

MINUTES
PAGE COUNTY PLANNING COMMISSION
July 24, 2018

Members Present

Bernie Miller, District 1	Paul Otto, District 1
Donnie Middleton, District 2	Steve Atkins, District 2
James Turner, District 3	Keith Weakley, Vice Chairman, District 3
Duane Painter, District 4	Craig Lancto, District 5
Jonathan Comer, Chairman, District 5	

Members Absent

James Holsinger, Secretary, District 4

Staff Present

Tracy Clatterbuck
Nathan Miller, County Attorney

Call to Order

Chairman Comer called the July 24, 2018, Page County Planning Commission work session to order in the Board of Supervisors Room at the Page County Government Center, 103 S Court Street, Luray, Virginia, at 7:00 p.m. The call to order was followed by *The Pledge of Allegiance* and a *Moment of Silence*.

Adoption of Agenda

Mr. Miller made a motion to amend the agenda by removing adoption of minutes from the agenda. The motion was seconded by Mr. Otto. The motion passed unanimously.

Public Hearing

None

Citizen Comments on Agenda Items

Brenda Gray- Ms. Gray began by stating she was opposed to the solar projects. Our town is a tourist attraction area, she said, and the solar facilities will take away from that. People are saying it isn't going to be noticeable from Skyline Drive; however, she disagrees. Do we take that chance after they are installed? Several years ago there was talk about making 340 dual lanes. People didn't want to do that because they felt it would ruin the beauty of the landscape. How many more solar facilities will come in if these are approved? Ms. Gray stated that she didn't want to walk out her front door to see these panels. She questioned what would happen to the value of her property? She concluded by asking the following questions: Do any of you live where the panels are proposed to be installed? Would you want to look at them every time you walk out the door? Do you want the value of your property to go down? If any of you can answer yes, then you're the one that would need to sleep with your decision.

Jeff Cummings- Mr. Cummings began by stating he lives in the Old Farms Subdivision. At the last meeting, he said, there was discussion about the compatibility of the proposed projects in relation to the Comp Plan. He has received a copy of the plan, and has read through it, and in his opinion, these projects are not in compliance with the Comp Plan. In the narratives provided by the special use permit (SUP) applicant, they suggest that the applications are in compliance with the Comp Plan. There are many items in the plan that suggest otherwise, such as goal number one, goal number two, goal number three, and goal number six. There will not be sufficient buffering along these projects either. People don't come to visit Page County to see solar panels. They come here to get away from Northern Virginia. The panels will have a negative impact on tourism, he said. We will be known as the town with the solar panels instead of the town with the

views and caverns, and they will skip us and visit the next town. These projects do not meet the goal of the agricultural protection tier, as the power will not supply Page County. Emergency Management is not prepared to handle any accidents that could occur, nor do we have the funds to train them, he said. There are additional concerns such as safety and noise during the construction of these facilities, the noise from motors rotating constantly, view shed deterioration, traffic impacts, and stormwater issues. They are also concerned about the potential loss of property values. If the county were to put regulations and codes in place prior to reviewing these applications, maybe then it could be done properly, but it could never be done at the size it is now without destroying the county.

Kris Garrett- Ms. Garrett thanked the applicant for providing what she termed the "myth and truth" sheet. One of the things on that sheet says "crystalline silicon PV panels do not pose a material risk of toxicity to public health and safety." Ms. Garrett questioned what a material risk is and who deems that this is safe. Is it someone in their company or an outside company? Another item on the sheet says "While companies like Amazon buy solar credits from projects, the actual energy produced is consumed by the homes and businesses closest to the facility." She questioned where this energy would be used. Another item on the sheet says "Solar farms are a land use place-holder, temporarily preventing commercial or residential developments from permanently occupying the land." She noted that her personal opinion is that she would rather see the land developed for houses. Another item on the sheet says, "All utility scale solar projects in VA result in significant tax increases due to increased RE taxes, rollback taxes, and equipment taxes on larger projects. Additionally these projects require very little county services or infrastructure. Ms. Garrett stated it was proven at the last meeting that it is not a significant amount compared to what tourism brings in. We could potentially lose tourism dollars. We don't have a crystal ball, but the applicants don't either. They can't give us actual numbers. No one from Page County will get a job from these projects. Their attorney last said it would bring 200 workers; however, the sheet says anywhere between 400-550 people coming in. The numbers are not adding up. First, they want 30 years, now they want 99 years. What is the truth? She concluded by saying that her opinion is that the "myth and truth" sheet was all lies.

JoAnne Smeltzer- Ms. Smeltzer began by stating she didn't understand why we were discussing these SUP now. This is only a concept plan. If she submitted an application, she said, she would have to have supporting documents included with the application, and to her knowledge, this has not been done by Urban Grid. The applicant's suggest in their narratives, that the projects are consistent with the Comp Plan. It is silly to accept their interpretation because it is not based on the examples provided earlier tonight, in addition to policy 2.15, 2.18, 2.19, etc. There are too many negatives for this project. There are lawsuits pending related to noise, comp plan, etc. in other jurisdictions. Taxpayers have to pay the attorney fees. She also suggested that the panels will not withstand tornadoes. Also, she asserted, throughout the USA, localities are being sued because of the constant humming noise. The applicant also says that the panels will emit no glare, but, says Ms. Smeltzer, there are pending lawsuits throughout USA regarding the glare. Airplane pilots have complained because of the glare, she said. When toxic materials get into the water supply, she said, the taxpayers will have to buy homes around the solar panels just as we did when we had to buy homes contaminated by the Stanley Landfill. The money the county will receive is very little compared to what meals and lodging brought in last year to this county. If these projects are approved, tourism will go down, she said. She also said that citizens and taxpayers will not benefit from this project; we will not be receiving cheaper electric bills. Instead, she suggested encouraging citizens to install panels on their homes, if this is what we want. Give the citizens an opportunity to receive the tax break. Give them free permits too, she said, because that is basically what we will be giving this company when we only get twenty thousand for their permit. For those people that support the solar projects, she suggested they put panels on their own homes. She requested the county do their homework before granting these permits, but requested the county deny the permit. Do not take the citizens down a bad road again that will hurt us for generations. These companies are LLC, so if they go bankrupt we will be paying to clean up their mess, which could

require us to dig another landfill cell to get rid of the equipment. Some of the material can't even be put into the landfill. These projects will severely hurt the economy and tourism of Page County.

Unfinished Business

A. Cape Solar, LLC & Dogwood Solar, LLC Special Use Permits

Chairman Comer requested that Mr. Nathan Miller start by reviewing the memo provided by legal regarding the Comp Plan. Mr. Nathan Miller explained that, at the last meeting, a question was raised on how the evaluation of compliance with the Comp Plan would interface when you make your decision on the SUP applications. Briefly, he reviewed the memo with the Commission. He explained that the easiest way to describe the decision process is that it would be one motion or one action with two items: Are you going to approve the SUP and does it fit the Comp Plan. It is similar to a trial where you have facts and law. The facts in this case, or the questions you need to answer, are do the facts allow the applications to fall within the Comp Plan? The legal issue is that you have the authority to make that decision. When you are going through the public hearing that is where you will need to gather the information that comes from the participants and determine whether or not you feel the projects fit into the Comp Plan. You have the authority under the law to make that decision. The public hearing notice has three elements: One is to evaluate the Cape Solar application; two is to evaluate the Dogwood Solar application; and the third will be the connectivity of these applications to the Comp Plan. When you are listening to the presentation, you will need to divide your thought process into these three elements. When you reach a decision, then we will wrap that into one action by this commission by either recommending it for approval or denial to the Board of Supervisors (BOS). Once it is sent to the BOS, it will go through the same process for public hearing.

Chairman Comer pointed out that the memo included a draft of the public hearing notice. Mr. Nathan Miller recommended that if the commission decides it doesn't fit into the Comp Plan, neither of the applications would be recommended for approval to the BOS.

Mr. Turner stated he thought the commission would make a decision on the "substantially in accord" before proceeding with the applications. Mr. Nathan Miller replied that they would review it all at one time, and then when the motion is made you address if it fits into the Comp Plan and whether you recommend approval or not to the BOS.

Mr. Weakley asked if they did the "substantially in accord" determination first, and deemed it not in compliance with the Comp Plan, whether they wouldn't even proceed with the SUP application vote. Mr. Nathan Miller replied that they would make the motion that they are not in compliance and recommend denial on to the BOS. Mr. Bernie Miller asked if it would still go to public hearing. Mr. Nathan Miller replied that it would depend on what the BOS decided. If they accepted the PC recommendation, they could take no action which means it wouldn't make it to a BOS public hearing. If they decided, they wanted to proceed, then they would have a public hearing. Chairman Comer said, in a theoretical world you could have a scenario where the BOS say it is in compliance with the BOS, but they still may not want to approve the applications. If the commission motion is that it doesn't fit into the Comp Plan, then that motion goes to the BOS. You are either going to say yes, it's a good idea and fits into the Comp Plan, or no, it's a bad idea and doesn't fit into the Comp Plan, or there could be the third option which is that it fits into the Comp Plan but they still don't think it is a good idea. Mr. Weakley noted there could be a fourth option that says it doesn't fit the Comp Plan then they won't even consider the applications. Mr. Nathan Miller confirmed and said either way a recommendation has to be sent to the BOS. Mr. Weakley asked if there was any situations where you would have two public hearings (one for substantially in accord and the other for review of application). Mr. Nathan Miller replied that the reason you have it all together. The reason for the public hearing is to allow the public to speak and they may sway you one way or another.

B. Comp Plan Committee Report

Mr. Otto reported that the committee had a meeting last week in which they discussed Chapter Seven. It was decided that one of the committee members would do some editing on it. They are also waiting for more input from GIS. Chairman Comer asked when he thought they would have a draft. Mr. Bernie Miller replied, hopefully this year.

C. Subdivision Committee Report
No Report

Open Citizen Comment Period

Margaret Stevenson- Mrs. Stevenson said that she resides in Hope Mills Subdivision. She said that this sounds like another Fiber watt deal. She said it also sounds like another Love Canal. There is so much misinformation on the "myth and fact: sheet, she said, adding, if we rape our land it will never go back to the way it was.

Dr. Gordon Stevenson- Mr. Stevenson stated he has been in Page County for about 30 years as a doctor. Most of what he does has to do with energy such as acupuncture, cold laser, etc. A lot of his practice has been taking care of people who have had allergic reactions to energy fields. If you have a big energy field, cancer cases will go up, he said, noting that he has been doing this for quite a while. As a chiropractor, he has the credentials, he said, so he knows what is going to happen. When you start bringing a lot of EMF's into this county, people will get sicker and sicker. He explained they had obtained information from Water Works, in which they stated that you cannot get cadmium out of your water. He asked, what is going to happen if an airplane does a nose dive into the solar panels? There would be a toxic waste event. he said. He is totally against it, he said, based on his experience with taking care of people who are sick.

Rod Graves- Mr. Graves stated he was present as a land owner in Page County, as the senior vice president and an owner of Luray Caverns, and also on behalf of his brother. Mr. Graves said that he has dedicated his life to the preservation of "this jewel we call Page County." On all those fronts, he is opposed to these projects because he sees a negative and lasting fallout for our county. He reminded Urban Grid that he works here, lives here, and loves it here. He is a supporter of alternative energy that is responsibly regulated, measured, and balanced. In some places, like Page County, it is just plain inappropriate, he said. New industry footholds in our county concerning industrial solar sites give grave concern, he said. Any industry without regulation is just not right. You must realize this will not stop here with just these 900 acres, he cautioned. This is the beginning of a very ugly picture. This is an obvious error in zoning. Making a decision without regulation is not right. This, he said, is why these companies are here. Cheap land, low taxation, and no regulation in a county so desperate to take in industry that you will almost do anything. Why are we not obeying the Comp Plan? As Mr. Nathan Miller noted, it is not law, he said; however, when he and his brother have a plan they stick to it. A lot of the reason is because of what they are regulated to do. There are no guidelines or restrictions for this industrial activity. It's not a farm; it is an industrial complex. How can we proceed without regulation? Why are we willing to sell our fragile resources for such a small amount of money? We are confined in a place by two mountain ranges. We are a national park community. The Shenandoah National Park is a Class A registered national park and is considered one of the best in the United States. The only National Park in Virginia is headquartered in our town, he noted. The message we would send to them is that we do not care about our natural and historic resources. Our fifteen fragile overlooks in the county would be disgracefully scarred. We, the people of Page County who have sacrificed our land for this natural treasure; is there a better stewardship from this body. Our valley without scenery is a tragedy. Do we open up our doors because we have not been fiscally responsible in the past? This will have an impact on all fronts. The expected revenue from this will not offset the loss in the tourism industry, he said. We are concerned about the traffic impacts. On 340 alone, 60% of our business comes through that corridor. Are we going to greet them with this industrial blight as they enter the county? We need to balance the situation. Shenandoah River, Shenandoah Valley, Shenandoah National Park...this, the Daughter of the

Stars, with a massive solar facility and power lines scattered all over the valley will become the daughter of the scars. This is not a green project at all. The only green are in the pockets of the majority of the people that don't live here, he said. This is our heritage...why we share it with the world, that people want to escape to. Why don't we energize that instead of biting the hand that feeds us? This will bring massive power lines, and eminent domain over people's homes. The tourism industry generates sixty-eight million dollars for this county. The compounding loses will outweigh any benefit. Remember this: no employment, getting energy to the destination, health issues, do you think it will stop with 1000 acres? Say no to this project as our community is counting on you as the guardians of our future.

Will Geddas- Mr. Geddas explained he is an outsider but owns riverfront property, and he seconded everything Mr. Graves said. He has clients nationwide who come here and say there is nothing like Page County in the country. You have a twenty-mile view from my house and don't see another house, he said. This project idea is a disgrace: putting an industrial park of solar panels. We need jobs in this county. He said that he would love to move his company from Alexandria out here, where there is a \$16,000 annual per capita income. He has sales people that make that in a month. We need jobs in this county not solar panels.

Ed Wolcuff- Mr. Wolcuff stated that he has owned property for about three years in the county. He is also opposed to this plan. He observed that Page County is one of the poorest counties in the state. The entire county is a HUBZone. In the 2017 census, the per capita income for the county was about \$16,321. The Town of Luray is 269th in the commonwealth. We have an aging population, he said, with few jobs to be had by the youth, so they leave. Those that do stay here are not thriving. Where are the new businesses? How many have gone under already? To pay for programs and government salaries the county must resort to raising taxes. Without an income of revenue this becomes a cyclic phenomenon where you constantly are raising taxes. The county economy is based on agriculture and tourism. The solar farms are a detriment to tourism, he said. He predicted that the tax comps for adjacent and nearby properties will escalate as the purchase price exceeds the assessed value of the acreage. The properties that have been purchased are roughly five times the assessed value. What does that mean for surrounding property owners after this project? There are supposed to be jobs in this project, he said. There are no long term jobs. There seems to be minimum economic benefit to Page County businesses. If you think restaurants will prosper during construction, think again. Most construction workers will bring their own lunches. What local providers will be used to provide materials for the project? Nothing has been said about that. They will be brought from outside the county, he said. What local firms will sub-contract to the solar panel contractors? Nothing has been said about that either. What about the environmental impacts? He asked about the consequences for protected birds such as eagles, geese, etc., and asked whether their health be affected by these panels? Where are the studies? There are rumors that similar projects have been offered to nearby counties and rejected. Why were the permit fees reduced? There will be traffic impacts on 340. From a pro standpoint, there are two benefits: minimal revenue from permits and some benefit from taxes. Where are the benefits to Page County?

Thomas Mitchell- Mr. Mitchell explained that he lives in Old Farms Subdivision. He was told that the residents in Old Farms had been contacted about this project but that is not true. He said that he had gone around the subdivision to see who had received notice and determined that the majority didn't know anything about it and don't support it, based on the signatures obtained in the petition. Some were active parties in this town and didn't want conflict so they wouldn't sign the petition. People visit Page County because of the beauty. This industrial facility will affect that, he said. We are trusting you to make the right decision. Property values will go down, he said. The town is going to impact greatly. He owns three businesses outside of town. There are no jobs for the kids. We are going to take this power grid and pump it to the area where it is going, but how is it going to get there? Our cooperative will have to feed it there. Will that make my power bill go up? Make a good choice.

Cheryl Adams- Ms. Adams submitted a petition to the Commission clerk in opposition to the project. She stated she didn't understand why Page County doesn't have a renewable energy policy in place before these applications are reviewed? The ordinances should be in place already. Her property borders Mr. Houser's property. She has never complained about what he does with his farmland such as the stinky stuff, because that is life. It is what you deal with when you live in Page County. These solar panels are massive, she said, adding that usually you see these things out west. She requested the Commission think about them and their homes. They purchased their property because of the views from their house, and these panels will be an eyesore.

Superintendent Jennifer Flynn- Ms. Flynn stated the Shenandoah National Park was committed to being a part of this conversation as long as the conversation plays out. Noting that Ms. Clatterbuck had requested that the Park provide some high resolution photos from the overlooks looking into Page County. She offered to provide purposeful photos by sending their photographers to the specific planned areas. The photos given to Ms. Clatterbuck were just photos they had in their archives from the overlooks. It gives you a sense, she said, but it is not targeted or zoomed in a way that they could do it.

Natalie Zuckerman- Ms. Zuckerman asked how many Commissioners were present in 2000 when the landfill was approved. It was approved, she said, because all kinds of fancy numbers were given to the Commission and BOS about an enormous financial benefit to the county. The bill for the landfill outweighs the profit. You have been handed a pile of garbage again on what financial benefits these solar projects will bring to the county. There are several farmers on this board, she noted. She hoped they would vote for the sake of the county and not for the possibility that they may win by having a solar farm on their personal property. Stand up for the people of Page County and not for individual reasons. If you approve these, the door is open. There will be more. These companies know a sucker when they see it. The income is basically peanuts to the farmer and the county compared to the loss that is going to occur. She pleaded with the Commission to not destroy the value of this county by approving these permits.

JoAnn Smeltzer- Ms. Smeltzer questioned whether the Commission would be making a decision based on a concept plan? Mr. Nathan Miller responded that the board could require any type of documentation they want or need to make their decision. Ms. Smeltzer encouraged the Commission to require documentation. When the landfill came here, it was said that it would be the goose that laid the golden egg, she said. Well that goose laid us a rotten egg and she is sure that is what this mess will lay us too.

Rolf Gubler- Mr. Gubler stated he was a 30-year Page County resident. His property lies about 100 yards from the proposed project. He encouraged the Commission to take the long economic view and not to be lured into the idea there will be modest gain in taxes and permit fees. It is hard to put a price tag on scenic values. He asked the Commission to keep in mind that tourism drives Page County. If we go down this road we will be opening Pandora's Box. We will lose a lot of tourism dollars.

Wendy Brown- Ms. Brown, who has a degree in environmental science, stated she didn't know she was going to be the only one present to support these projects. She said that she is very supportive and passionate about these applications, and that the "myth and fact sheet" provided by applicant is fact. They are not trying to sell you a bill of goods, she said, adding that she is angry that people are actually giving false information with no proof. Ms. Brown noted that the U.S. military takes climate change very seriously. They take the leading edge internationally and we should be very proud of that. With the rise of oceans, we have problems with getting military units from one place to another, along with fuel and help supplies to other countries. Many scientist are saying the human race could be wiped off the face of the earth in the next 10-20 years. Global warming and climate change is a serious issue. This kind of energy production is clean. There is no leeching of cadmium. They will set these up in empty land that is getting government

subsidies for unused land. Instead, and they will be using it for productive energy that will be utilized in the entire grid of Virginia. You say Page County is not going to benefit, she said, you are wrong. You don't understand how an electrical grid works. It will be coming to Page County first because if you transport it in a faraway distance the energy is lost. It is much more efficient to keep it in the county. Ms. Brown noted that she is also an artist. As an artist, she does not see how blue mirrors in a field is going to be that much detraction to our community. For the people upset, go protest to the Mountain Valley Pipeline and the Atlantic Coast Pipeline transporting liquid gas that could leak and explode onto tons of private property. They have eminent domain. The panels will not detract from tourism in this county, she said. She is a business owner and welcomes the projects. It will cut down on 20,000 tons of carbon dioxide emissions per year. We have the opportunity to save our planet right here in Page County, she said, adding that you want to say "not in my back yard." What do you think those people who live near the landfill thought, which continues to pollute the water around it? These people are trying to put in clean energy for the entire state of Virginia. They are required to clean up. All of those panels can be recycled. Solar energy is at a 40% increase annually. Ireland is looking in 2030 to be zero carbon emission. We look ridiculous right now. Americans are the top number one per capita producers of carbon dioxide in the world (above China). This is an embarrassment. If you think it is bad now, wait until we are completely polluted with the emissions from nuclear power which could be a disaster if it exploded. Do you want more houses on this land? That is going to burden our school system and our county. We could be reaping millions of dollars every other year from subsidies and tax money. You will see \$250,000 of tax money flowing into Page County guaranteed if you approve this project. That is money that could go into the school system that could pay really awesome teachers. By the way, it will create jobs for the next five years. It could also benefit our technical students who are studying electrical engineering because it could give them hands-on training to use to their benefit. When you say, put them on the houses. If you play your cards right, you could require grazing land for sheep like in Ireland. This is the smartest thing that has ever come to Page County. Ms. Brown concluded her remarks by saying that she has compassion for those directly adjacent, but this could help a lot of people.

Margaret Stevenson- Mrs. Stevenson stated she is all for safe solar energy, as she has solar panels on her house and welcome others to do the same.

Chairman's Report

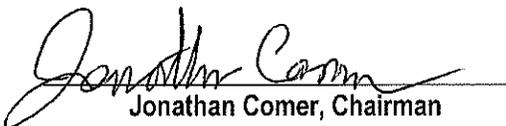
Mr. Chairman noted there were some economic development comments made during the public comment period. He would encourage those business owners to reach out to Liz Lewis.

Clerk's Report

None

Adjourn

Chairman Comer adjourned the meeting at 8:25 p.m.


Jonathan Comer, Chairman


Jamie Holsinger, Secretary

