looking at best practices and recommendations from the consultant. She said that out of that process emerged the need to consider reviewing the compliance with the comprehensive plan as a first step in considering these projects.

Ms. Ragsdale said that provided on the slide was a summary of the four projects that had been approved through the special use permit process. She said that the summary included an analysis of the compliance with the comprehensive plan review, which was required by state code for these types of uses. She said that the subject property encompassed approximately 33 acres out of a 366-acre site; other projects had ranged from 15 to 660 acres. She said that they had a little bit of experience, but it had ranged in terms of size, scale, and location.

Ms. Ragsdale said that typically, the comprehensive plan discussion occurred concurrently with the special use permit factors, which included a detailed analysis of substantial detriment to abutting property owners, character of the district, area, historic district, harmony, and potential impacts on general health, safety, and welfare. She said that however, in this case, they were taking a two-step approach that did not preclude analyzing other factors if necessary, but their primary focus was on the 2232 review, as required by their state code for public uses and certain utilities. She said that this review assessed whether the general location, character, and extent of the proposed facility aligned substantially with the comprehensive plan.

Ms. Ragsdale said that applications of this type usually involved public facilities that were permitted in all districts, so there was no subsequent step involving a public hearing or community meeting process. She said that in this particular type of review, they sent notices to the abutting owner and advertised it in the legal ad in the paper, as they typically did for a public hearing. She said that they had not been advised to do otherwise because the next step would be the special use permit process where community meetings were required, and staff did not require the applicant to conduct one. She said that they would discuss the public outreach they had done to date, which included a meeting last week. She said that although the special use permit was very specific and included all plan details, this presentation was a more generalized review.

Ms. Ragsdale said that moving on to the specifics of the request, it involved a 366-acre parcel located near Esmond at the corner of Alberene and Secretarys Sand Road. She said that the parcel included both wooded areas and previously timbered areas where pine trees had been reestablished. She said that the solar facility would be located in the Southern Albemarle Rural Historic District, with properties primarily to the east contributing to the district and was also situated within the Green Mountain Agricultural and Forestal District. She said that the next slide was an aerial view, which showed the general area where the solar facility would be located, with the rest of the property remaining in its current state or for agricultural uses.

Ms. Ragsdale said that the applicant had a detailed proposal, so she would focus on the criteria for review that evening, the basics of the proposal, and staff review. She said that there would be a fenced area, approximately 26 acres in size. She said that the total project area, including necessary stormwater facilities, covered about 85 acres. She said that this area was previously forested but contained progressing pine trees. She said that the narrative suggested potentially allowing grazing within the fenced area, while the remainder of the property was used for rural area purposes. She said that she had mentioned earlier that the remaining area was designated for rural area uses.

Ms. Ragsdale said that the preliminary maximum height of the solar panels would be 12 feet; however, this measurement may change once they delved into the specifics of the special use permit. She said that currently, they had begun examining buffers and screening, with some information on the concept plan indicating setbacks over 200 feet in certain cases and the consideration of vegetative buffers in relation to existing landscaping. She said that at present,

they did not possess a detailed planting plan, which would be included in the special use permit, but screening was an expectation.

Ms. Ragsdale said that this type of facility did not receive specific priority within the rural areas section of the comprehensive plan; therefore, when reviewing against these fundamental principles, they ensured that such facilities did not negatively impact surrounding properties or contradict their goals related to agriculture, conservation, preservation uses, biodiversity, and protection of streams and prime agricultural soils. She said that in the past, the area was forested but it was not an initially concerning location for not being able to return to agriculture. She said that given its size and scale, it could probably be screened, but a visibility analysis with the special use permit was necessary.

Ms. Ragsdale said that the comprehensive plan included goals related to clean energy, efficient resource usage, and promoting solar power specifically. She said that analyzing the comprehensive plan alone, staff noted that solar facilities, including this one, did not seem inconsistent with conservation and agricultural objectives. She said that staff cautioned that they must be careful in considering decommissioning, noise concerns, and potential impacts on abutting properties and rural character with the special use permit. She said that their focus had been solely on that specific aspect, and they recognized that some of this in nature they were not used to seeing with these proposals, in terms of what would be analyzed at this level, but what would be conducted if the proposal progressed to subsequent stages.

Ms. Ragsdale said that in their report, they recommended making a finding that it was substantially in agreement. She said that it was noted that all concerns raised, and necessary analyses would be addressed through the special use permit process, and they recognized that some of those things typically seen with this request. She said that in this area, it would of course include review by the Agricultural and Forestal District since the area fell within its jurisdiction, and they wanted to make sure that was noted. She said that a finding of consistency or substantial accord with the comprehensive plan did not imply approval of the special use permit; rather, it was one aspect of the review process.

Ms. Ragsdale said that they must consider all other aspects and follow the usual special use permit procedure. She said that conducting a preliminary examination offered some advantages, such as identifying sensitive areas or concerns related to the rural area. She said that early advertisement allowed the public to express their concerns and have them documented. She said that the applicant provided supplementary information, which would be part of their presentation addressing public concerns and outreach plans beyond the minimum requirements.

Mr. Moore said that regarding staff's findings, he would like to know when the land was last timbered and what it was being used for now.

Ms. Ragsdale said that the applicant could supply the information about when the land was last timbered, but it was noted by staff that pine trees had been reestablished in those areas.

Mr. Murray said that the solar project was functionally a light industrial use occurring on a property that was also zoned for agricultural use. He asked which use was used to determine which County ordinances applied on the property.

Ms. Ragsdale said that the industrial sections of the ordinance would not apply in this case. She explained that it was a use that was not subject to those industrial zoning district regulations. She

said that the special use permit would establish what specifically applied to the solar energy facility, and then the rural area zoning district would regulate the remainder of the site. She said that the solar special use permit was more restrictive than the underlying rural area zoning district.

Mr. Murray said that since there would be sheep present, at the same time it said the proposed 100-foot buffer zones from streams was being implemented in forested areas. He asked if the sheep would be fenced out of those forested areas. He asked if this was indicated in their policies.

Ms. Ragsdale said that fencing was on their list of factors to evaluate during the more detailed special use permit review process. She said they would assess the compatibility of the two uses, as well as other aspects relevant to rural area special use permits proposing additional more intensive uses.

Mr. Murray said that there were several undocumented streams present that were not included in the County's Geographic Information System records but were evidently visible on the map. He said that he assumed that these streams would be updated.

Ms. Firehock said that she had a process question for the staff. She asked if they could explain the reasoning behind proposing the finding in accordance with the comprehensive plan to be presented separately from the site plan within the SUP application. She asked if staff could explain the rationale behind this approach and why it was considered beneficial.

Ms. Ragsdale said that it was a recommendation that emerged from the study and a recent examination of optimal management strategies throughout the state.

Ms. Firehock asked if Ms. Ragsdale was referring to solar facilities.

Ms. Ragsdale said yes. She said that the Commission could find it in accord or not, and the applicant had indicated that they would be willing to defer or take more time for the review, but they would likely address that in their presentation. She said that it allowed for a first look at it in terms of the things they looked for in the comprehensive plan, so if they were to discover a significant concern that could not be addressed, or newly encountered factors that may affect the previous finding. She said that these were site-specific circumstances.

Ms. Firehock asked if there would be consideration for solar farms in rural areas during the development of their new comprehensive plan. She said that this would provide additional guidance moving forward. She noted that the current plan was outdated and did not address this issue effectively. She said that the objective of promoting conservation and efficient use of energy resources aligned with the staff report's findings, but she wanted to know if they would have more to go on in the future comprehensive plan.

Kevin McDermott, Deputy Director of Planning, said that he was also working on the comprehensive plan update. He said that they expected to have quite a bit more direction in the comprehensive plan about where and how these facilities might be situated throughout the rural area. He said that one of their goals was to update the comprehensive plan to address things like their climate action planning process that had already been approved, as well as the one currently underway. He said they anticipated that the tenets considered through those planning processes would be incorporated into the comprehensive plan update and hopefully lead to more informed decision-making.

Ms. Firehock said that in the revised comprehensive plan, she hoped that more information would be provided regarding solar panel installations in rural areas. She said that upon revisiting the climate plan during her review of this application, it became apparent that the topic of solar panels in rural regions was not thoroughly addressed.

Mr. McDermott said absolutely.

Mr. Bivins said that it was his understanding that there were no setbacks for livestock, so they could enter into the streams. He asked if there was an ability to do that.

Ms. Ragsdale said that a special use permit they had a few months ago had an additional development right authorization, allowing more residential development in a watershed area. She said that there were some additional regulations recommended to mitigate those impacts, including fencing and best management practices, as well as the imposition of stream buffer management regulations that would not otherwise apply to maintaining the buffer in a natural state and replantings. She said that it was too soon to determine exactly what would be recommended or seen in the special use permit process, but it was not inappropriate for them to consider this matter further.

Mr. Bivins said that typically, in agricultural areas, they did not get involved in deciding where the livestock roamed.

Ms. Ragsdale said that was correct.

Mr. Bivins said that it was unclear to him whether the property being discussed was within the Green Mountain Agricultural and Forestal District and whether it was in one of the two conservation easement parcels.

Ms. Ragsdale said that the parcel was not on a conservation easement. She said that there was a mapping error in that their GIS did not show this parcel as being in the Agricultural and Forestal District, but it was in fact in the Agricultural and Forestal District. She said that the applicant's narrative was correct. She said that this would require an additional level of review by the Agricultural and Forestal District Committee.

Mr. Bivins asked if it was not in a conservation but was in the Green Mountain Agricultural District.

Ms. Ragsdale said that was correct.

Mr. Bivins asked what happened if the Commission found the proposal to not be in accordance with the comprehensive plan and did not recommend approval of the project.

Mr. Herrick said that the applicant had a right of appeal to the Board of Supervisors; however, the project could not proceed unless and until it received a finding from either this Commission or the Board of Supervisors confirming its compliance with the comprehensive plan.

Mr. Missel said that he had a couple of comments regarding guidance for procedure moving forward. He said that first, he knew that it was misleading to some to see in the staff report that the acreage of the subject property was 366.6 acres. He said that they received public input that was concerned with that size and scale, and he clarified that it was a 33-acre parcel that would be impacted by the solar project.

Mr. Missel said that he would highlight a few things from the staff report, one of which was the Commission's action was only related to the consistency of the proposal with the comprehensive plan and was not an action or recommendation on whether the facility should be constructed. He said that solar energy facilities were permitted only by special use permit in the RA district. He said that they had three options for action, which were in substantial accord, not in substantial accord, and the third was that the applicant may choose to defer if they chose to do so. He said that he would suggest to the Commission and others that they kept that lens as they reviewed this proposal, and to not evaluate site plan details that they did not yet have information on.

Mr. Missel opened the public hearing and asked if the applicant had a presentation.

Jesse Robinson stated that she was the project developer at New Leaf Energy. She mentioned that Quentin Wood, the project engineer, was also present. She said that they were present to discuss the comprehensive plan review of a proposed solar project with a capacity of 4.5 megawatts located on Secretarys Sand Road, as Ms. Ragsdale had stated earlier. She said that she would provide some background information about their company. She said that New Leaf Energy, originally formed as Borrego in 1980 by three brothers, had developed approximately one gigawatt of solar projects across the United States, including California, New York, Massachusetts, Illinois, and Virginia. She said that they were primarily focused on operation and maintenance, construction, and development.

Ms. Robinson said that their development arm split off and was now called New Leaf Energy, so the same team with the same experience in development remained. She said that the picture displayed on the slide demonstrated how the system would look. She said that it followed an east-to-west path, mimicking the sun's movement, while being elevated off the ground. She said that the project was located on an area of the parcel that had been timbered since the 1960s. She said that the images on the slide depicted the current state of the site during summer with vegetation present. She said that the far left photo illustrated where the proposed access road would be, utilizing an existing road previously used for timbering purposes.

Ms. Robinson said that approximately five years ago, the property was cleared and replanted with loblolly pines that were currently on the site. She said that the far right photograph illustrated the property's condition. She said that this location was previously utilized as a landing area for a timber company. She explained that there were several reasons why they selected this site. She said that firstly, the Van Clief family wished to supplement their income by implementing a solar project while continuing to use the land for cattle grazing and hay production.

Ms. Robinson said that secondly, smaller projects like this one could be connected to the distribution lines that ran alongside roads and led to substations. She stated that the necessary infrastructure was situated off Secretary Sand Road, allowing them to connect there for the project. She said that they did not need to rezone to apply for a special use permit. She said that additionally, the area of this project had not been classified as old-growth forest; it had been timbered extensively and contained loblolly pine trees. She said that furthermore, they would not be affecting any wetlands or streams. She noted that the solar installation was also more than 200 feet away from the road.

Mr. Quentin Wood said that the project site had a capacity of 4.5 megawatts. He said that it was a single-axis tracker, oriented north to south, with panels rotating in an east-west direction following the sun. He said that the solar panels and equipment were contained within a 33-acre

fenced area. He said that he would address the sheep grazing question raised as well. He said that they planned to reserve 37 acres for landscaping purposes. He said that approximately 15 acres would be utilized for stormwater management and access to the facility. He said that the landscaping buffer typically ranged from 135 to 200 feet, with a 100-foot section primarily along Epps Creek, which fell in line with the resource protection area. He said that as part of the site plan review process, they aimed to enhance the landscape buffer by incorporating more low-growth shrubs, trees, and conifers due to the presence of mature trees in that area.

Mr. Wood said that objective one would focus on the comprehensive plan, specifically supporting a strong agricultural and forestry economy. He said that this would help landowners diversify their income, allowing them to maintain their estates without extensive development. He said that the project would pursue sheep grazing within the fenced facility, covering 33 acres that were part of the landscaped area. He explained that this was similar to a conservation easement in the Agricultural and Forestal District, as it would protect the landscaped area from further deforestation and promote natural re-establishment. He said that at the end of the project's life, the site would be decommissioned, revegetated with native vegetation, and returned to the landowner for their next steps.

Mr. Wood said that the second objective in the comprehensive plan focused on preserving natural resources. He said that as noted previously, the site was timbered. He said that the company conducted wetland and stream delineations as part of their initial due diligence, identifying both wetland streams and resource protection areas. He said that they positioned their project conceptually to avoid impacts to those areas. He said that in addition to the delineation, they completed a T&E report focusing on species of concern, including threatened and endangered species within the project area and associated buffers.

Mr. Wood said that the report identified bats and other species common to the region. He said that they would select an appropriate time of year to coordinate with relevant agencies for clearing. He said that for the site plan, land disturbance, and stormwater permitting, they would work with DEQ and the County to design suitable best management practices (BMPs), downgrading the facility to address any stormwater resulting from panels and transitioning the landscape from forested to meadow conditions.

Mr. Wood said that objective three focused on the County's historic and archaeological resources. He said that they had an initial walkthrough conducted by a third-party vendor who did not anticipate finding artifacts in the logging area due to previous logging activities. He said that the assessment did not discover any architectural structures that would contribute to the historic district within the site. He said that during the site plan process and SUP process, they would continue with more in-depth archaeological and architectural studies. He said that the fourth objective focused on rural and historic view sheds. He said that as mentioned, they had enhanced the landscape buffer and setback for this project. He said that they were also collaborating with neighbors to provide additional visual simulations of what the project would look like from neighboring properties and public streets as part of their SUP application.

Mr. Wood said that the fifth objective emphasized supporting the crossroads community, which involved upgrading the distribution line and substation to enhance the reliability of electric lines within the area. He said that the sixth objective aimed to distinguish between rural areas and developed areas. He said that they planned to utilize the existing natural vegetation surrounding the site in order to achieve this distinction. He said that the development would not involve extensive construction, such as large parking lots or massive signs. He said that the entrance

would resemble a residential property, with periodic traffic flow that would not require daily supervision. He said that additionally, they planned to remove excess gravel from previous logging activities and replace it with native species for revegetation.

Mr. Wood said that objective seven emphasized that no extensive development was planned within the area. He said that upon completion, the site would be decommissioned and returned to the landowner for agricultural use or any other suitable purpose. He said that objective eight of the comprehensive plan focused on Area B, where their project was not located. He said that the project was situated in the Agricultural and Forestal District. He said that to address this, they had aimed to minimize impervious surfaces, focusing on the access road and concrete pad.

Mr. Wood said that DEQ required that they consider those panels to be impervious, however, their elevation allowed for native vegetation growth beneath them. He said that this design helped with stormwater management, implementing best practices for collecting and downgrading stormwater runoff to maintain water quality. He added that they were looking to implement a multi-use approach, which involved using sheep on site within the fenced area.

Mr. Wood stated that this would help with ongoing maintenance and promote agricultural use within the area as well. He said that they planned to preserve the 37 acres during the life cycle of the project, similar to a conservation easement or an Agricultural and Forestal District. He said that this would limit the ability of someone to clear-cut the area for timber or other purposes. He said that instead, it would focus on maintenance to ensure that they had a buffer set in place.

Mr. Wood said that regarding the construction time for this project, the Agricultural and Forestal District may not be within the appropriate window. He said that the next couple of slides would present conceptual plans for landscaping that they hoped the Commission would find in substantial accord. He said that there was a conceptual landscape plan for the 37-acre reserved area. He said that the orange lines on the map indicated the land that they planned to timber, while the areas outside of those lines would be left untouched.

Mr. Wood said that an oblique aerial view showed their facility layout in relation to Secretarys Sand Road and the Van Cliefs' residence. He noted that there was an existing previously timbered track abutting their project to the north. He said that their transformer or inverter facility was approximately 600 feet away from the property. He said that they ensured access to the site would not be a straight shot back through the area for added privacy and screening.

Mr. Bivins asked if the panels would move or not move.

Mr. Wood said that the panels would move in a general east-to-west direction to follow the sun's movement. He stated that the orientation of the panels when constructed was in a north-south direction in order to allow them to tilt in the east-west direction.

Mr. Bivins asked if there was a chance of the sheep getting caught in the moving panels.

Mr. Wood said that the panels were lifted 48 inches off of the ground, so it was unlikely.

Mr. Murray said that the discussion of traffic had primarily focused on predicting the volume once the infrastructure had been built, but he would like to know what the traffic volume would be during construction.

Mr. Wood said that during construction, they would receive various loads such as gravel deliveries, panel deliveries, foundational posts, electrical wires, and other materials. He said that to manage these deliveries efficiently, they typically would create a transportation plan that outlined the routes in and out of the facility. He said that coordinating with the County and school districts could help schedule deliveries outside of bus routes, avoiding any conflicts.

Mr. Murray asked if Secretarys Sand Road was a gravel road.

Mr. Wood said that no, the road was asphalt.

Mr. Moore asked if there was an estimate for how many households could potentially be supplied with electricity from the proposed 4.5-megawatt generating capacity.

Ms. Robinson replied that the Solar Energy Industries Association (SEIA) estimated that approximately 100 homes could be powered by each megawatt, so it would equate to approximately 4,500 homes.

Mr. Moore said that in terms of the current existing uses, he thought that was part of what this hinged on in relation to its conformity with the comprehensive plan. He asked how functional or not it currently was as a timbering business using the trees that were presently there.

Ms. Robinson said that the landowner could likely provide a more accurate explanation, but based on what she had been informed, the area had been timbered since the 1960s. She said that it was recently harvested approximately five years ago and replanted. She said that if the project did not proceed, they would most likely continue with their current practices.

Mr. Missel asked if they usually had a long-term maintenance plan associated with the project after the arrays were installed and sheep were grazing.

Mr. Wood said that the operation and maintenance of the landscaping would be addressed as part of their site plan process in collaboration with the County. He said that this would involve periodic pruning, when necessary, replacement of vegetation that may have died off, control of invasive species, and planting more native plants. He said that regarding the operation and maintenance, it was common practice to subcontract that locally.

Mr. Missel said that there was mention of future upgrades to the distribution lines. He asked if more detail could be provided, especially regarding potential off-site impacts.

Ms. Robinson said that APCO was studying the project and would determine what was necessary for interconnecting with the substation and increasing power supply reliability. She said that the circuit's voltage capacity was assessed, and in some cases, an upgrade was required to enhance the line's overall dependability for those along the circuit.

Mr. Missel asked where the power generated from the facility would be distributed to.

Ms. Robinson said that when considering the local grid, it was challenging to determine where exactly the energy came from. She said that it was similar to pouring a bucket of water into a pond; it was difficult to pinpoint the exact source. She said that individuals along the circuit may be drawing power from it. She said that they aimed for this project to be part of the shared solar program, enabling subscribers to save money on their energy bills.

Mr. Bivins asked if the project required its own substation on the property.

Ms. Robinson said that they would not require a substation. She said that due to the size, it would connect directly to the distribution grid.

Mr. Bivins asked who would own the assets that may or may not be on the land at the end of the project's lifetime.

Ms. Robinson said that New Leaf primarily focused on developing projects, after which they worked with a small group of buyers to own and build these projects long-term. She said that their objective was to ensure that they proposed conditions that captured feedback from the community or County, as these would be tied to the permit, which would then transfer over to the owner. She said that similarly, any terms included in the lease agreement with the landowner would also directly transfer to the owner.

Mr. Missel opened the public comment for the public hearing.

Alan Van Clief thanked the Planning Commission and staff for their thoughtful consideration of this project, as well as their neighbors for their engagement. He said that his family had resided in this area for five generations, and he could personally account for nearly 70 years of South Albemarle history. He said that they took great pleasure in their rural lifestyle on their farm and wished to continue this for themselves, their children, and their grandchildren. He said that when they relocated full-time to the farm, it required work and attention, which still remained a priority. He said that they had planted hundreds of fruit and nut trees, as well as native species, while also encouraging existing native plants.

Mr. Van Clief said that they had collaborated with stream experts, created buffers, and improved stream quality. He said that they had established meadows. He said that their children teased them, saying that they retired to engage in back-breaking farm labor. He said that last year, they had established a growing cattle herd and began raising chickens and maintaining their own hive of bees. He said that their goal was to maintain and enhance their land while preserving it for future generations. He noted that the solar project was located on a timbered tract and not in an old-growth forest.

Mr. Van Clief said that the solar project on the timber tract would generate clean energy and provide them with an income stream that would enable them to continue farming using best practices to preserve the land. He said that the buffers around the project would not be harvested like trees in a timber tract, and the pollinator species growing there would be beneficial as well. He said that he would be proud to have this project in his backyard.

Nick Duke said that he would like to invite all of them to come drive around Southern Albemarle between Scottsville and North Garden. He said that they should please come and visit the Esmont area because it was quite beautiful. He said that he resided at 6265 Alberene Road in the village of Esmont. He said that he wished to state his opposition to the near-industrial solar installation proposed by Sindra and Alan Van Clief and New Leaf Energy along Secretary Sand Road in Esmont. He said they had heard the planning staff report summary by Ms. Ragsdale, where she concluded that she had no concerns about this project. He said that his numerous concerns were outlined in the email he sent each of them last Sunday.

Mr. Duke said that in his humble opinion, the location, character, and extent of this proposed facility were not in accord with the County's comprehensive plan. He said that the Van Clief property was located within the Southern Albemarle Rural Historic District, where the diverse natural, scenic, and historic cultural assets of this area had been well documented. He said that the significance of this rural landscape could not be overstated in this location. He said that the proposed facility would consume 85 acres of forested land, with 33 acres being bulldozed and surrounded by a seven-foot barbed wire fence dedicated to 11,592 solar panels.

Mr. Duke said that regardless of how skillfully it might be situated, designed, buffered, screened with setbacks, or eventually decommissioned, he submitted that a solar factory of this nature, which New Leaf Energy had slyly labeled small-scale, in this residential, forested, and agricultural corner of Albemarle County would negatively impact the landscape, property values, wildlife habitat, and the character of Esmont. He said that he and his neighbors had had several meetings with New Leaf, during which they had seen their sugar-coated presentation containing highly suspicious and misleading claims.

Mr. Duke said that over the last several days, they had outlined many of these claims for the Commission in greater detail. He said that he submitted that it was an inappropriate application trying to jump on the sustainability bandwagon for purely economic and financial reasons, with absolutely no benefits to the Esmont community whatsoever. He said that despite what their staff had stated, this proposed site could never be returned to agricultural or forested use. He urged the Commission to not to allow this project to go any further, or else this precious and scenic historic land would be lost forever.

Anna Betzenstein said that she was a registered landscape architect in the state of Virginia, practicing in Albemarle County. She said that she resided near Secretary Sands, close to the facility. She said that she would like to express her support for solar energy and green initiatives but was deeply concerned about this particular facility. She said that it was situated in an area that was neither light industrial nor rural, posing a threat to Albemarle County's rural lands. She urged the Planning Commission to defer any decisions until the solar regulation, or solar ordinance, had been drafted, approved, and implemented.

Ms. Betzenstein said that she had recently reviewed their comprehensive plan and biodiversity action plan. She said that although it was not part of her initial plans during the weeks before Christmas, she found these documents informative. She said that it was outlined that their objectives and goals were to support local businesses and industry. She said that this proposed facility, however, represented an outside company taking advantage of financial incentives at their expense.

Ms. Betzenstein said that they should protect and enhance natural resources. She said that the facility would have over a mile of chain-link fencing, seven feet high to the ground, with barbed wire or razor wire at the top. She said that she did not believe that such measures could be considered as protecting wildlife corridors. She said that additionally, it would feature 9.25 Walmart roof equivalents for runoff management. She emphasized the importance of considering the stormwater implications and the presence of 15 acres of stormwater detention ponds.

Ms. Betzenstein said that she would like to emphasize the importance of creating ordinances based on the biodiversity action plan, aimed at protecting natural resources. She said that she wanted to remind the Commission that open space, officially defined as open space, should not be disturbed, or impacted by human activity. She said that the pine plantation was six to seven

years in, so the trees were approximately 12 feet in height. She said that the proposal to scrap the pine plantation and replace it with 33 acres of impervious solar panels was truly concerning. She asked the Commission to give this matter careful consideration.

Jesse Behar stated that he was a resident of Esmont, located approximately half a mile to the north of the site. He noted that in the country, this distance may seem significant but was just a hop and a skip away. He said that the proposed project appeared to be in conflict with the rural area designation of the region and contradicted some goals and objectives outlined in both the comprehensive plan and the climate action plan. He said that both plans explicitly aimed to preserve valleys, creeks, watersheds, forested land, forestry, and agriculture. He said that the site of the proposed project was situated within a valley at the rim of that valley, adjacent to some historically significant properties.

Mr. Behar mentioned that there was a creek running through the bottom of the valley that fed into the Hardware River, which he believed was an important watershed. He added that the site would likely involve the removal of several millions of cubic feet of soil. He said that it was more disruptive than the current forestry taking place there. He said that this would make it more difficult to reclaim that soil and return it to its original condition. He said that the area had a rich history, with the presence of the Coles family, and numerous homes from the 18th and 19th centuries existed on the opposite side of the valley.

Mr. Behar said that the viewshed for those living down there was probably the key resource. He said that they did not move to Esmont to look at a concrete, steel, and glass structure of light industrial scale. He said that in their case, the adjacent property was forested. He said that it currently had eight- to 12-foot trees and could observe them from their second-story bedroom the Van Clief residence. He said that he believed that they would have no difficulty viewing this solar plantation from that location.

Mr. Behar said that they were loblolly pines, which did not offer any lower coverage. He said that the underlying coverage consisted of deciduous trees that were absent for a significant portion of the year, approximately six months out of 12. He said that he found it intriguing that New Leaf, in attempting to clear the site, claimed it was loblollies but, when demonstrating that it would not obstruct views, asserted that there were hardwoods present. He said that they could clearly see all the way to the west from Secretarys Sand Road to the State Mill property, which was located behind the Van Clief residence.

Peter Bertone stated that he resided at 5888 Green Mountain Road in Esmont. He said that his property was on a ridge to the east of the subject property and overlooked the proposed site. He said that he objected to the proposed solar facility. He said that the proposed site fell within one of the most scenic areas of Albemarle County, characterized by beautiful valleys nestled between parallel ridges. He said that from this area of the County, one could look 10 miles to the north, or past Wintergreen 30 miles to the south, or to the Allegheny Mountains, more than 50 miles away.

Mr. Bertone said that in addition to being one of the most scenic areas in the County, it was also one of the most historic. He said that within a mile, there were many historic properties, and within two miles, even more. He said that he submitted to the Planning Commission that when considering solar facilities in rural historic areas, they must truly consider three things: the scenic impact, the environmental impact, and the cultural-historic impact. He said that unfortunately, this proposed site failed all three criteria. He said that he was not against solar energy; he, like others there, was an environmentalist and a proponent of solar power.

Mr. Bertone said that, however, the specific location of the site, as well as its topography and that of the surrounding countryside, contributed to its failure. He said that the site sat on an eastward-facing slope with varying elevations, ranging from 530 feet at Epps Creek to 650 feet at Secretarys Sand. He said that the solar facility would be situated between elevations of 550 and 630 feet. He said that due to this significant elevation difference, it was impossible to screen the site's impact on the westward view. He said that from a distance of 10 miles or more, the site would be easily visible.

Mr. Bertone said that when conducting an unconstrained viewshed analysis, which meant not limiting it to a half-mile or one-mile radius but extending it further, they would find that this site was visible from thousands of acres within the County, including some of its most important historic sites. He said that he had a conversation with Rex Linville from the Piedmont Environmental Council about this matter, and he wanted to share his insights with them. He said that he placed his farm under a conservation easement while walking along Green Mountain Road with Mr. Linville.

Mr. Bertone said that Mr. Linville told him personally that they needed to protect this viewshed. He said that he had worked with the Piedmont Environmental Council and established a no-build zone adjacent to the site that is now being proposed. He said that it brought him great pleasure when people stopped along Green Mountain Road, dismounted their bikes, walked onto his property, and captured photographs of the viewshed, or when professional photographers paused at five o'clock to witness the sunset over the mountains and take pictures. He said that he hoped that the Commission would be as sensitive to these scenic issues as Mr. Linville and PEC were 10 years ago.

Jerome Beasley stated that he and his wife had lived for 30 years in Covesville, diagonally across from the proposed solar facility, overlooking one of the largest rural landscapes in the County, which spanned more than eight mountain ranges. He said that bald eagles, red-tailed hawks, red-headed woodpeckers, red-bellied woodpeckers, snowy owls, bats, monarch butterflies, bears, bobcats, coyotes, and various other animals roamed down from the mountains through the wondrous valley that they had. He said that geese, among his favorites to watch, landed on the pond surrounding this parcel and flew over it, while crossing the sky and passing above the historic homes of Tallwood, built in 1803, Coleswood, built in 1901, and the granddaddy of them all, Enniscorthy, built sometime in 1700s.

Mr. Beasley said that the 33-acre site featured 11,592 solar panels, utility poles, transformers, inverters, and concrete pads with electric lines running throughout the subsurface. He said that when picturing this landscape transformation, it should be recognized that no matter how many wildflowers were scattered or livestock grazed for a few months, it could not undo the disruption to the wildlife and birds that inhabited the area and hide the iron curtain from the viewshed of the homes east and west of this facility. He said that this was likely the most valuable connected rural landscape in the County, making it unique and special.

Mr. Beasley explained that this is what made their County unique and special, and this was why they purchased Coleswood 30 years ago. He said that they did not buy Coleswood for the house, but they bought the landscape because it was precious. He said that if someone ever visited that location, they would notice that on June 21, the sun aligned directly in front of their property, which was breathtaking. He mentioned that people often parked their vehicles to walk, hike, and ride horses along the peaceful bridges of Green Mountain and the valleys below.

Mr. Beasley said that the neighboring properties held cultural, historical, architectural, and significant value. He said that there were several hundred-acre conservation easement lands surrounding the property. He said that while the solar concept may be suitable for other locations, he believed it was not appropriate for this environmentally, historically, and scenic landscape. He said that it was the Commission's duty to help them preserve and protect this site.

Paula Beasley stated that she resided on Green Mountain, overlooking the proposed solar facility. She said that the current comprehensive plan for the rural area aimed to preserve and protect agricultural, forestal, open space, and natural, historic, and scenic resources. She said that this statement underscored the importance of these resources. She noted that residents in 1996, 2015, and now continued to emphasize that this of prime importance.

Ms. Beasley said that the plan did not mention if it conflicted with another objective of the County. She said that they did not have to protect it, but it was possible to honor both objectives without constructing a solar facility in this area. She urged them to be mindful of what they gave up, as it could never be recovered. She explained that they moved to Southern Albemarle not primarily for the house but for the land. She emphasized that this was not NIMBY; it was about something far greater than any one of them.

Ms. Beasley said that the proposed facility was situated in the heart of the largest interconnected rural landscape in the state, which was also one of the largest in the country with national significance, as reflected in its listing on the National Register of Historic Places and the Virginia Landmark Registry. She said that notably, significantly, and uniquely, it met all four criteria of significance: ethnic, migratory, African American assets, and persons. She mentioned that prominent individuals, such as Ed Coles, the abolitionist who freed his slave and gifted them land, resided in this area.

Ms. Beasley noted that three of Coles' homes were within a half mile, with five less than a mile from this parcel. She said that architecturally, Tallwood was considered the finest example of federal architecture in the state, and multiple sandstone quarry workers in other homes on Secretary Sand Road. She said that however, the solar company disregarded these historical and cultural aspects. She pointed out that it failed to acknowledge the significance of the location and focused solely on parcels close to transmission lines, selling the project to the highest bidder without considering the area's rich history.

Ms. Beasley said that this utility solar project would fragment the landscape, as it did not qualify as agricultural or forestal land with less than one-tenth of the land dedicated to a few wildflowers or grazers. She said that it disregarded the impact on this pristine landscape, prioritizing financial gain over preservation. She said that for them in Albemarle, it meant losing what was precious and unique to their area. She said that once destroyed and fragmented, these landscapes could not be restored, according to VPI research.

Ms. Beasley said that within a half-century lease duration, the damage might become irreversible. She said that the responsibility of preserving their nation's precious rural landscapes lay with the Commission, as outlined in the comprehensive plan. She urged them to thoughtfully and carefully consider the unique, vast, unfragmented nationally significant rural landscape, the vistas at the foot of more than eight mountain ranges, and the distinct blue hue of the Blue Ridge Mountains, as described by Teddy Roosevelt.

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Rob McGinnis said that he was representing the Piedmont Environmental Council. He said that he was present to address the apparent conflicts between the County's climate action policy goals for zero-carbon energy generation and no net loss of forest and reforestation. He said that this was directly related to the question of whether the Secretarys Sand solar project was in substantial accord with the County's comprehensive plan. He said that the County had a goal of achieving 60% grid electricity produced by zero-carbon generation by 2030, but also had a goal of reducing annual forest conversion to other land uses to no more than 578 acres per year by 2030.

Mr. McGinnis said that the total acres of forest removal for all approved solar facility projects, some of which were under construction and others not, including the acreage of all managed forests proposed to be removed for the Secretarys Sand project and the upcoming Buck Island project, amounted to nearly 900 acres. He said that the County had estimated that forests and trees throughout the rural and urban areas of the County, including managed forests, removed approximately 946,000 metric tons of carbon dioxide from the atmosphere every year between 2008 and 2016.

Mr. McGinnis said that the County should implement a strong policy for solar facilities to be sited in such a way as to avoid loss of forests, including managed forests. He said that such a policy would contribute significantly to supporting the County's climate action policy regarding carbon sequestration through forest protection and retention. He said that if forest loss could not be avoided, the County should require robust and meaningful mitigation measures through conservation easement programs. He said that due to the absence of formal solar facility policies in the current comprehensive plan, the County should consider halting reviews of solar projects until the solar energy facility ordinance was approved by the Board of Supervisors.

Debbie Roberts said that she had recently moved from Virginia Beach to Green Creek Lane, just down the street from this intersection. She explained that the primary reason for their move was the open space, as they had some grandchildren. She said that she wanted to emphasize that she loved this area for the way they cared about their people, animals, and the environment. She said that Virginia Beach did not have the same level of community care. She said that her parents lived in North Carolina and that they had solar panels everywhere throughout the state. She said that when driving by it could be seen that many of them were broken, and they leaked substances into the groundwater.

Ms. Roberts said that the company representative could claim that it would not contaminate the groundwater, however, they had lived on a street where carcinogenic substances entered their groundwater and caused illness to everyone else on their street, except for them. She said that their mortgage company was aware of the presence of carcinogens in their well water, so they mandated that they undergo a water test. She said that they had to install a reverse osmosis system in their water supply to remove all the carcinogens. She said that they managed to filter out all the carcinogens from their water, but almost everyone on their street passed away, including her parents and grandmother, who all succumbed to cancers due to the contaminants.

Ms. Roberts implored the Commission to consider the well-being of the people residing in this area. She said that there were children and adults living there. She said that she often observed families, their grandparents, picking up their kids from school buses. She said that the proposal was not a good match. She said that beyond aesthetics, this was a health concern. She said that on another note, they could not control sheep, which would jump when startled and could break the glass and cause problems. She said that deer and bears had also caused damage to property. She said that these factors presented significant challenges that went beyond aesthetics, but she would encourage the Commissioners to visit the area to enjoy its beauty.

Mr. Missel asked if there were any speakers signed up online who wished to speak.

Ms. Shaffer replied that there were none.

Mr. Missel asked the applicant to provide a response to public comment and any closing remarks.

Mr. Wood said that they appreciated all the comments received tonight. He said that Ms. Robinson would likely cover their efforts in community outreach to address some of the questions and concerns raised. He said that they were currently working on improving screening and visibility as part of their previous community meeting with residents. He said that they aimed to conduct additional visual simulations not only from roads but also from the property itself. He said that additionally, they had a sign-up sheet for taking photos of their properties and incorporating them into their model to simulate how it would look from their perspective. He said that they planned to continue this practice if they proceeded with a comprehensive plan in the SUP process.

Mr. Wood said that in terms of the historical view shed and related matters, as he mentioned earlier, they carried out some preliminary due diligence with a third-party vendor, who visited the site, walked it, and assessed what they considered an architectural structure, which included anything older than 45 years. He said that it was their opinion, which was also included in the report provided to the residents, that they did not anticipate any adverse effects on the historic aspect of both the immediate area and the surrounding historic district from this project. He said that additionally, during the siting of this project, they considered the critical slopes. He said that the site was located outside of those critical slope areas. He said that it also was positioned beyond the delineated streams, wetlands, and resource protection zones.

Mr. Wood said that they took into consideration the preservation of natural resources in and around the area while working with DEQ to provide adequate stormwater control. He said that unlike equestrian farms, which typically involved larger areas of mowed grass and manicured landscapes with minimal stormwater control for pollutant runoffs, they must account for those additional nitrogen and phosphorus loads during the conversion from forested to meadow areas. He said that this required incorporating these factors into their stormwater design alongside rate and water quality, which were often overlooked as part of agricultural activities, which could lead to erosion in local streams.

Ms. Robinson said that they had conducted the initial meetings and conversations with neighbors regarding the project, excluding the official community meeting organized by the County. She said that they were open to imposing conditions on the project and obtaining feedback on the vegetative screening for the site in order to address neighbor concerns. She said that the design could be adapted during the SUP process to tackle these issues, which primarily revolved around visibility.

Ms. Robinson said that the simulations should assist them in determining where homes may or may not be able to see the project and what additional measures could be taken to screen it. She concluded that staff had found the project compliant with the comprehensive plan, and they intended to present it further before the County and neighbors during the SUP process if they proceeded.

Mr. Missel closed the public hearing and the matter rested with the Commission.

Mr. Moore said that he appreciated everyone sharing their thoughts on the matter at hand. He acknowledged the proposal from staff, developers, landowners, and nearby residents. He said that there was a lot of passion in the room. He said that he was thinking about how these rural areas had a very long history of forestry, timbering, agriculture, and harnessing solar energy to benefit and sustain Albemarle County residents. He said that solar panels were seen as a different but compatible aspect of harvesting the sun's energy for the betterment of life in the County. He

said that the main concern was whether this could be integrated into the comprehensive plan, and he felt that the answer was yes.

Mr. Moore said that although there were conditions that needed consideration, other aspects of the review would also come into play. He said that he understood the concerns about visibility and scenic value were noted. He said that he believed that his aesthetic sensibilities may be different from some people's, but nonetheless, it would be part of the future review. He said that for the time being, they must also consider protecting and preserving.

Mr. Moore said that there were different interpretations of what "protect" and "preserve" meant. He asked if it was to keep something unchanged or to use the land for human needs. He said that if they could reasonably hope that soils would remain farmable in the future and waters would not be severely damaged, which they could learn from other installations, then it seemed consistent with the comprehensive plan to potentially install such facilities, provided they underwent necessary permits and special reviews before implementation.

Mr. Murray said that a significant flaw in the current comprehensive plan was that they were treating the entire rural area as if it were uniform. He said that this became evident when another solar project came before them, which had widespread support. He said that in contrast, this room was clearly not supportive of the proposal. He said that it seemed that not all areas should be treated the same, and in their new comprehensive plan, they should map out these differences to determine where solar projects are suitable or not. He said that it was difficult to make a determination about whether this project aligns with their future comprehensive plan.

Mr. Murray said that if they had the new plan in hand, they could make a clearer decision based on its guidelines. He said that he was concerned that this property was located in the Agricultural and Forestal District, but they had not heard from the Agricultural and Forestal District Committee yet. He said that that committee's input was essential before he could fully support the project. He said that conducting a viewshed analysis and considering the perspectives of neighbors would be beneficial in making an informed decision.

Mr. Murray noted that there were some positive features of this, such as the inclusion of native plants, the consideration of pollinator habitat, and the buffering of streams. He said that he hoped that all those things would become part of their overall standards for solar when they were passed. He said that the lack of current policies regarding solar projects was problematic, and he hoped that they did not have another come through without a policy in place.

Ms. Firehock said that she wanted to address a general comment regarding the possibility of agriculture being reintroduced as a future use. She said that the formation of soils, particularly topsoil, takes several decades. She said that when grading was done for a solar site, these soils were removed. She said that in general, she did not support the notion that they could simply restore the land to agricultural use by removing the panels. She said that she voted in favor of the other site briefly displayed on the screen, which was 660 acres in size, significantly larger than this one. She said that she also had visited that site. She said that each location must be considered within its specific context. She said that she had also walked the land at the site they were discussing tonight.

Ms. Firehock said that the 660-acre site she voted yes for had severely degraded soils and significant erosion gullies. She said that although it was forested and later returned to timber production, it was not well-maintained. She said that she believed restoring the soil and converting

it into a solar site would better stabilize that site. She noted that each site was unique and contextual. She said that in the Samuel Miller District, she had voted for a smaller site similar to this one, located in a forestry area that had been extensively timbered but was also secluded. She said that on that site, she could not see neighbors, and there were fewer objections compared to this location.

Ms. Firehock said that she did not have enough information to judge the other chapters or sections of the comprehensive plan regarding whether this site aligned with their current plan. She said that while she understood that the staff report mentioned promoting conservation and efficient use of energy resources as well as acknowledging the County's climate plan and desire for renewable energy, she could not fully evaluate the impact on scenic, natural, and historic resources without a fully developed concept plan before her.

Ms. Firehock said that she understood that the applicant had plans to undertake certain actions, but she did not want to speak for them. She said that something akin to a viewshed analysis, more detailed about what could and could not be seen, or to fully flesh out how much screening should be put and where, unfortunately was not information they had available that night. She said that she was unable to determine whether the proposed site aligned with their comprehensive plan due to potential conflicts with other sections until she received additional data for evaluation.

Ms. Firehock said that she would like to clarify for the audience's benefit that it was not unusual for a section of the comprehensive plan to contradict a proposal in one aspect while supporting it in another, so they frequently encountered such situations. She said that in this particular case, she believed that the scenic and historic context was crucial regarding the Southern Albemarle Rural Historic District. She said that as a resident of Howardsville, located at the southwestern tip of Albemarle County, she was familiar with the area and regularly traveled through Esmont. She said that she had taken pictures in the area occasionally because the sunset was amazing.

Ms. Firehock said that she was unable to make a decision on this matter that night. She said that she could not determine whether it aligned or did not align with the guidelines. She said that consequently, she would prefer a postponement until they had a complete application to review. She said that she understood that they were adhering to best practices in Virginia. She said that it was mentioned that determining if it conformed to the comprehensive plan and knowing whether it was a potential go or no-go before the applicant proceeded with further work was beneficial.

Ms. Firehock said that someone in Virginia decided that was an appropriate policy, but she disagreed. She said that each site was distinct, and this site was particularly unique. She said that there were numerous perspectives from which to view it, so even if this were to return as a site plan, she would hope that some of the neighbors might invite her over so she could observe from their porch and comprehend its appearance. She said that at present, she was unable to make that assessment. She said that therefore, she would have to abstain or find it not in accord because she could not evaluate the other elements.

Mr. Bivins asked if Ms. Ragsdale could display one of their first two slides featuring a list of projects they had considered over the past three or four years. He said that these were some of the projects under review or approved. He said that they all agreed that Albemarle County was beautiful, and he would find it extremely challenging to determine which project was more beautiful or less beautiful. He said that therefore, the beauty and historic significance, which he would also discuss, had not influenced his decision-making process.

Mr. Bivins said that most of the houses they were discussing were plantations, and while their historical nature was appropriate and helpful for Southern Albemarle, it was not what would lead him to say yes, no, or maybe. He said that the deciding factor would be if saying yes on this project meant that they had made a mistake in their previous four decisions. He said that the reason he believed they made mistakes in the other four cases was due to the involvement of passionate individuals in each instance, except for the one on Dick Woods Road, at the Ivy landfill site.

Mr. Bivins said that his point was that he was unable to differentiate between these projects in terms of location because he did not have a complete project or SUP in front of him at this moment. He said that what he possessed was the ability to discern if this location could accommodate the project. He said that to clarify, he had spent a significant amount of time in Esmont over the past 30 years. He said that he had visited the town and its surrounding areas, such as Partridge near Yancey Mills, and Esmont Manor, which had changed ownership multiple times, as many people in the area are aware. He said that he was aware of the beauty of that area but also recognized the charm of other locations. He said that the Milton area was quite picturesque as it bordered the Rivanna River. He expressed his desire to see the entire project presented before them.

Mr. Bivins said that he wanted the applicant to listen to the attendees tonight and respond accordingly, ensuring that the proposal offered a comprehensive review process and provided opportunities for Commissioners to visit properties, as was done in Woodridge, inviting everyone to explore the land together. He said it was difficult for him to say no because he did not see a significant difference between any of these options, otherwise he would have said no to many of them due to the passion expressed for each one.

Mr. Bivins said that he would support the fact that this project could be located there. He said that he was not saying that if they brought the project forward that he would vote in favor of it because he still needed more information. He said that he hoped that he would be given the opportunity to stand on the land and see the views of the area.

Mr. Missel asked for clarification that Mr. Bivins would be in support of the proposal as written in the staff report.

Mr. Bivins said that in terms of determining compliance with the comprehensive plan, he did not find anything that made him want to say no, because they did not bifurcate the process for any of the other solar projects that they had previously approved. He said that he did not have enough information at present. He said that it influenced them but was not a dictum.

Mr. Missel said that some members of the public had asked the Commission to consider delaying solar projects until they had a solar ordinance drafted, revised, and implemented. He asked if Mr. Fritz if could provide an estimated timeline for when the solar ordinance would be in place.

Mr. Fritz said that it was important to note that the work he was currently involved in, which was the development of an ordinance addressing solar energy, would not significantly impact the issue before the Commission today. He said that this was because their task was to determine its consistency with the comprehensive plan, while his work focused on the zoning ordinance. He said that Mr. McDermott discussed a separate project involving the comprehensive plan, which would provide additional information within the comprehensive plan.

Mr. Fritz said that the special use permit process could help address many of their concerns about visibility, such as whether it changed the character of the district or not. He said that through the zoning ordinance, they could develop better methods to assess changes in the character of the district and ensure consistency with the purpose and intent of the district. He said that those were the primary focus of the review process, and that would change, but it would not change the compatibility with the comprehensive plan.

Mr. Bivins asked Mr. Herrick if they could pause the project without there being an ordinance.

Mr. Herrick said that this project was different from those they had previously discussed as they would have been in the rezoning phase or the special use permit phase. He noted that Mr. Fritz highlighted that the objective for tonight was to assess its compliance with the comprehensive plan. He said that for better or for worse, they were left with the comprehensive plan that they had in front of them. He said that there had been discussion about deferral; however, under state law, failure of the Commission to act within 60 days of submission, unless extended by the governing body, shall be deemed approval. He said that while deferral was being considered, he recommended that it be requested by the applicant and not initiated by the Commission due to the 60-day time limit under state law.

Mr. Missel said that earlier, Mr. Murray had suggested a County-wide, proactive approach for identifying strategic locations for these facilities. He asked where this would be located within the comprehensive plan or zoning ordinance.

Mr. Fritz said that it could be included in both. He said that in the manner that they had listened to the Commission and the Board of Supervisors in crafting the criteria for reviewing a special use permit, they could say things like wireless or solar facilities should not be located in areas exhibiting characteristic X; instead, they should be located in areas exhibiting characteristic Y. He said that that could be included in the zoning ordinance as criteria to determine whether it was consistent with the purpose and intent of the ordinance. He said that similar language could be used in the comprehensive plan. He confirmed that it was one area where they could choose either option.

Mr. Missel said that it would be an important item to have in both.

Mr. Fritz said that the plan was to have that review criteria established so that they could evaluate and measure performance.

Mr. Bivins said that he would caution them as they considered this matter since they were not entirely comfortable determining where the expansion in the development community and land mass should occur due to speculations. He suggested that if they were to apply similar principles to cellular towers and solar fields, they would be setting up a speculation that they were uncomfortable with when discussing increasing the density of the development area.

Mr. Missel said that was an excellent point. He said that he believed that they could learn from other communities that had successfully addressed similar concerns and how they may have handled those types of sensitivity analyses. He said that he appreciated their perspective on this challenging situation, as he also felt aligned with many of the comments received from the community. He said that it was essential to consider that both sides presented their arguments and concerns. He said that the applicant emphasized their ability to handle the issue positively as

they worked with staff, and the community raised opposing viewpoints. He said that among the issues that arose, viewsheds were one of them.

Mr. Missel said that regarding the visibility analysis, he appreciated the comment about considering factors beyond the boundaries of the site. He said that it was essential to think about the big picture in terms of what was visible. He said that grading impacts had been mentioned, with bulldozers running all over the site, pushing dirt around, but the real level of impacts from grading remained uncertain. He said that the focus had primarily been on historic sensitivities, which aligned more with what Mr. Bivins had said, but it did remain an issue. He said that despite this, he believed that the size and scale of the project were small enough not to significantly impact historic resources.

Mr. Missel said that water management, water quality, stormwater management, hazardous materials, safety, leaching, landscape plans, buffers, noise, local ownership, agricultural and forestal district concerns had been raised as matters to be addressed. He said that they had not seen an opportunity for public interaction with the applicant to provide ways to mitigate these issues. He said that he acknowledged the need for them to reach a point where they could be more proactive when faced with issues like this. He said that they were not there yet and were still in the process of learning and adapting.

Mr. Missel said that his inclination was toward aligning himself with those who desired more information before making decisions. He said that whether this information came through a special use permit or another method during the ongoing process was irrelevant to him. He said he was uncertain about how the applicant would prefer to proceed in this matter, but his recommendation would be for them to consider deferring their application.

Mr. Herrick said that the applicant would need to request the deferral in order to avoid the 60-day timeline.

Mr. Missel said that if that option was not chosen by the applicant, he would likely find the proposal to be not in compliance with the comprehensive plan because he did not have enough information.

Ms. Firehock said that if she had to base her decision on the staff's findings in accordance with the comprehensive plan because it supported their energy objectives, then essentially all solar facilities throughout Albemarle County should be found in accordance. She said that while that was the logical conclusion from that statement, it was not the case in her opinion. She said that consequently, they had to take into account the context of each individual site.

Ms. Firehock said that she also would publicly state from the dais that she would never support a solar facility that eliminated mature hardwood forest because the purpose was to aid carbon sequestration, which a forest accomplished far more effectively than an array of solar panels. She said that the proposal had certain advantages, as it was already a disturbed forestry site, the soil had already been significantly disrupted. She said that it was not as severe as that 660-acre site and appeared relatively better in comparison. She noted that she did not collect any soil samples today, so she was unable to provide expert insight on that matter.

Ms. Firehock said that she wanted to emphasize that she was not discussing rural and scenic character as a means of defending plantation landscapes as her preferred aesthetic. She said that she was making no judgment about what constituted an appropriate rural landscape tonight. She said that she did know that people moved to this particular area of the County because they

expected a certain agrarian view, and she did too. She said that she would be disappointed if she had to stare at a multitude of solar panels. She said that context was crucial.

Ms. Firehock said that she had only voted on two sites and approved both of them, so she was not against solar in rural areas. She said that in both cases, there were compelling reasons why she felt that was an appropriate use, and they did not change the character of the landscape. She said that she was unsure if this site met those criteria yet. She said that she could see that there was some good screening on the site, but she did not have enough information to make a decision tonight. She said that if voting on whether it was in accord or not, she would have to say no.

Mr. Missel said that the difference between this proposal and the previous ones were that the subject proposal was a bifurcated process.

Ms. Firehock said that yes, it was not the same as the last votes they had had.

Mr. Bivins said that they had to make the same determination with each vote.

Ms. Firehock noted that they had had more information before making those decisions.

Mr. Bivins agreed that they had had more information.

Mr. Moore said that he understood with the sentiment that there may be insufficient information to proceed with the project. He said that this was his first time going through a solar proposal and two-step process, but his understanding of this process was whether they wanted to consider this site at all in order to conduct the analyses and gather information that they could then look at. He said that they had other solar facilities, and he felt that the question tonight pertained to whether solar facilities were possible at this particular site in the County. He said that in his opinion, it seemed like it was worth finding out about the viewsheds and mitigation plans that could be considered.

Mr. Missel said that he did not disagree with Mr. Moore's statement. He said that if deferral were not an option, he did not have enough information to agree that the project should proceed. He said that he understood Mr. Moore's perspective.

Mr. Murray said that the two-step process would make more sense if the new comprehensive plan identified areas where solar was suitable or not, based on objective criteria. He said that then the comprehensive plan's rubric made more sense because those criteria could be used to make more informed decisions.

Mr. Bivins said that regarding the historic significance, it was not a new conversation on the Commission about why he was not passionate about preserving a viewshed for Monticello. He said that if they were going to argue why they desired something simply because it was a house constructed after or had endured during the Civil War, that was not sufficient. He said that having resided in places that were hundreds of years old, even as old as the 1300s, this held more significance for him.

Mr. Bivins said that a house that merely survived the Civil War did not fill him with enthusiasm. He said that however, if they informed him that they discovered, for example, there was a fantastic community that existed there, he may feel differently. He said that if they would be impacting quality row, which referred to a group of individuals who worked diligently on the quarry that was

there, and if they were preserving their homes, which were also part of Esmont, as it was the commercial area of the whole thing, he may reconsider. He said that discussing a house now used as a wedding venue made it difficult for him to understand how this affected the addition of power to their power grid. He reiterated that a wedding venue was not sufficient for him.

Mr. Missel said that he fully supported solar power in rural areas. He said that with proper mitigation measures, this particular site might be a good site for solar energy. He said that if the County said that they would be very restrictive for reasons that were more subjective, that might be the case, but he would likely lean toward supporting such projects if they were accompanied by appropriate buffers and other necessary precautions. He said that with the goal to pursue renewable energy, they should look favorably on these types of projects, assuming the information was there to understand it.

Mr. Bivins said that they should prioritize quantitative data over qualitative information when evaluating renewable energy projects.

Ms. Firehock said that she understood that a feeling or aesthetic of a landscape was highly subjective. She said that however, a viewshed analysis could provide an objective measurement. She explained that by using geographic information systems and spatial analyst tools, one could determine from a specific point whether or not a particular view was visible. She said that this method allowed for quantitative data on what could be seen from that location, rather than relying solely on personal opinions.

Mr. Bivins said that he was supportive of that type of viewshed analysis. He said that he would like that type of analysis to be implemented for the entire County's site review process. He said that they had discussed slopes and the difference between managed slopes and critical slopes, which had been misconstrued in the past, so he would like for them to take initiative regarding these kinds of projects across the entire County rather than specific viewsheds. He said that he would like to see that same kind of passion about what they were protecting and how they quantified the item they were trying to preserve.

Mr. Missel said that it would be a good tool for this site.

Ms. Ragsdale said that the applicant indicated that they would like to request a deferral. She said that they would follow Mr. Herrick's direction regarding the proper procedure, should the Commission wish to make a motion in this regard. She said that she had prepared this wording on the slide, but he may prefer that they rephrase it to say "move to accept the applicant's deferral request" if they wanted to provide them with an opportunity to address this matter on record.

Mr. Missel asked if the applicant would like to speak on the record.

Ms. Robinson said that she would like to request a deferral.

Ms. Firehock moved to defer this finding until the special use permit was under review. Mr. Bivins seconded the motion, which passed unanimously (5-0). (Mr. Carrazana and Mr. Clayborne were absent.)

Ms. Firehock said that she had heard an audience member ask how long the deferral was for, which would be for however long the applicant took to complete the special use permit application,

be reviewed by staff, and presented before the Planning Commission for a public hearing. She said that an exact timeline was unknown, but it would likely be a few months.

**Committee Reports**

Mr. Moore said that the Rio CAC held a meeting last week, primarily discussing the feedback received on the multimodal development and land use proposals associated with Project AC44. He said that the majority of the meeting was dedicated to this topic, allowing participants to provide their input and ask questions.

**Review of Board of Supervisors Meeting: December 6, 2023**

Mr. McDermott said that the primary focus of the December 6 meeting of the Board of Supervisors was a work session on the budget with the schools. He said that in the evening, they held some public hearings, two of which were related to land use matters. He said that the first one concerned the addition to the Kinlock Ag Forestal District, which the Planning Commission had previously reviewed. He said that this proposal was unanimously recommended for approval by the Board.

Mr. McDermott said that the second item concerned the revision and improvements of fees, and this was also approved by the Board. He said that however, with the approval, it became immediately applicable, but they were trying to keep it to begin at the beginning of the next fiscal year. He said that they must return to the Board to ensure that it was correctly intended. He said that there would be a follow-up for that, but it was approved by the Board.

**AC44 Update**

Mr. McDermott said that the AC44 project was ongoing, with the team visiting all CACs to discuss land use issues. He mentioned that at the upcoming meeting on December 19, there would be a work session to gather background information on the implementation of the land use and multimodal plan. He said that during this meeting, the Commission could expect a comprehensive update on the project's progress.

Mr. Missel noted that materials were already posted online.

Mr. McDermott said that was correct.

**New Business**

Mr. Moore said that he personally used the MicroCat the other day. He said that it was great and very enjoyable. He said that he had to drop his car off at the mechanic and did not want to walk home, so he decided to take the MicroCat. He said that the experience was smooth and efficient, similar to using Lyft or Uber, and it was completely free of charge. He said that the drivers and fellow passengers were friendly and welcoming. He said that it was an awesome experience. He said that he hoped the City would consider expanding this service. He said that he participated in a social media exchange with others who were also interested in the program's potential arrival in the City.

Mr. Missel said that he would like to get an update on the ridership data once it was available.

Mr. McDermott said that they had a meeting scheduled with the contractor next week, and once

they had an update on the ridership data, he would provide it to the Commission in a meeting or via email.

**Old Business**

Mr. Bivins thanked everyone who helped make the recent joint work session with the Board of Supervisors happen. He said that his emotions were mixed, and intellect was uncertain about what would happen.

Mr. Missel said that he agreed that it was a great meeting. He said that he wondered what the timeline was.

Mr. Bivins said that was his issue as well.

Mr. Missel said that he had heard that it may be potentially sometime next year, but the Planning Commission would be hearing it in January.

Mr. McDermott said that they were potentially scheduling in the second meeting in January for Ms. Dimock and Ms. Pethia to present their recommendations for developer incentives, and one month after that, in February they would present those recommendations to the Board.

Mr. Missel said that he wondered how much the development community would be involved in drafting those recommendations before they came to the Planning Commission.

Mr. McDermott said that he was unsure what the plan was, but he knew that they had been involved in the process up until now and would continue to be involved.

Ms. Firehock said that she had received compliments from the development community regarding the meeting, including appreciation of being engaged in that way. She said that she found it very helpful to have them right there to respond, and she learned a lot.

**Items for follow-up**

There were none.

**Adjournment**

At 8:32 p.m., the Commission adjourned to December 19, 2023, Albemarle County Planning Commission meeting, 6:00 p.m., Lane Auditorium.

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Kevin McDermott, Deputy Director Planning

(Recorded by Carolyn S. Shaffer, Clerk to Planning Commission & Planning Boards; transcribed by Golden Transcription Services)

| Approved by Planning Commission |
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