



**KING WILLIAM COUNTY
PLANNING COMMISSION
REGULAR MEETING AGENDA**

**APRIL 7, 2026 6:30 PM
ADMINISTRATION BUILDING - KING WILLIAM, VIRGINIA**



- 1. Call to Order**
- 2. Electronic Participation Approval (if needed)**
- 3. Roll Call**
- 4. Pledge of Allegiance**
- 5. Moment of Silence**
- 6. Review and Adoption of Meeting Agenda**
- 7. Approval of Minutes**
 - a. March 3, 2026, Planning Commission Regular Meeting Minutes
- 8. Public Hearing (if any)**
 - a. Consideration of CUP -01-2026 — New Energy Equity, Turkey Hill Solar Project (deferred from 3/3/26 PC Meeting)
 - b. Amendment to Zoning Ordinance Sec. 86-137 — Chesapeake Bay Resiliency (tabled from 1/6/26 PC Meeting)
 - c. Amendment to Subdivision Ordinance Article XVIII, Sec. 86-438 — Exempt Subdivisions
 - d. Amendment to the King William Code of Ordinances, Chapter 78 – Utilities (Community Utility Systems)
- 9. Citizens Comment Period**
- 10. Unfinished Business**
 - a. Review and Adoption of 2026 Planning Commission ByLaws
- 11. New Business**
 - a. Discussion of Changes to the BMA Standards of Development
- 12. Staff and/or Special Committee Reports**

13. Commission Member Requests and Comments

14. Adjourn or Recess

AGENDA ITEM 7.a.

March 3, 2026, Planning Commission Regular Meeting Minutes



**KING WILLIAM COUNTY
PLANNING COMMISSION
REGULAR MEETING MARCH 3, 2026**

A regular meeting of the Planning Commission of King William County, Virginia, was held on the 3rd day of March 2026, beginning at 6:30 p.m. in the King William County Board Room of the Administration Building and livestreamed via Zoom.

Agenda Item 1. Call to Order

Chairman Kellum called the meeting to order at approximately 6:30 p.m.

Agenda Item 2. Electronic Participation Approval

Not needed.

Agenda Item 3. Roll Call

Darrell Kellum	Present
Greg Henrich	Present
Otto Williams	Present
Ben Edwards	Present
Mark Townsend	Present

Also in Attendance:

Joyce Wolfe, Planner I, CZA

Ashley Gault, Planning Secretary, CZO

Grif Jones, King William Solar 2/ New Energy Equity

Agenda Item 4. Moment of Silence

Chairman Kellum called for a moment of silence.

Agenda Item 5. Pledge of Allegiance

Chairman Kellum led the pledge of allegiance.

Agenda Item 6. Review And Adoption of Meeting Agenda

Chairman Kellum asked if the March 3, 2026, Planning Commission Regular Meeting Agenda had been overlooked for approval.

Commissioner Townsend motioned to adopt March 3, 2026, Planning Commission Regular Meeting Agenda, Commissioner Williams properly seconded.

All were in favor; none opposed.

March 3, 2026, Planning Commission Regular Meeting Agenda was adopted.

Agenda Item 7 Approval of Minutes

7a. January 6, 2026, Planning Commission Regular Meeting Minutes

Chairman Kellum asked if the February 3, 2026, Planning Commission Regular Meeting Minutes had been overlooked for approval.

The Vice Chairman motioned to approve the adoption of February 3, 2026, Planning Commission Regular Meeting Minutes. Commissioner Townsend properly seconded the motion. A roll call vote was ordered, and the members were polled.

All were in favor.

February 3, 2026, Planning Commission Regular Meeting Minutes were adopted.

Agenda Item 8. Public Hearing

A Public Hearing was advertised appropriately and opened for discussion by Chairman Kellum for the Consideration of Conditional Use Permit 01-2026 – New Energy Equity, Turkey Hill Solar Facility.

8a. Consideration of Conditional Use Permit 01-2026 – New Energy Equity, Turkey Hill Solar Facility

Planner I, Joyce Wolfe presented a PowerPoint presentation reviewing New Energy Equity’s request for a Conditional Use Permit to develop, install and operate a small-scale solar facility in the A-C (agricultural conservation) district, located in the Sweet Hall magisterial district on +/- 29.9 acres off West Rose Garden Road, identified as TM# 47-13. The total parcel is 92.8 acres. Mrs. Wolfe outlined the parcel with aerial zoning and Future Land Use maps, gave background information with supporting details from the County’s Ordinance referencing a siting agreement and interpreted the Code of Virginia definition of shared solar.

The Commissioners, staff and applicants discussed the siting agreements proposal for a one-time payment of \$25,000 due within 6 months of acceptance into the Shared Solar Program with Dominion Energy and the decommissioning bond that would cover the total cost of destructing the panels at the applicable time.

Applicant, Grif Jones from New Energy Equity, LLC/ King William Solar 2 presented and answered questions from the Commission regarding energy rates, product safety, property values and decommissioning plans.

Chair Kellum opened the public hearing for Conditional Use Permit 01-2026 New Energy Equity, Turkey Hill Solar Facility.

Willie Upshaw – 2nd District: adjacent property owner, agreed this proposal site is a good place for a small-scale solar project. Mr. Upshaw shared concerns about shared solar power, the need for and the cost of buying it.

Tracey Yeary – 2nd District: concerned about water build up/flooding from the panels and suggested getting a topography map and drainage study from the applicant.

Kevin McNerny – 2nd District: adjacent property owner, concerned about the proximity of the access road to his property. Mr. McNerny requested the applicant to consider the access road being setback at least 75 feet.

Chief Malcom Custalow – 2nd District: concerned about the impacts on adjacent property value and the negative effect on the land after years of usage.

With no other speakers or public comments, Chair Kellum closed the Public Hearing for CUP-01-2026, New Energy Equity, Turkey Hill Solar Facility at approximately 7:33pm.

Vice Chair Henrich motioned to recommend approval of CUP-01-2026, New Energy Equity Turkey Hill Solar Facility to the Board of Supervisors. The motion was not properly seconded, the motion failed.

Commissioner Williams motioned to table the discussion and vote until the April 2026 Planning Commission meeting. Supervisor Edwards properly seconded the motion. Chair Kellum ordered a roll call vote and the members were polled:

Mr. Henrich	AYE
Mr. Williams	AYE
Mr. Edwards	AYE
Mr. Townsend	AYE
Mr. Kellum	AYE

All were in favor. The motion to table CUP 01-2026 New Energy Equity Turkey Hill Solar Facility passed.

8b. Consideration of Amendments to the Zoning Map Z-01-2026 – William Burrell

Planner I, Joyce Wolfe presented a PowerPoint presentation outlining the request to rezone property located at 30229 King William Road, identified as TM# 55-1-2 from A-C (agricultural conservation) to R-R (rural residential) to meet lot size requirements for a family subdivision. Mrs. Wolfe reviewed surrounding parcel zoning and COMP Plan compatibility in favor of affordable housing opportunities.

Mr. William Burrell shared the reasoning for the rezone to meet lot size requirements for a family subdivide. Mr. Burrell plans to give his daughter 3 acres of land. Mr. Burrell answered questions from the Commission.

Chair Kellum opened the Public Hearing.

Victoria Nation – 2nd district was in favor of the rezone to meet the requirements for a family subdivision. Ms. Nation suggested increasing the square footage of ADU’s.

Chair Kellum closed the Public Hearing at approximately 7:54pm.

Commissioner Williams motioned to recommend approval of the Amendments to the Zoning Map Z-01-2026 William Burrell to the Board of Supervisors. Supervisor Edwards seconded the motion. Chairman Kellum called for further discussion. With none, Mr. Kellum ordered a roll call vote. The members were polled.

Mr. Henrich	AYE
Mr. Williams	AYE
Mr. Edwards	AYE
Mr. Townsend	AYE
Mr. Kellum	AYE

All were in favor. The motion to recommend approval of the Amendments to the Zoning Map Z-01-2026 William Burrell to the Board of Supervisors passed unanimously.

8c. Consideration of Amendments to the Subdivision Ordinance

The Public Hearing for the consideration of Amendments to the Subdivision Ordinance was advertised appropriately and opened for discussion.

8c.i. Article XVIII, Section 86-453 Single Lot Subdivisions

Joyce Wolfe presented a PowerPoint presentation outlining the background and summary of the Amendments to the Subdivision Ordinance relating to single lot subdivisions by inserting a provision prohibiting interconnection and clarifying the ordinance language would eliminate some of the ambiguity while preserving the intent of allowing property owners with sufficient acreage in the underlying zoning district to accomplish a single division of their property.

The Commissioners and staff discussed single lot divisions and the intent of the Ordinance.

Chair Kellum opened the Public Hearing.

Lisa Mason, 2nd district: asked for clarification on connection roads between single lot subdivisions.

Chair Kellum closed the Public Hearing at approximately 8:15pm.

Vice Chairman Henrich motioned to recommend approval of the Single Lot Subdivision Ordinance Amendments with Planning Commission changes to the Board of Supervisors. Supervisor Edwards seconded the motion. Chairman Kellum called for further discussion. With none, Mr. Kellum ordered a roll call vote. The members were polled.

Mr. Williams	AYE
Mr. Edwards	AYE
Mr. Kellum	AYE
Mr. Henrich	AYE
Mr. Townsend	AYE

All were in favor. The motion to recommend approving the Single Lot Subdivision Ordinance Amendments with Planning Commission changes to the Board of Supervisors passed by a majority vote.

8c. ii. Article XVIII, Section 86-454 Minor Subdivisions

Joyce Wolfe presented a PowerPoint presentation outlining the background and summary of the Amendments to the Subdivision Ordinance relating to minor subdivisions.

The Commissioners and staff discussed easements, interconnections and road standards.

Chair Kellum opened the Public Hearing.

Tracey Yeary, 2nd district – requested the Planning Commission look at Chelsea Road and a previous minor subdivision on Spotswood Drive with concerns of new minor subdivisions, road maintenance, road maintenance agreements and deeded access points.

With no other public comments or speakers, Chair Kellum closed the Public Hearing at approximately 8:37pm.

Vice Chair Henrich motioned to approve the Amendments to the Minor Subdivision Ordinance with Planning Commission changes. Supervisor Edwards properly seconded the motion. The Chair called for further discussion and ordered a roll call vote. The members were polled:

Mr. Edwards	AYE
Mr. Henrich	AYE
Mr. Williams	AYE
Mr. Townsend	AYE
Mr. Kellum	AYE

All were in favor. The motion to recommend approval of the Amendments to the Minor Subdivision Ordinance with Planning Commission changes passed.

8d. Consideration of Amendments to the Zoning Ordinance

The Public Hearing for the consideration of Amendments to the Zoning Ordinance was advertised appropriately and opened for discussion

8d.i. Adding Division 7 – Technology Uses

Joyce Wolfe presented a PowerPoint presentation outlining the request and background analysis related to implementing Division 7 – Technology Uses to Article VIII of the Zoning Ordinance. The Commission and staff discussed the amendments, specifically relating to data centers and water usage.

Chair Kellum opened the Public Hearing for Adding Division 7 – Technology Uses to the Zoning Ordinance.

Willie Upshaw, 2nd district – asked the Commissioners to review some of the water usage language in the proposed amendment suggesting it is left “open ended.”

With no other speakers or Public Comments, Chair Kellum closed the Public Hearing for Adding Division 7 – Technology Uses to the Zoning Ordinance at approximately 8:54pm.

Vice Chair Henrich motioned to recommend approval of Adding Division 7 – Technology Uses to the Zoning Ordinance with Planning Commission changes to the Board of Supervisors. Commissioner Townsend properly seconded the motion. Chair Kellum called for further discussion and ordered a roll call vote. The members were polled:

Mr. Henrich	AYE
Mr. Williams	NAYE
Mr. Edwards	AYE
Mr. Townsend	AYE
Mr. Kellum	AYE

The motion to recommend approval of Adding Division 7 – Technology Uses to the Zoning Ordinance with Planning Commission changes to the Board of Supervisors passed by majority of 4:5.

8d.ii. Chesapeake Bay Resiliency Amendments

Joyce Wolfe presented a PowerPoint presentation outlining the request and background analysis related to the State Water Control Board statutory amendments in 2021 that require localities to address resiliency and adaptation to climate change, sea level rise, storm surge and flooding, preserving mature trees and the use of trees as a water quality protection measure.

The Commissioners and staff discussed the Chesapeake Bay Act Resiliency Amendments.

Commissioner William motioned to table the Chesapeake Bay Act Resiliency Amendments to the April, 2026 Planning Commission meeting. Commissioner Townsend properly seconded the motion. Chair Kellum called for further discussion and ordered a roll call vote. The members were polled:

Mr. Henrich	AYE
Mr. Williams	AYE
Mr. Edwards	AYE
Mr. Townsend	AYE
Mr. Kellum	AYE

The motion to table the Chesapeake Bay Act Resiliency Amendments to the April 2026 Planning Commission meeting passed.

Agenda Item 9. Citizens Comment Period

Steven Hoy, 2nd district – requested the Planning Commission decide if a public Q+A session is allowable during the meetings to allow consistency within the rules.

Agenda Item 10. Unfinished Business

Chairman Kellum suggested looking at the Business Management Area regulations and the Sign Ordinance.

Agenda Item 11. New Business

No New Business was on the Agenda or discussed.

Agenda Item 12. Staff and/or Special Committee Reports

Reports by "Application Type" for Planning and Zoning and "Permits Issued" for Planning and Zoning from January 1 through February 28, 2026 were presented to the Commissioners.

Agenda Item 13. Commission Member Requests and Comments

Commissioner Williams thanked the public and staff for attending the meeting, admiring the crowd in attendance. Mr. Williams excused himself for missing the prior months meeting.

Supervisor Edwards thanked the public for coming, saying it was nice to see everyone. Mr. Edwards complimented the hard work done on the Ordinances by the Commission and thanked the staff.

Commissioner Townsend thanked the public for their time and the staff for their hard work.

Vice Chairman Henrich thanked the public and staff for their time and effort.

Chair Kellum thanked everyone for attending and wished everyone a safe evening traveling home.

Agenda Item 14. Adjourn or Recess

Commissioner Williams motioned to adjourn. Supervisor Edwards seconded.

All were in favor with none opposed.

The March 3, 2026 Planning Commission Regular Meeting adjourned at approximately 9:20pm.

X

Darrell Kellum
Chairman

X

Ashley Gault
Planning Secretary

AGENDA ITEM 8.a.

Consideration of CUP -01-2026 — New Energy Equity, Turkey Hill Solar Project
(deferred from 3/3/26 PC Meeting)

CUP-01-2026, King William Solar 2, LLC

Conditional Use Permit
 Sweet Hall District
 Planning Staff Report



Overview

Applicant	King William Solar 2, LLC/New Energy Equity, LLC
Owner	Wayne King Johnson Jr. & Nancy Caprio Johnson
Request	Conditional Use Permit for small-scale solar facility in A-C district.
Current Zoning	A-C, Agricultural Conservation
Tax Map Number(s)	47-13
Overall Acreage/Disturbed Area	Overall – 92.8 acres Proposed Area of Facility – ±29.9 acres
Address	t.b.d. - West Rose Garden Road (currently vacant)
Staff/Applicant Meeting	12/15/25
Application Submitted	1/2/26
Sign Posted	2/11/26
Case Advertised	2/11/26, 2/18/26, 3/11/26, 3/18/26
Adjacent Property Owner Letters Mailed	2/17/26, 3/24/26
Planner	Joyce Wolfe

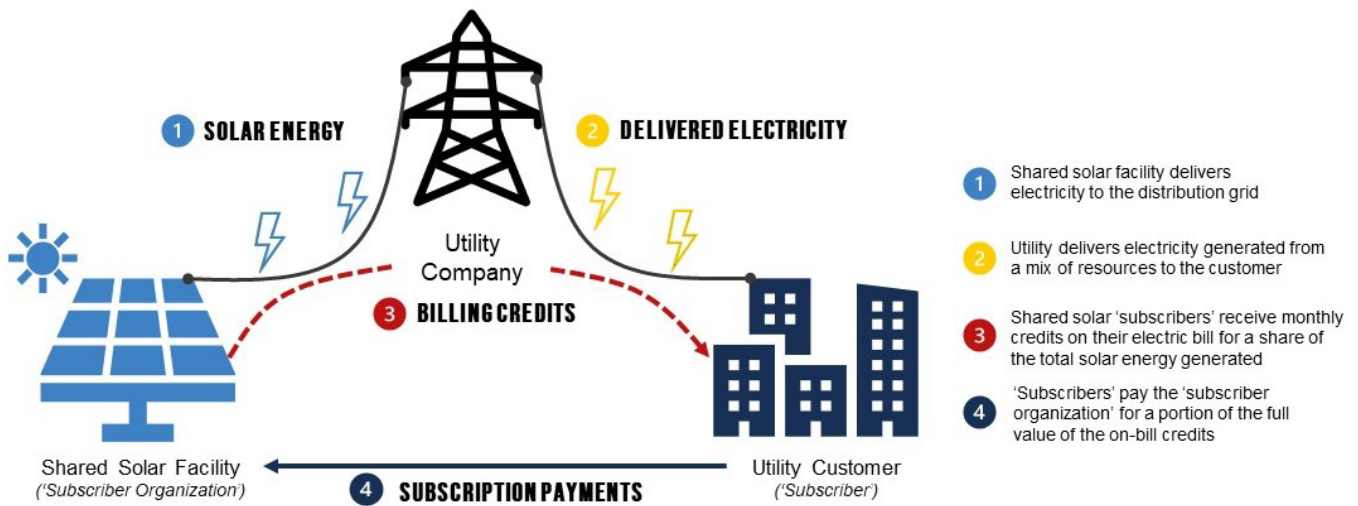
Background:

The applicant, King William Solar 2, LLC/New Energy Equity, LLC is requesting approval of a Conditional Use Permit for the development, installation and operation of a 5 MW AC shared solar photovoltaic facility, including the proposed construction of a permanent access road, 8’ security fence and interconnection poles and electric line along West Rose Garden Road.

The application is for a small-scale solar facility. A small-scale solar facility is defined in the County’s Ordinance as “A solar photovoltaic electric power generating facility with a rated capacity of between 2 and 5 megawatts”. The wattage range is based on the AC output of the facility. It will take in approximately 6.95 MW of DC power, converting it to an output of 5.0 MW AC power.

Per the Code of Virginia, a shared solar facility is one that:

1. Generates electricity by means of a solar photovoltaic device with a nameplate capacity rating that does not exceed 5,000 kilowatts (5 MW) of alternating current;
2. Is interconnected with the distribution system of an investor-owned electric utility within the Commonwealth;
3. Has at least three subscribers;
4. Has at least 40 percent of its capacity subscribed by customers with subscriptions of 25 kilowatts or less; and
5. Is located on a single parcel of land.



See the Virginia Energy Shared Solar attachment for additional Information.

In accordance with the Commonwealth Clean Energy Policy resulting from the Virginia Clean Economy Act passed in 2020:

§ 45.2-1708. Role of local governments in achieving objectives of the Commonwealth Clean Energy Policy.

A. In the development of any local ordinance addressing the siting of renewable energy facilities that generate electricity from wind or solar resources, such ordinance shall:

1. Be consistent with the provisions of the Commonwealth Clean Energy Policy pursuant to subsection E of § 45.2-1706.1;
2. Provide reasonable criteria to be addressed in the siting of any renewable energy facility that generates electricity from wind or solar resources. Such criteria shall provide for the protection of the locality in a manner consistent with the goals of the Commonwealth to promote the generation of energy from wind and solar resources; and
3. Include provisions establishing reasonable requirements upon the siting of any such renewable energy facility, including provisions limiting noise, requiring buffer areas and setbacks, and addressing generation facility decommissioning.

B. Any measures required by an ordinance adopted pursuant to subsection A shall be consistent with the locality's existing ordinances.

Analysis:

In September of 2024, King William County adopted a “Solar and Energy Use Policy”. Per that policy:

Solar Energy Facility- Small Scale Standards	
Megawatts	Five megawatts or less
Comprehensive Plan Designation	Use may be considered throughout the County except the following: <ul style="list-style-type: none">• Area designations intended primarily for commercial and industrial uses.• Areas that are designated Parks and Natural Conservation Areas on the Comprehensive Plan• Areas that are approved Agricultural and Forestal Districts.
Zoning	May only be permitted in the A-C, Agricultural-Conservation District, and requires a conditional use permit
Distance Separation	To avoid clustering of principal solar facilities, special consideration should be given to providing adequate spacing between solar energy facilities.
Evaluation Considerations	Conformity with this Policy and the Comprehensive Plan Adjacency to scenic roads, Federal Parks, County Parks, or National Register Historic Districts are generally discouraged without additional mitigation measures to address impacts.
Locations	Alternative and innovative locations are encouraged. Locating on less desirable lands such as closed landfills or other constrained sites is encouraged.

The project would be located in the A-C, Agricultural-Conservation District, requiring a Conditional Use Permit. The site is currently vacant and is surrounded by properties zoned Agricultural-Conservation. It was completely forested as recently as 2020 and was intermittently timbered between 2021 and 2023. There are 2 residential lots adjacent to the property with existing homes. There are no immediately adjacent solar facilities. The same applicant, New Energy Equity, received Conditional Use Permit approval in 2025 for a 5 MW AC facility on Rt. 30 approximately 1.7 miles from this site by road (1.3 miles over land). The proposed location is not on a designated scenic road, nor is it adjacent to a park. The St. Johns Historic district is 1.3 miles away over land.

The facility would cover approximately 29.9 acres (fenced in area), with a total project area of approximately 39 acres. The applicant has brought to the County’s attention a discrepancy between the deed and plat for the property and what is reflected on our Geographic Information System map. The proposed site plan includes all required buffers. The applicant has indicated that there may be a small stream crossing impact for the entrance road. This would be permitted during the site plan process. The applicant has provided a glare study predicting no glare impacts due to the absorption of sunlight rather than reflection. A vegetative management plan was provided detailing the proposed seeding of the site with a pollinator mix including native grasses and wildflowers to this region of Virginia.

The expected life of the solar facility is 35 years and the applicant has provided a decommissioning plan outlining activities to be accomplished at the end of its useful life. The decommissioning work includes everything required to fully remove the solar facility, dispose of any components and restore the site to a permanently stabilized grass field. A bond for the cost of the removal and reclamation activities would be required to be posted with the County and reviewed/adjusted every 5 years.

Compliance with the Solar Energy Ordinance of King William:

The applicant has provided a conditional use permit narrative with exhibits (attached) which addresses compliance with each section of the ordinance. Below are the relevant provisions as addressed by the applicant (**applicant responses in bold**).

Section 86-393. Solar energy facility, principal.

Principal solar energy facilities must conform to the following standards:

1. Buffers: For photovoltaic panels, substations, and other equipment associated with the production and distribution of electricity (other than poles and wires) the following minimum buffers are required:

a. One hundred fifty (150) feet from any property line or road. No panels, cabinets, or other associated equipment, exclusive of utility poles, wires, cables, and access roads, shall be located closer than twenty-five (25) feet from the buffer.

Please see Exhibit C, Page PV3. Our current design meets the ordinance by having the shared solar fence, solar array, and associated equipment all over 150' from the property line and West Rose Garden Road.

b. One hundred (100) feet from RPA wetlands, rivers, streams or other environmentally sensitive features and fifty (50) feet from any wetland not associated with an RPA. No panels, cabinets, or other associated equipment; exclusive of utility poles, wires, cables, and access roads, shall be located closer than ten (10) feet from the buffer.

Please see Exhibit C, Page PV2A. Our current design meets the ordinance by having the shared solar fence, solar array, and associated equipment all over 100' from and wetlands, rivers, streams, or other environmentally sensitive features. Access road may be closer to a wetland/stream feature and any relevant permits will be obtained if/when necessary.

2. Stormwater management: Stormwater management facilities shall not be located within the required buffer.

Please see Exhibit C, Page PV2A. The applicant will not install any stormwater management facilities within the required buffers. The current design has them on the southern end of the array with the buffers further south allowing for ample space.

3. Tree protection plan: A tree protection plan certified by a Landscape Architect, Certified Horticulturist, or ISA Certified Arborist must be provided with the site plan. Prior to land disturbance, all tree protection measures shall be installed by the property owner and inspected by a representative of the Planning Department.

The site has previously been completely cleared and the only trees remaining were too small to be deemed worthwhile for timber harvesting with the exception of those trees along watercourses which will not be disturbed. The only woody vegetation to be cleared as part of the project consists of shrubs and small regrowth timber. There may be minimal, if any, tree clearing associated with the access road. To be confirmed with final design. Suitable E&S measures will be in place beforehand.

4. Landscaping: Buffers shall be landscaped in accordance with the standards set forth in this subsection, depending upon the type and density of existing trees and shrubs. Existing healthy vegetation may be used to meet these requirements. The preservation of existing trees and shrubs within required buffers shall be maximized to the extent practicable. Improvements within the buffer shall be limited to those required to provide access, utilities, and drainage, and shall be installed generally perpendicular to the buffer to reduce impacts to the buffer. Unless otherwise specified, references to the size of required trees and the characteristics of required trees and shrubs are in accordance with section 86-294. Shrub sizes are as follows: small shrubs are those that do not exceed four (4) feet at maturity without pruning, medium shrubs are those that reach four (4) to eight (8) feet at maturity without pruning, and large shrubs are those that reach greater than eight (8) feet at maturity. Maturity for shrubs is seven (7) years of age.

a. Forested buffer planting standards: Forested buffers may be used to satisfy the buffer landscaping standards, provided the following conditions are met:

- (1) The buffer area is covered with at least seventy-five (75) percent of naturally-established vegetation;
- (2) The existing plant material is mature and in healthy condition;
- (3) The existing plant material consists of a mix of evergreen and deciduous trees which satisfy the following:
 - (a) Existing deciduous trees having a minimum four (4) inch caliper measured two (2) feet from the ground;
 - (b) Evergreen trees that are a minimum of ten (10) feet in height; and
 - (c) Hardy shrubs that are a minimum of two (2) feet in height and width with a full growth habit;
- (4) Any existing trees which are used to satisfy this requirement must have the entirety of their canopies located within the buffer area; and
- (5) There is an established understory of small trees and shrubs, both evergreen and deciduous, to provide significant buffering at the lower forested area.

b. Supplemental planting standards: Buffers which do not meet the requirements of subsection 4.a. of this section must conform to the following standards:

- (1) Forested buffers with no understory as required in subsection 4.a.(5) of this section must be improved as follows:
 - (a) Three (3) small deciduous understory trees per one hundred (100) feet of buffer length;
 - (b) Three (3) small evergreen trees per one hundred (100) feet of buffer length;
 - (c) Five (5) large shrubs per one hundred (100) feet of buffer length; and
 - (d) Ten (10) small to medium shrubs per one hundred (100) feet of buffer length.

(2) Forested buffers with no evergreen tree component as required in subsection 4.a.(3) of this section must be improved to have the following, located along the inside or outside buffer line in a staggered pattern:

(a) Four (4) large evergreen trees per one hundred (100) feet of buffer length; and

(b) Six (6) small evergreen trees per one hundred (100) feet of buffer length.

(3) Forested buffers with no deciduous tree component as required in subsection 4.a.(3) of this section do not represent an established mature buffer. Forested areas with only evergreen trees are considered pioneer growth and will need to meet the full buffer supplementation requirements outlined in this section. Existing evergreen trees can be used to meet the requirements related to evergreen trees.

(4) Where existing buffers do not comply with subsection 4.a.(3) of this section due to immature, inadequate or unhealthy existing vegetation, the property owner shall plant a staggered pattern and placement in accordance with the following standards:

(a) Plantings may be clustered within the buffer as long as there are no vegetative gaps of ten (10) or more linear feet or the existing stand of trees have no branches or understory growth lower than six (6) feet from the ground.

(b) Clusters to be of no more than fifty (50) feet in width consisting of

i. Two (2) large deciduous trees;

ii. Four (4) small deciduous trees;

iii. Six (6) large evergreen trees;

iv. Eight (8) small evergreen trees;

v. Seven (7) large shrubs; and

vi. Fifteen (15) small to medium shrubs.

(c) Surety for landscaping: Prior to the approval of a plan of development, surety shall be provided for any landscaping plantings or improvements proposed for buffers or screening. Such surety must be sufficient to replace all landscaping plantings that must be replaced. Planning Department staff will inspect the property one (1) year after installation to determine if the landscaping plantings are healthy or need to be replaced.

(d) Landscape maintenance: The landscape plan submitted by the property owner must include a landscape maintenance schedule; this plan shall provide information as to how the property owner will ensure planted materials remain viable. The landscape maintenance plan shall include a schedule and the measures to be taken for the regular trimming and mowing of the site.

(e) Site stabilization: Pollinator and other ecologically friendly and beneficial ground covers that promote wildlife habitats and forage are required to be planted and maintained within the facility including, but not limited to, the ground below and surrounding the solar arrays.

For the existing forested areas, see Exhibit C, Page PV9. These areas will be used as most of the landscaping buffer in accordance with section 4. Landscaping – subsection a. 1 – 5. For the non forested areas, these remaining buffers will be installed to follow section 4. Landscaping – subsection b. – 4: a – e. See Vegetation Management Plan – Exhibit G

5. Height limitations: No building, structures, solar panel arrays or other equipment utilized on site may exceed twenty (20) feet in height above finished grade. This restriction shall not apply to electric utility poles. Security fencing shall be limited to eight (8) feet in height.

Please see Exhibit C, Page PV7. The panels will not exceed 20' in height at any point and the security fence will have a maximum height of 8'.

6. Access: Access to the property shall meet the requirements established by the Virginia Department of Transportation for entrance location and design, and those identified by King William County Fire - EMS as needed to ensure adequate emergency response. In no case shall aisle widths be less than twenty (20) feet.

Please see Exhibit C, Page PV2A. The access road will have a minimum width of 20' as shown on the site plans. Additionally, the applicant will consider and implement any reasonable VDOT, EMS, Fire, and County requests for the access road. There will be 24/7 access for all necessary parties. It is expected that the access road will be classed as a Low Volume Commercial Entrance per VDOT.

7. Underground utilities: All new transmission and distribution lines shall be placed underground except:

- a. Those lines which are solely the subject of the State Corporation Commission jurisdiction or otherwise required by the Commission.
- b. Where necessary to connect to the existing utility lines.
- c. When an exception is granted by the Director of Planning during the site plan review process. In order for an exception under this subsection to be granted, the applicant must demonstrate that placing the lines underground will create environmental harm, such as the disturbance of Chesapeake Bay Resource Protection Areas, or the placement of underground lines is not feasible due to topographical or other site conditions. Financial considerations do not constitute sufficient grounds for the Director to grant an exception.

Only above ground utility lines are needed from the point of interconnection to the (2) equipment pads within the fence. Those poles would apply to item 7. a and b above.

8. Security fencing: Security fencing and gates shall be provided and shall be designed and located in accordance with the following:

- a. All security fencing shall be located on the inner edge of the buffer (the edge furthest from the property line) when possible.
- b. Maximum height for fencing shall be eight (8) feet.
- c. Fencing shall include wildlife friendly design features, where the Director of Planning deems them appropriate.

Please see Exhibit C, Page PV6. The security fence will have a maximum height of 8' and be a design that is wildlife friendly. This is often a deer style fence as shown in the site plans.

9. Lighting: Where required, site lighting shall meet the requirements of Article 5, Division 6, Lighting Requirements of the King William County Zoning Ordinance with regard to off-site light trespass. All fixtures shall utilize full cut off shielding. Lighting shall be reduced during nighttime hours to the minimum level necessary to maintain safety.

Lighting shall meet article 5, division 6 of the King William County Zoning Ordinance.

10. Land disturbance and inspection: Land disturbance activity shall be limited to no more than one hundred (100) acres at a time, unless a greater amount is permitted at the time of site plan review by the Director of Planning.

Please see Exhibit C, Page PV2A. This project is approximately 30 acres, thus will fall under the 100-acre threshold.

11. Phasing: Solar facility applications shall include a phasing plan if the project is to be phased.

Phasing will not be necessary for this project due to its limited size.

12. Decommissioning: All applications for Solar facilities shall be accompanied by a comprehensive decommissioning plan, as required by the King William County Solar and Energy Storage Policy. The decommissioning plan must include provisions addressing the following:

a. The removal of all materials and equipment including, but not limited to, cabling and wiring, both above and below ground.

b. The restoration of the property to its predevelopment condition including, but not limited to: owner will ensure planted materials remain viable. The landscape maintenance plan shall include a schedule and the measures to be taken for the regular trimming and mowing of the site.

(1) Soil remediation, including de-compaction, to ensure agricultural soils are able to support crops or pastureland.

(2) Reforestation of areas where tree clearing has occurred.

c. An estimate of the gross cost for the complete removal of the solar facility and all associated infrastructure, the cost of soil remediation, and the cost of reforestation.

(1) The cost estimate shall not include anticipated or contracted for credits for the resale or salvage of the equipment and materials.

(2) Cost estimates shall be itemized by decommissioning task.

d. The means by which the solar provider shall reimburse the County for an independent review and analysis of the cost estimate by a professional engineer.

e. Financial surety to King William County in an amount sufficient to undertake decommissioning activities should the owner default in its decommissioning responsibilities. The surety shall continue in effect during the operation of the solar facility and until the time when the county certifies that decommissioning activities have been satisfactorily completed.

f. The decommissioning cost estimate shall be updated every five (5) years and adjusted for inflation. The value of the surety shall be increased to an amount equal to the inflation-adjusted cost estimate.

g. Decommissioning shall commence within six (6) months after the facility ceases to produce any electricity for the distribution system to which it was connected. The site shall be maintained

in accordance with the required landscaping maintenance plan as long as the facility is producing any electricity.

The project will meet the conditions outlined above. Please see exhibit D – Decommissioning Plan

13. Size:

a. Utility scale facilities may be no greater than one thousand (1,000) acres.

Please see Exhibit C, Page PV2A. The Project’s size is approximately 30 acres.

****14. Project area limit.** No more than three percent of the County’s land mass shall be approved for large scale solar energy facilities. This project area limit shall not apply to local industries producing electricity for their own consumption. The PC (solar) panels must be on-site, adjacent to, or adjoining the user’s property.

To the best of the applicant’s knowledge, this project will not cause the overall solar coverage to exceed 3% of the County’s land.

15. Applicants for new solar facilities shall coordinate with the County’s Fire and Emergency Services staff to provide materials, education and training to the departments serving the property with fire and emergency services on how to safely respond to on-site emergencies.

The applicant will coordinate with and provide materials, education and training for the County’s Fire and Emergency Services staff.

****STAFF NOTE:** This project is not considered large-scale so would not be counted in the 3% limit.

Approved Solar Facilities for King William County, Virginia								
Solar Facility Name	Case #	BOS Approval Date	Status	Location / Address	Tax Parcel#(s)	Facility MW	Facility Acreage	Percent of County Acreage*
Hollyfield 1 Solar	CUP-02-15	12/14/2015	Operational	521 Hollyfield Lane, Manquin VA	33-17 (pt)	17MW	219.79	0.12%
Hollyfield Solar II LLC	CUP-02-17	11/20/2017	Operational	289 Hollyfield Lane, Manquin VA	33-17(pt) & 34-9(pt)	13MW	220	0.13%
Total Approved						20MW	439.79	0.25%
Sweet Sue Solar	CUP-03-19	4/24/2020	Under Construction	1950 Enfield Road, Aylett VA	20-11, 20-15B, 20-31, 20-32, 20-38, 20-33, 20-37, and 27-1	77MW	1,262.00	0.72%
Total Approved							1,262.00	
King William Solar I, LLC	CUP-02-24	1/27/2025	Use Permit Approved; awaiting site plan submittal	adj. to 26425 King William Road, West Point VA	47-88	5MW	30.00	n/a
Total Approved							30.00	
Total Approved							1,701.79	0.97%
Total County Acreage (excluding water bodies)							175,936	100%

Siting Agreement

Per the adopted King William County Solar and Energy Storage Policy, “for projects 5 MW or less, the applicant may choose to negotiate a siting agreement with the County” and “if they do not do this, the application will need to be reviewed to determine if it is substantially in accord with the Comprehensive Plan”. The applicant has provided a voluntary draft siting agreement to benefit the County.

Per the Code of Virginia:

§ 15.2-2316.7.(B). Negotiations; siting agreement.

The siting agreement may include terms and conditions, including (i) mitigation of any impacts of such solar project or energy storage project; (ii) financial compensation to the host locality to address capital needs set out in the (a) capital improvement plan adopted by the host locality, (b) current fiscal budget of the host locality, or (c) fiscal fund balance policy adopted by the host locality; or (iii) assistance by the applicant in the deployment of broadband, as defined in § 56-585.1:9, in such locality.

§ 15.2-2316.8. Powers of host localities.

A. The governing body of a host locality shall have the power to:

1. Hire and pay consultants and other experts on behalf of the host locality in matters pertaining to the siting of a solar project or energy storage project;
2. Meet, discuss, and negotiate a siting agreement with an applicant; and
3. Enter into a siting agreement with an applicant that is binding upon the governing body of the host locality and enforceable against it and future governing bodies of the host locality in any court of competent jurisdiction by signing a siting agreement pursuant to this article. Such contract may be assignable at the parties' option.

B. If the parties to the siting agreement agree upon the terms and conditions of a siting agreement, the host locality shall schedule a public hearing, pursuant to subsection A of § [15.2-2204](#), for the purpose of consideration of such siting agreement. If a majority of a quorum of the members of the governing body present at such public hearing approve of such siting agreement, the siting agreement shall be executed by the signatures of (i) the chief executive officer of the host locality and (ii) the applicant or the applicant's authorized agent. The siting agreement shall continue in effect until it is amended, revoked, or suspended.

The draft of the Siting Agreement is included as an attachment.

It proposes the following:

1. A one-time payment of **\$25,000.00** due within six (6) months of acceptance into the Shared Solar Program (with Dominion Energy)
2. A one-time payment of **\$25,000.00** due within six (6) months of the Commercial Operation Date (date project commences operation)
3. Annual payments each year of commercial operation beginning at **\$10,000** per year for 40 years with a 10% escalation every 6th year (proposed total amount after all annual payments is **\$571,875.00**.)

The total of all one-time and annual payments would be **\$621,875.00**. Per the Code of VA, King William may use these funds to address capital needs set out in the (a) adopted capital improvement plan, (b) current fiscal budget, or (c) adopted fiscal fund balance policy.

County Agency/Department Considerations	
Building	Building and electrical permits will be required for the improvements.
Public Safety (Police, Fire)	Applicants for new solar facilities shall coordinate with the County's Fire and Emergency Services staff to provide materials, education and training to the departments serving the property with fire and emergency services on how to safely respond to on-site emergencies. The access road must be designed and constructed to be able to accommodate the weight of the department's heaviest apparatus – 80,000 lbs.
Utilities	n/a – no impact to County public utilities.
Schools	n/a – no impact to schools.
Historical Resources	The parcel is near the St. Johns Historic District but is not included in the district nor does the parcel adjoin any property within the district. The closest point of the property to the District is 1.3 miles away.
State Agency Considerations	
Health	n/a – no private utilities planned.
VDOT	Access to the property shall meet the requirements established by the Virginia Department of Transportation for entrance location and design and cannot be less than 20' in width. This requirement must be met for site plan approval.

Summary & Recommendation:

Per the zoning ordinance, a conditional use permit shall not be issued unless the following findings are determined:

- (1) The proposed use will not adversely affect the health, safety, or welfare of persons residing or working in the general proximity, of the proposed use. Nor will the proposed use be detrimental to public welfare or injurious to the property or improvements in the neighborhood. Among matters to be considered in this connection are traffic congestion, noise, lights, dust, odor, fumes, and vibrations, with due regard for timing of operation, screening, and other matters which might be regulated to mitigate adverse impact.
- (2) The proposed use will conform to the comprehensive plan, or to specific elements of such plan, and the official policies adopted in relation thereto, including the purposes and the expressed intent of this chapter.

The proposed use would not affect the health, safety or welfare of persons residing or working in the general proximity or be detrimental to public welfare. When fully operational, the proposed solar facility would not produce traffic congestion, noise, lights, dust, odor, fumes or vibrations. Screening would largely be provided by existing established forested areas and supplemented as needed and determined at the site plan approval phase. The required setbacks have been shown on the preliminary site plan.

The current zoning on this parcel is suitable for a small-scale solar farm with approval of a Conditional Use Permit. The Future Land Use Map in the Comprehensive Plan indicates Agricultural-Conservation for this area.

The preliminary site plan appears to meet or exceed all requirements of the adopted King William County Solar and Energy Storage Policy regarding Small Scale Solar Energy Facilities. All site design standards must be met for site plan approval, which would be the next step in the solar facility's development process.

Staff recommends APPROVAL of the request subject to the following conditions:

1. Approval of the Conditional Use Permit shall permit the installation of a small-scale solar facility to be completed within two (2) years of approval. At the end of the two (2) years, the applicant may seek an extension to complete any remaining construction from the Board of Supervisors. The request for an extension must be in writing, prior to the expiration, and shall specify the basis for and the amount of additional time requested. If a request for an extension is timely filed, the conditional use permit shall remain valid until a request for additional time is acted upon by the Board.
2. The site and solar facility construction shall be in substantial conformance with the conceptual site plan, Project Name: Turkey Hill CSG dated March 24, 2025, last revised December 1, 2025, prepared by New Energy Equity and these conditions of approval.
3. Decommissioning shall occur in accordance with the "Turkey Hill Solar Array Decommissioning Plan, dated December 8, 2025, prepared by New Energy Equity.
4. No signage of any type may be placed on the facility other than notices, warnings, and identification information required by law.
5. The construction hours are restricted from 7:00AM to 7:00PM Monday through Saturday. This includes decommissioning activities.
6. If the solar facility is declared to be in violation of any approved conditions of the Conditional Use Permit by the Zoning Administrator or code violations by the Building Official, the facility must comply within 14 days of receipt of the notice of non-compliance, or other such time frame as determined by the Zoning Administrator or Building Official. Failure to comply shall result in the Conditional Use Permit being terminated and decommissioning of the property shall commence.
7. The owner and operator shall give the County written notice of any change in ownership, operator, or Power Purchase Agreement within 30 days.
8. A siting agreement, as proposed by the applicant, shall be negotiated, finalized and considered for approval at a public hearing of the Board of Supervisors.

UPDATED INFORMATION

At the meeting on March 3, 2026, the Planning Commission voted to DEFER the request until its April 7, 2026 meeting so that the applicant could address the following:

1. Specifics of the Dominion Shared Energy Program – costs and rebate amounts to customers and how many subscribers could be serviced by this facility.

From the Applicant-

“ Many New Energy Equity solar projects are community solar projects – also known as Shared Solar in Virginia. Local households can enroll (for free) in a community solar program and are assigned a share of a community solar project, which generates electricity and sends it to the local power grid.

When you subscribe to a community solar project, the provider first analyzes your typical annual electricity usage in order to understand how many solar credits you’ll require in order to offset as much of your electricity cost as possible.

The solar credits are available thanks to your local government—specifically your state-legislated renewable energy incentive program. In Virginia this is the VA Shared Solar program which was signed into state law in 2020. Your state government enables project owners to share the benefits by discounting your electricity cost as a reward to you for supporting solar power generation in your community. And because the solar farm is connected to the utility company, the credits are efficiently applied right on your existing bill.”

2. Specifics of tax revenue scenarios for the facility.

From the Applicant:

“There will be increased revenue coming to the county with no additional requirements for services or infrastructure such as water, sewer and schools. The revenue will be in the form of increased property taxes as established by King William County in addition to the payments in accordance with the draft siting agreement provided as part of the application. All of these costs are paid by the developer, not the landowner. Final amounts associated with the siting agreement will be negotiated with the Board of Supervisors.”

From the Commissioner of Revenue – rollback taxes will be due on any property currently in land use when the use changes to solar.

3. A more recent property value impact study.

From the Applicant:

“As requested during the Planning Commission meeting on March 3, 2026 we have provided more up to date information regarding any impact on neighboring property values. In general, nothing has changed – solar farms, especially smaller ones like the one we are proposing, do not have any significant effect on property values.”

Possible Motions:

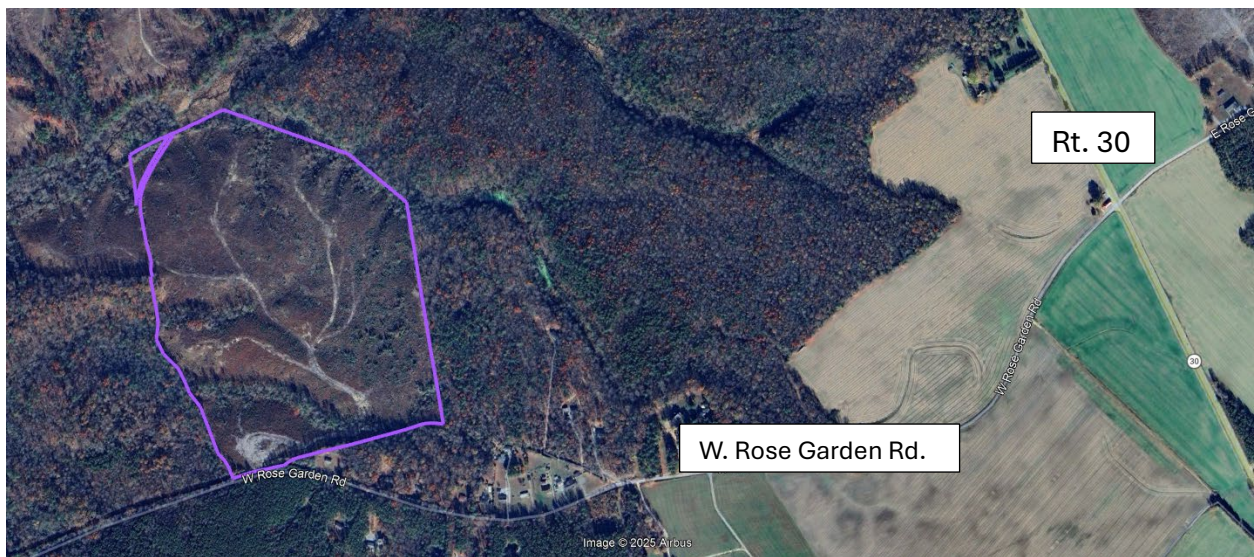
- I move that CUP-01-2026 be forwarded to the Board of Supervisors with a recommendation of APPROVAL subject to the conditions recommended by Staff.
- I move that CUP-01-2026 be forwarded to the Board of Supervisors with a recommendation of APPROVAL subject to the conditions recommended by Staff and the following additional conditions_____.
- I move that CUP-01-2026 be denied.
- I move that CUP-01-2026 be DEFERRED until the _____ meeting.

Attachments:

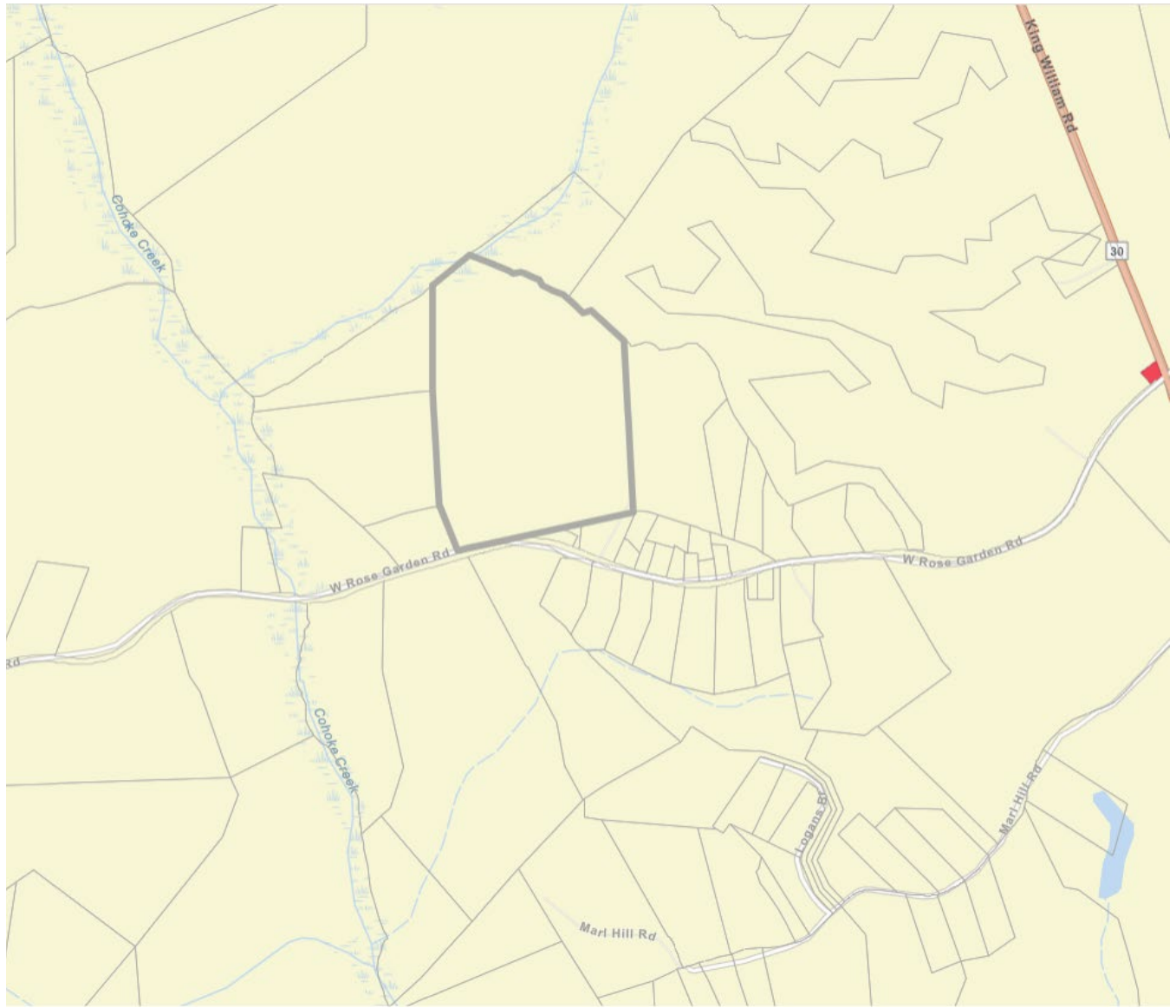
- Maps (parcel, aerial, comp plan)
- Notice of Public Hearing, Notification of Adjacent Property Owners
- Turkey Hill Solar - Permit Narrative
- Exhibit A – Additional Background information
- Exhibit B - Application
- Exhibit C – CUP Plan Set
- Exhibit D – Decommissioning Plan
- Exhibit E – Glare Study
- Exhibit F – Draft Solar Siting Agreement
- Exhibit G – Vegetative Management Plan
- Virginia Energy Shared Solar Additional Information
- Property Value Articles (3) – MN8, Renewable Energy World, Planetizen

Maps


Aerial/Location



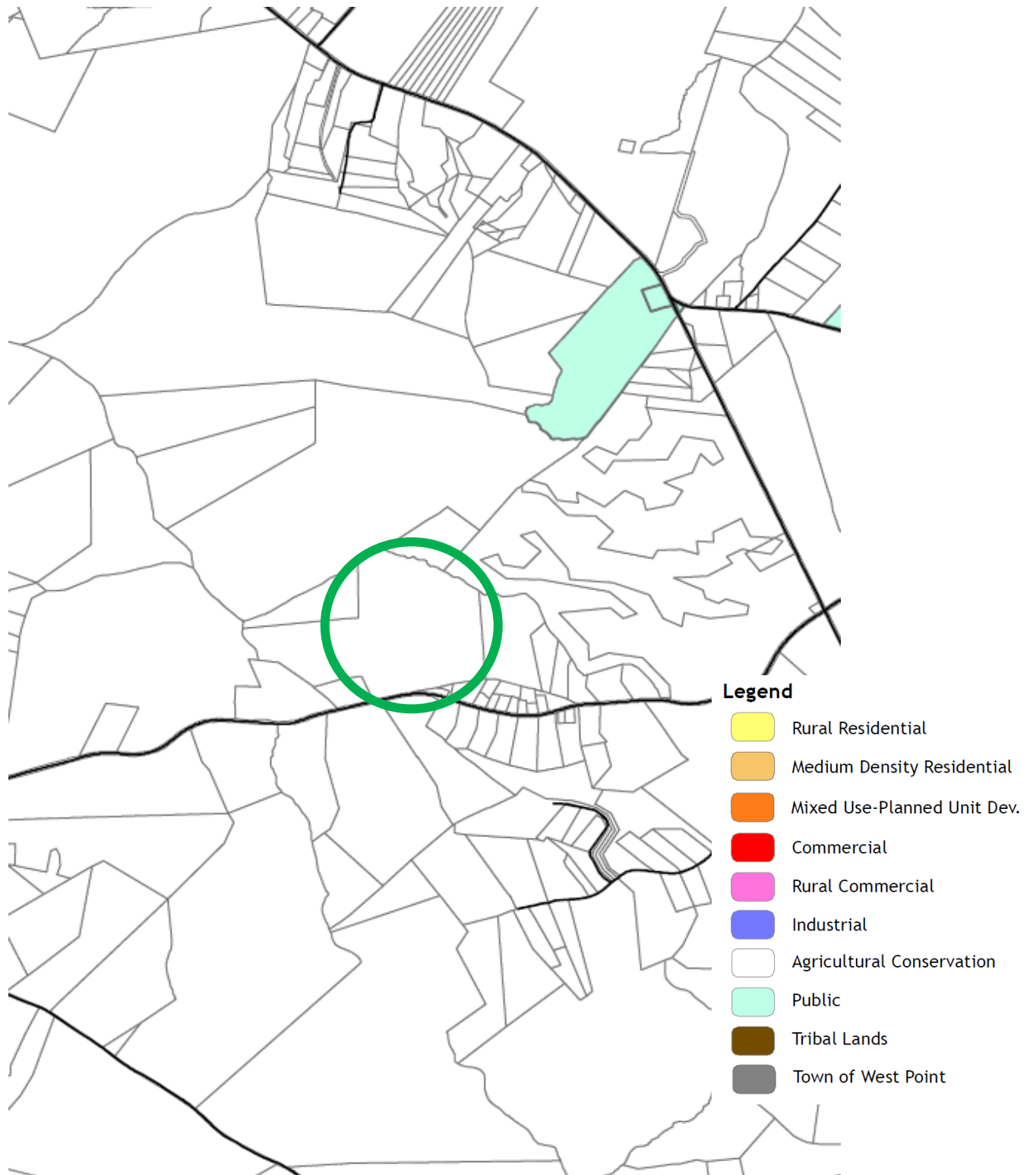
Zoning



King William Zoning

-  A-C
-  R-R
-  R-1
-  B-1
-  B-2
-  M
-  HP

Future Land Use Map (Comprehensive Plan)



Notification of Adjacent Property Owners and Applicant



BOARD OF SUPERVISORS

First District – Brenton J. Bohannon
Second District – Benjamin J. Edwards III
Third District – Justin Catlett
Fourth District – Lindsay May Robinson
Fifth District – T. Keith Fogg

March 26, 2026

**RE: Notice to Adjacent Property Owners
Request for Conditional Use Permit – 01-2026 New Energy Equity Turkey
Hill Solar Project
TM# 47-13**

Dear Property Owner:

On March 3, 2026, The Planning Commission deferred action on the request for Conditional Use Permit 01-2026 New Energy Equity Turkey Hill Solar Project. At the regular meeting on Tuesday, April 7, 2026, at 6:30 p.m., or as soon thereafter, in the Board Meeting Room of the County Administration Building, 180 Horse Landing Road, #4, King William, Virginia, the Planning Commission will reconsider discussion of the following:

CUP – 01- 2026 New Energy Equity Turkey Hill Solar Project – A request for a Conditional Use Permit to develop and install a 5MW AC shared solar photovoltaic facility including the construction and operation of a permanent access road, interconnection poles and line in the A-C (Agricultural Conservation) district. The property is designated as TM# 47-13 in Sweet Hall magisterial district.

You are being notified of this hearing because you are listed as one of the adjacent property owners. All records pertaining to this matter may be viewed online at www.kwc.gov and in the Office of Planning and Zoning at 180 Horse Landing Road, #4, King William, VA, during regular business hours. If a member of the public cannot attend, comments may be submitted using the Public Hearing form on www.kwc.gov, by mail to 180 Horse Land Road #4, King William, VA 23086, or by email to ashley.gault@kwc.gov. Anyone needing assistance or accommodations under the provisions of the American with Disabilities Act should contact the ADA Coordinator at (804)769-4927.

Sincerely,

Joyce Wolfe
Planner



BOARD OF SUPERVISORS

First District – Brenton J. Bohannon
Second District – Benjamin J. Edwards III
Third District – Justin Catlett
Fourth District – Lindsay May Robinson
Fifth District – T. Keith Fogg

March 26, 2026

Wayne King Johnson Jr.
3904 Sulgrave Road
Richmond, VA 23221

**RE: Notice to Property Owners
Request for Conditional Use Permit – 01-2026 New Energy Equity Turkey Hill
Solar Project
TM#47-13**

Dear Property Owner:

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Sincerely,

Joyce Wolfe
Planner



BOARD OF SUPERVISORS

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Second District – Benjamin J. Edwards III
Third District – Justin Catlett
Fourth District – Lindsay May Robinson
Fifth District – T. Keith Fogg

March 26, 2026

King William Solar 2 LLC, dba New Energy Equity
2530 Riva Road Suite 200
Annapolis, MD 21401

**RE: Notice to Property Owners
Request for a Conditional Use Permit – 01-2026 New Energy Equity Turkey Hill
Solar Project
TM#47-13**

Dear Property Owner:

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Sincerely,

Joyce Wolfe
Planner

Permit Narrative



AN ALLETE COMPANY

TURKEY HILL (KING WILLIAM 2) SOLAR PROJECT CONDITIONAL USE PERMIT SUMMARY

5 MW AC
SHARED SOLAR GARDEN

Prepared for: King William County, Virginia - Board of Supervisors
180 Horse Landing Road
King William, VA 23086

Applicant Details:

Applicant:	King William Solar 2 LLC
Applicant Address:	2530 Riva Road, Annapolis, MD 21401
Applicant Parent Company:	New Energy Equity, LLC
Agreement Type:	Land Lease located on Private Land
Permitting Point of Contact:	Grif Jones
Phone Number / Email:	717-743-0313 gjones@newenergyequity.com
Real Property Owner(s):	Wayne King Johnson and Nancy Johnson Caprio
Parcel ID(s) (PID):	47-13

PROJECT DESCRIPTION

King William Solar 2 LLC (also known as the Turkey Hill project), a subsidiary of New Energy Equity, LLC, (“Applicant”) has prepared this Project Summary for the proposed development, installation, and operation of a 5 MW AC shared solar photovoltaic facility, including the proposed construction and operation of a permanent access road, interconnection poles and line along West Rose Garden Road within the jurisdiction of King William County, known as PID: 47-13 (the “Solar Facility”) for the purpose of obtaining a Conditional Use Permit from the County of King William Board of Supervisors.

The project is also known as the Turkey Hill project and is identified as such on some studies. Some documents may also reference the parent company as IPS Virginia Development, LLC which is a subsidiary of New Energy Equity.

The site was selected due to its physical characteristics, proximity to existing electrical infrastructure and distribution lines, zoning and permitting requirements, and landowner participation. The Solar Facility’s final design will follow all regulatory, technical, and environmental guidance, requests, rules and requirements of the Utility, Town, City, County, Involved Agencies, as well as following National Electrical Safety Code, the U.S. Department of Labor and Occupational Safety and Health Standards for the safety and protection of landowners, general public, and property.

Per the King William County Code, this project will be classified as a Solar Energy Facility – Small Scale. It does not exceed five megawatts (5MW AC) and will be a Shared Energy Facility. The proposed project complies with the King William County code and no variances or exceptions are being sought for the project. All county setbacks are incorporated into the design and will be met or exceeded.

The project will provide additional county revenue with no new demands for water, sewer, roads or schools.

The site is currently vacant and was timbered approximately 5 years ago but never restored or stabilized. The proposed project will finish clearing the site and re-vegetate it, leading to a more stable site with less potential for erosion. First task for the project will be to clear the site of all fallen timber and scrub regrowth. An Erosion and Sediment Control plan will be prepared and provide to the county prior to commencing this work. Per discussions with the King William County Fire Marshal, a burn permit will be obtained prior to burning the timber piles. Applicant is aware of Virginia Fire Ban from February 15 to April 30.

No wetlands, streams or other environmentally sensitive areas will be impacted by the Solar Energy Facility. A minor stream crossing permit may be required for the access road; this will be determined by final design and permit will be in place prior to commencing any work.

The county parcel mapping shows a parcel significantly larger than what the deed calls out. The site plan has been prepared based on survey data not on the county mapping. See Sheet PV4 of Exhibit C for more details.

In order to simplify review of the application and demonstrate compliance with the code, relevant sections of 86-393 are listed below together with responses addressing those sections of the code. For additional information regarding the New Energy Equity Shared Solar projects, how they are constructed and how they are maintained, see the Additional

Background Information package attached as Exhibit A.

Section 86-393. Solar energy facility, principal.

Principal solar energy facilities must conform to the following standards:

1. Buffers: For photovoltaic panels, substations, and other equipment associated with the production and distribution of electricity (other than poles and wires) the following minimum buffers are required:

- a. One hundred fifty (150) feet from any property line or road. No panels, cabinets, or other associated equipment, exclusive of utility poles, wires, cables, and access roads, shall be located closer than twenty-five (25) feet from the buffer.

Please see Exhibit C, Page PV3. Our current design meets the ordinance by having the shared solar fence, solar array, and associated equipment all over 150' from the property line and West Rose Garden Road.

- b. One hundred (100) feet from RPA wetlands, rivers, streams or other environmentally sensitive features and fifty (50) feet from any wetland not associated with an RPA. No panels, cabinets, or other associated equipment; exclusive of utility poles, wires, cables, and access roads, shall be located closer than ten (10) feet from the buffer.

Please see Exhibit C, Page PV2A. Our current design meets the ordinance by having the shared solar fence, solar array, and associated equipment all over 100' from and wetlands, rivers, streams, or other environmentally sensitive features. Access road may be closer to a wetland/stream feature and any relevant permits will be obtained if/when necessary.

2. Stormwater management: Stormwater management facilities shall not be located within the required buffer.

Please see Exhibit C, Page PV2A. The applicant will not install any stormwater management facilities within the required buffers. The current design has them on the southern end of the array with the buffers further south allowing for ample space.

3. Tree protection plan: A tree protection plan certified by a Landscape Architect, Certified Horticulturist, or ISA Certified Arborist must be provided with the site plan. Prior to land disturbance, all tree protection measures shall be installed by the property owner and inspected by a representative of the Planning Department.

The site has previously been completely cleared and the only trees remaining were too small to be deemed worthwhile for timber harvesting with the exception of those trees along watercourses which will not be disturbed. The only woody vegetation to be cleared as part of the project consists of shrubs and small regrowth timber. There may be minimal, if any, tree clearing associated with the access road. To be confirmed with final design. Suitable E&S measures will be in place beforehand.

4. Landscaping: Buffers shall be landscaped in accordance with the standards set forth in this subsection, depending upon the type and density of existing trees and shrubs. Existing healthy vegetation may be used to meet these requirements. The preservation of existing trees and shrubs

within required buffers shall be maximized to the extent practicable. Improvements within the buffer shall be limited to those required to provide access, utilities, and drainage, and shall be installed generally perpendicular to the buffer to reduce impacts to the buffer. Unless otherwise specified, references to the size of required trees and the characteristics of required trees and shrubs are in accordance with section _____.

For the existing forested areas, see Exhibit C, Page PV9. These areas will be used as most of the landscaping buffer in accordance with section 4. Landscaping – subsection a. 1 – 5. For the non forested areas, these remaining buffers will be installed to follow section 4. Landscaping – subsection b. – 4: a – e. See Vegetation Management Plan – Exhibit G

Shrub sizes are as follows: small shrubs are those that do not exceed four (4) feet at maturity without pruning, medium shrubs are those that reach four (4) to eight (8) feet at maturity without pruning, and large shrubs are those that reach greater than eight (8) feet at maturity. Maturity for shrubs is seven (7) years of age.

a. Forested buffer planting standards: Forested buffers may be used to satisfy the buffer landscaping standards, provided the following conditions are met:

- (1) The buffer area is covered with at least seventy-five (75) percent of naturally-established vegetation;
- (2) The existing plant material is mature and in healthy condition;
- (3) The existing plant material consists of a mix of evergreen and deciduous trees which satisfy the following:
 - (a) Existing deciduous trees having a minimum four (4) inch caliper measured two (2) feet from the ground;
 - (b) Evergreen trees that are a minimum of ten (10) feet in height; and
 - (c) Hardy shrubs that are a minimum of two (2) feet in height and width with a full growth habit;
- (4) Any existing trees which are used to satisfy this requirement must have the entirety of their canopies located within the buffer area; and (5) There is an established understory of small trees and shrubs, both evergreen and deciduous, to provide significant buffering at the lower forested area.

b. Supplemental planting standards: Buffers which do not meet the requirements of subsection 4.a. of this section must conform to the following standards:

- (1) Forested buffers with no understory as required in subsection 4.a.(5) of this section must be improved as follows:
 - (a) Three (3) small deciduous understory trees per one hundred (100) feet of buffer length;
 - (b) Three (3) small evergreen trees per one hundred (100) feet of buffer length;
 - (c) Five (5) large shrubs per one hundred (100) feet of buffer length; and
 - (d) Ten (10) small to medium shrubs per one hundred (100) feet of buffer length.
- (2) Forested buffers with no evergreen tree component as required in subsection 4.a.(3) of this section must be improved to have the following, located along the inside or outside buffer line in a staggered pattern:
 - (a) Four (4) large evergreen trees per one hundred (100) feet of buffer length; and
 - (b) Six (6) small evergreen trees per one hundred (100) feet of buffer length.
- (3) Forested buffers with no deciduous tree component as required in subsection 4.a.(3) of this section do not represent an established mature buffer. Forested areas with only evergreen trees are considered pioneer growth and will need to meet the full buffer

supplementation requirements outlined in this section. Existing evergreen trees can be used to meet the requirements related to evergreen trees.

(4) Where existing buffers do not comply with subsection 4.a.(3) of this section due to immature, inadequate or unhealthy existing vegetation, the property owner shall plant a staggered pattern and placement in accordance with the following standards:

(a) Plantings may be clustered within the buffer as long as there are no vegetative gaps of ten (10) or more linear feet or the existing stand of trees have no branches or understory growth lower than six (6) feet from the ground.

(b) Clusters to be of no more than fifty (50) feet in width consisting of

- i. Two (2) large deciduous trees;
- ii. Four (4) small deciduous trees;
- iii. Six (6) large evergreen trees;
- iv. Eight (8) small evergreen trees;
- v. Seven (7) large shrubs; and
- vi. Fifteen (15) small to medium shrubs.

(c) Surety for landscaping: Prior to the approval of a plan of development, surety shall be provided for any landscaping plantings or improvements proposed for buffers or screening. Such surety must be sufficient to replace all landscaping plantings that must be replaced. Planning Department staff will inspect the property one (1) year after installation to determine if the landscaping plantings are healthy or need to be replaced.

(d) Landscape maintenance: The landscape plan submitted by the property owner must include a landscape maintenance schedule; this plan shall provide information as to how the property owner will ensure planted materials remain viable. The landscape maintenance plan shall include a schedule and the measures to be taken for the regular trimming and mowing of the site.

(e) Site stabilization: Pollinator and other ecologically friendly and beneficial ground covers that promote wildlife habitats and forage are required to be planted and maintained within the facility including, but not limited to, the ground below and surrounding the solar arrays.

5. Height limitations: No building, structures, solar panel arrays or other equipment utilized on site may exceed twenty (20) feet in height above finished grade. This restriction shall not apply to electric utility poles. Security fencing shall be limited to eight (8) feet in height.

Please see Exhibit C, Page PV7. The panels will not exceed 20' in height at any point and the security fence will have a maximum height of 8'.

6. Access: Access to the property shall meet the requirements established by the Virginia Department of Transportation for entrance location and design, and those identified by King William County Fire - EMS as needed to ensure adequate emergency response. In no case shall aisle widths be less than twenty (20) feet.

Please see Exhibit C, Page PV2A. The access road will have a minimum width of 20' as shown on the site plans. Additionally, the applicant will consider and implement any reasonable VDOT, EMS, Fire, and County requests for the access road. There will be 24/7 access for all necessary parties. It is expected that the access road will be classed as a Low Volume Commercial Entrance per VDOT.

7. Underground utilities: All new transmission and distribution lines shall be placed underground except:

- a. Those lines which are solely the subject of the State Corporation Commission jurisdiction or otherwise required by the Commission.
- b. Where necessary to connect to the existing utility lines.
- c. When an exception is granted by the Director of Planning during the site plan review process. In order for an exception under this subsection to be granted, the applicant must demonstrate that placing the lines underground will create environmental harm, such as the disturbance of Chesapeake Bay Resource Protection Areas, or the placement of underground lines is not feasible due to topographical or other site conditions. Financial considerations do not constitute sufficient grounds for the Director to grant an exception.

Only above ground utility lines are needed from the point of interconnection to the (2) equipment pads within the fence. Those poles would apply to item 7. a and b above.

8. Security fencing: Security fencing and gates shall be provided and shall be designed and located in accordance with the following:

- a. All security fencing shall be located on the inner edge of the buffer (the edge furthest from the property line) when possible.
- b. Maximum height for fencing shall be eight (8) feet.
- c. Fencing shall include wildlife friendly design features, where the Director of Planning deems them appropriate.

Please see Exhibit C, Page PV6. The security fence will have a maximum height of 8' and be a design that is wildlife friendly. This is often a deer style fence as shown in the site plans.

9. Lighting: Where required, site lighting shall meet the requirements of Article 5, Division 6, Lighting Requirements of the King William County Zoning Ordinance with regard to off-site light trespass. All fixtures shall utilize full cut off shielding. Lighting shall be reduced during nighttime hours to the minimum level necessary to maintain safety.

Lighting shall meet article 5, division 6 of the King William County Zoning Ordinance.

10. Land disturbance and inspection: Land disturbance activity shall be limited to no more than one hundred (100) acres at a time, unless a greater amount is permitted at the time of site plan review by the Director of Planning.

Please see Exhibit C, Page PV2A. This project is approximately 30 acres, thus will fall under the 100-acre threshold.

11. Phasing: Solar facility applications shall include a phasing plan if the project is to be phased.

Phasing will not be necessary for this project due to its limited size.

12. Decommissioning: All applications for Solar facilities shall be accompanied by a comprehensive decommissioning plan, as required by the King William County Solar and Energy Storage Policy. The decommission plan must include provisions addressing the following:

- a. The removal of all materials and equipment including, but not limited to, cabling and wiring, both above and below ground.
- b. The restoration of the property to its predevelopment condition including, but not limited to: owner will ensure planted materials remain viable. The landscape maintenance plan shall include a schedule and the measures to be taken for the regular trimming and mowing of the site.
 - (1) Soil remediation, including de-compaction, to ensure agricultural soils are able to support crops or pastureland.
 - (2) Reforestation of areas where tree clearing has occurred.
- c. An estimate of the gross cost for the complete removal of the solar facility and all associated infrastructure, the cost of soil remediation, and the cost of reforestation.
 - (1) The cost estimate shall not include anticipated or contracted for credits for the resale or salvage of the equipment and materials.
 - (2) Cost estimates shall be itemized by decommissioning task.
- d. The means by which the solar provider shall reimburse the County for an independent review and analysis of the cost estimate by a professional engineer.
- e. Financial surety to King William County in an amount sufficient to undertake decommissioning activities should the owner default in its decommissioning responsibilities. The surety shall continue in effect during the operation of the solar facility and until the time when the county certifies that decommissioning activities have been satisfactorily completed.
- f. The decommissioning cost estimate shall be updated every five (5) years and adjusted for inflation. The value of the surety shall be increased to an amount equal to the inflation-adjusted cost estimate.
- g. Decommissioning shall commence within six (6) months after the facility ceases to produce any electricity for the distribution system to which it was connected. The site shall be maintained in accordance with the required landscaping maintenance plan as long as the facility is producing any electricity.

The project will meet the conditions outlined above. Please see exhibit D – Decommissioning Plan

13. Size:

- a. Utility scale facilities may be no greater than one thousand (1,000) acres.

Please see Exhibit C, Page PV2A. The Project's size is approximately 30 acres.

14. Project area limit. No more than three percent of the County's land mass shall be approved for large scale solar energy facilities. This project area limit shall not apply to local industries producing electricity for their own consumption. The PC (solar) panels must be on-site, adjacent to, or adjoining the user's property.

To the best of the applicant's knowledge, this project will not cause the overall solar coverage to exceed 3% of the County's land.

15. Applicants for new solar facilities shall coordinate with the County's Fire and Emergency Services staff to provide materials, education and training to the departments serving the property

with fire and emergency services on how to safely respond to on-site emergencies.

The applicant will coordinate with and provide materials, education and training for the County's Fire and Emergency Services staff.

Glare

Glare is typically not a concern with solar projects as panels need to absorb sunlight, rather than reflecting it, to function properly. Glare report attached as Exhibit E indicates no glare associated with this project.

Payments to the County

Financial compensation to the county is typically seen as appropriate for solar energy facilities and the applicant is proposing compensation in accordance with the Draft Siting Agreement attached as Exhibit F

List of Exhibits

- A. Additional Background Information
- B. Conditional Use Permit Application
- C. Conditional Use Permit Plan Set
- D. Decommissioning Plan
- E. Glare Study
- F. Draft Siting Agreement
- G. Vegetation Management Plan

Exhibits:

A - Additional Background Information

B – CUP Application

C - Plan Set

D - Decommissioning Plan

E – Glare Study

F – Draft Solar Siting Agreement

G - Vegetative Management Plan



AN ALLETE COMPANY

SHARED SOLAR GARDEN – ADDITIONAL BACKGROUND INFORMATION

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1. Purpose:

The overall purpose of the Solar Facility is to provide customers with a cost-effective source of reliable renewable solar electricity. Additional Project objectives include:

- Develop a generation facility that is feasible, quick to construct and easy to operate while providing the local utility and its customers with a cost-effective, cleaner alternative.
- Establish emission-free solar electricity and reduce greenhouse gas (GHG) emissions while avoiding, minimizing, and mitigating the impacts to the environment.
- Generate electricity without utility water supply needs.
- Provide other important economic and environmental benefits to the local utility and the Municipality, including improving local air quality and public health, developing local energy sources, promoting local jobs, and diversifying the energy supply; and
- Render solar energy to the community and meet the State's Energy Plan and Climate Action Framework

The Applicants preference would be for the residents and businesses of the county to participate in the Applicants Community Solar Garden Program and be the direct beneficiaries of reduced electricity rates.

2. Project Overview:

- Grid tied distributed generation system.
- Minimal noise within array fence generated during solar power generation (inverter), none outside project fence, none at night.
- No traffic disturbance during Project operation.
- Minimal visual impact, uniform solar arrays.
- Minimal ground disturbance to the Solar Site, including the surrounding environment.
- Solar panels secured to ground by use of a racking system to minimize ground grading.
- Project plan utilizes pollinator habitat guidelines to incorporate best practices that ensure the Solar Facility can become a resilient, functional landscape that maintains ecological diversity.

3. Project Components:

The project consists of approx. 4x3 feet photovoltaic solar modules mounted to a driven pile, Single Axis Tracking system. Modules will be arranged into rows arranged from north to south. Rows of solar modules will connect to an inverter. The inverters transform the direct current power generated by the photovoltaic system to alternating current power, which is then connected to the existing distribution line at the point of interconnection. All electrical conduits within the array fence will be buried. Both direct current (DC) and alternating current (AC) conductors will be trenched in conduit. After final circuit consolidation at the PV system pad mounted switchboard, the system's voltage will be stepped-up to distribution level at the Utility owned transformer and interconnected, onto an existing utility distribution circuit.

The racking system manufacturer's engineer will provide certification that the design of the foundations and panels are within accepted professional standards, given local soil and climate controls. The equipment is designed to withstand wind up to one hundred and five MPH and fifty pounds per square foot of snow. Each Solar Facility will have one to two concrete equipment pads, to support interconnection and metering equipment, and above ground typical utility poles to support interconnection of the distribution powerline. Indicative Manufacturer Equipment Specification Sheets are attached.

48



49
50



51
52

53 **4. Environmental Considerations:**

54
55 During the planning and development process, the Applicant has completed desktop diligence; including,
56 but not limited to:

- 57 • Significant locations of rare or high-quality wetlands, forests, grasslands, ponds, streams, and other
58 types of habitats, ecosystems, and ecological areas.
59 • Unique or unusual geological features or landforms.
60 • Wetlands that are currently mapped by the National Wetlands Inventory.
61 • Animals and plants that are rare, including but not limited to those listed as Endangered and
62 Threatened by the State and/or the U.S. Fish and Wildlife Service.

63
64 The current Site Plan Set utilizes this combination of data and expertise to avoid and/or minimize
65 impacts, identify as well as identify and implement appropriate setbacks. *Additional environmental*
66 *studies to determine onsite conditional and mitigation requirements, if needed, will be performed later*
67 *in the process following an approval of the Land Use Permit.*
68

69 In the event that an unidentified environmental resource is found to exist after local land use permitting is
70 completed, the Applicant would update the Site Plan set accordingly, conduct necessary regulatory
71 review, and follow all applicable state and federal regulations prior to submitting for a building permit.
72

73 **Storm Water Management Measures**

74 The Project will adhere to state regulated erosion, sediment and Stormwater requirements, including
75 obtaining a SWPPP permit, following the state's national pollutant discharge elimination system and the
76 state disposal system standards for sediment control. The intent is to slow down the velocity of water
77 runoff, improving the permeability of the soil, while promoting insect and wildlife habitat.
78

79 **5. Visual Resource Analysis:**

80
81 The combination of existing unrelated visual impacts, and the Applicants' proposed landscape plans
82 provides adequate screening for the location. Visual resources in the area of the Solar Facility have been
83 affected by past and present actions including, distribution utilities, transmission utilities,
84 highway/roadway construction, commercial and residential development: Locations of residential,
85 historical or recreation, have been considered during the project planning and development. There are no
86 known inventoried aesthetic resources are located off-site within the potential visual field of the proposed
87 solar arrays.
88

- 89 • Appearance: Solar projects have similar characteristics to a greenhouse or single-story residence
90 Usually no more than 15 feet high, solar farms are often enclosed by fencing and/or landscaping to
91 minimize visual impacts.
92 • Noise: Solar projects are effectively silent. Tracking motors and inverters may produce an ambient
93 hum that is not typically audible from outside the enclosure.
94 • Odor: Solar projects do not produce any byproduct or odor.
95 • Traffic: Solar projects do not attract high volumes of additional traffic as they do not require frequent
96 maintenance after installation. The expected traffic volume is less than a single-family home.
97

Glare:

To limit reflection, solar PV panels are constructed of dark, light-absorbing materials. Today's panels reflect as little as two percent of the incoming sunlight depending on the angle of the sun and assuming use of anti-reflective coatings. In general, the concept of efficient solar power is to absorb as much light as possible while reflecting as little light as possible, standard solar panels produce less glare and reflectance than standard window glass. The solar panels will be coated with a anti reflective coating, which ensures the solar panel reflects a lower percentage of light than smooth water.

Considering landscaping and fencing surrounding the Solar Facility as well anti reflective coatings on the solar panels, roadways, buildings, and flights paths will not be impacted by glare from the panels.

6. Construction:

Traffic during construction is estimated to a total of 25-35 trucks on the on-set of construction and tapering off thereafter. Traffic will include employees, pickup trucks, semi-trailers for delivery of equipment and other machinery. No overweight or over-sized loads are anticipated for the Project.

Typical Process:

The construction process typically takes approximately three to six months, weather dependent to ensure safe site conditions for work personnel. A licensed survey team, prior to any commencement of construction, will stake the Solar Site physical boundaries and construction footprints. The survey team will stake the path through any right of ways ("ROWs") for the Interconnection Lines and/or provide a detailed map using GPS coordinates. Construction activities would include installation, operation and maintenance facility construction, road and access construction, Interconnection Line trenching, installation of a buried Interconnection Line, cleanup, and site reclamation.

Temporary construction staging areas, including material laydown, storage, equipment assembly, construction trailers, construction worker parking and portable toilet facilities are anticipated during the duration of construction activities. Construction Operating hours during construction will be 8am - 6pm. No water supply will be required.

Applicant will use appropriate temporary (construction-related) erosion and sediment control best management practices through construction.

Construction Phasing / Soil Stabilization/ Erosion and Sediment Control:

Preconstruction activities will consist of initial site stabilization and clearing the debris left by earlier timber cutting operations,

- Phase 1: Will consist of construction of an entrance and laydown area to support the commencement of construction of the Project.
- Phase 2: Will consist of establishment of required perimeter buffers and establishment of all temporary and permanent ESC and stormwater management measures.
- Phase 3: Will consist of any clearing and civil work needed in the panel area. All seeded areas should be mulched or blanketed to minimize the potential for failure to establish an adequate vegetative cover.

145 Mulching may also be used as a temporary stabilization of some disturbed areas in non-germinating
146 seasons. The final stabilization will be reviewed and approved by the local jurisdictions. All disturbed
147 areas shall immediately receive temporary or permanent seeding according to state guidelines.
148

149 **Equipment:**

150
151 Equipment will be used for construction, including but not limited to passenger vehicles, pickup trucks,
152 excavator, road grader, dump trucks, compactor, trencher, skid steer track loader, piling machine and
153 forklifts will be on site almost every day throughout the construction process.
154

155 **Drain Tile:**

156
157 Given the prior forest land cover on this site, drain tiles are not expected.
158

159
160 **Transportation Plan:**

161
162 Multiple truckloads of equipment, gravel and aggregates will be delivered throughout the construction
163 period. Materials would be sourced locally where available. Construction crews will access the public
164 roadway as depicted in the Site Plan Set, utilizing the permanent access entrance for operations. To ensure
165 safe access to the site during and after construction of the Solar Facility, Applicant is committed to
166 incorporating all reasonable road improvements and traffic related recommendations from the
167 Town/City/County and Involved Agencies. Construction will involve multiple semi-trailer deliveries.
168 Road access will be controlled for erosion control during construction. Construction crew parking will be
169 located entirely within the site. No additional permanent parking is required unless required by local
170 regulations. Maintenance crews will park within the site access road and turnaround area. Entrance is
171 planned to be a VDOT Low Volume Commercial Entrance.
172

173 Once installation is complete minimal low frequency access is required, as further described in the
174 Operations and Maintenance Basic Scope of Services.
175

176 **Temporary Roads and Parking Surfaces:**

177
178 Existing roads will be utilized as much as possible for temporary access during construction. Temporary
179 roads that are not located along existing roads and that require heavy equipment to cross agricultural fields
180 during construction will use the following:
181

- 182 • Install geotextile matting designed for soil separation over exposed topsoil (or subsoil if topsoil is
183 stripped) surface prior to placing a 4-inch layer of crushed rock for the road surface.
- 184 • Complete removal of the temporary access fill and geotextile required for temporary access during
185 construction or decommissioning will be removed upon completion of task.
- 186 • The topsoil and subsoil shall be de-compacted by tillage after the roads are removed and seeded as
187 described above.
188

189 **Waste Materials:**

190
191 The construction of the Solar Facility will generate a variety of non-hazardous wastes during construction,

192 such as paper, cardboard, plastic, and wooden pallets. Any waste or debris will be the responsibility of
193 the Applicant and will be gathered in a dumpster that will be removed during construction progress as
194 necessary. A waste management plan will be implemented during construction
195

196 **7. Site Rules:**

197
198 NEE will use commercially reasonable efforts to follow and to cause its personnel to follow the
199 following rules while on the Premises. Lessor may bar further access to the Premises by any individual
200 who commits repeated, material violations of these rules after such individual has received at least three
201 written warnings of a particular material violation from Lessor describing, and including reasonable
202 evidence documenting, such material violation. In addition, any individual violating rules (d)(i), (iv), or
203 (vi) at least three times after receipt of a third written warning with documented evidence of such violation,
204 will be immediately expelled from the Premises and will be banned from the Premises thereafter. The
205 rules are as follows:

- 206 a) When not in active use by NEE, all access gates, as well as all interior gates, will remain closed
207 at all times.
- 208 b) Smoking is prohibited except in designated construction areas and in vehicles. NEE will employ
209 reasonable precautions to prevent fires and will be responsible for all damage caused by NEE.
- 210 c) NEE will keep the Premises clean and free of debris created by NEE, its contractors, or others
211 brought on to the Premises by NEE. NEE will not use the Premises for storage of items that are
212 not related to, used or to be used in connection with, or for the benefit of all or a portion of the
213 Project.
- 214 d) At no time will any of employees of NEE bring any of the following onto the Premises:
 - 215 i. weapons of any type, including but not limited to, guns, bows and arrows, or sling shots;
 - 216 ii. animal calling devices;
 - 217 iii. fishing equipment or nets;
 - 218 iv. dogs, cats or any other animals;
 - 219 v. alcoholic beverages;
 - 220 vi. illegal drugs or related paraphernalia.
- 221 e) NEE, its employees, contractors, agents and any individual allowed onto the Premises by NEE
222 will use reasonable efforts to confine their activities on the Premises to the designated access
223 routes and to the areas upon which operations are then being conducted.
- 224 f) No wood, plants, animals (dead or alive), antlers, artifacts or any other item that was not originally
225 brought onto the Premises by NEE personnel will be removed from the Premises by such
226 personnel, except that NEE can burn, remove and clear wood, plants and brush on the Premises.
- 227 g) A speed limit of 25 miles per hour (15 miles per hour at night) will be strictly observed while
228 using roads on the Premises.
- 229 h) This Agreement does not cover or include any right or privilege of hunting or fishing on the
230 Premises, all such rights being expressly reserved to Lessor.

231 **8. Vegetation Management**

232 **Temporary Vegetative Cover:**

233
234
235
236 Vegetative cover is important to promote soil health and minimize erosion losses. Maintaining healthy
237 vegetative cover will help reduce the proliferation of noxious and invasive weeds. The goals of
238 maintaining vegetative cover are:

- 239
- 240 • Protect soils from erosion losses and promote healthy soil by establishing and maintaining a vegetated
- 241 surface and healthy root zone during construction and throughout the operational phase.
- 242 • During construction temporary erosion control will be provided by mulching and the use of temporary
- 243 vegetative cover as well as other measures outlined in the storm water management measures.
- 244

245 **Permanent Vegetative Cover:**

246

247 A properly designed and maintained vegetative cover will improve the surrounding community, surface,

248 and ground water quality, increase biodiversity, and improve onsite soil health. The goal is to have a

249 vegetative community that stabilizes the site to minimize erosion. The permanent vegetative cover is

250 designed to be sustainable with low maintenance and high ecological significance. The Applicant will

251 utilize commercially reasonable efforts to contract with a local company to maintain the Solar Facility.

- 252 • Ground cover within the fenced portion of the array will follow best management practices for the
- 253 seed type and seasonal conditions. The entire site will be stabilized and maintained with vegetative
- 254 cover; areas beneath the solar arrays will be planted with grass to stabilize the site.
- 255 • Seed Type: facilities must be adequately vegetated to meet stormwater and erosion/sedimentation
- 256 control guidelines; Solar facilities are subject to state and local ordinances with regard to spread of
- 257 noxious and invasive plant species; and it is an industry best-practice to ensure that solar panels are
- 258 not shaded by plants.

259

260 **Soils:**

261

262 When considering the design of this project we have put significant focus on minimizing potential project

263 effects on future land use. This plan includes measures that have been developed to maintain and / or

264 improve the quality of soil resource with the expectation that the site can be returned to row crop

265 agricultural use at the end of the project operation. The Applicant’s goal is to improve and maintain soil

266 health during the operational phase of the project by sustaining soil functions including groundwater

267 recharge, carbon sequestration, water quality and minimizing soil loss due to erosion.

268

- 269 • To the extent practical, the solar facility will be developed without modifying grades. While localized
- 270 grading will be needed to clean up the existing site, overall grades will remain similar to existing.
- 271 • Wherever possible, facility roads are laid out over existing access roads.
- 272 • Pile drivers will be track mounted to lessen the soil compaction caused.
- 273 • Construction equipment travel will be limited when soils are visibly saturated.
- 274 • Deep-rooted perennial vegetation will be used to promote the development of soil structure and reduce
- 275 compaction potential.

276

277 **Vegetation Maintenance:**

278

279 Maintenance of a site plays a vital role in the eventual success of any native landscape installation,

280 especially during the establishment period of years one through five.

281

- 282 • Active management in all areas of the solar site should include an annual inspection followed by
- 283 necessary vegetation maintenance to encourage healthy native species while discouraging non-
- 284 native/invasive species. During the growing season of the first year of establishment, the site should
- 285 be inspected a minimum of three times.

- 286 • During the germination year, mow the project area to control annual weed development and to aid in
287 the growth of the seedlings by reducing weed competition. Operator shall establish a timeframe for
288 cutting the grass and maintaining other plant material growth.
- 289 • Native species have evolved to produce massive and deep root systems which allow them to endure
290 long periods of drought. To develop these remarkable root systems, the plants produce only a
291 limited amount of above-ground vegetation during year one. There is much more happening below
292 the surface than above and year two will bring additional above-ground vegetation.
- 293 • During the third growing season the vegetation has expanded, and the species are producing
294 blossoms and seeds.
- 295 • In years following the first growing season, vegetation management services are utilized to control
296 weed species within the developing native landscape. Typical services include spot herbicide
297 spraying, spot mowing, and herbicide wicking.
- 298 • The equipment typically used on sites this size are small tractors, weed whackers, mowers, and
299 ATVs, and, in some cases, sheep grazing.

300 **Vegetated Buffer Management:**

301 **Pruning:**

- 302 • Trees and shrubs require only a shortening of more vigorous branches the first year or two to keep a
303 symmetrical appearance. After the second year, begin the following program of maintenance pruning.

304 **Shade Trees:**

- 305 • After the first year, remove one to two of the lowest limbs until the lowest are at the ultimate desired
306 height. Most trees can be trimmed any time of year.

307 **Evergreen Trees And Shrubs:**

- 308 • Trees do not typically get pruned. Shrubs in June or July. Do not remove more than one half of the
309 new growth.

310 **Deciduous Shrubs:**

- 311 • Spring flowering varieties should be pruned after flowering. Summer Flowering varieties should be
312 pruned in late fall or early spring.

313 **Perennials And Ornamental Grasses:**

- 314 • Cut back to a few inches in late fall or early spring.

315 **9. Site Security:**

316 Limiting access to the Solar Facility to non-authorized personnel is necessary both to ensure the safety of
317 the public and to protect equipment from potential theft and vandalism. Some, or all, of the perimeter of
318 the Solar Facility and Equipment Pads, are fenced with an approximately eight-foot-high fence.
319 Surveillance methods such as security cameras, motion detector, or heat sensors may be installed at
320 locations along the Solar Facility boundary as determined necessary. No lighting will be installed other
321 than what may be required by local or state law.

322 **10. Fire Prevention:**

333 This solar array will meet the requirements of the 2012 International Fire Code, specifically to sections
 334 605.11 – 605.11.2 for clearance, markings, and location of underground DC conductors. The Solar Facility
 335 will meet the international Building Code (IBC), National Electric Code (NEC), and local electric and fire
 336 code. NEC code is produced by the National Fire Protection Agency (NAPA) with safety of the public,
 337 contractors, and firefighters as the entire objective. Solar specific Code has been included in the NEC for
 338 over a decade. Safety is paramount in our solar PV facilities, as we need them to function optimally for
 339 their entire system life.

340

341 **11. Insurance Information:**

342

343 Applicant’s or its successor will provide a certificate of insurance meeting the following requirements:

- 344 • Insurance provider must be rated B+ or better by “Best.”
- 345 • Limits of \$2,000,000 for each occurrence.
- 346 • Coverage against claims for damages resulting from bodily injury, wrongful death, and property
 347 damage arising out of the Interconnection Customer’s ownership and/or operating of the Generation
 348 System under the interconnection agreement.
- 349 • Contain a severability of interest clause of cross-liability insurance.

350

351 **12. Operations & Maintenance Plan:**

352

353 **General:**

354 The Project will be operated and maintained the Applicant. It is anticipated there will be monthly and
 355 quarterly inspections of all equipment, vegetation management as well as snow removal as necessary.
 356 Seed mixes for the native and pollinator-friendly grasses will be finalized prior to start of construction.
 357 Pending final stormwater design, a third seed mix could be in play should a wetland be delineated on-site.
 358 The Solar Facility site will operate 7 days a week, generating electricity during daylight hours by a
 359 qualified operations and maintenance provider, either internal or external and/or manufacturer warranty
 360 services, to be determined (the “Operator”).
 361

Service	Description	Frequency
System Monitoring	Operator will monitor the System via the Applicant supplied DAS	Daily
Event Notification	Operator shall create an Event in the Enterprise Asset Management System (Bluepoint) and notify the Asset Manager when: the DAS generates a valid alarm, the System experiences an underperformance condition, or a deficiency is identified onsite during a site visit. Severity: <ul style="list-style-type: none"> • High Priority events represent conditions that are either causing damage to System or significantly reducing electrical output of System. - Upon Asset Manager approval, truck roll within 24 hours. • Medium Priority events affect System electrical output, but not to a significant degree. - Upon Asset Manager approval, truck roll within 72 hours. • Low Priority events do not impact System electrical output. - Upon Asset Manager approval, truck roll within 7 business days 	As necessary per occurrence

	or combined with another previously scheduled visit.	
Diagnostic and troubleshooting	Any diagnostic or troubleshooting work performed on site to develop the Corrective Action Plan, including travel time.	As needed
Equipment Warranty Maintenance and Enforcement	<ul style="list-style-type: none"> • Operator shall maintain System equipment warranty and perform all preventative maintenance as specified by System equipment manufacturer. • All warranty diagnostic and data collection for the purposes of submitting a system warranty claim included in basic services. • Operator shall perfect and enforce all System warranties and coordinate the corrective actions performed by the manufacturer under the warranty claim. • Operator work performed on System warranty not reimbursed by Manufacturer will be included in Basic Services. • Warranty Maintenance and enforcement that can't be completed due to the good standing and solvency of the System Equipment Manufacturer will be considered Additional Work. 	As necessary per occurrence
Warranty Repairs	All labor performed onsite to replace warranted equipment and return the System to full electrical output.	As needed
Corrective Maintenance	All corrective action, including travel time, performed to complete the Corrective Action Plan.	As needed
Verification of Electric Revenue Meter	Operator shall verify that the electric revenue meter is operational with an accuracy tolerance band of plus or minus 5%. If the Electric Revenue Meter is outside this tolerance band, Operator shall promptly cause the meter to be repaired or replaced pursuant to "Equipment Warranty and Maintenance Enforcement" if considered a warranty claim, or as additional work if not considered a warranty claim.	Once every 5 years
Semi-Annual System Performance Report and Visual and Mechanical Inspection	<p>Will consist of the following:</p> <ul style="list-style-type: none"> • Performance report (Actual vs Forecast vs Weather adjusted output model) for the report period • List of Events for the report period pulled from Bluepoint • Operator will visit the System between no sooner than five (5) months and no later than seven (7) months after the previous Annual Preventative Maintenance Inspection was completed and complete a visual and mechanical inspection of the System, noting all non-conformances, and documenting through a checklist that will be provided as part of the Semi-Annual System Performance Report. 	Once every 6 months
Annual Preventative Maintenance and Performance Report	TBD	Annually
Annual Report – Performance Summary	Performance report (Actual vs Forecast vs Weather adjusted output model) for the report period.	Annually
Annual Report – Work Order Summary Report	List of Events for the report period from Bluepoint.	Annually

Annual Report – Preventative Maintenance Visual & Mechanical Inspection and Checklist	Visual & Mechanical Inspection checklist which includes inspection and maintenance activities for the following: <ul style="list-style-type: none"> • General Site Observations • Array • Racking • Tracker (If applicable) • Conduit • Inverters • Accumulation Panel(s) • Disconnect(s) • Transformer(s) • DAS & Weather sensors • Equipment manufacturer warranty maintenance 	Annually
Annual Report - Infrared Thermal Imaging	Operator Shall perform infrared thermography of the following: <ul style="list-style-type: none"> • 25% of system PV modules if handheld IRT is performed. Shall otherwise be 100% completed by aerial drone as part of “Annual Report – System Performance Data” • Hand-held IRT imaging of Inverter enclosures, combiner boxes, accumulation panels, disconnects, and transformers. 	Annually
Annual Report - System Performance Data	Operator shall collect one of the following: <ul style="list-style-type: none"> • Perform I/V curve tracing on a random 25% of the PV Module strings. Comments will accompany any results that suggest there is a problem • Perform Aerial Drone Infrared Thermography of the entire System array. Thermography will be performed at a minimum of 500 w/m2. Drone analysis will be provided to the customer as both a printout and an interactive online report. 	Annually
System Performance Analysis	Any System performance analytics, configuration or assessment initiated by Asset Manager will be considered additional work.	As needed
General Requests for Information	Additional System tests, written reports, site visits and other related activities as requested by Asset Manager that are outside of the services detailed in this agreement.	As needed
Solar PV Module Cleaning	Cleaning of the PV Modules as requested by Asset Manager. Operator shall monitor and recommend any special cleaning needs that may be required as a result of System conditions.	As needed
Minimum Vegetation Management and Snow Plowing	Operator shall establish a timeframe for cutting the grass and maintaining other plant material growth in order to maintain the System to the Asset Manager’s requirements. Upon Asset Manager’s approval, Operator will execute the approved mowing plan.	As needed, estimated 3 x per year

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13. Decommissioning Plan Overview:

The intent of the decommissioning work will be to fully remove the solar facility, dispose of any components, and restore the site to a grassy field. The Applicant has contractual obligations to the landowner regarding decommissioning arising out of Section 4.4 of the lease. These obligations include

368 removal of all equipment, timelines for removal, owner’s rights to remove the solar facility upon failure
369 by the Project Company, and establishment of a monetary security for removal in the form of a bond,
370 escrow, or letter of credit.

371
372 The purpose of the security is to ensure there is sufficient money available to return the project site to an
373 appropriate condition at the end of the project’s useful life, or earlier. The County will be the designated
374 beneficiary of the fund and will be provided a copy of the document establishing the security before
375 construction commences.

376
377 **14. Economic Impact Analysis:**
378

379 The Solar Facility will increase tax revenue, which would support community needs without adding more
380 residents or businesses, allowing for the preservation of County rural character. Plus, by providing
381 emission power to the regional grid, solar projects reduce carbon emissions. The energy collected can be
382 shared with homes and businesses that would normally not be able to benefit from solar power.

383
384 **Benefits Summary:**
385

- 386 • The development of a typical community solar facility invests approximately 2 million dollars for
387 every megawatt of AC capacity of the Solar Facility and provides consumers energy supply cost
388 savings.
- 389 • Every megawatt of AC capacity of the Solar Facility (on average) powers 150 – 210 homes.
- 390 • Neighboring and the subject properties land values are anticipated to remain the same.
- 391 • Generate lease dollars for the host landowner annually for the life of the Solar Facility.
- 392 • According to the Lawrence Berkeley National Laboratory an acre of solar panels producing zero-
393 emissions electricity saves between 267,526 to 303,513 pounds, or 121 to 138 metric tons, of carbon
394 dioxide per year compared to using a fossil fuel generation. By comparison, according to the EPA,
395 the average acre of forest in the United States sequesters 0.84 metric tons of carbon dioxide per year.
396 Thus, an acre of solar panels reduces approximately 144 to 166 times more carbon dioxide per year
397 than an acre of forest.
- 398 • The project will incur fees for required applications and construction-related permits.
- 399 • Create or sustain approximately 20-30 full-time-equivalent on site full-time temporary construction
400 jobs and 2 permanent operations positions.
- 401 • The project will incur fees for required applications and construction-related permits.
- 402 • No capital expenditures will be required by the Town, City, or County to support the project due to
403 the nature of solar facilities and the minimal impact to the regional infrastructure.
- 404 • Additional County revenue will be provided under the terms of the Siting Agreement which forms
405 part of the permit application.

406
407 **Economic Impact and Program Overview:**
408

409 This Solar Facility is a planned Community Solar Garden (CSG). The States CSG program is an effort
410 which seeks to make solar easier and more affordable through community-driven initiatives.
411 Community solar is a way of organizing the production and distribution of electricity from solar
412 power. Community solar refers to local solar facilities shared by multiple community subscribers who
413 receive credit on their electricity bills for their share of the power produced. Community solar

414 facilities provide a means for apartment dwellers, and others living in households without sufficient
415 space to install their own solar panels to use this cleaner source of energy. Some facilities may have
416 an ‘anchor’ customer who purchases 40% or more of the electricity, such as a business or other large
417 user of electricity.

418
419 The proposed Solar Facility would have a significantly greater economic fiscal impact than the property
420 generates in its current use over the facility’s construction and anticipated 35-year operational life.
421

422 Development of Community solar facilities will generate economic impacts in three distinct phases, each
423 with their own unique set of economic impacts: (1) the development phase, when interested landowners
424 are identified, diligence, planning and development of the Solar Facility occurs (2) the construction phase,
425 when the Solar Facility is being created and being connected to the electrical grid and customers are being
426 recruited; and (3) during the operation phase, when the Solar Facility is fully operational, and customers
427 are receiving electricity.

428
429 **Understanding Economic Impact:**

430
431 An “economic impact” is a change in the employment, income, and output in an area based on an
432 activity that affects the local economy, such as construction and operation of community solar
433 facilities. Economic impact includes three components: direct impacts, indirect impacts, and induced
434 impacts.

435
436 The direct impacts include the changes in employment, worker income, and total economic activity
437 directly related to the community solar facilities.

- 438 • During the development phase these direct impacts will include outreach and identification of
439 lease landowners, development payments received by owners of land where the facilities are
440 desired to be studied, payments to the utility company to apply for and study the locations
441 potential for viability, payments to architectural, engineering and related services, public relations
442 and related services, real estate services, county clerk’s office, permitting and environmental
443 consulting services.
- 444 • During the construction phase these direct impacts will include site preparation, installation of
445 solar panels and other equipment onsite, upgrading of electrical lines and equipment to get the
446 electricity produced into electrical networks, and advertising for and recruiting customers.
- 447 • During the operation phase, these direct impacts will include operation, maintenance, and repair
448 of the facilities; advertising for and recruiting customers; lease payments received by owners of
449 the land where the facilities are located; and savings accrued by customers of the facilities.

450
451 Indirect impacts measure the effect of these direct impacts on the businesses in the economy who sell
452 products or services to the community solar facilities, such as equipment, accounting and legal
453 services, and advertising.

454
455 The induced impacts are the effects resulting from changes in spending by employees of the
456 community solar facilities, of employees in other businesses indirectly affected by these facilities, by
457 landowners receiving lease payments, and by consumers who spend the money they saved by
458 subscribing to community solar.

- 459 • For example, if employees at an advertising company work more hours because their firm was
460 hired to work on community solar facility-related activities, they’ll have more money to spend on
461 things like groceries, clothing, local entertainment, and other household items.

463 The indirect and induced effects, which measure how money ripples through other sectors of the
464 economy, is also referred to as the Economic Multiplier Effect. These impacts can be measured in
465 three different ways: (1) employment, which reflects the change in full-time equivalent jobs as a result
466 of the community solar facility construction and operation; (2) labor income, which measures the
467 increase in wages, salaries and other remuneration due to these job gains; and (3) output, which
468 reflects the total change in economic activity, including the value of sales and changes in inventory.

470 **15. Site Selection Criteria**

471
472 Siting renewable energy projects is contingent on several factors, key considerations include:

- 474 • Landowner support – Privately held entities such as NEE Energy do not utilize eminent domain
475 authority when it comes to site selection and securing land for community solar project development.
476 Accordingly, solar projects only occur on properties that have complete landowner support. Property
477 owners typically contact NEE following outreach activities such as direct mail, phone calls, or digital
478 campaigns promoting NEE efforts to acquire development opportunities. Once educated about the
479 considerations of hosting a community solar garden, landowners can choose to participate and become
480 a project partner.
- 482 • Solar resource – Not all sites have sufficient solar access to justify building a community solar garden.
483 Energy production and project viability are dependent on how much available sunlight reaches the
484 site. Sites with compromised solar resource due to topography, vegetation, or adjacent structures
485 cannot be economically developed.
- 487 • Parcel characteristics – Sites must have sufficient acreage, appropriate dimensions, and acceptable
488 topography to host a community solar garden. At a minimum, seven acres of developable area is
489 needed but a good site typically has twenty to forty acres dedicated to the solar project. The parcel
490 shape must also allow for efficient layout of the solar array(s). Narrow, elongated, or twisting parcel
491 boundaries make it challenging to efficiently layout and build a solar array. While some gradient is
492 acceptable, grades above 5 to 10% can significantly add to project costs and complicate engineering
493 and construction. In general, NEE does not develop sites that require significant tree clearing, grading,
494 or similar land disturbance.
- 496 • Interconnection feasibility – A community solar garden requires a three-phase distribution feeder or
497 sub-transmission line nearby (within approximately one mile) and the site must be within 4 miles of
498 a utility substation to avoid cost prohibitive interconnections costs. Many sites are not chosen for
499 development simply because there is no practicable way for energy produced on site to access the
500 power grid.
- 502 • Environmental impacts – NEE evaluates parcels for various environmental attributes when developing
503 community solar garden. Sites that offer the opportunity to avoid, minimize, or mitigate environmental
504 impacts are pursued for further development efforts. Evaluation efforts include screening for

505 archaeological, cultural, and historical resources; wetlands studies; investigating presence of
506 endangered or threatened species; and identifying nearby receptors for visual impacts.

507

508 16. Conditions of Permit Approval

509

510 Applicant will adhere to the following typical conditions and/or any specific conditions specified by King
511 William County in the Conditional Use Permit:

512 • **Diligence:** Complete any additional Environmental Services as warranted; Conduct additional
513 research, studies and/or investigation, including but not limited to Wetlands, ESA, Geotechnical and
514 Real Estate Title.

515 • **Survey:** Complete a ALTA Land Survey that provides metes and bounds descriptions of the project
516 and property

517 • **Final Engineering:** Complete final structural, electrical, mechanical and civil engineering as
518 needed to fully develop the final Site Plan Set and Storm Water Prevention Plan.

519 • **Decommissioning Bond:** Provide decommissioning bond or surety as required by the local law
520 governing based on the final system size.

521 • **Lighting:** The project shall not have exterior lighting, except for safety and security, which shall face
522 downward.

523 • **Noise:** Noise generated from construction of solar energy facilities shall comply with local and county
524 ordinance

525 • **Construction and Deconstruction Hours:** All sitework (including equipment warm-up and
526 positioning) shall be limited to Monday through Saturday between the hours of 7:00 a.m. to 7:00 pm.

527 • **Solar Panels:** All solar panels will use anti-reflective technology.

528 • **Training and Coordination:** Upon request, but not more than once per year, the applicant or project
529 owner shall provide materials, education, and/or training, in coordination with the Town or County's
530 Emergency Services staff, to the departments serving the solar energy in regard to safely responding
531 to on-site emergencies.

532 • **Agency Approvals:** The Project's design, construction and testing shall meet relevant local
533 state and federal standards as applicable. All active solar systems shall meet the requirements of the
534 National Electrical Code (NEC), National Electrical Safety Code (NESC), American Society of Civil
535 Engineers (ASCE), American National Standards Institute (ANSI), Institute of Electrical and
536 Electronics Engineers (IEEE), Underwriters Laboratories (UL), or International Electro technical
537 Commission (IEC), as applicable and state building code shall be inspected by a county building
538 inspector through the building permit process. In the event of any conflict between these standards,
539 the State Uniform Statewide Building Code shall apply.

540 • **Regulatory Approvals:** Approval of an Erosion and Sediment Control and Storm Water plan prior
541 to commencing any land disturbance activity.

542 • **Waste Disposal:** Any solids or hazardous waste carried onto the site during construction, operation,
543 or decommissioning will be contained and managed in accordance with applicable rules and
544 regulations. Such materials include but not limited to materials used for the proper functioning of the
545 plant and machinery, hydraulic oil, diesel, petroleum, grease, solvents, lubricants, paints, adhesives,
546 and other oil-based products. The Applicant will also take all steps required to prevent the littering or
547 contamination of the Project site or adjacent properties with such materials.

548

549 *The Applicant has compiled this preliminary Project Summary, to the best of their knowledge, and based*
550 *on the information currently available. The present document is subject to change and may be modified*
551 *if new information becomes available and as design drawings are finalized prior to construction. The*

552 *information contained in this document is preliminary and not intended to describe all the relevant*
553 *information of the Project and is qualified in its entirety by the final application and site plans.*





Conditional Use Permit Application
King William County
Department of Planning and Zoning
180 Horse Landing Rd. #4 King William, VA 23086
Phone (804) 769-4980 Fax (804) 769-2235

1. Owner: Wayne King Johnson and Nancy Johnson Caprio
Name: Wayne King Johnson Jr. - Manager
Address: 3904 Sulgrave Road, Richmond, VA 23221
Phone Number: 804-402-1980

2. Applicant:

Name: King William Solar 2 LLC, dba New Energy Equity
Address: 2530 Riva Road Suite 200 Annapolis, MD 21401
Phone Number: 443-267-5012

3. Property description:
(a) Size (acres): 92.8 Road frontage: Approx 350' Parcel ID 47-13

(b) Deed recorded in Deed Book ____ at Page _____

Plat recorded in Plat Book ____ at Page _____

Tax Map: ____ Section ____, Parcel _____

(c) Zoning District: Ag


4. Hours of operation of the planned facility: 24 hours a day while operational. Power production will be during sun light hours.

5. Describe water supply plans: None needed.

6. Describe sewage disposal plans: None Needed.

7. Attach a statement describing how specific conditions stated in the Zoning Ordinance for the type of project planned will be met.

I hereby certify that the information presented in this application and on the accompanying site plan is complete and accurate to the best of my knowledge. County officials and employees are authorized to enter upon the property described herein during regular working hours for the purpose of performing assigned duties in connection with this application.

Signature of Applicant: 

Signature of Property Owner: _____
(If different from Applicant)

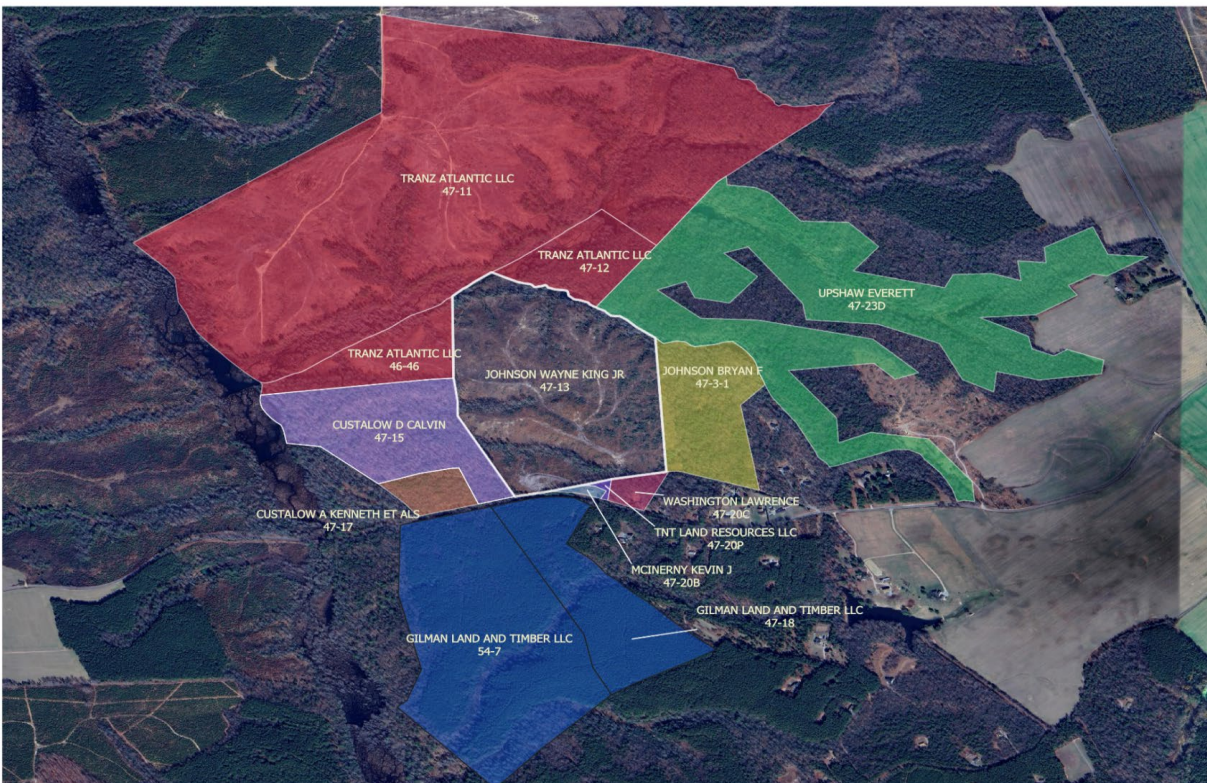
STATE OF: _____ COUNTY OF: _____ to-wit:

The foregoing instrument was acknowledged before me this _____ day of _____, 20____.

Notary Public

My Commission Expires

Parcel_ID	Owner	Address
47-17	Custalow Kenneth et als	7709 Merrick Rd, Henrico, VA 23294-4524
46-46	Tranz Atlantic LLC	2311 Wilson Boulevard, Suite 500, Arlington, VA 22201
47-20C	Washington Lawrence / Washington Carrie	1409 W Rose Garden Rd, West Point, VA 23181-3826
47-20P	TNT Land Resources LLC	44 Little Woodbury Rd, Walkerton, VA 23177-2019
47-20B	McInerny Kevin	2039 Old Church Rd, Mechanicsville, VA 23111-6035
47-3-1	Johnson Bryan	44 Little Woodbury Rd, Walkerton, VA 23177-2019
47-12	Tranz Atlantic LLC	2311 Wilson Boulevard, Suite 500, Arlington, VA 22201
47-23D	Upshaw Everett / Upshaw Joni	4716 Custis Millpond Rd, West Point, VA 23181-3621
47-11	Tranz Atlantic LLC	2311 Wilson Boulevard, Suite 500, Arlington, VA 22201
47-15	Custalow Calvin	7709 Merrick Rd, Henrico, VA 23294-4524
54-7	Gilman Land and Timber LLC	13423 Farrington Rd, Ashland, VA 23005-7115
74-18	Gilman Land and Timber LLC	13423 Farrington Rd, Ashland, VA 23005-7115



TURKEY HILL CSG



PROJECT ENTITY: KING WILLIAM SOLAR 2 LLC

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ANNAPOLIS, MD 21401
NEWENERGYEQUITY.COM
443-267-5012

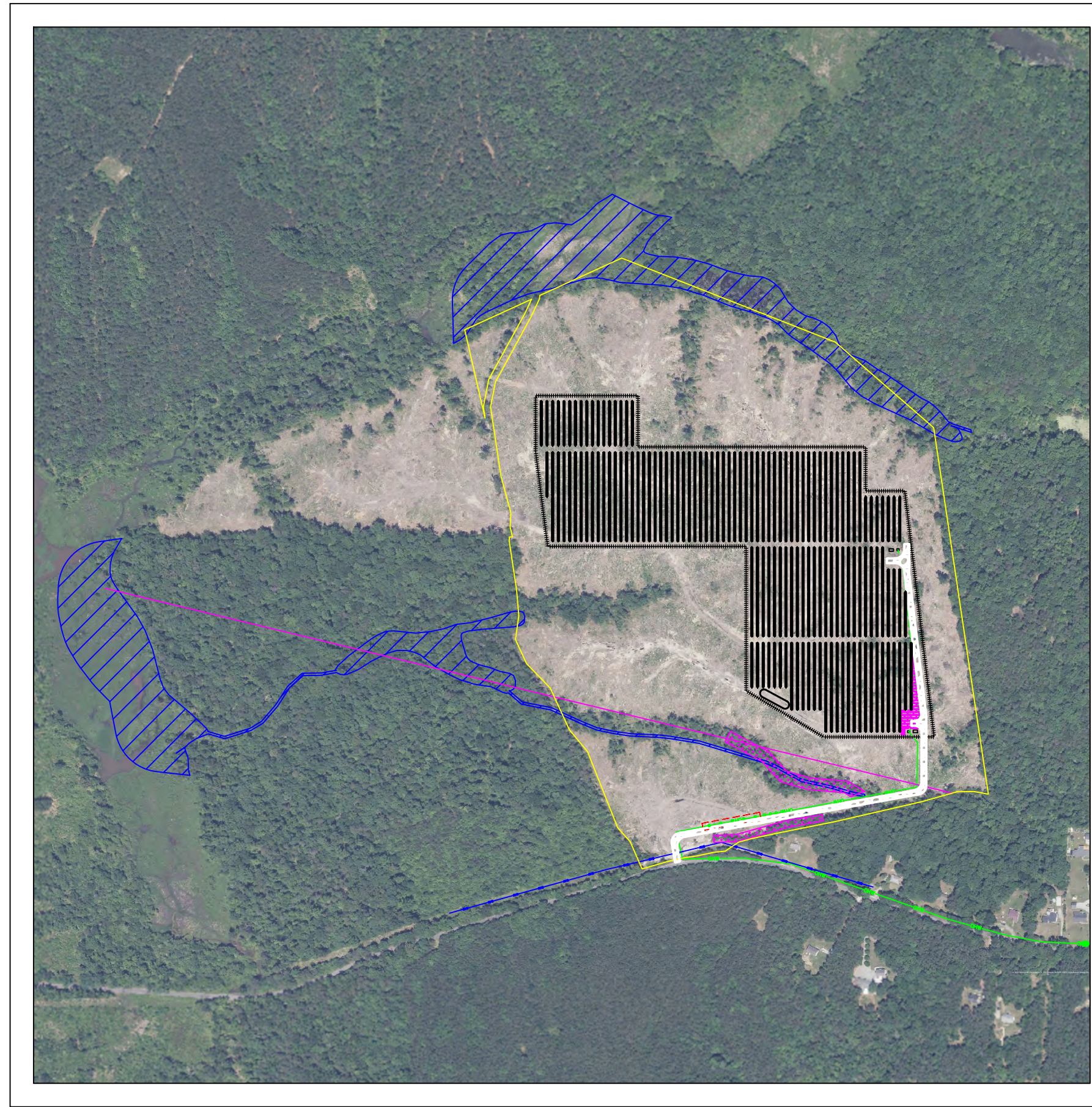
PROJECT ADDRESS
WEST ROSE GARDEN RD
WEST POINT, VA 23181

LAT: 37.6332
LONG: -76.9555



1 ARRAY LOCATION

Scale: 1" = 2000'



2 OVERHEAD MAP

Scale: 1" = 500'

PROJECT TEAM

PROJECT OWNER
KING WILLIAM 2 SOLAR LLC
2530 RIVA RD SUITE 200
ANNAPOLIS, MD 21401

PROJECT DEVELOPER
NEW ENERGY EQUITY
2530 RIVA RD SUITE 200
ANNAPOLIS, MD 21401

GENERAL INFO

PROJECT ACREAGE
PARCEL ACREAGE: ~92.8 ACRES
FENCE ACREAGE: ~29.9 ACRES
LIMITS OF PERMITTING ACREAGE: ~39 ACRES
LOT COVERAGE: 10.6%

*AREA OF MODULES, ROAD, AND EQUIPMENT PADS
DIVIDED BY PARCEL AREA

PARCEL DESCRIPTION
PROPERTY OWNER: JOHNSON WAYNE KING JR & CAPRIO NANCY JOHNSON
PARCEL ID NUMBER: 47-13
ZONING CLASSIFICATION: A-C
APPLICATION TYPE: CUP

SETBACKS
SETBACK FROM PARCEL BOUNDARY - 150'
SETBACK FROM NON RPA WETLANDS - 50'

SHEET INDEX

SHEET #	DESCRIPTION	REVISION #	REVISION DATE
T1	TITLE SHEET	1	12/1/2025
PV1	EXISTING CONDITIONS	1	12/1/2025
PV2A	SITE PLAN A	1	12/1/2025
PV2B	SITE PLAN B	1	12/1/2025
PV3	SETBACKS MAP	1	12/1/2025
PV4	PID MAP	1	12/1/2025
PV5	SOIL MAP	1	12/1/2025
PV6	FENCE DETAIL	1	12/1/2025
PV7	SAT RACKING DETAIL	1	12/1/2025
PV8	STORMWATER MANAGEMENT DETAIL	1	12/1/2025
PV9	FORESTED LANDSCAPING DETAIL	1	12/1/2025
E1A	SINGLE LINE A	1	12/1/2025
E1B	SINGLE LINE B	1	12/1/2025
E2A	SYSTEM LABELS A	1	12/1/2025
E2B	SYSTEM LABELS A	1	12/1/2025
E3	ELECTRICAL DETAILS	1	12/1/2025
E4A	MODULE & INVERTER SPECS	1	12/1/2025
E4B	RACKING SPECS	1	12/1/2025
E4C	TRANSFORMER SPECS	1	12/1/2025

SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	6947.25 kW
SYSTEM SIZE AC	5000 kW
DC/AC RATIO	1.390
AZIMUTH	180°
TILT	+/- 52°
MODULE COUNT	11775
MODULE TYPE	HANWHA Q PEAK DUO XL-G115_BFG
MODULE STC RATING	590 W
INVERTER COUNT	35
INVERTER TYPE	SMA SUNNY HIGHPOWER PEAK-3 150kW
INVERTER POWER	POWER LIMITED TO 142.857 kW
RACKING	SINGLE AXIS TRACKER - PROPOSED OMNITRACK
MONITORING	ALSO ENERGY

DESIGN CRITERIA

MIN/MAX TEMP.	-13°C / 34°C
WIND SPEED (ASCE 7-10)	105 MPH
BUILDING CATEGORY	I
EXPOSURE CATEGORY	C
GROUND SNOW LOAD	20 PSF
BUILDING HEIGHT	0'-0"

OTHER NOTES

CASE NUMBER TBD

NO POSITION, DISTANCE, OR CLEARANCE ISSUES WITH OVERHEAD ELECTRIC SERVICE LINES OR OTHER UTILITIES IN RELATION TO THE PV PANELS.

24/7 UNESCORTED KEYLESS ACCESS PROVIDED FOR ALL UTILITY ENERGY EQUIPMENT INCLUDING THE METERS AND AC DISCONNECT.

INTERCONNECTION TYPE: PRIMARY

REVISIONS

#	DESCRIPTION	BY	DATE
0	ORIGINAL DESIGN	SP	3/24/2025
1	AVOID HIGH TOPO	SP	4/15/2025
2	PROJECT NAME CHANGE	SP	6/30/2025
3	HANWHA 590 REDESIGN	SP	10/7/2025
4	50' OFFSET FROM FENCE FOR ACCESSIBILITY	SP	11/13/2025
5	CUP	SP	12/1/2025
6			
7			
8			
9			
10			
11			

PROJECT NAME

TURKEY HILL

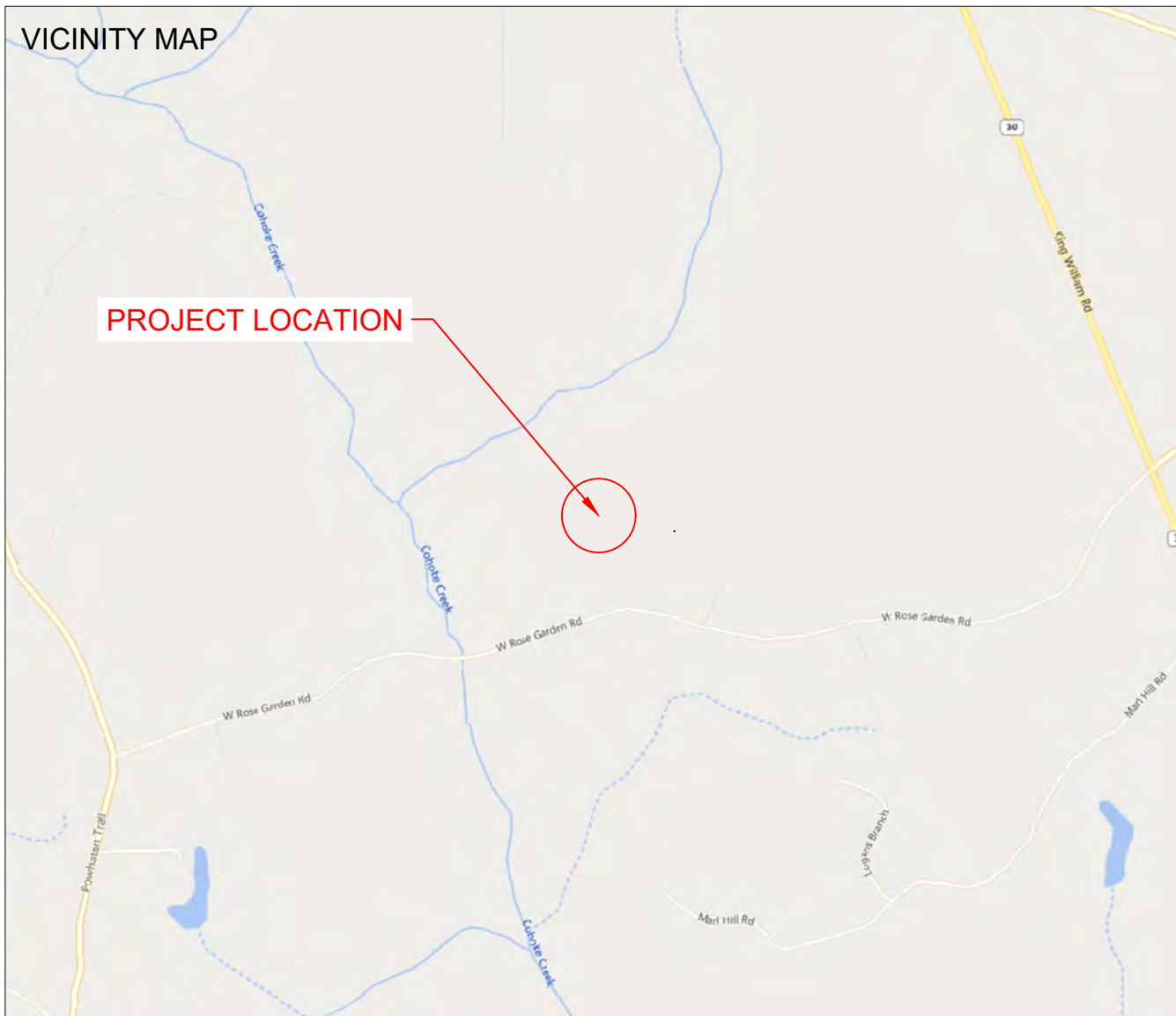
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TITLE SHEET

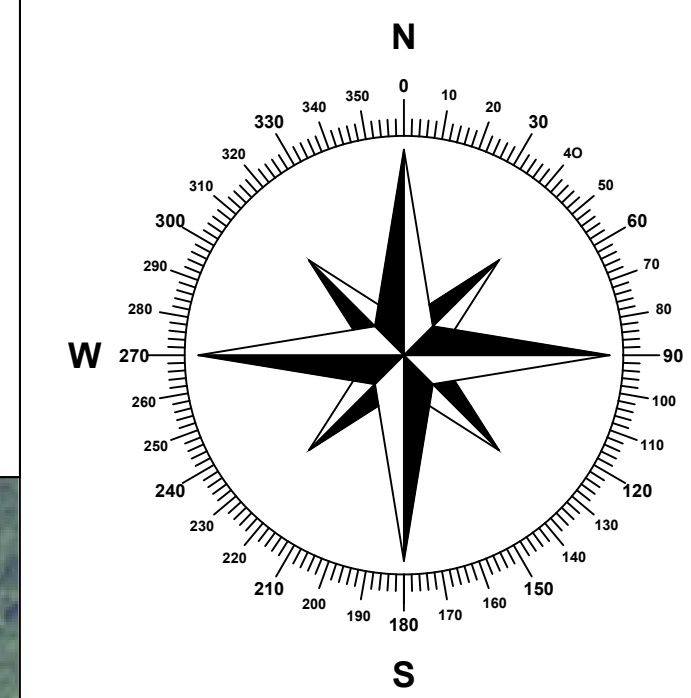
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AS NOTED 0 1" 2"

SHEET

T1



SPACE FOR PE STAMP:



SHEET NOTES:

UTILITY POLES ARE SHOWN FOR INDICATING LOCATIONS ONLY. SPACING BETWEEN POLES, PHYSICAL PROTECTION BARRIER FOR SWITCHBOARDS, ETC. WILL BE ADDED IN THE DRAWINGS PREPARED FOR THE CONSTRUCTION DOCUMENTS



PROJECT ENTITY: KING WILLIAM SOLAR 2 LLC

NEW ENERGY EQUITY, LLC
2530 RIVA ROAD, SUITE 200
ANNAPOLIS, MD 21401
NEWENERGYEQUITY.COM
443-267-5012

PROJECT ADDRESS
WEST ROSE GARDEN RD
WEST POINT, VA 23181

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6			
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9			
10			
11			

PROJECT NAME

TURKEY HILL

DRAWING TITLE

EXISTING CONDITIONS

SCALE¹

1" = 200'

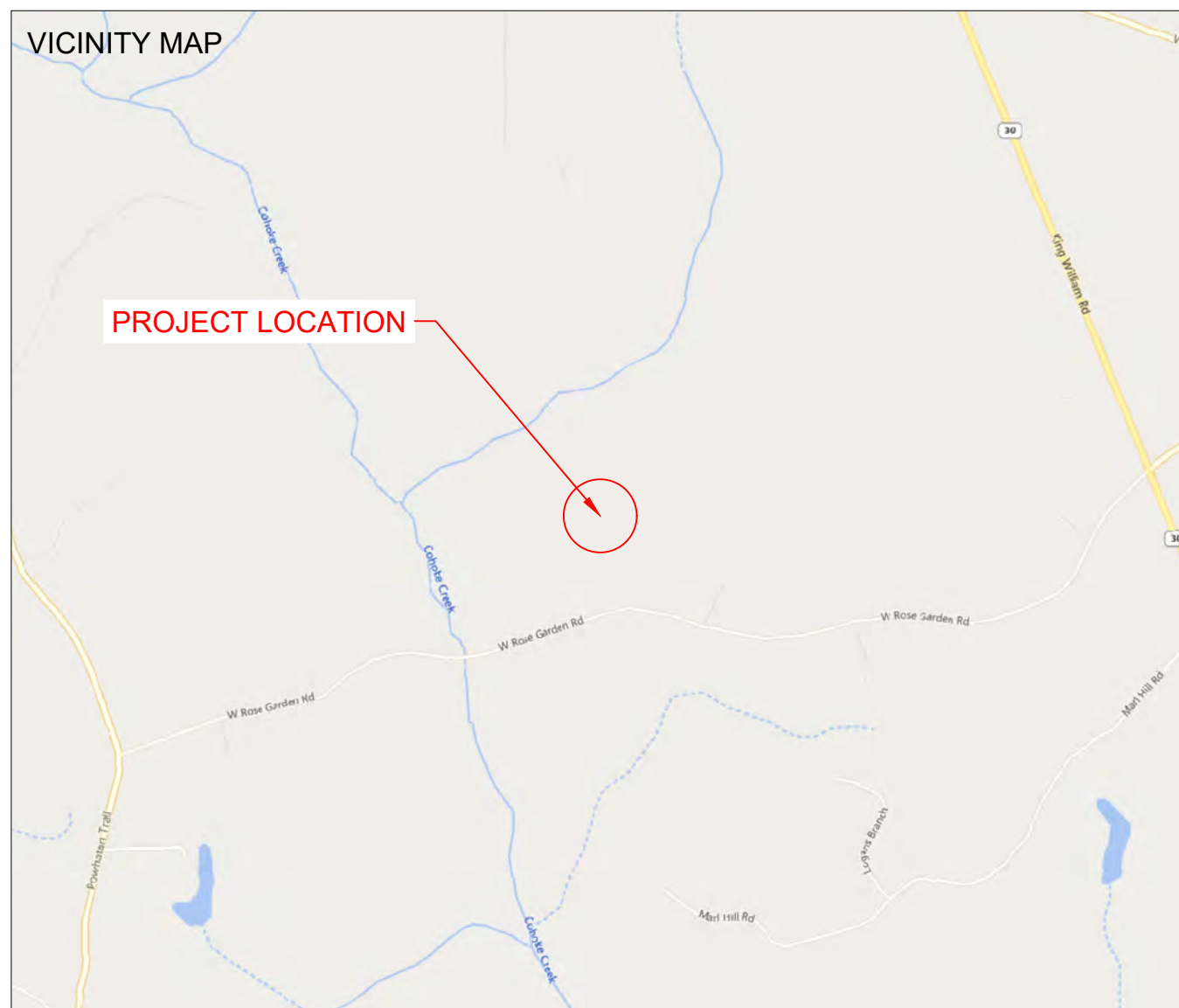
SHEET

PV1

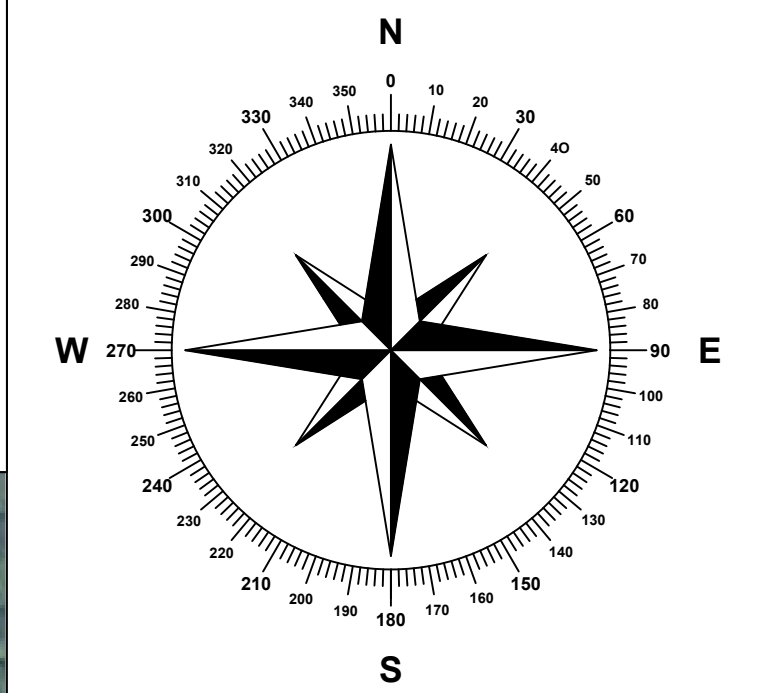


LEGEND

PARCEL BOUNDARY (PID: 47-13, LO: JOHNSON WAYNE KING JR, CAPRIO NANCY JOHNSON)	
WETLANDS (30' SETBACK, NTS, NATIONAL WETLANDS INVENTORY)	
EXISTING OVERHEAD UTILITY LINE (DOMINION, FEEDER 04 333, 34.5KV SHOWN ON PV1B)	



SPACE FOR PE STAMP:



SHEET NOTES:
 UTILITY POLES ARE SHOWN FOR INDICATING LOCATIONS ONLY. SPACING BETWEEN POLES, PHYSICAL PROTECTION BARRIER FOR SWITCHBOARDS, ETC. WILL BE ADDED IN THE DRAWINGS PREPARED FOR THE CONSTRUCTION DOCUMENTS



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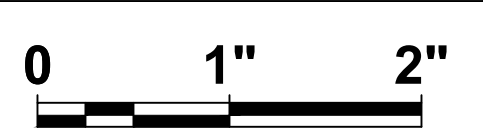
PROJECT NAME

TURKEY HILL

DRAWING TITLE

SITE PLAN

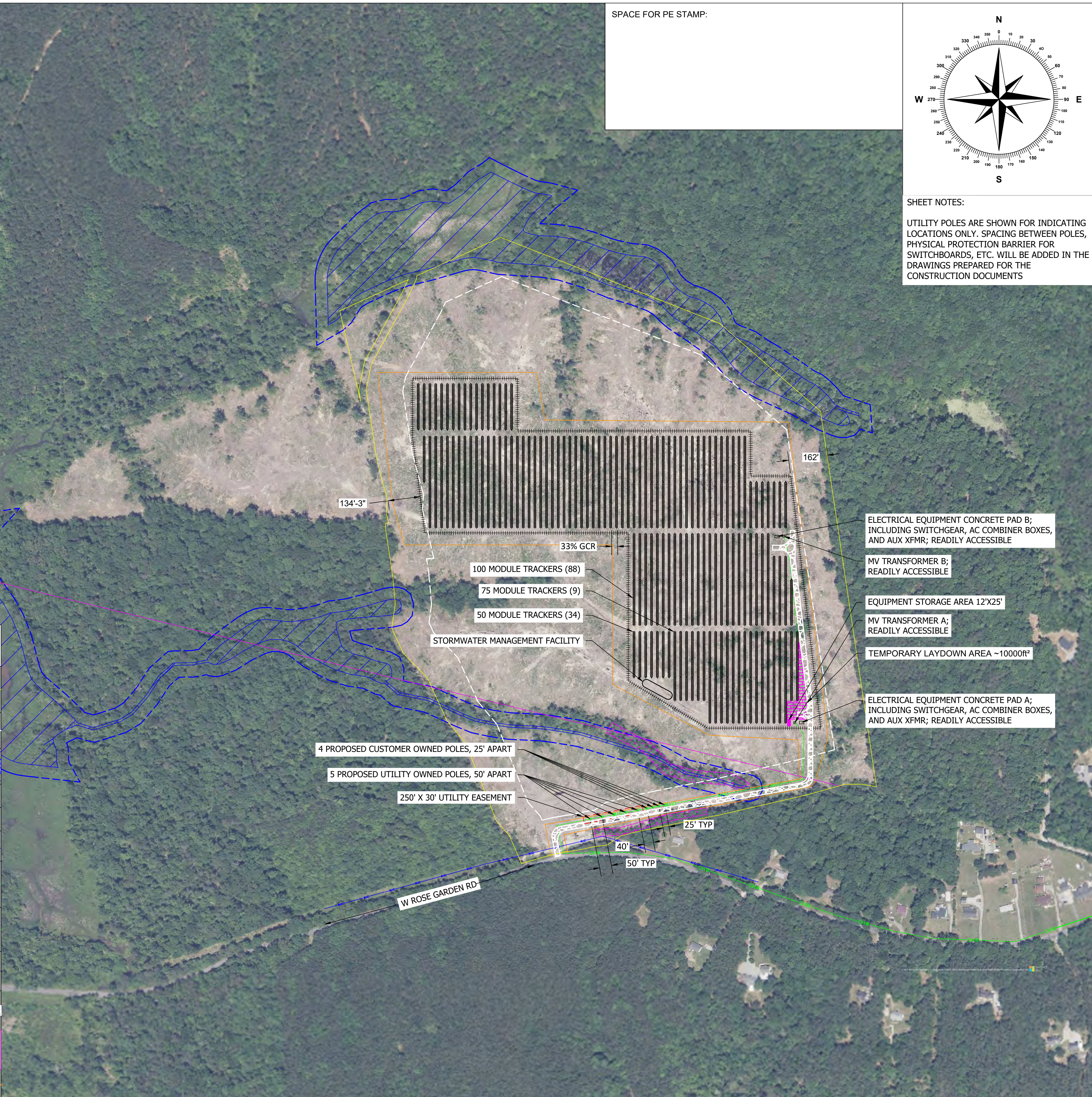
SCALE¹
 1" = 200'

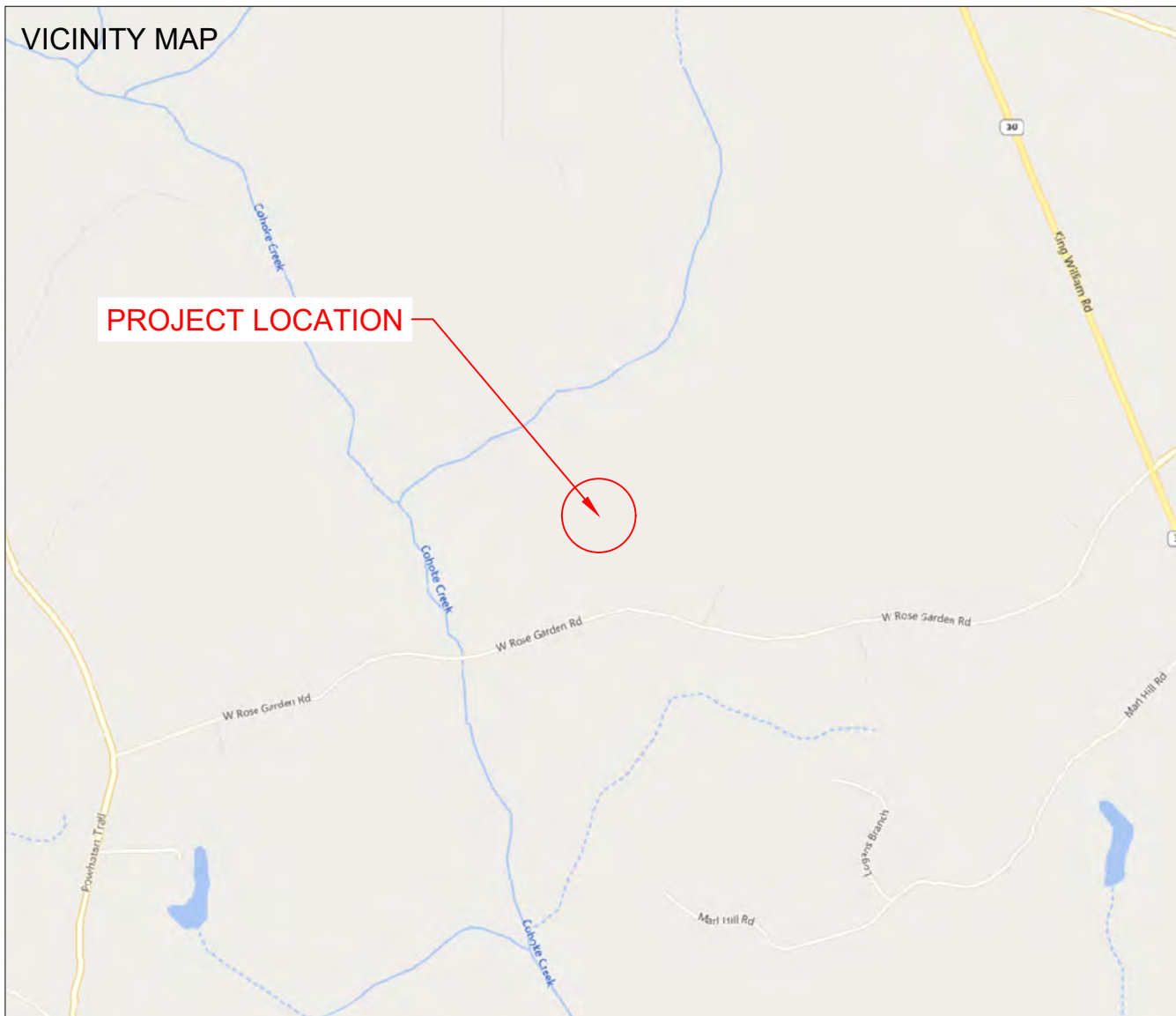


SHEET

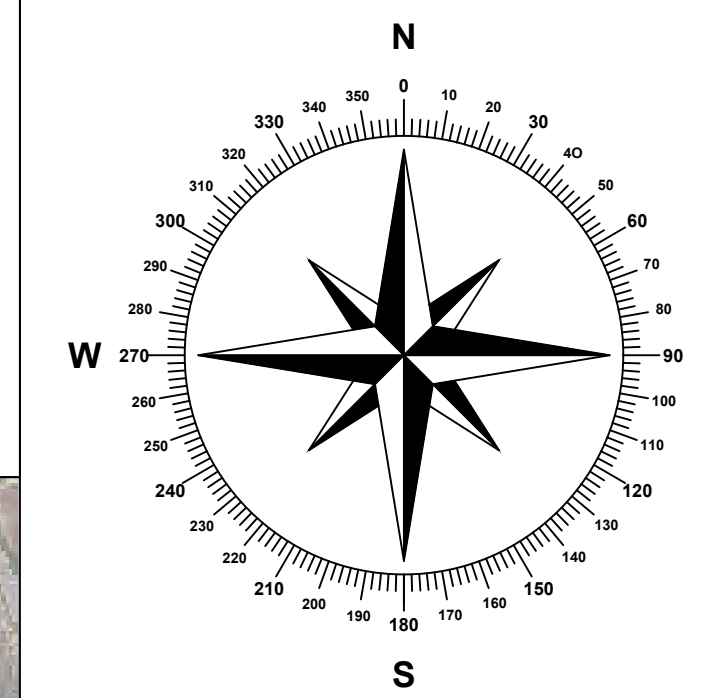
PV2A

LEGEND	
PARCEL BOUNDARY (PID: 47-13, LO: JOHNSON WAYNE KING JR, CAPRIO NANCY JOHNSON)	[Symbol]
150' SETBACK FROM PARCEL BOUNDARY	[Symbol]
WETLANDS (50' SETBACK, NTS, NATIONAL WETLANDS INVENTORY)	[Symbol]
EXISTING OVERHEAD UTILITY LINE (DOMINION, FEEDER 04 333, 34.5kV SHOWN ON PV1B)	[Symbol]
EXISTING 1-PH OVERHEAD UTILITY LINE	[Symbol]
PROPOSED 3-PH OVERHEAD LINE EXTENSION (~1.6 MILES)	[Symbol]
PROPOSED NEW UNDERGROUND ELECTRICAL LINE (~850')	[Symbol]
ARRAY FENCE LINE (~5993' & ~29.9 ACRES)	[Symbol]
20' WIDE ACCESS ROAD (~2300')	[Symbol]
SCREENING BUFFER ZONE UTILIZING EXISTING VEGETATION (MIN 30' WIDE)	[Symbol]
LIMITS OF PERMITTING (~39.4 ACRES, WILL NOT DISTURB EXISTING VEGETATION)	[Symbol]





SPACE FOR PE STAMP:



SHEET NOTES:

UTILITY POLES ARE SHOWN FOR INDICATING LOCATIONS ONLY. SPACING BETWEEN POLES, PHYSICAL PROTECTION BARRIER FOR SWITCHBOARDS, ETC. WILL BE ADDED IN THE DRAWINGS PREPARED FOR THE CONSTRUCTION DOCUMENTS



PROJECT ENTITY: KING WILLIAM SOLAR 2 LLC

NEW ENERGY EQUITY, LLC
2530 RIVA ROAD, SUITE 200
ANNAPOLIS, MD 21401
NEWENERGYEQUITY.COM
443-267-5012

PROJECT ADDRESS
WEST ROSE GARDEN RD
WEST POINT, VA 23181

LAT: 37.6332
LONG: -76.9555

SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	6947.25 kW
SYSTEM SIZE AC	5000 kW
DC/AC RATIO	1.390
AZIMUTH	180°
TILT	+/- 52°
MODULE COUNT	11775
MODULE TYPE	HANWHA Q PEAK DUO XL-G115_BFG
MODULE STC RATING	590 W
INVERTER COUNT	35
INVERTER TYPE	SMA SUNNY HIGHPOWER PEAK-3 150kW
INVERTER POWER	POWER LIMITED TO 142.857 kW
RACKING	SINGLE AXIS TRACKER - PROPOSED OMNITRACK
MONITORING	ALSO ENERGY

DESIGN CRITERIA

MIN/MAX TEMP.	-13°C / 34°C
WIND SPEED (ASCE 7-10)	105 MPH
BUILDING CATEGORY	I
EXPOSURE CATEGORY	C
GROUND SNOW LOAD	20 PSF
BUILDING HEIGHT	0'-0"

OTHER NOTES

CASE NUMBER TBD

NO POSITION, DISTANCE, OR CLEARANCE ISSUES WITH OVERHEAD ELECTRIC SERVICE LINES OR OTHER UTILITIES IN RELATION TO THE PV PANELS.

24/7 UNESCORTED KEYLESS ACCESS PROVIDED FOR ALL UTILITY ENERGY EQUIPMENT INCLUDING THE METERS AND AC DISCONNECT.

INTERCONNECTION TYPE: PRIMARY

REVISIONS

#	DESCRIPTION	BY	DATE
0	ORIGINAL DESIGN	SP	3/24/2025
1	AVOID HIGH TOPO	SP	4/15/2025
2	PROJECT NAME CHANGE	SP	6/30/2025
3	HANWHA 590 REDESIGN	SP	10/7/2025
4	50' OFFSET FROM FENCE FOR ACCESSIBILITY	SP	11/13/2025
5	CUP	SP	12/1/2025
6			
7			
8			
9			
10			
11			

PROJECT NAME

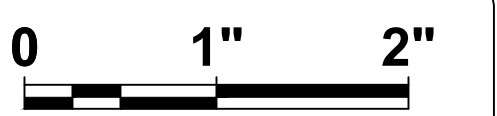
TURKEY HILL

DRAWING TITLE

SITE PLAN

SCALE¹

1" = 300'

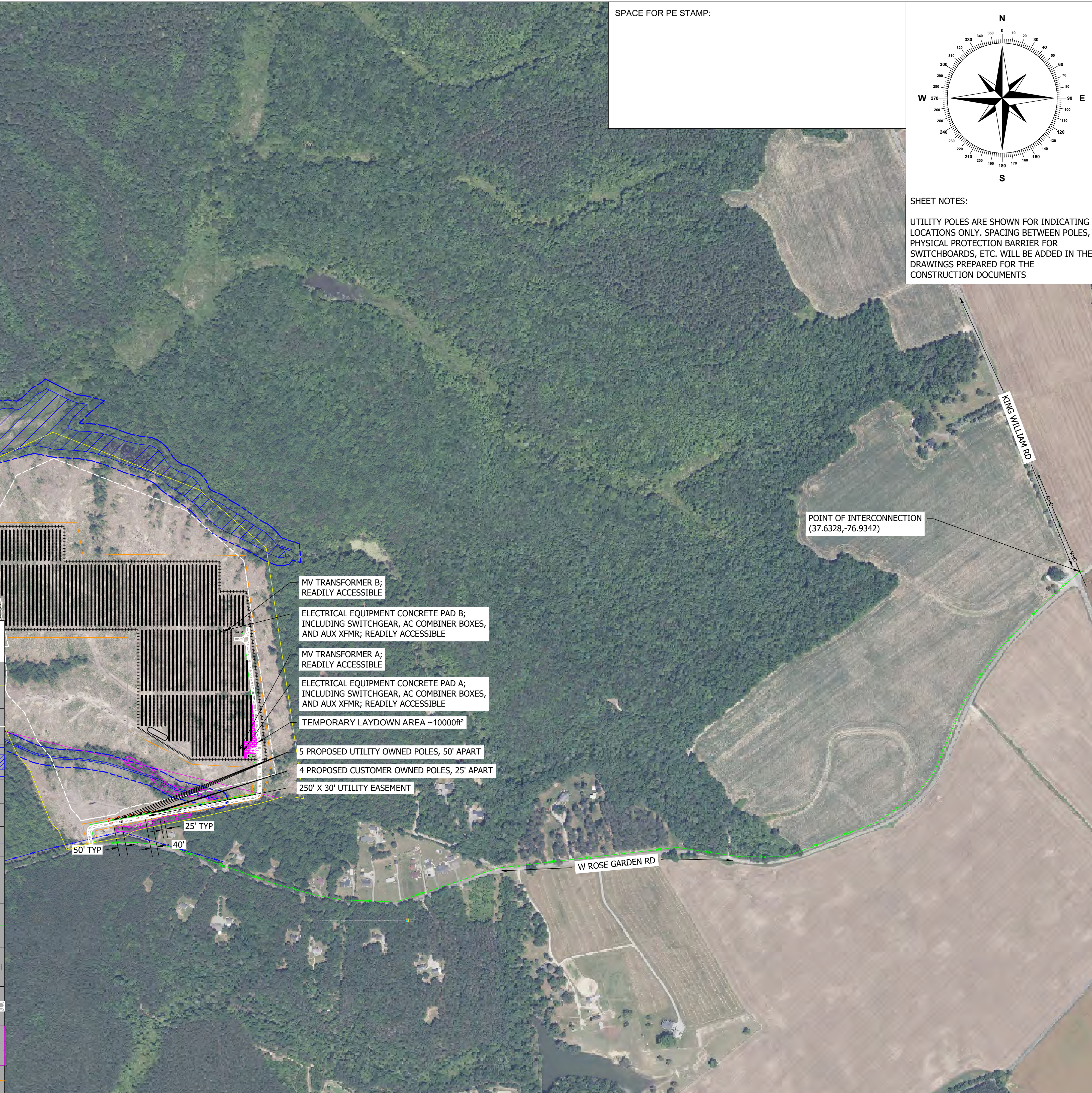


SHEET

PV2B

LEGEND

PARCEL BOUNDARY (PID: 47-13, LO: JOHNSON WAYNE KING JR, CAPRIO NANCY JOHNSON)	
150' SETBACK FROM PARCEL BOUNDARY	
WETLANDS (50' SETBACK, NTS, NATIONAL WETLANDS INVENTORY)	
EXISTING OVERHEAD UTILITY LINE (DOMINION, FEEDER 04 333, 34.5KV SHOWN ON PV1B)	
EXISTING 1-PH OVERHEAD UTILITY LINE	
PROPOSED 3-PH OVERHEAD LINE EXTENSION (~1.6 MILES)	
PROPOSED NEW UNDERGROUND ELECTRICAL LINE (~850')	
ARRAY FENCE LINE (~5993' & ~29.9 ACRES)	
20' WIDE ACCESS ROAD (~2300')	
SCREENING BUFFER ZONE UTILIZING EXISTING VEGETATION (MIN 30' WIDE)	
LIMITS OF PERMITTING (~39.4 ACRES, WILL NOT DISTURB EXISTING VEGETATION)	



MV TRANSFORMER B;
READILY ACCESSIBLE

ELECTRICAL EQUIPMENT CONCRETE PAD B;
INCLUDING SWITCHGEAR, AC COMBINER BOXES,
AND AUX XFMR; READILY ACCESSIBLE

MV TRANSFORMER A;
READILY ACCESSIBLE

ELECTRICAL EQUIPMENT CONCRETE PAD A;
INCLUDING SWITCHGEAR, AC COMBINER BOXES,
AND AUX XFMR; READILY ACCESSIBLE

TEMPORARY LAYDOWN AREA ~10000ft²

5 PROPOSED UTILITY OWNED POLES, 50' APART

4 PROPOSED CUSTOMER OWNED POLES, 25' APART

250' X 30' UTILITY EASEMENT

25' TYP

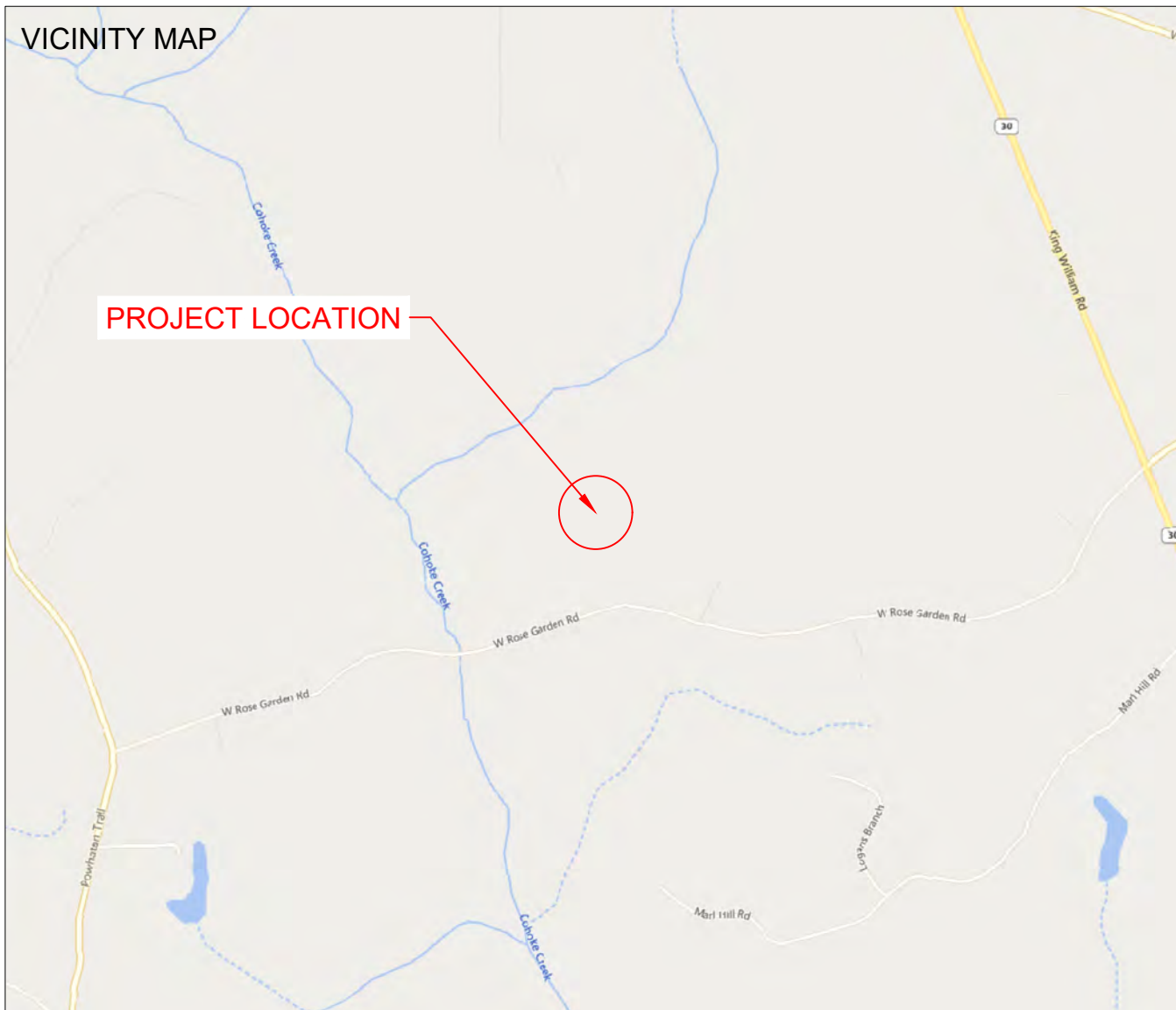
50' TYP

40'

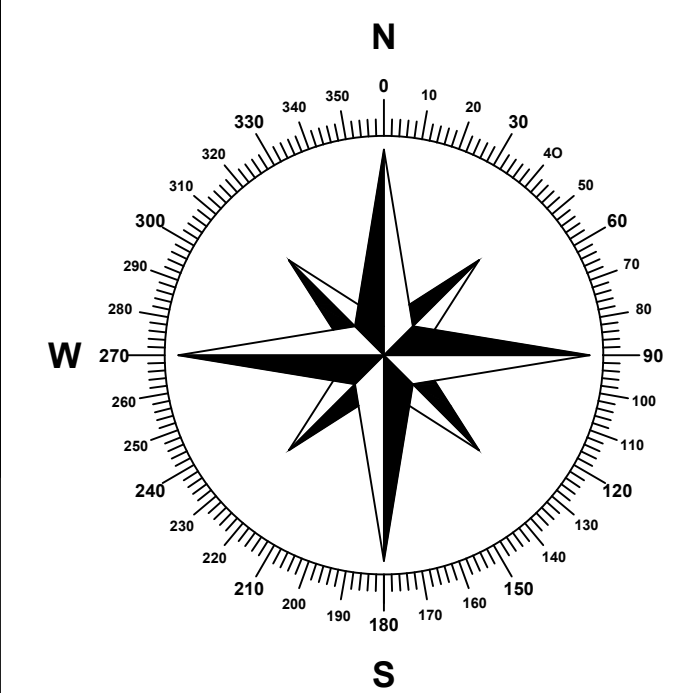
W ROSE GARDEN RD

POINT OF INTERCONNECTION
(37.6328, -76.9342)

KING WILLIAM RD



SPACE FOR PE STAMP:



SHEET NOTES:

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ANNAPOLIS, MD 21401
NEWENERGYEQUITY.COM
443-267-5012

PROJECT ADDRESS
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WEST POINT, VA 23181

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LONG: -76.9555

SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	6947.25 kW
SYSTEM SIZE AC	5000 kW
DC/AC RATIO	1.390
AZIMUTH	180°
TILT	+/- 52°
MODULE COUNT	11775
MODULE TYPE	HANWHA Q PEAK DUO XL-G115_BFG
MODULE STC RATING	590 W
INVERTER COUNT	35
INVERTER TYPE	SMA SUNNY HIGHPOWER PEAK-3 150kW
INVERTER POWER	POWER LIMITED TO 142.857 kW
RACKING	SINGLE AXIS TRACKER - PROPOSED OMNITRACK
MONITORING	ALSO ENERGY

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GROUND SNOW LOAD	20 PSF
BUILDING HEIGHT	0'-0"

OTHER NOTES

CASE NUMBER TBD

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5	CUP	SP	12/1/2025
6			
7			
8			
9			
10			
11			

PROJECT NAME

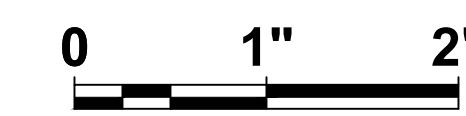
TURKEY HILL

DRAWING TITLE

SETBACKS MAP

SCALE¹

1" = 150'



SHEET

PV3

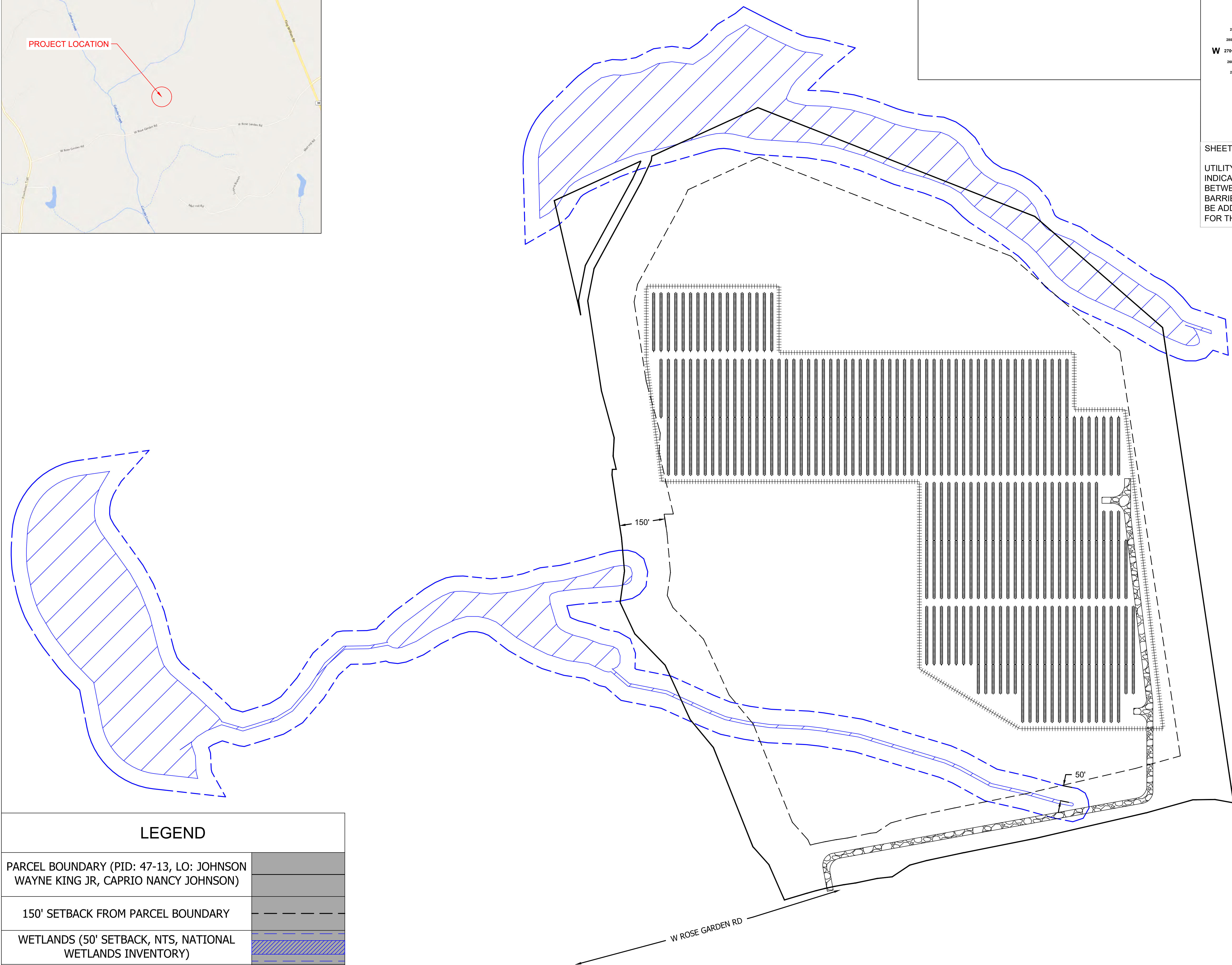
LEGEND

PARCEL BOUNDARY (PID: 47-13, LO: JOHNSON WAYNE KING JR, CAPRIO NANCY JOHNSON)

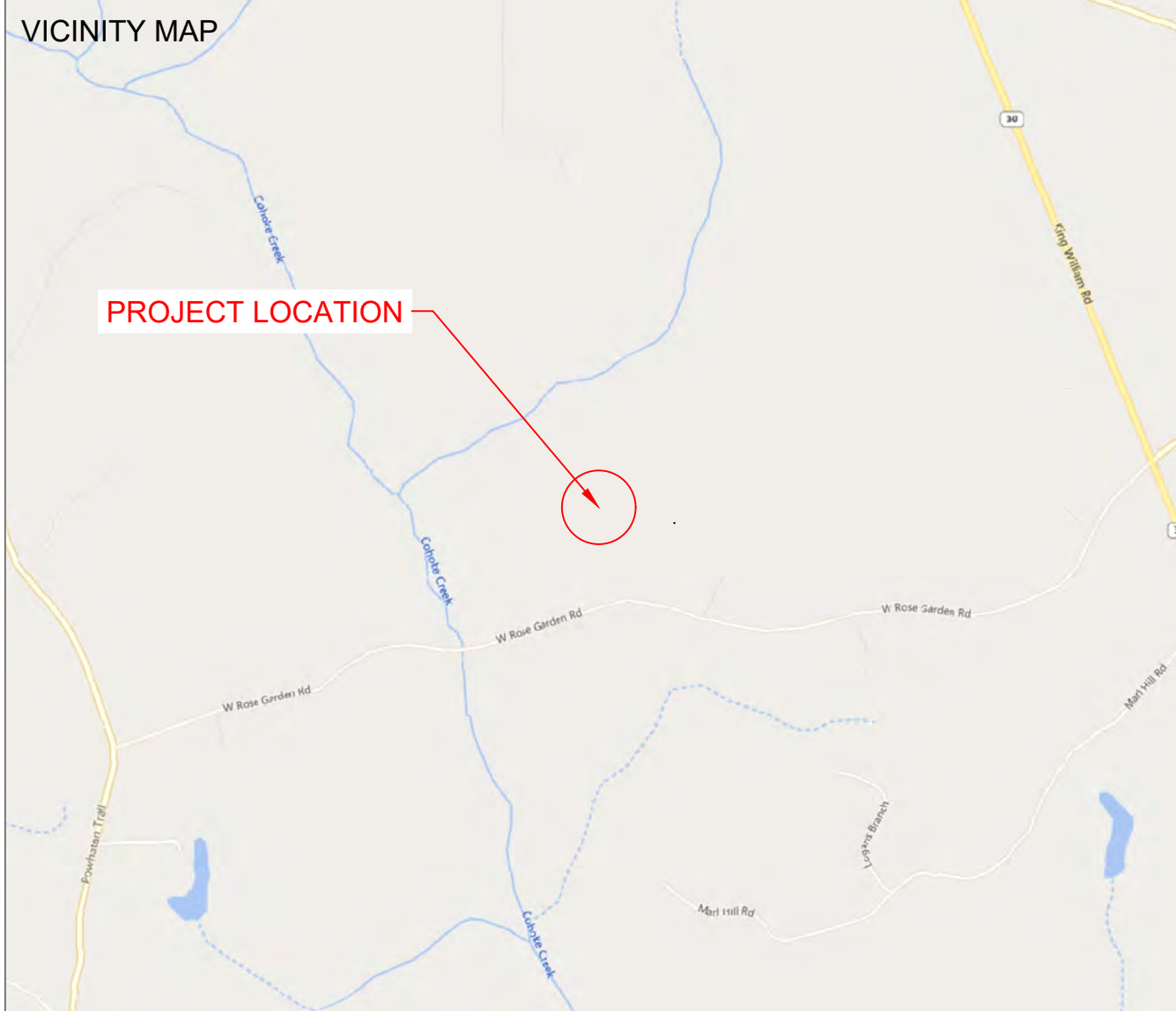
150' SETBACK FROM PARCEL BOUNDARY

WETLANDS (50' SETBACK, NTS, NATIONAL WETLANDS INVENTORY)

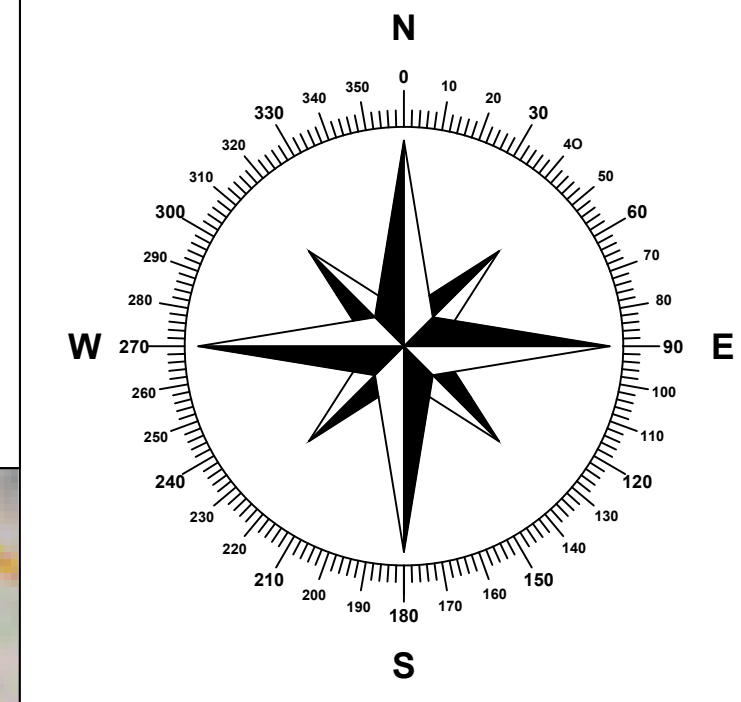
20' WIDE ACCESS ROAD (~2300')



W ROSE GARDEN RD



SPACE FOR PE STAMP:



SHEET NOTES:

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ANNAPOLIS, MD 21401
NEWENERGYEQUITY.COM
443-267-5012

PROJECT ADDRESS
WEST ROSE GARDEN RD
WEST POINT, VA 23181

LAT: 37.6332
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INVERTER POWER	POWER LIMITED TO 142.857 KW
RACKING	SINGLE AXIS TRACKER - PROPOSED OMNITRACK
MONITORING	ALSO ENERGI

DESIGN CRITERIA

MIN/MAX TEMP.	-13°C / 34°C
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5	CUP	SP	12/1/2025
6			
7			
8			
9			
10			
11			

PROJECT NAME

TURKEY HILL

DRAWING TITLE

PID MAP

SCALE¹

1" = 300'

SHEET

PV4



PID: 47-11
LO: TRANZ ATLANTIC LLC

PID: 46-12
LO: TRANZ ATLANTIC LLC

PID: 47-23D
LO: UPSHAW EVERETT & UPSHAW JONI C

PID: 47-3-1
LO: JOHNSON BRYAN F

PID: 46-23
LO: UPSHAW EVERETT PICKETT & UPSHAW JONI

PID: 46-46
LO: TRANZ ATLANTIC LLC

PARCEL UNDER CONSIDERATION
PID: 47-13
LO: JOHNSON WAYNE KING JR & CAPRIO NANCY JOHNSON

PID: 46-48
LO: UPSHAW WILLIAM CUPSHAW & CATHERINE J

PID: 47-20E1
LO: TNT LAND RESOURCES

PID: 46-47
LO: MAPLEDALE LLC

PID: 47-17
LO: CUSTALOW A & KENNETH ET AL

PID: 47-20B
LO: MCINERNEY KEVIN J

PID: 47-20P
LO: TNT LAND RESOURCES LLC

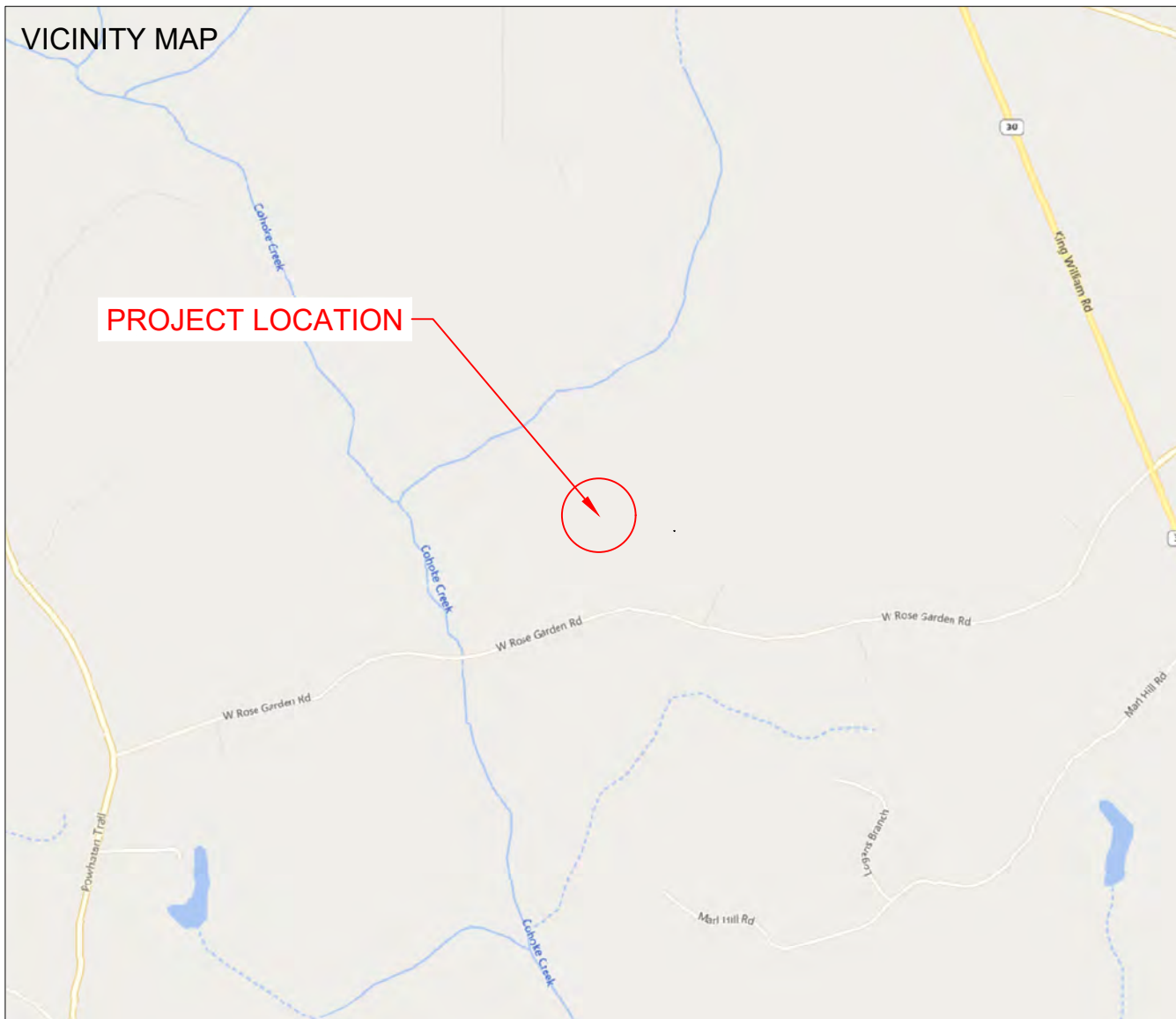
PID: 47-20C
LO: WASHINGTON LAWRENCE & WASHINGTON CARRIE B

PID: 46-48A
LO: BLANKENSHUP DAVID W

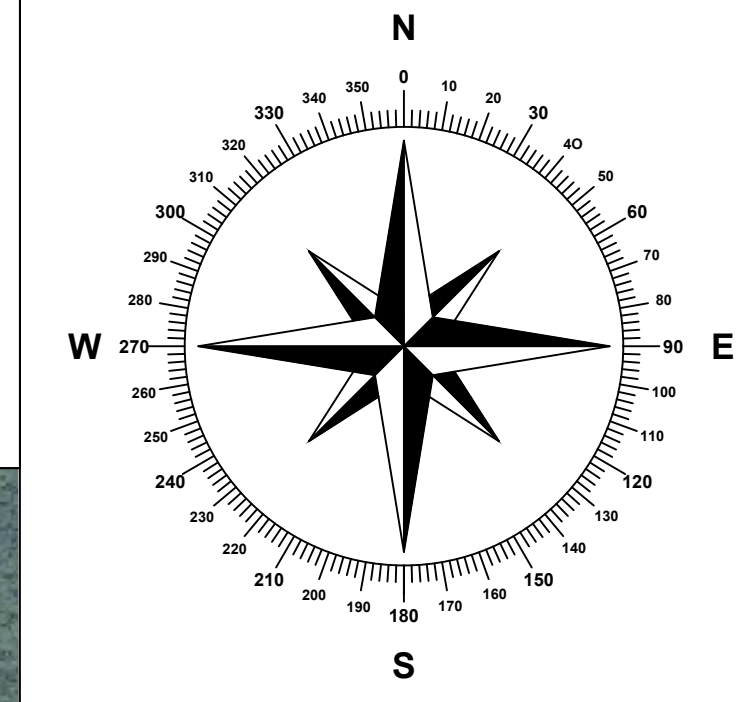
PID: 53-81
LO: HENDERSON JUSTIN

PID: 54-7
LO: GILMAN LAND & TIMBER LLC

PID: 47-18
LO: GILMAN LAND & TIMBER LLC



SPACE FOR PE STAMP:



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 2530 RIVA ROAD, SUITE 200
 ANNAPOLIS, MD 21401
 NEWENERGYEQUITY.COM
 443-267-5012

PROJECT ADDRESS
 WEST ROSE GARDEN RD
 WEST POINT, VA 23181

LAT: 37.6332
 LONG: -76.9555

SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	6947.25 kW
SYSTEM SIZE AC	5000 kW
DC/AC RATIO	1.390
AZIMUTH	180°
TILT	+/- 52°
MODULE COUNT	11775
MODULE TYPE	HANWHA Q PEAK DUO XL-G115_BFG
MODULE STC RATING	590 W
INVERTER COUNT	35
INVERTER TYPE	SMA SUNNY HIGHPOWER PEAK-3 150kW
INVERTER POWER	POWER LIMITED TO 142.857 kW
RACKING	SINGLE AXIS TRACKER - PROPOSED OMNITRACK
MONITORING	ALSO ENERGY

DESIGN CRITERIA

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EXPOSURE CATEGORY	C
GROUND SNOW LOAD	20 PSF
BUILDING HEIGHT	0'-0"

OTHER NOTES

CASE NUMBER TBD

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24/7 UNESCORTED KEYLESS ACCESS PROVIDED FOR ALL UTILITY ENERGY EQUIPMENT INCLUDING THE METERS AND AC DISCONNECT.

INTERCONNECTION TYPE: PRIMARY

REVISIONS

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4	50' OFFSET FROM FENCE FOR ACCESSABILITY	SP	11/13/2025
5	CUP	SP	12/1/2025
6			
7			
8			
9			
10			
11			

PROJECT NAME

TURKEY HILL

DRAWING TITLE

SOIL MAP

SCALE ¹
 1" = 150'

SHEET

PV5

SOIL MAP LEGEND	
MAP UNIT SYMBOL	MAP UNIT NAME
2B	BAMA LOAM, 2 TO 6 PERCENT SLOPES
3A	BIBB AND KINSTON SOILS, 0 TO 2 PERCENT SLOPES, FREQUENTLY FLOODED
10B	EMPORIA FINE SANDY LOAM, 2 TO 6 PERCENT SLOPES
13B	KEMPSVILLE SANDY LOAM, 2 TO 6 PERCENT SLOPES
21A	PACTOLUS LOAMY SAND, 0 TO 2 PERCENT SLOPES
22D	REMLIC AND NEVARC SOILS, 6 TO 15 PERCENT SLOPES
22F	REMLIC AND NEVARC SOILS, 6 TO 15 PERCENT SLOPES
26B	SLAGLE LOAM, 2 TO 6 PERCENT SLOPES



SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	6947.25 kW
SYSTEM SIZE AC	5000 kW
DC/AC RATIO	1.390
AZIMUTH	180°
TILT	+/- 52°
MODULE COUNT	11775
MODULE TYPE	HANWHA Q PEAK DUO XL-G115_BFG
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BUILDING HEIGHT	0'-0"

OTHER NOTES

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5	CUP	SP	12/1/2025
6			
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9			
10			
11			

PROJECT NAME

TURKEY HILL

DRAWING TITLE

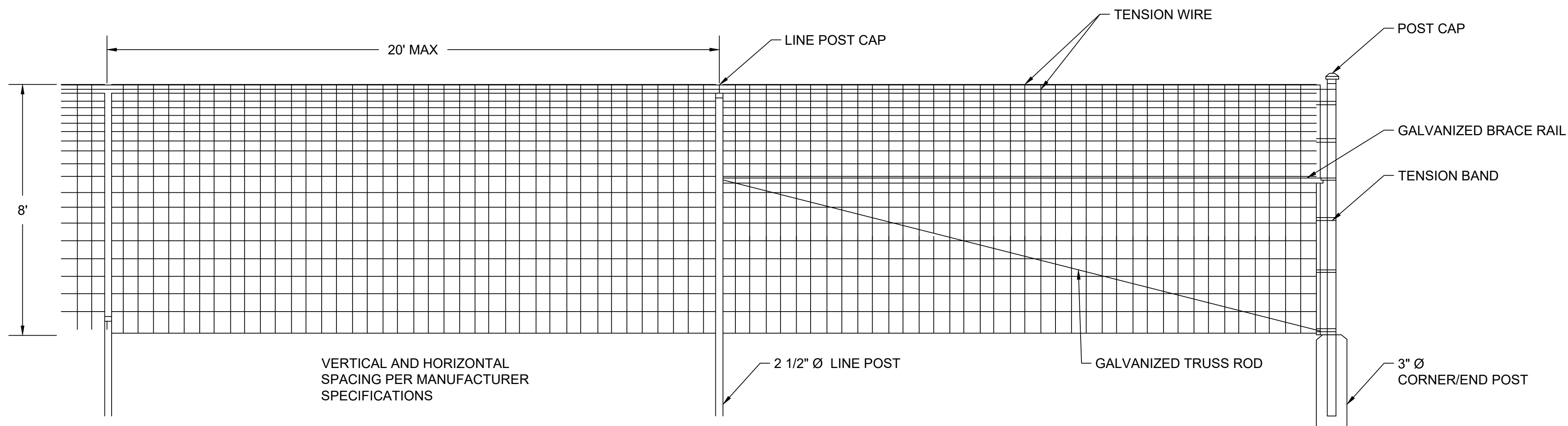
FENCE DETAIL

SCALE¹

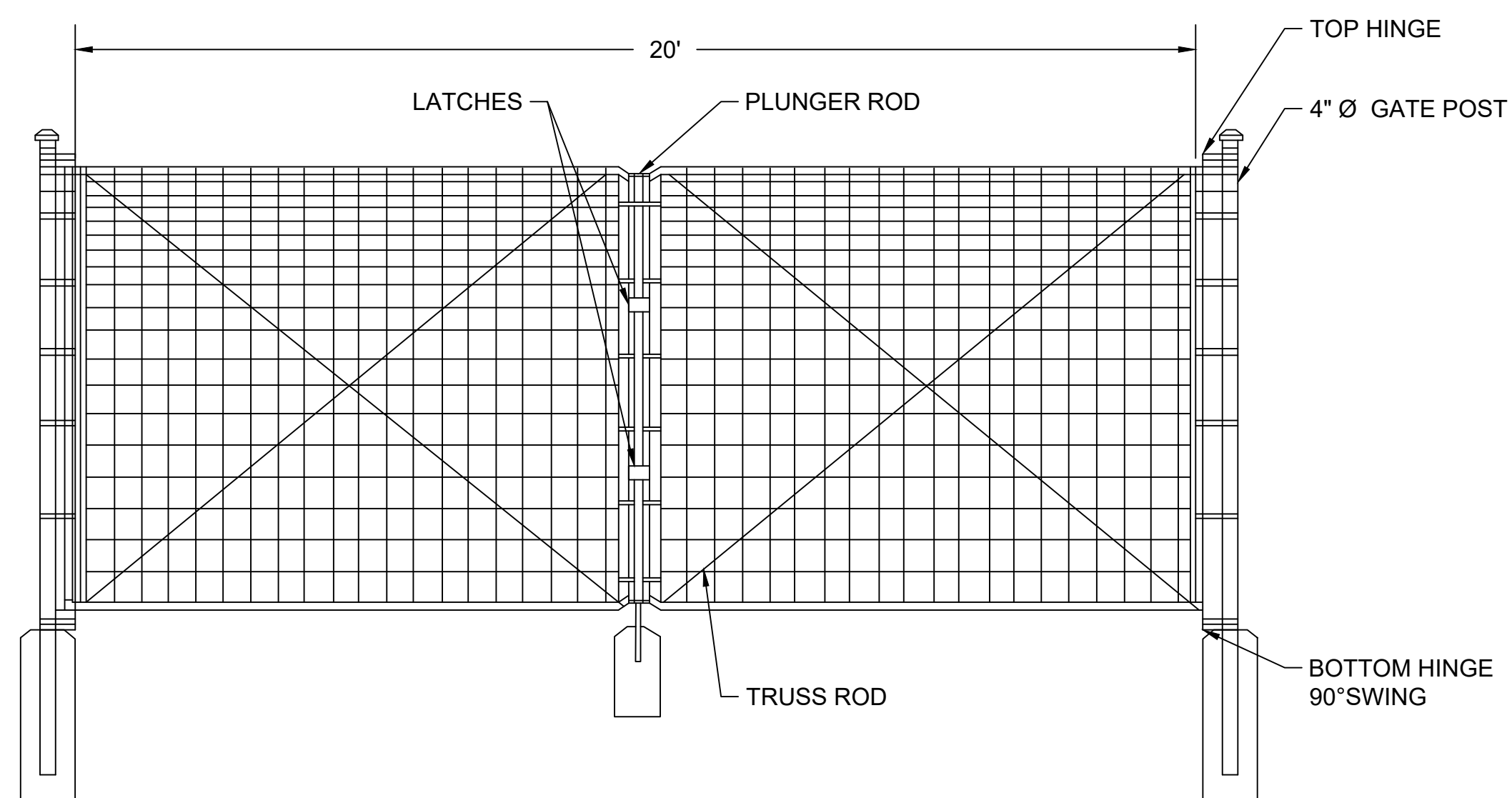
NTS

SHEET

PV6

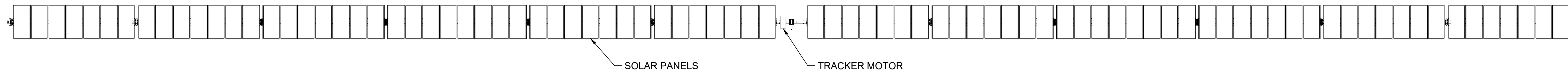


1 8' FIXED KNOT FENCE NTS

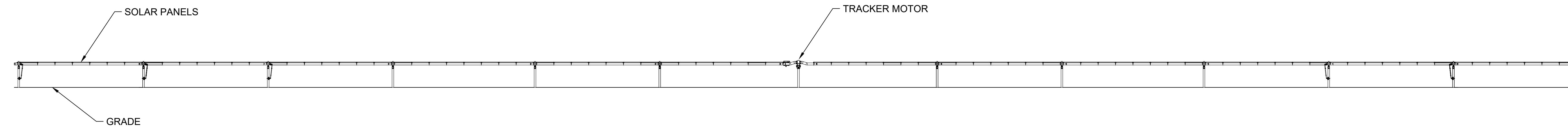


2 8' FIXED KNOT FENCE GATE NTS

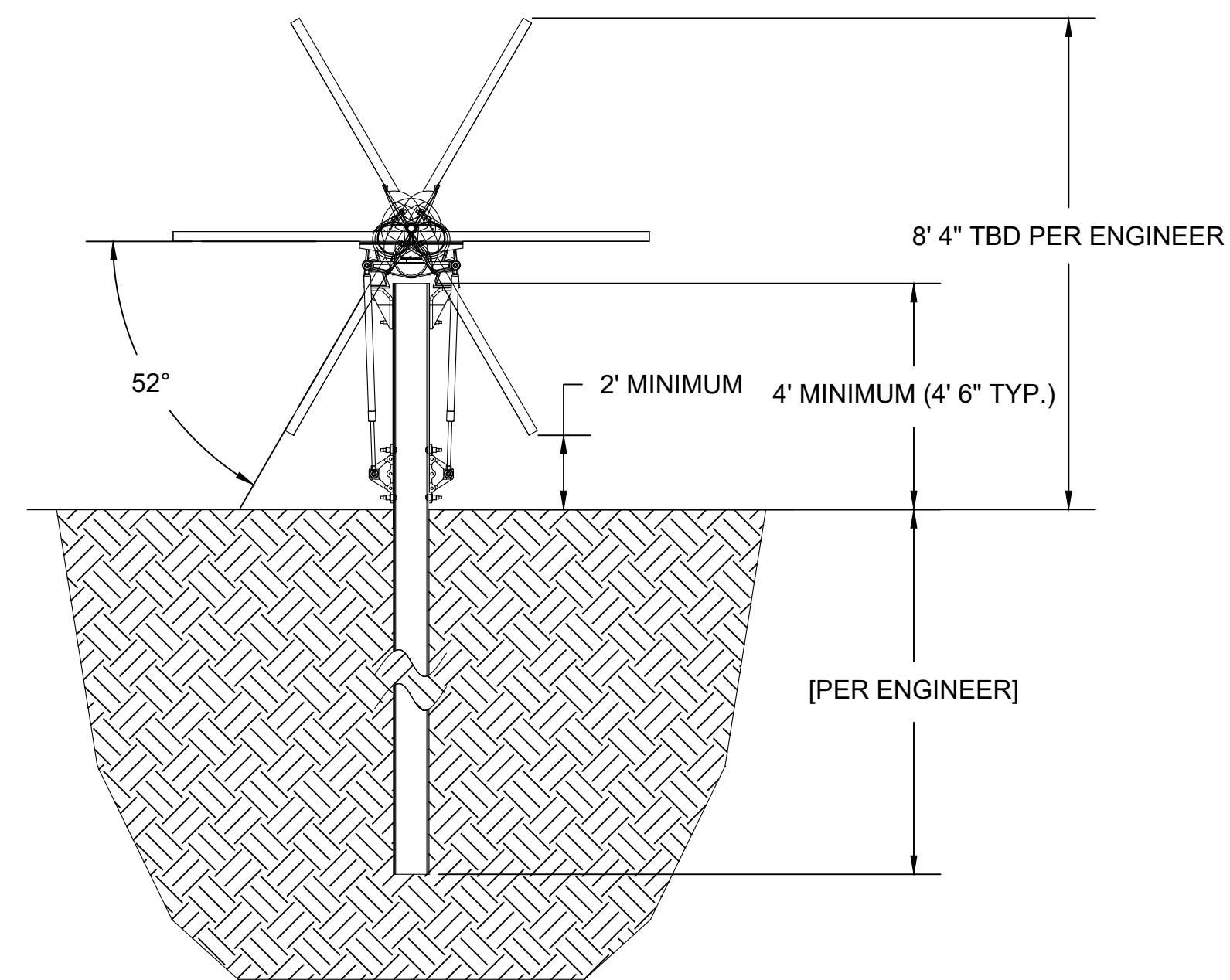
NOTE:
1. THIS DRAWING IS FOR INFORMATIONAL PURPOSES ONLY AND NOT TO BE USED FOR CONSTRUCTION.
2. DO NOT SCALE DRAWING



1 SINGLE AXIS TRACKER TOP DOWN VIEW
NTS



2 SINGLE AXIS TRACKER EAST-WEST ELEVATION
NTS



3 SINGLE AXIS TRACKER NORTH-SOUTH ELEVATION
NTS

SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	6947.25 kW
SYSTEM SIZE AC	5000 kW
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MODULE COUNT	11775
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OTHER NOTES

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6			
7			
8			
9			
10			
11			

PROJECT NAME

TURKEY HILL

DRAWING TITLE

SAT RACKING DETAIL

SCALE¹

NTS

SHEET

PV7

SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	6947.25 kW
SYSTEM SIZE AC	5000 kW
DC/AC RATIO	1.390
AZIMUTH	180°
TILT	+/- 52°
MODULE COUNT	11775
MODULE TYPE	HANWHA Q PEAK DUO XL-G11S_BFG
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PROJECT NAME

TURKEY HILL

DRAWING TITLE

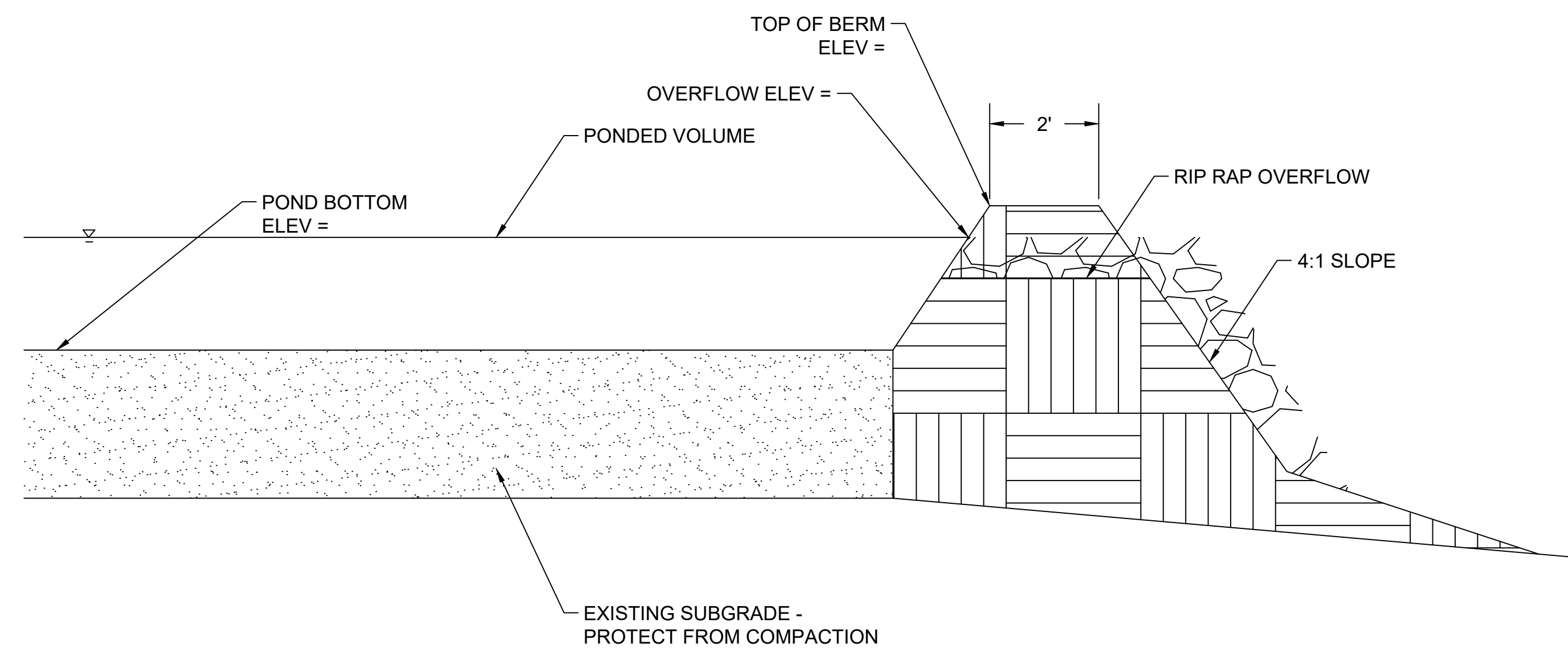
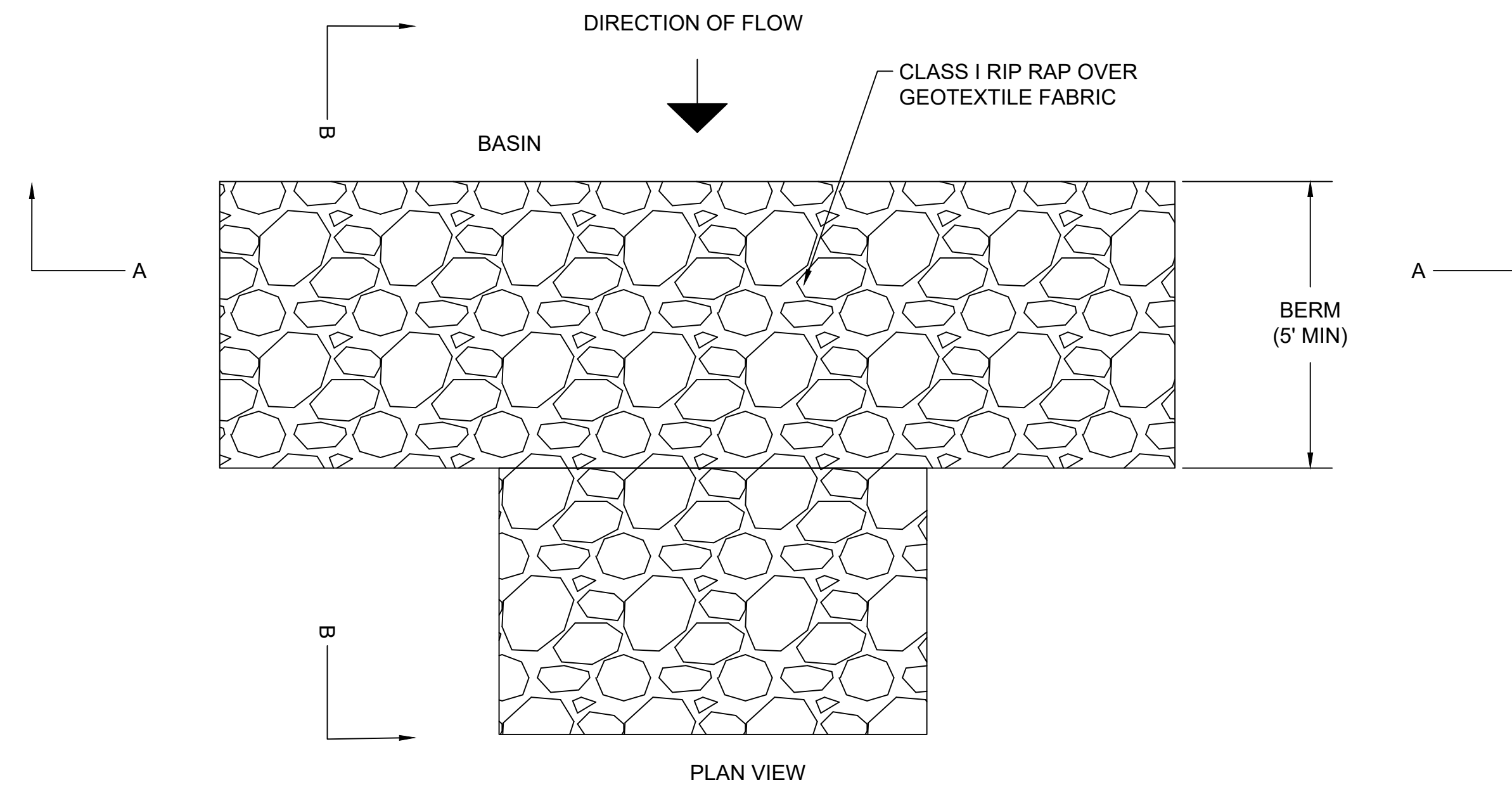
STORMWATER MANAGEMENT

SCALE¹

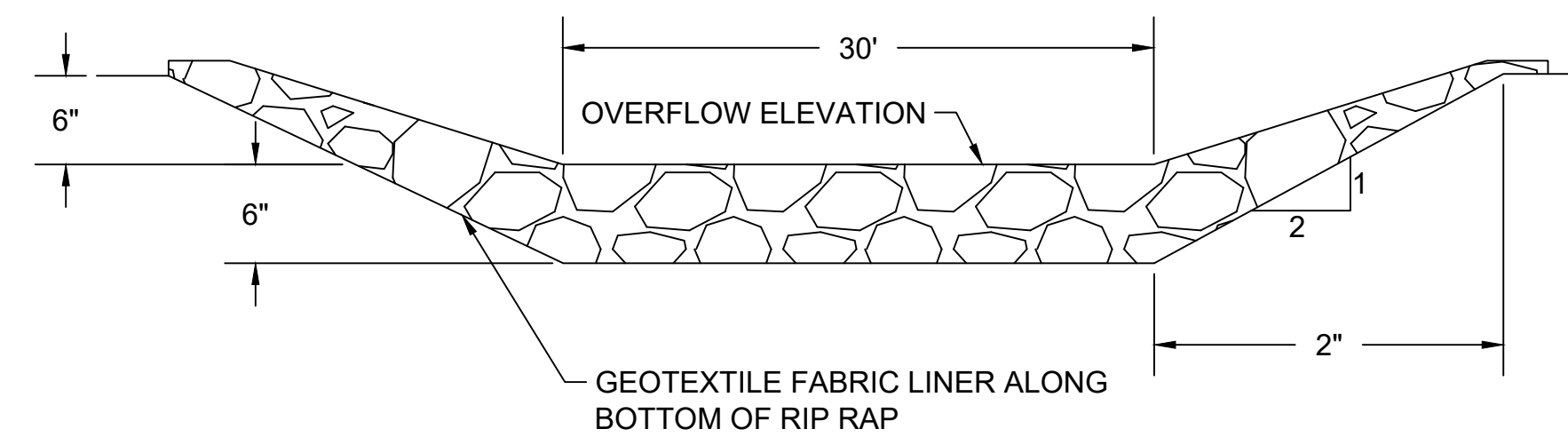
NTS

SHEET

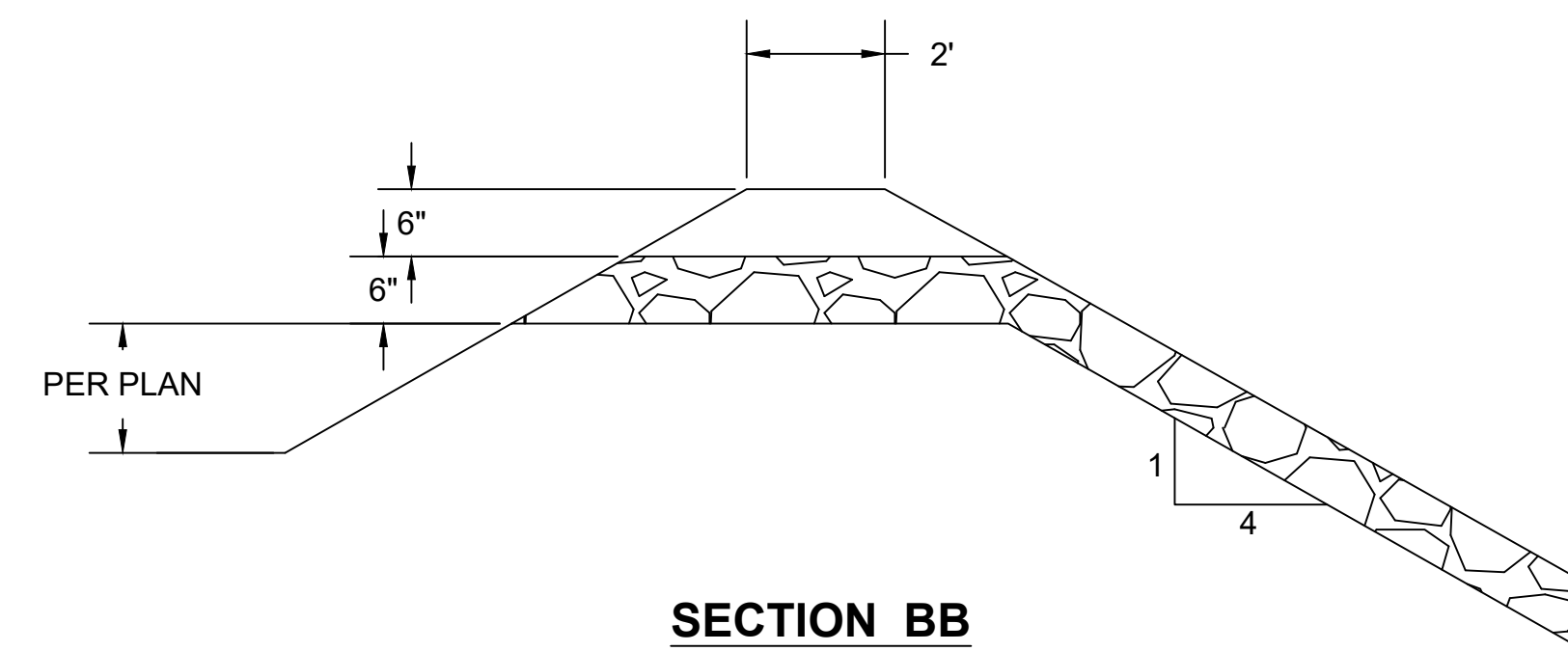
PV8



1 INFILTRATION BASIN NTS



SECTION AA



SECTION BB

2 RIP RAP OVERFLOW NTS

SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	6947.25 kW
SYSTEM SIZE AC	5000 kW
DC/AC RATIO	1.390
AZIMUTH	180°
TILT	+/- 52°
MODULE COUNT	11775
MODULE TYPE	HANWHA Q PEAK DUO XL-G115_BFG
MODULE STC RATING	590 W
INVERTER COUNT	35
INVERTER TYPE	SMA SUNNY HIGHPOWER PEAK-3 150kW
INVERTER POWER	POWER LIMITED TO 142.857 kW
RACKING	SINGLE AXIS TRACKER - PROPOSED OMNITRACK
MONITORING	ALSO ENERGY

DESIGN CRITERIA

MIN/MAX TEMP.	-13°C / 34°C
WIND SPEED (ASCE 7-10)	105 MPH
BUILDING CATEGORY	I
EXPOSURE CATEGORY	C
GROUND SNOW LOAD	20 PSF
BUILDING HEIGHT	0'-0"

OTHER NOTES

CASE NUMBER TBD

NO POSITION, DISTANCE, OR CLEARANCE ISSUES WITH OVERHEAD ELECTRIC SERVICE LINES OR OTHER UTILITIES IN RELATION TO THE PV PANELS.

24/7 UNESCORTED KEYLESS ACCESS PROVIDED FOR ALL UTILITY ENERGY EQUIPMENT INCLUDING THE METERS AND AC DISCONNECT.

INTERCONNECTION TYPE: PRIMARY

REVISIONS

#	DESCRIPTION	BY	DATE
0	ORIGINAL DESIGN	SP	3/24/2025
1	AVOID HIGH TOPO	SP	4/15/2025
2	PROJECT NAME CHANGE	SP	6/30/2025
3	HANWHA 590 REDESIGN	SP	10/7/2025
4	50' OFFSET FROM FENCE FOR ACCESSABILITY	SP	11/13/2025
5	CUP	SP	12/1/2025
6			
7			
8			
9			
10			
11			

PROJECT NAME

TURKEY HILL

DRAWING TITLE

FORESTED LANDSCAPING DETAIL

SCALE¹

NTS

SHEET

PV9



1 AREAS UTILIZING EXISTING VEGETATION FOR LANDSCAPING BUFFER

Scale: 1" = 150'



2 EXAMPLE FORESTED BUFFER IMAGE

Scale: N.T.S.

FORESTED BUFFER

- (1) BUFFER AREA COVERED WITH AT LEAST 75% NATURALLY ESTABLISHED VEGETATION
- (2) EXISTING PLANT MATERIAL IS MATURE AND IN HEALTHY CONDITION
- (3) CONSISTS OF EVERGREEN & DECIDUOUS TREES
 - A. EXISTING DECIDUOUS TREES HAVE MIN 4" CALIPER MEASURED 2' FROM GROUND
 - B. EVERGREEN TREES ARE MIN 10' IN HEIGHT
 - C. HARDY SHRUBS MIN 2' IN HEIGHT AND WIDTH WITH FULL GROWTH HABIT
- (4) ENTIRE CANOPY IS LOCATED WITHIN BUFFER AREA
- (5) EXISTING ESTABLISHED UNDERSTORY OF SMALL TREES AND SHRUBS, EVERGREEN & DECIDUOUS TO PROVIDE BUFFERING IN THE LOWER FORESTED AREA



PROJECT ENTITY: KING WILLIAM SOLAR 2 LLC

NEW ENERGY EQUITY, LLC
2530 RIVA ROAD, SUITE 200
ANNAPOLIS, MD 21401
NEWENERGYEQUITY.COM
443-267-5012

PROJECT ADDRESS
WEST ROSE GARDEN RD
WEST POINT, VA 23181

LAT: 37.6332
LONG: -76.9555

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MONITORING	ALSO ENERGY

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OTHER NOTES

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PROJECT NAME

TURKEY HILL

DRAWING TITLE

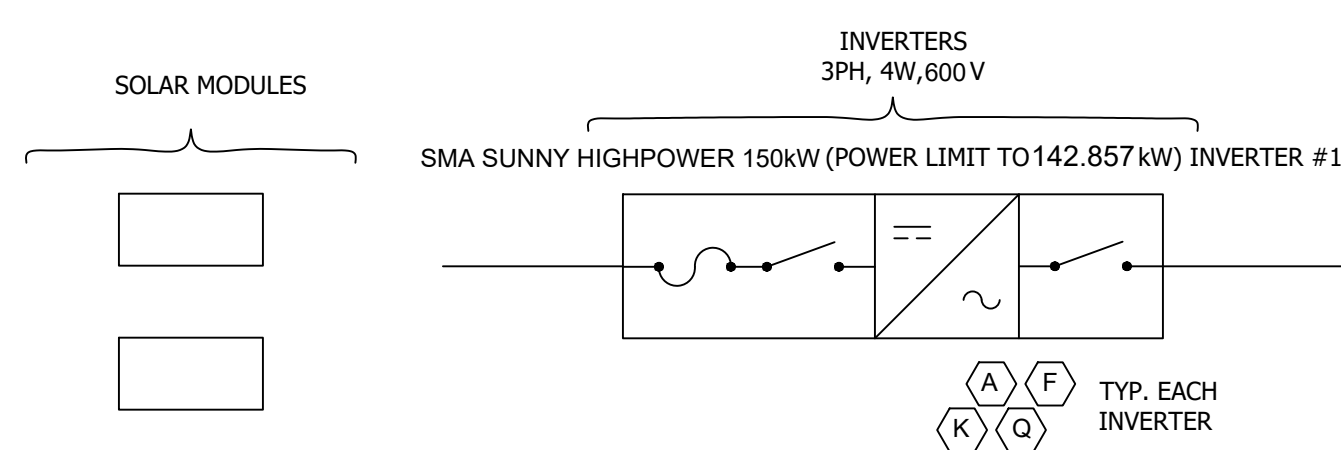
SINGLE LINE A

SCALE¹

NTS

SHEET

E1A

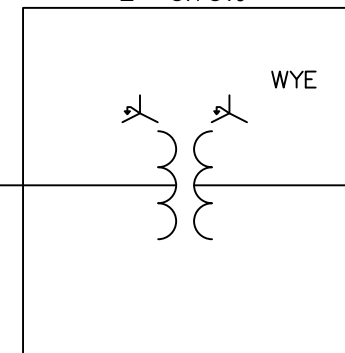


AC COMBINER PANEL
4000A, 600V, 3ph, 4W, MCB, NEMA 3R

OWNER CT CABINET
3ph, 4W, 600V

PV AC DISCONNECT
3ph, 4W, 600V

2.83 MVA TRANSFORMER 1
YG - WYE MV
600V : 34.5KV
Z = 5.75%



PV AC DISCONNECT
DISCONNECT SHALL BE
VISIBLE BREAK, LOCKABLE
AND ACCESSIBLE

TO TRANSFORMER 2

POLE #1 CUSTOMER OWNED RISER POLE

POLE #2 CUSTOMER OWNED METERING

POLE #3 CUSTOMER OWNED RECLOSER

POLE #4 CUSTOMER OWNED GOAB POLE

UTILITY OWNED POLES

POLE #1 UTILITY OWNED DISCONNECT

POLE #2 UTILITY OWNED PRIMARY METERING

POLE #3 UTILITY OWNED RECLOSER

POLE #4 UTILITY OWNED TRANSFORMER

POLE #5 UTILITY OWNED DISCONNECT

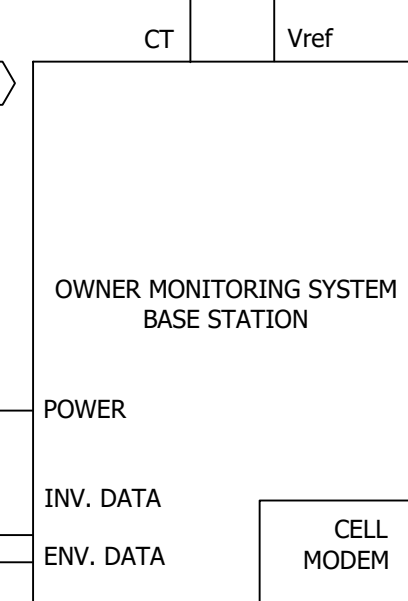
NOTE:
ⓐ INDICATES LABEL REQUIRED. SEE DWG E2

NOTE: SMA INVERTERS ARE UL1741 CERTIFIED

ENVIRONMENTAL SENSORS

15kVA AUX. LOADS TRANSFORMER
600V - 120/240V

AUX. LOADS PANEL
60A, 120/240V, 1PH, 3W, MCB, NEMA 3R



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REVISIONS

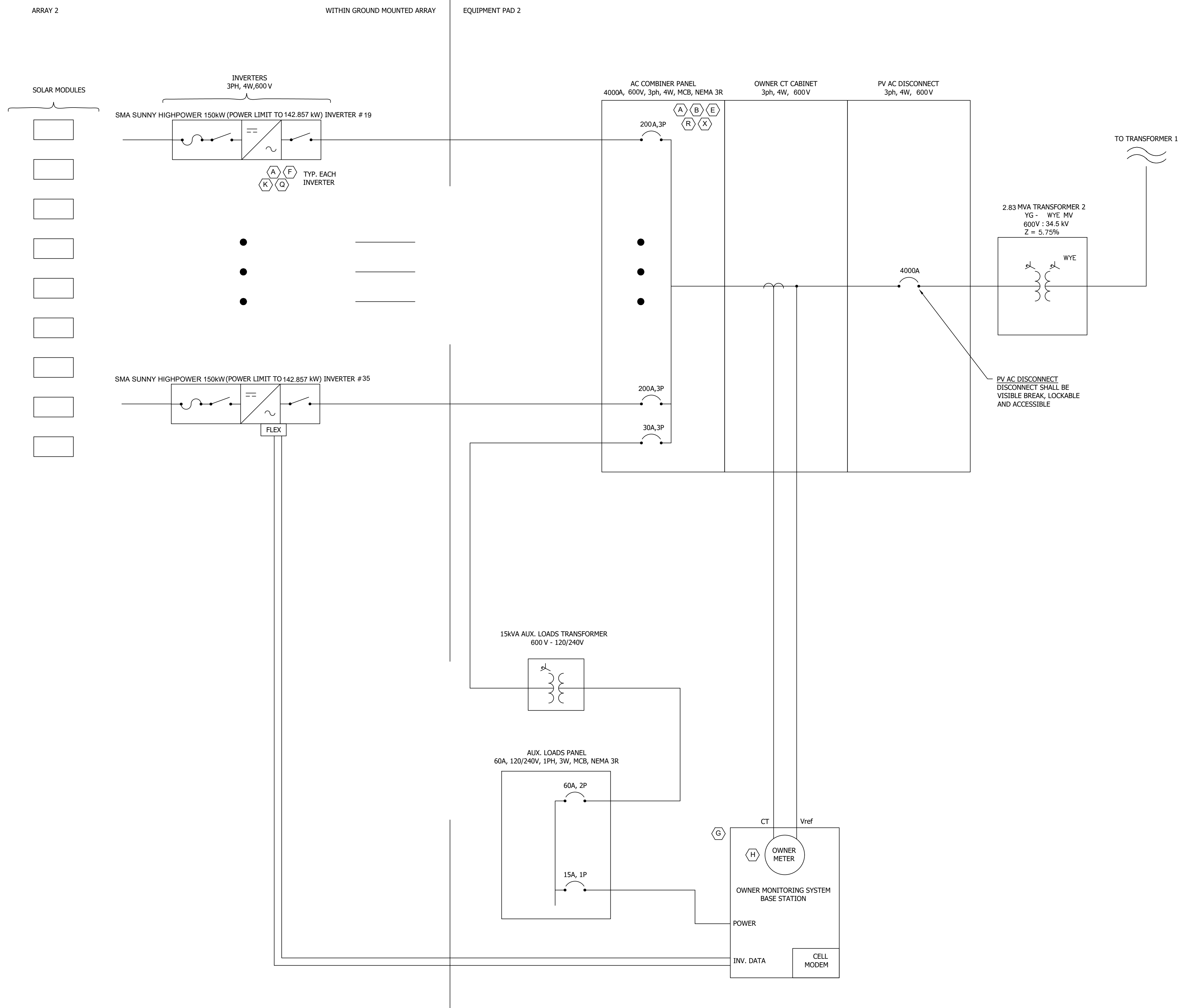
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PROJECT NAME
TURKEY HILL

DRAWING TITLE
SINGLE LINE B

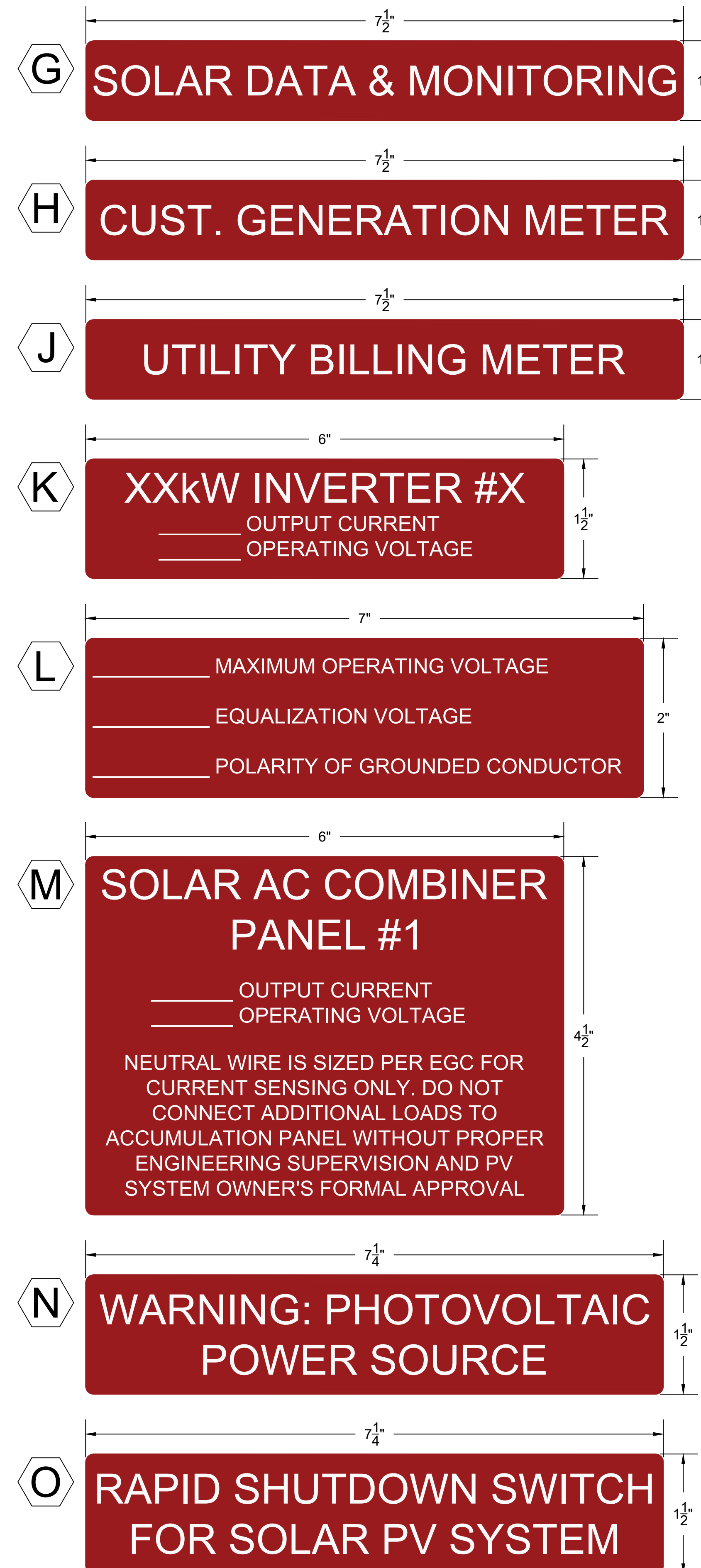
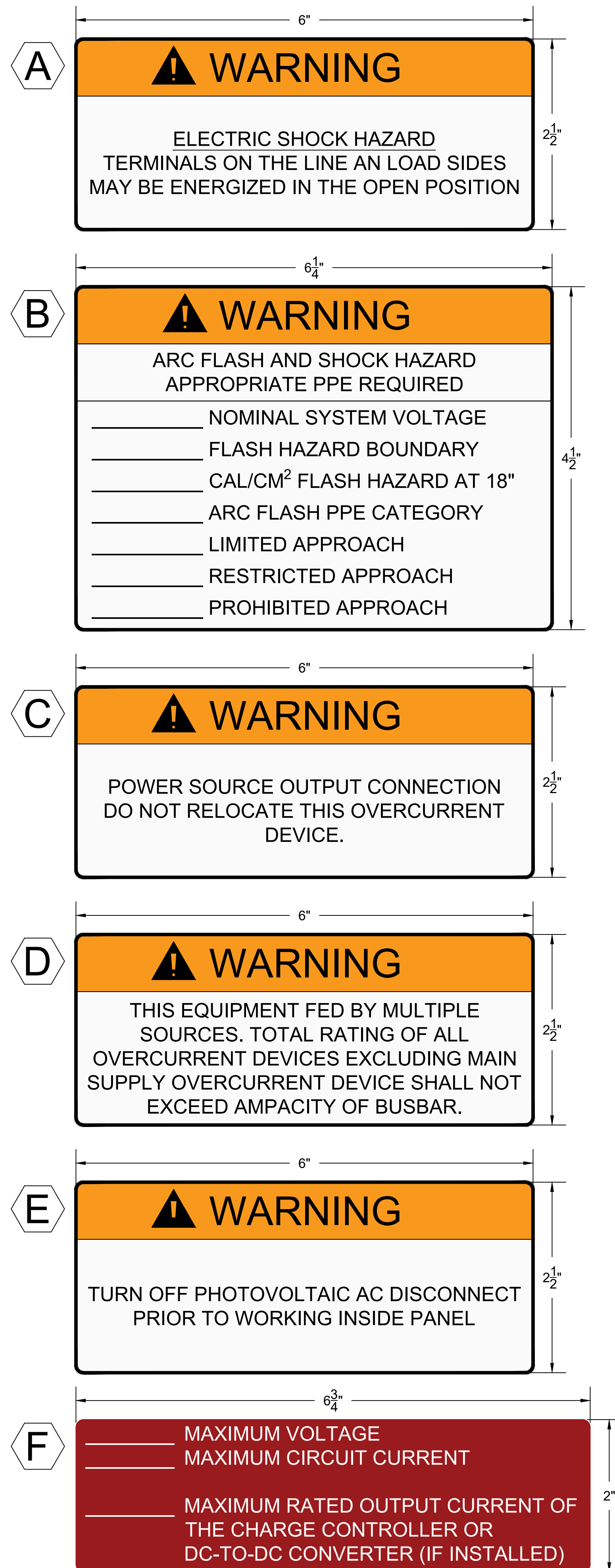
SCALE¹
NTS

SHEET
E1B



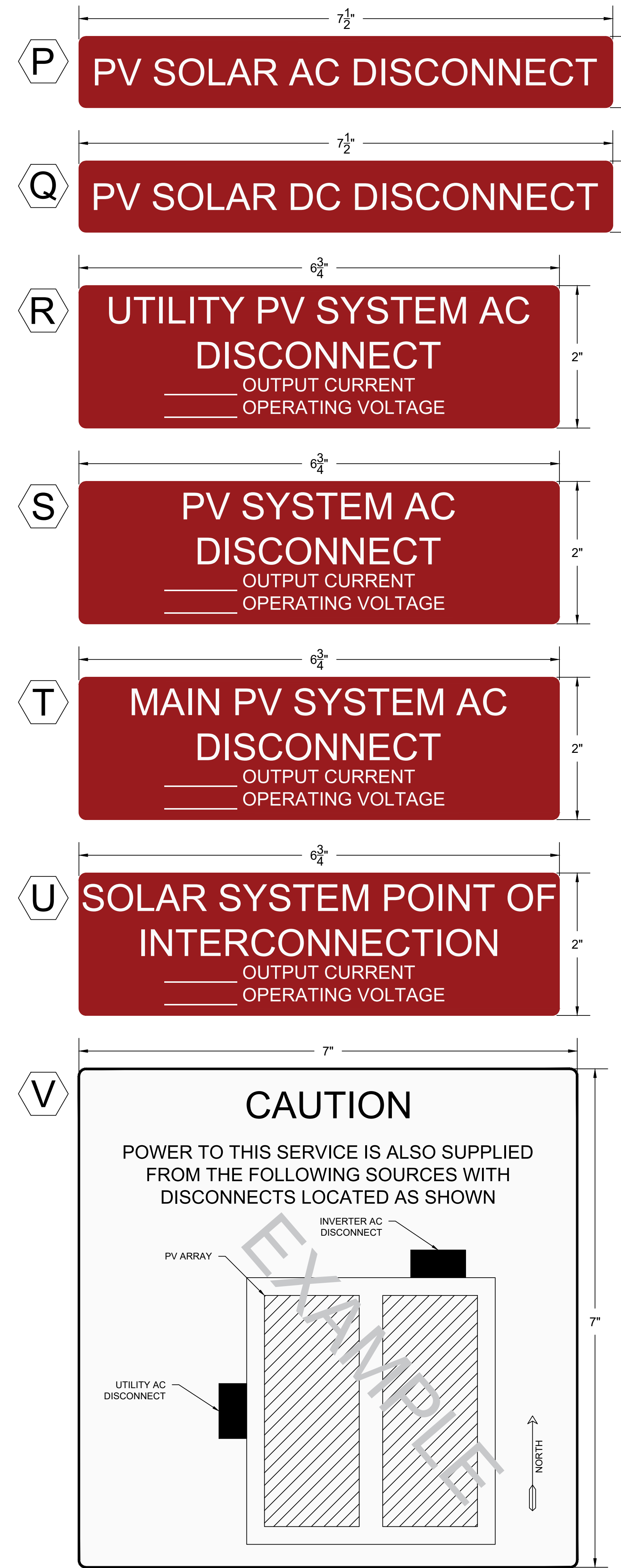
NOTE:
Ⓐ INDICATES LABEL REQUIRED, SEE DWG E2

NOTE: SMA INVERTERS ARE UL1741 CERTIFIED



GENERAL NOTES:

1. Detail such as voltage, ampere, etc. for each labels shall be included in the "Approved for construction" drawing.
2. Calculated values for Arc Flash label will be provided in the "Approved for construction" drawing.



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MONITORING	ALSO ENERGY

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INTERCONNECTION TYPE: PRIMARY

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PROJECT NAME
TURKEY HILL

DRAWING TITLE
SYSTEM LABELS A

SCALE¹
NTS

SHEET
E2A

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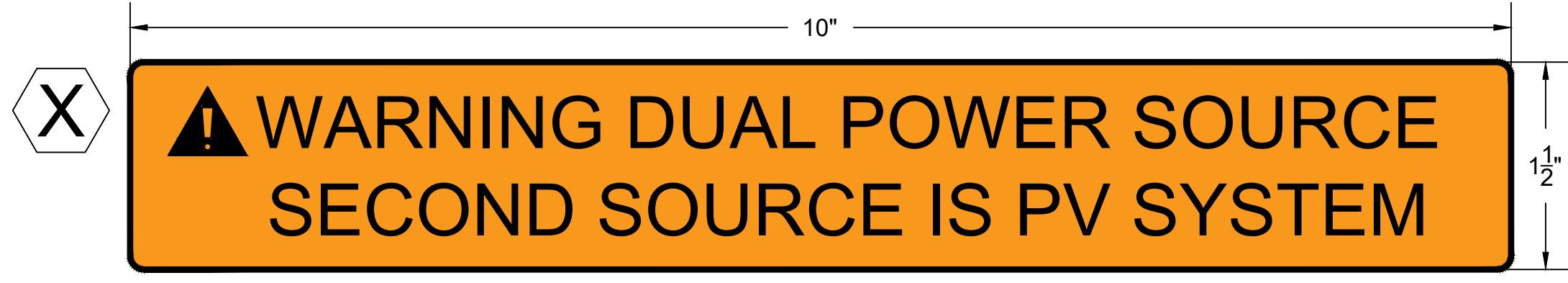
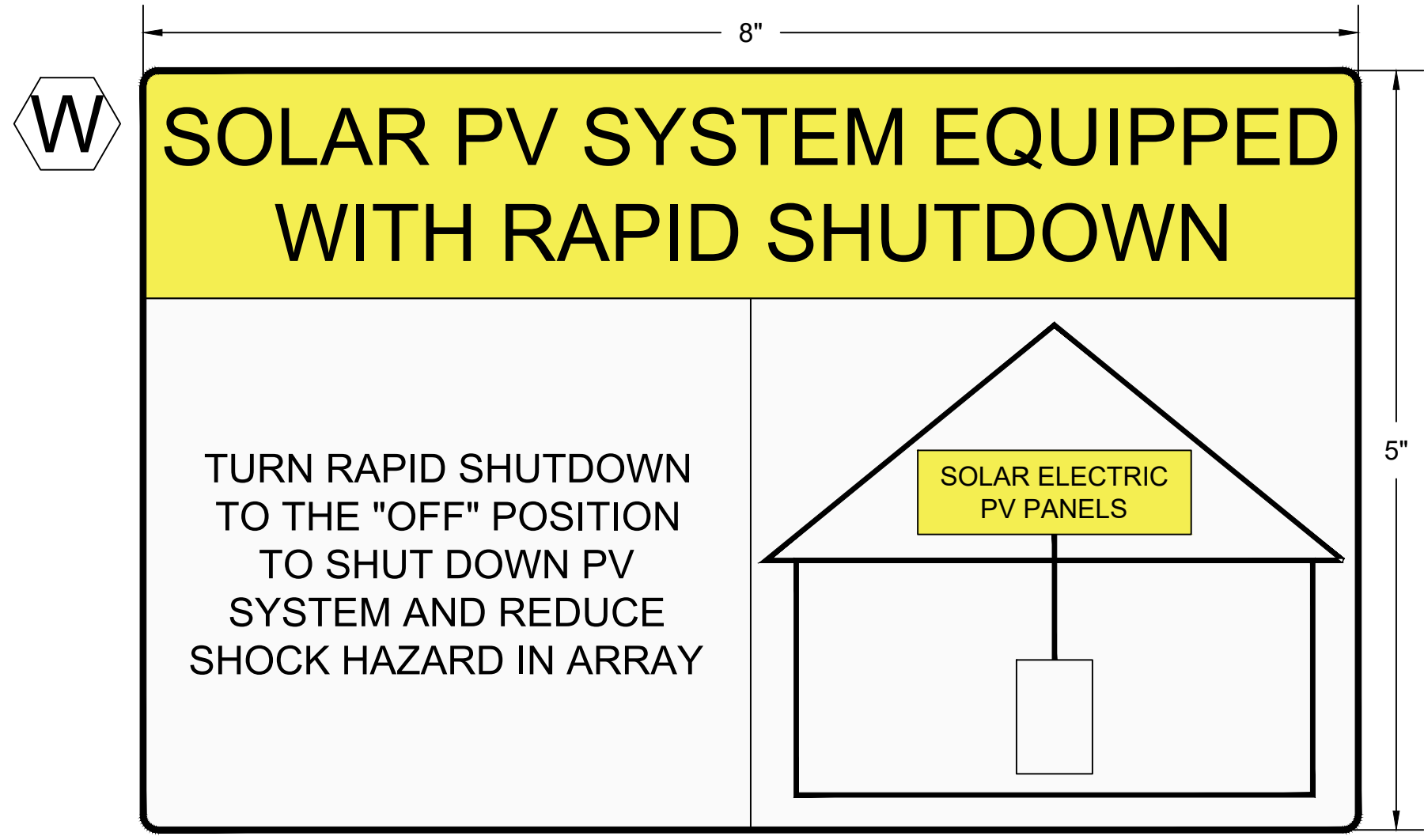
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PROJECT NAME
TURKEY HILL

DRAWING TITLE
SYSTEM LABELS B

SCALE¹
NTS

SHEET
E2B

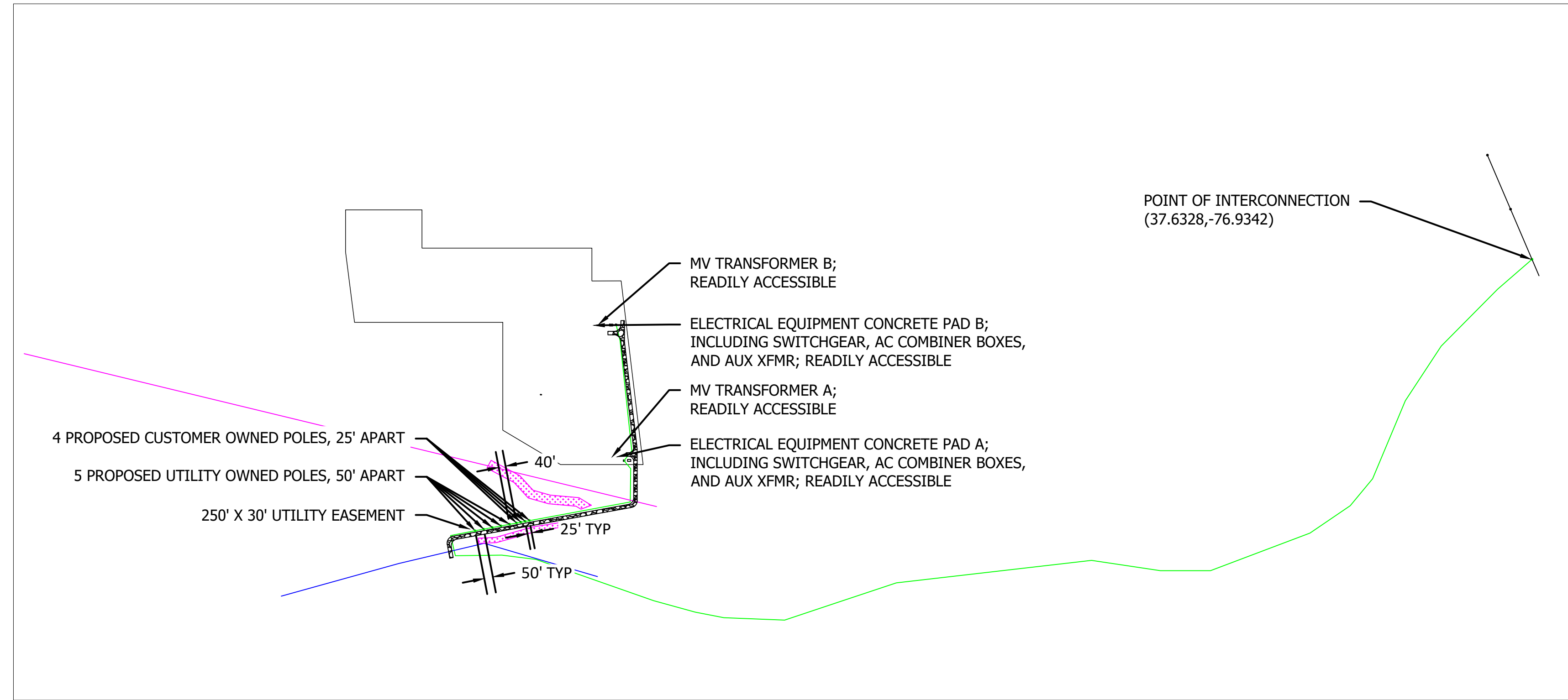


- GENERAL NOTES:**
- ALL LABELS MUST COMPLY WITH 2020 NEC 110.21(B):
 - LABELS AS PROVIDED AND NOTED ON THIS SHEET MEET WARNING, EFFECTIVE WORDING AND COLOR/SYMBOL REQUIREMENTS
 - LABELS SHALL BE PERMANENTLY AFFIXED TO EQUIPMENT OR WIRING METHOD
 - LABELS SHALL BE OF SUFFICIENT DURABILITY TO WITHSTAND THE ENVIRONMENT INVOLVED. STICKERS OF PROPER DURABILITY AND ADHESION ARE PREFERRED. REFERENCE ANSI Z535.4-2011 FOR GUIDELINES.

- SPECIFIC LABEL NOTES:**
- A. 2020 NEC 690.13(D)
 - B. 2020 NEC 110.16
 - C. 2020 NEC 705.12(B)(1)(b)
 - D. 2020 NEC 110.27(C)
 - E. 2020 NEC 110.27(C)
 - F. 2020 NEC 690.53
 - G. UTILITY REQUIREMENT
 - H. UTILITY REQUIREMENT
 - I. LABEL REMOVED
 - J. UTILITY REQUIREMENT
 - K. 2020 NEC 690.54
 - L. 2020 NEC 690.55
 - M. LABEL FOR ACCUMULATION PANEL
 - N. 2020 NEC 690.31(F)
 - O. 2020 NEC 690.56(C)
 - P. 2020 NEC 690.13(B)
 - Q. 2020 NEC 690.13(B)
 - R. 2020 NEC 690.54
 - S. 2020 NEC 690.54
 - T. 2020 NEC 690.13(B)
 - U. LABEL FOR POINT OF INTERCONNECTION
 - V. 2020 NEC 705.10 SYSTEM PLACCARD
 - W. 2020 NEC 690.56(C)(1)
 - X. 2020 NEC 690.59

EQUIPMENT	LABELS
ACCUMULATION PANELS, COMBINER BOXES, PULL BOXES, ENCLOSURES	A, B, E, M
DC CONDUIT	N
RAPID SHUTDOWN	O, W
ENERGY STORAGE	L
INVERTERS	K
MONITORING EQUIPMENT	G
METERS	H, J, X, Y
DC DISCONNECT	A, F, Q
AC DISCONNECT	A, B, E, O, P, R, S, T, X
POINT OF INTERCONNECTION	A, C, D, U, V, E

- SHEET NOTES:**
- Overhead line to underground service conductors detail - provided by utility
 - Fence Detail and Fence Grounding - provided in the civil engineering drawings



1 INTERCONNECTION PLAN
Scale: 1" = 500'

SYSTEM SPECIFICATIONS	
SYSTEM SIZE DC	6947.25 kW
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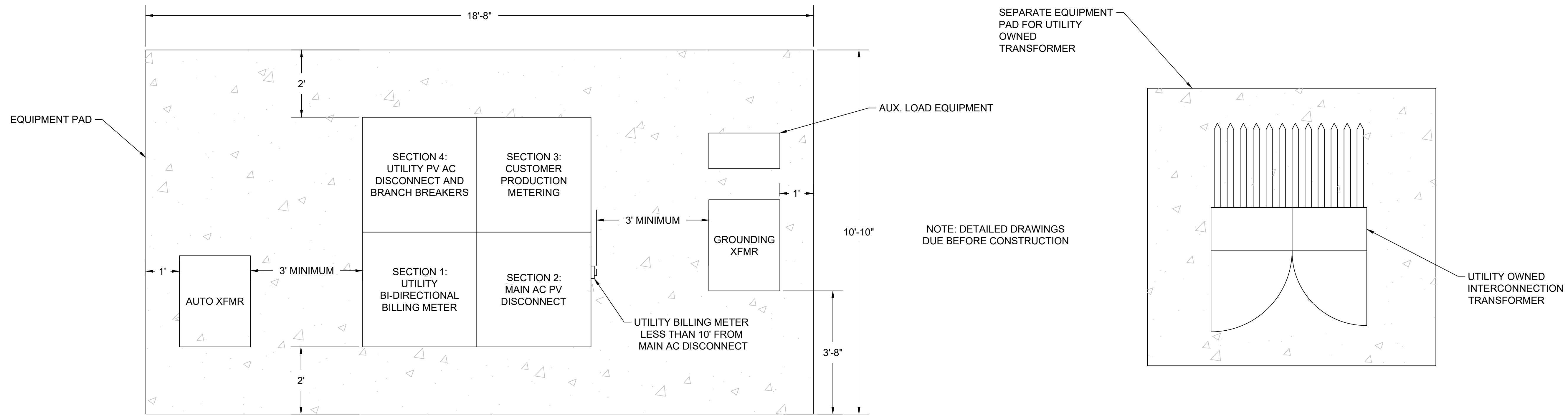
OTHER NOTES

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INTERCONNECTION TYPE: PRIMARY



2 EQUIPMENT PAD PLAN
Scale: 3/4" = 1'

REVISIONS			
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PROJECT NAME
TURKEY HILL

DRAWING TITLE
ELECTRICAL DETAILS

SCALE¹
AS NOTED

SHEET
E3

SPACE FOR PE STAMP:



DuraTrack® HZ v3



DuraTrack HZ v3

THE V3 DELIVERS LOWEST LCOE

Add it up. Working together, all the features of the DuraTrack HZ v3 are designed to result in the best LCOE. When you calculate what you'll save on installation due to the streamlined design, what you won't be spending on O&M due to zero scheduled maintenance, and what you'll add in production due to 99.996% uptime, 6% more density and optimized 52° ROM, you'll discover the value added by going with the industry leader in solar tracking.

With more gigawatts installed, and over 25 years dedicated to tracker design and manufacturing, Array's reliability and reputation make it the low-risk choice that you and your financial institution can rely on.

THE ARRAY ADVANTAGE

Array Technologies is the worldwide leader in tracking solutions for utility, commercial, and residential solar electric generation systems, with over 4 GW across the globe. After more than 25 years in the industry, Array's innovations in solar tracking continue to provide the best levelized cost of electricity through reliable, easy to install and maintain systems. Array Technologies' solutions are engineered in the USA.

A (r)evolutionary design that builds on the DuraTrack heritage while adding innovative patent-pending features engineered to deliver the best LCOE in the industry.

THE (R)EVOLUTION IN TRACKER DESIGN IS HERE.

DuraTrack HZ v3 is not just an evolution of our innovative single-axis horizontal solar tracker, it incorporates revolutionary patent-pending new features found nowhere else in the industry.

HIGHEST POWER DENSITY

In fact, 6% more than our closest competitor. Increase capacity on a reduced footprint, or add to production by cutting down on backtracking.

GREATEST RELIABILITY

Reducing the number of sensitive components has resulted in the highest operational uptime in the industry. An improved driveline design allows for fewer motors—only two per megawatt. No stow required—a wind relief management feature takes care of that.

ULTRA-EFFICIENT INSTALLATION

One single-fastener clamp per module streamlines the most labor-intensive step. Per megawatt, this equals 15,000 fewer fasteners than competitive systems, adding up to big savings.

ZERO MAINTENANCE

Gearboxes are sealed and lubricated for life resulting in zero scheduled maintenance. All tracker rows self-calibrate twice daily ensuring that each row is always at the optimal tracking angle.

Array Technologies Inc.

- 3901 Midway Place NE
Albuquerque, NM 87109 USA
- +1 505.881.7567
- +1 855.TRACKPV (872.2578)
- +1 505.881.7572
- sales@arraytechinc.com
- arraytechinc.com

STRUCTURAL & MECHANICAL FEATURES/SPECIFICATIONS

Tracking Type	Horizontal single axis
Tilt Angle	0°
kW per Drive Motor	~ 650-750 kW DC
Maximum Linked Rows	28
Maximum Row Size	80 modules (crystalline)
Drive Type	Rotating gear drive
Motor Type	2 HP, 3 PH, 480V AC
Motors per 1 MW AC	2
East-West / North-South Dimensions	Site / module specific
Array Height	54" standard, adjustable (46" min height above grade)
Ground Coverage Ratio (GCR)	Flexible, 28-45% typical
Modules Supported	Most commercially available, including frameless crystalline and thin film
Tracking Range of Motion	± 52°
Module Configuration	Single-in-portrait standard. Dual-in-landscape (crystalline), four-in-landscape (thin film) also available.
Module Attachment	Single fastener, high-speed mounting clamps with integrated grounding. Traditional rails for crystalline in landscape, custom racking for thin film and frameless crystalline per manufacturer specs.
Materials	HDG steel and aluminum structural members
Allowable Wind Load (IBC 2012)	135 mph, 3-second gust exposure C
Wind Protection	Passive mechanical system relieves wind and obstruction damage — no power required

ELECTRONIC CONTROLLER FEATURES/SPECIFICATIONS

Solar Tracking Method	Algorithm with GPS input
Control Electronics	MCU plus Central Controller
Data Feed	MODBUS over Ethernet to SCADA system
Night-time Stow	Yes
Tracking Accuracy	± 2° standard, field adjustable
Backtracking	Yes

INSTALLATION, OPERATION & MAINTENANCE

PE Stamped Structural Calculations & Drawings	Yes
On-site Training & System Commissioning	Yes
Connection Type	Fully bolted connections, no welding
In-field Fabrication Required	No
Dry Slide Bearings & Articulating Driveline Connections	No lubrication required
Scheduled Maintenance	None required

GENERAL

Annual Power Consumption (kWh per 1 MW)	400 kWh per MW per year, estimated
Land Area Required per 1 MW	Approx. 5 to 5.75 acres per MW @ 33% GCR (site and design specific)
Energy Gain vs. Fixed-Tilt	Up to 25%, site specific
Warranty	5 year parts only, 10 year extended available
Patent Number	Patent pending
Codes and Standards	UL Certified (3703 & 2703)

DTHZV3_DS_10-15

*Note: Specific equipment model is subject to change based on site specific studies, tests, and conditions.



PROJECT ENTITY: KING WILLIAM SOLAR 2 LLC

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2530 RIVA ROAD, SUITE 200
ANNAPOLIS, MD 21401
NEWENERGYEQUITY.COM
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PROJECT NAME

TURKEY HILL

DRAWING TITLE

RACKING SPECS

SCALE¹

NTS

SHEET

E4B

Three-phase pad-mounted compartmental type transformer



General

At Eaton, we are constantly striving to introduce new innovations to the transformer industry, bringing you the highest quality, most reliable transformers. Eaton's Cooper Power series Transformer Products are ISO 9001 compliant, emphasizing process improvement in all phases of design, manufacture, and testing. In order to drive this innovation, we have invested both time and money in the Thomas A. Edison Technical Center, our premier research facility in Franksville, Wisconsin. Such revolutionary products as distribution-class UltraSIL™, Polymer-housed Evolution™ surge arresters and Envirotemp™ FR3™ fluid have been developed at our Franksville lab.

With transformer sizes ranging from 45 kVA to 12 MVA and high voltages ranging from 2400 V to 46 kV, Eaton has you covered. From fabrication of the tanks and cabinets to winding of the cores and coils, to production of arresters, switches, tap changers, expulsion fuses, current limit fuses, bushings (live and dead) and molded rubber goods, Eaton does it all. Eaton's Cooper Power series transformers are available with electrical grade mineral oil or Envirotemp™ FR3™ fluid, a less-flammable and bio-degradable fluid. Electrical codes recognize the advantages of using Envirotemp™ FR3™ fluid both indoors and outdoors for fire sensitive applications. The bio-based fluid meets Occupational Safety and Health Administration (OSHA) and Section 450.23 NEC Requirements.

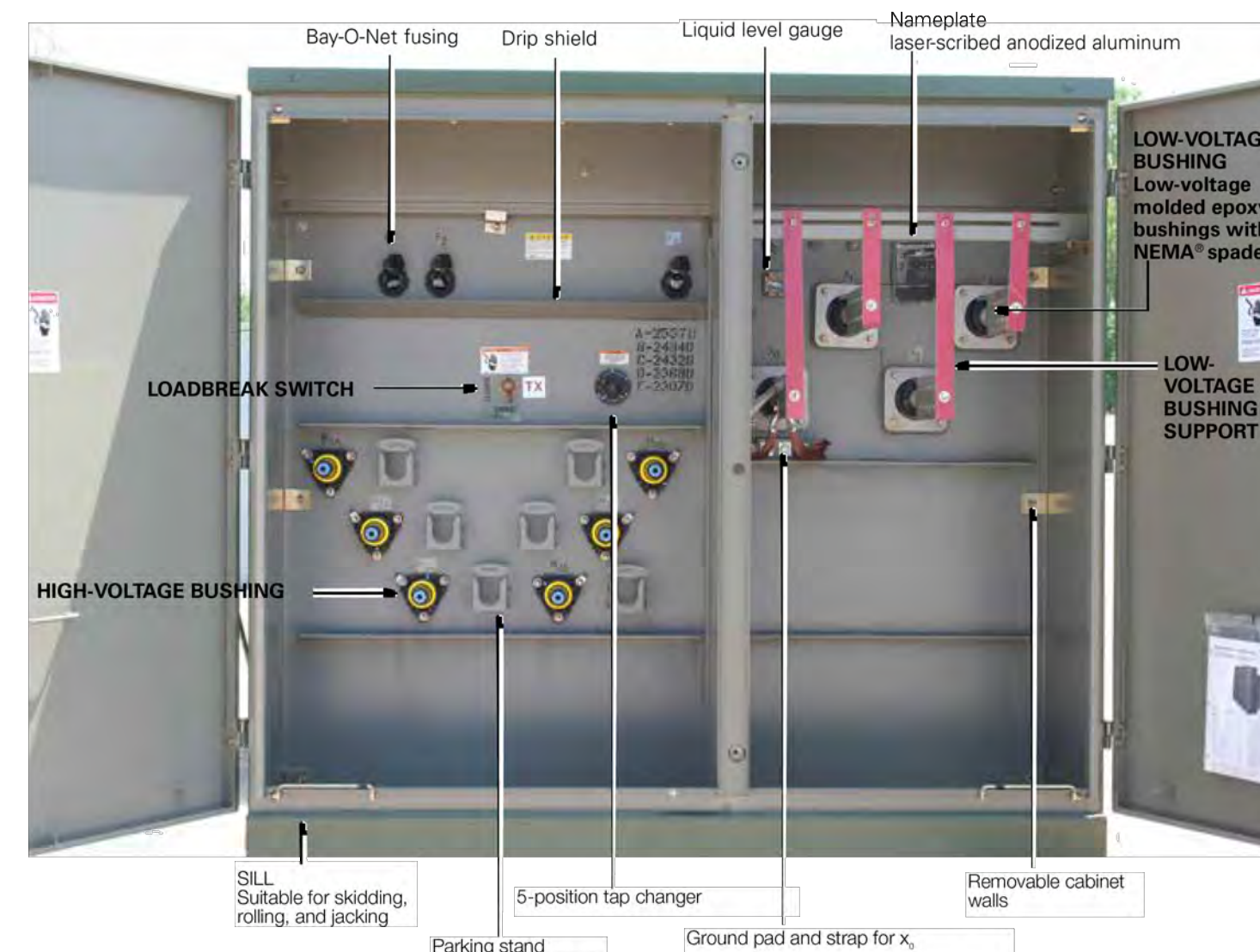


Figure 1. Three-phase pad-mounted compartmental type transformer.

Table 1. Product Scope

Type	Three Phase, 50 or 60 Hz, 65 °C Rise (55 °C, 55/65 °C, 65/75 °C, 75 °C)
Fluid Type	Mineral oil or Envirotemp™ FR3™ fluid
Coil Configuration	2-winding or 4-winding or 3-winding (Low-High-Low, 3-winding (Low-High-High))
Size	45 – 10,000 kVA
Primary Voltage	2,400 – 46,000 V
Secondary Voltage	208V/120 V to 14,400 V
Specialty Designs	Inverter/Rectifier Bridge K-Factor (up to K-19) Vacuum Fault Interrupter (VFI) UL® Listed & Labeled and Classified Factory Mutual (FM) Approved® Solar/Wind Designs Differential Protection Seismic Applications (including OSHPO) Hardened Data Center

Table 2. Three-Phase Ratings

Three-Phase 50 or 60 Hz	
kVA Available*	
45, 75, 112.5, 150, 225, 300, 500, 750, 1000, 1500, 2000, 2500, 3000, 3750, 5000, 7500, 10000	
*Transformers are available in the standard ratings and configurations shown or can be customized to meet specific needs.	

Table 3. Impedance Voltage

Rating (kVA)	Low-voltage rating		
	< 600 V	2400 Δ through 4800 Δ	6900 Δ through 13800V/7970 or 13800 Δ
45-75	2.70-5.75	2.70-5.75	2.70-5.75
112.5-300	3.10-5.75	3.10-5.75	3.10-5.75
500	4.35-5.75	4.35-5.75	4.35-5.75
750-2500	5.75	5.75	5.75
3750	5.75	5.75	6.00
5000	6.00	6.00	6.50

Note: The standard tolerance is ± 75%.

Table 4. Audible Sound Levels

Self-Cooled, Two Winding kVA Rating	NEMA™ TR-1 Average Decibels (dB)
45-500	56
501-700	57
701-1000	58
1001-1500	60
1501-2000	61
2001-2500	62
2501-3000	63
3001-4000	64
4001-5000	65
5001-6000	66
6001-7500	67
7501-10000	68

Table 5. Insulation Test Levels

KV Class	Induced Test 180 or 400 Hz 7200 Cycle	kV BIL Distribution	Applied Test 60 Hz (kV)
1.2	30	10	10
2.5	45	15	15
5	60	19	19
8.7	75	26	26
15	95	34	34
25	125	40	40
34.5	150	50	50

Table 6. Temperature Rise Ratings 0-3300 Feet (0-1000 meters)

Unit Rating (Temperature Rise Winding)	Standard	Optional
	65 °C	55 °C, 55/65 °C, 75 °C
Ambient Temperature Max	40 °C	50 °C
Ambient Temperature 24 Hour Average	30 °C	40 °C
Temperature Rise Hotspot	80 °C	65 °C

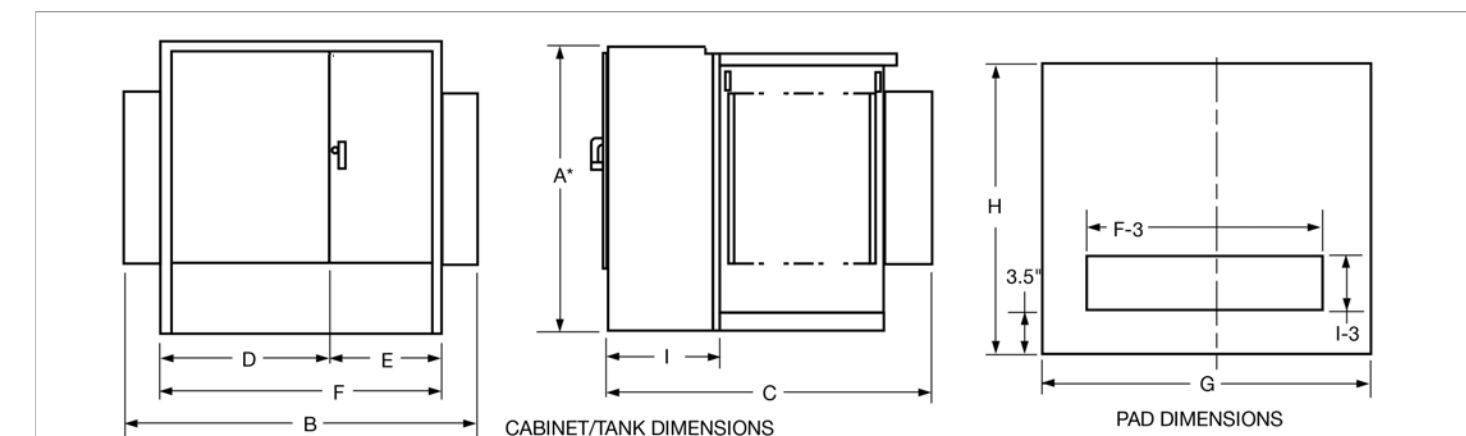


Figure 2. Transformer and pad dimensions.

* Add 9" for Bay-O-Net fusing.

Table 7. Fluid-filled—aluminum windings 55/65 °C Rise¹

kVA Rating	OUTLINE DIMENSIONS (in.)									Gallons of Fluid	Approx. Total Weight (lbs.)
	A*	B	C	D	E	F	G	H	I		
45	50	58	38	42	26	68	72	43	20	110	2,100
75	50	66	38	42	26	68	72	43	20	115	2,250
112.5	50	68	48	42	26	68	72	53	20	120	2,350
150	50	68	49	42	26	68	72	53	20	125	2,700
225	50	72	51	42	30	72	76	55	20	140	3,150
300	50	72	51	42	30	72	76	55	20	160	3,650
500	50	88	53	42	30	72	93	57	20	190	4,650
750	64	88	57	42	30	72	93	61	20	270	6,500
1000	64	88	59	42	30	72	93	63	20	350	8,200
1500	73	88	66	42	30	72	93	66	24	410	10,300
2000	73	72	87	42	30	72	76	91	24	490	12,500
2500	73	72	99	42	30	72	76	103	24	530	14,500
3000	73	84	99	46	37	84	88	103	24	620	16,700
3750	84	85	108	47	38	85	88	112	24	660	19,300
5000	84	86	108	48	40	86	88	112	24	690	21,000
7500	94	102	122	54	48	102	100	126	24	1,580	41,900

¹ Weights, gallons of fluid, and dimensions are for reference only and not for construction. Please contact Eaton for exact dimensions.

* Add 9" for Bay-O-Net fusing.

Table 8. Fluid-filled—Copper Windings 55/65 °C Rise¹

kVA Rating	OUTLINE DIMENSIONS (in.)									Gallons of Fluid	Approx. Total Weight (lbs.)
	A*	B	C	D	E	F	G	H	I		
45	50	64	39	34	30	64	69	43	20	110	2,100
75	50	64	39	34	30	64	69	43	20	115	2,250
112.5	50	64	49	34	30	64	69	53	20	115	2,500
150	50	64	49	34	30	64	69	53	20	120	2,700
225	50	64	51	34	30	64	73	55	20	140	3,250
300	50	64	51	34	30	64	75	55	20	160	3,800
500	50	81	53	34	30	64	85	57	20	200	4,800
750	64	89	57	42	30	72	93	61	20	255	6,500
1000	64	89	59	42	30	72	93	63	20	300	7,800
1500	73	89	66	42	30	72	93	66	24	410	10,300
2000	73	72	87	42	30	72	76	91	24	420	11,600
2500	73	72	99	42	30	72	76	103	24	500	14,000
3000	73	84	99	46	37	84	88	103	24	720	18,700
3750	84	85	108	47	38	85	88	112	24	800	20,500
5000	84	86	108	48	40	86	88	112	24	850	22,000
7500	94	102	122	54	48	102	100	126	24	1,620	46,900

¹ Weights, gallons of fluid, and dimensions are for reference only and not for construction. Please contact Eaton for exact dimensions.

* Add 9" for Bay-O-Net fusing.

*Note: Specific equipment model is subject to change based on site specific studies, tests, and conditions.

SYSTEM SPECIFICATIONS

SYSTEM SIZE DC	6947.25 kW
SYSTEM SIZE AC	5000 kW
DC/AC RATIO	1.390
AZIMUTH	180°
TILT	+/- 52°
MODULE COUNT	11775
MODULE TYPE	HANWHA Q PEAK DUO XL-G115_BFG
MODULE STC RATING	590 W
INVERTER COUNT	35
INVERTER TYPE	SMA SUNNY HIGHPOWER PEAK-3 150kW
INVERTER POWER	POWER LIMITED TO 142.857 kW
RACKING	SINGLE AXIS TRACKER - PROPOSED OMNITRACK
MONITORING	ALSO ENERGY

DESIGN CRITERIA

MIN/MAX TEMP.	-13°C / 34°C
WIND SPEED (ASCE 7-10)	105 MPH
BUILDING CATEGORY	I
EXPOSURE CATEGORY	C
GROUND SNOW LOAD	20 PSF
BUILDING HEIGHT	0'-0"

OTHER NOTES

CASE NUMBER TBD

NO POSITION, DISTANCE, OR CLEARANCE ISSUES WITH OVERHEAD ELECTRIC SERVICE LINES OR OTHER UTILITIES IN RELATION TO THE PV PANELS.

24/7 UNESCORTED KEYLESS ACCESS PROVIDED FOR ALL UTILITY ENERGY EQUIPMENT INCLUDING THE METERS AND AC DISCONNECT.

INTERCONNECTION TYPE: PRIMARY

REVISIONS

#	DESCRIPTION	BY	DATE
0	ORIGINAL DESIGN	SP	3/24/2025
1	AVOID HIGH TOPO	SP	4/15/2025
2	PROJECT NAME CHANGE	SP	6/30/2025
3	HANWHA 590 REDESIGN	SP	10/7/2025
4	50' OFFSET FROM FENCE FOR ACCESSABILITY	SP	11/13/2025
5	CUP	SP	12/1/2025
6			
7			
8			
9			
10			
11			

PROJECT NAME

TURKEY HILL

DRAWING TITLE

TRANSFORMER SPECS

SCALE¹

NTS

SHEET

E4C

TURKEY HILL Solar Array

Decommissioning Plan

Prepared for:

KING WILLIAM SOLAR 2 LLC
2530 Riva Road Suite 200, Annapolis, MD, 21401

Location: WEST POINT, VA
December 8, 2025



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1.0 Introduction

The purpose of this report is to describe the decommissioning process for the TURKEY HILL solar photovoltaic generation facility (“the project”) located at WEST ROSE GARDEN, WEST POINT, VA 23181. The project consists of 11775 solar modules mounted to a driven pile, Single Axis Tracker system. After final circuit consolidation at the equipment pad mounted switchboard, the system’s voltage will be stepped-up to distribution level at a transformer and interconnected, onto an existing utility distribution circuit.

The project converts approximately 29.9 acres of agricultural land into a power generation facility. Construction includes solar modules mounted on driven steel piles, inverters, concrete transformer and equipment pads, and gravel access roads.

2.0 Summary Statement of Expected Decommissioning Cost

The expected residual value of the solar facility is the difference between the removal/restoration cost and the salvage value. The decommissioning cost to remove the solar PV facility and reestablish the property back to a grassy field is not expected to exceed a net expenditure of \$140226.14.

3.0 Basis of Plan Narrative

The following is a list of assumptions and clarifications to further define the methodology used to establish the scope and values of the removal costs and salvage values.

3.1 General

- The intent of the decommissioning work will be to fully remove the solar facility, dispose of any components, and restore the site to a permanently stabilized grassed field.
- The service life of the facility is assumed to be 35 years. Because of this there is inherent uncertainty with pricing estimates that far into the future. All dollar amounts are in net present value (NPV). It is assumed that all values will inflate/deflate consistent with inflation, therefore, the NPV comparison of removal cost to salvage value will remain relevant at the end of the service life.
- Costs associated with this plan represent a “turn key” operation for a general contractor to be hired for this work, including permits, mobilization, contingency, etc.
- Haul costs assume a maximum distance of 60 miles between the project and nearest disposal or recycling facility.
- No maximum duration has been assigned for this work. It has been assumed that this work would be handled by a single crew without full time site personnel.

3.2 Civil Infrastructure

- Topsoil used to backfill excavations will be borrowed from onsite locations. No topsoil import is included.
- Removal of rip rap at stormwater basins is included.
- Aggregate removal will be the full depth of the aggregate section for roads, equipment pads, and other areas utilizing aggregate. No aggregate will be buried. Includes subgrade scarification prior to backfilling with topsoil.
- Turf establishment includes mulch, fertilizer, and water as necessary to achieve 70% ground cover as required to satisfy the NPDES Construction General Permit.
- Sediment control cost consists of silt fence but could also be fiber logs. Location of sediment control will be downslope from exposed soils only in areas where sedimentation offsite or into onsite water bodies can reasonably be expected.
- Trees and shrubs shall be protected and shall remain in place.

3.3 Structural Infrastructure

- Steel pile foundation removal is estimated at 25% the effort and cost as pile installation.
- Steel racking removal is estimated at 50% the effort and cost of racking installation.

3.4 Electrical Infrastructure

- PV modules to be recycled. Assumption is that the module value will be based off the module wattage. i.e. a higher wattage module will be worth more than a lower one.
- Switchgear including transformers will be removed from their respective concrete pads and recycled or returned to the manufacturer.
- Copper wiring will be dug up (if required) and recycled.
- Aluminum wiring will be dug up (if required) and recycled.
- Customer owned site riser or interconnection poles shall be removed.
- A two-person crew can dismantle a string inverter and recycle the components.
- Transformers are pad mounted and weigh approximately 8,500 pounds. These are dry type transformers, so there is no need for any oil disposal.
- Underground power and communication cables can be removed by excavating with a power trencher or excavator.

3.5 Recycling PV Modules

- Recycling solar modules have environmental benefits such as
 - o Creating a useful and sustainable method of disposal
 - o Providing raw materials for repurposing and reprocessing
 - o Recovering up to 90% of the photovoltaic glass and up to 95% of the semiconductor material necessary for further production
 - o Recycling of rare earth metals.

4.0 Schedule of Removal and Restoration Costs

Removal and Restoration Costs						
CIVIL INFRASTRUCTURE						
		QUANTITY	UNITS	\$/UNIT	COST	NOTES
1	Road Aggregate, Rip Rap, and Geotextile Removal	23000	ft ³	\$ 1.00	\$ 23,000.00	Remove full section of aggregate road, rip rap, and geotextile fabrics
2	Road Aggregate, Rip Rap, and Geotextile Haul and Offsite Disposal	23000	ft ³	\$ 3.23	\$ 74,400.00	Hauling offsite
3	Topsoil Backfill	7500	ft ³	\$ 1.00	\$ 7,500.00	Onsite relocation of topsoil to backfill road and equipment pad excavations
4	Chainlink Fence Removal	5,993	ft	\$ 1.00	\$ 5,993.00	Includes fence mesh, post framing, concrete foundations, gates, etc.
5	Chainlink Fence Haul and Offsite Disposal	29,965	lbs	\$ 0.03	\$ 915.21	
6	Concrete Equipment Pad Removal	2	EA	\$ 5,000.00	\$ 10,000.00	
7	Concrete Waste Haul and Offsite Disposal	2	EA	\$ 2,500.00	\$ 5,000.00	
8	Site Grading	2.99	Acres	\$ 5,000.00	\$ 14,950.00	Grading smooth all areas disturbed by removals, excavations, etc, assumed (0.1 x project area) + Road Area + Equipment Pad Area
9	Turf Establishment	29.9	Acres	\$ 1,500.00	\$ 44,850.00	Hydroseed all areas disturbed by removals, excavations, etc
10	Sediment Control	1998	ft	\$ 10.00	\$ 19,976.67	Silt fence installation
Structural Infrastructure						
11	Foundation Removal	2591	EA	\$ 19.05	\$ 49,357.78	~25% of Install cost
12	Foundation Haul and Offsite Disposal	2591	EA	\$ 5.97	\$ 15,464.44	
13	Racking Removal	365025	lbs	\$ 0.34	\$ 122,324.70	~50% of Install cost
14	Racking Haul and Offsite Disposal	365025	lbs	\$ 0.03	\$ 11,148.78	
Electrical Infrastructure						
15	Removal of Solar Modules	11,775	EA	\$ 5.00	\$ 58,875.00	
16	Removal of String Inverters	35	EA	\$ 1,000.00	\$ 35,000.00	
17	Removal of Switchgear/Xfmr	2	EA	\$ 5,000.00	\$ 10,000.00	
18	Removal of Riser and Interconnection Poles	9	EA	\$ 1,000.00	\$ 9,000.00	
19	Removal of SCADA/Aux Panel/Weather Station	1	EA	\$ 200.00	\$ 200.00	
20	Removal of DC Copper Wire	6,947	lbs	\$ 2.00	\$ 13,894.50	
21	Removal of AC Aluminum Wires	9,000	lbs	\$ 2.00	\$ 18,000.00	
	Total Cost				\$ 549,850.08	

5.0 Schedule of Salvage Values

Salvage Values					
Structural Infrastructure					
		QUANTITY	UNITS	\$/UNIT	VALUE
1	Steel Pile	506325	lbs	\$ 0.10	\$ 49,366.69
2	Steel Racking	365025	lbs	\$ 0.10	\$ 35,589.94
3	Chainlink Fence	5,993	ft	\$ 0.49	\$ 2,921.59
Electrical Infrastructure					
		QUANTITY	UNITS	\$/UNIT	VALUE
4	PV Modules	11,775	\$/Panel	\$ 29.50	\$ 347,362.50
5	Equipment Switchgear in Xfmrs	2	EA	\$ 1,200.00	\$ 2,400.00
6	DC Copper Wires	6,947	lbs	\$ 1.10	\$ 7,641.98
7	AC Aluminum Wires	9,000	lbs	\$ 0.62	\$ 5,580.00
	Total				\$ 450,862.69

6.0 Schedule of Summary

Summary		
Description	Cost	Units
Decommissioning Estimate (DE)	\$ 549,850.08	\$
Factor of Safety (FoS)	1.075	
DE with FoS	\$ 591,088.83	\$
Salvage Estimate (SE)	\$ 450,862.69	\$
Total Cost (DE-SE)	\$ 140,226.14	\$
Average Inflation rate	2.50%	%
Time Period	35	Years
Total Cost with FoS and Inflation after Time Period	\$ 324,668.70	\$

FORGESOLAR GLARE ANALYSIS

Project: **Turkey Hill**
 Turkey Hill Glare Analysis

Site configuration: **Glare Study-temp-0**

Created 08 Dec, 2025
 Updated 08 Dec, 2025
 Time-step 1 minute
 Timezone offset UTC-5
 Minimum sun altitude 0.0 deg
 DNI peaks at 1,000.0 W/m²
 Category 1 MW to 5 MW
 Site ID 166606.27749

Ocular transmission coefficient 0.5
 Pupil diameter 0.002 m
 Eye focal length 0.017 m
 Sun subtended angle 9.3 mrad
 PV analysis methodology V2



Summary of Results No glare predicted

PV Array	Tilt	Orient	Annual Green Glare		Annual Yellow Glare		Energy kWh
			min	hr	min	hr	
PV array 1	SA tracking	SA tracking	0	0.0	0	0.0	-

Total glare received by each receptor; may include duplicate times of glare from multiple reflective surfaces.

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
W Rose Garden Rd	0	0.0	0	0.0
OP 1	0	0.0	0	0.0
OP 2	0	0.0	0	0.0
OP 3	0	0.0	0	0.0
OP 4	0	0.0	0	0.0

Component Data

PV Arrays

Name: PV array 1
Axis tracking: Single-axis rotation
Backtracking: Shade
Tracking axis orientation: 180.0°
Max tracking angle: 52.0°
Resting angle: 0.0°
Ground Coverage Ratio: 0.33
Rated power: -
Panel material: Smooth glass with AR coating
Reflectivity: Vary with sun
Slope error: correlate with material



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	37.633578	-76.957220	137.01	5.00	142.01
2	37.633603	-76.955729	134.09	5.00	139.09
3	37.632652	-76.955665	124.99	5.00	129.99
4	37.632618	-76.952457	135.99	5.00	140.99
5	37.631895	-76.951953	132.79	5.00	137.79
6	37.629746	-76.951802	128.49	5.00	133.49
7	37.629763	-76.953036	119.05	5.00	124.05
8	37.630468	-76.954152	114.42	5.00	119.42
9	37.631878	-76.954259	118.88	5.00	123.88
10	37.632074	-76.957178	140.47	5.00	145.47

Route Receptors

Name: W Rose Garden Rd
Path type: Two-way
Azimuthal view angle: 50.0°
Downward view angle: 90.0°



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)	Height above ground (ft)	Total elevation (ft)
1	37.628021	-76.956997	119.73	6.00	125.73
2	37.628404	-76.955088	129.29	6.00	135.29
3	37.628336	-76.954444	132.26	6.00	138.26
4	37.627409	-76.950753	117.68	6.00	123.68
5	37.627171	-76.949777	116.12	6.00	122.12

Discrete Observation Point Receptors

Name	ID	Latitude (°)	Longitude (°)	Elevation (ft)	Height (ft)
OP 1	1	37.628495	-76.953811	113.75	6.00
OP 2	2	37.628418	-76.949541	118.75	6.00
OP 3	3	37.628087	-76.952301	121.83	4.00
OP 4	4	37.630644	-76.948243	122.26	6.00

Obstruction Components

Name: Obstruction 1
Top height: 60.0 ft



Vertex	Latitude (°)	Longitude (°)	Ground elevation (ft)
1	37.635213	-76.955339	82.96
2	37.634346	-76.952227	107.34
3	37.631899	-76.950747	138.04
4	37.628908	-76.950725	128.80
5	37.628858	-76.952957	114.69
6	37.629792	-76.954845	126.89
7	37.629962	-76.957227	99.47
8	37.632443	-76.961325	82.13
9	37.633701	-76.961862	48.12
10	37.635213	-76.955339	82.96

Glare Analysis Results

Summary of Results No glare predicted

PV Array	Tilt	Orient	Annual Green Glare		Annual Yellow Glare		Energy
	°	°	min	hr	min	hr	kWh
PV array 1	SA tracking	SA tracking	0	0.0	0	0.0	-

Total glare received by each receptor; may include duplicate times of glare from multiple reflective surfaces.

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
W Rose Garden Rd	0	0.0	0	0.0
OP 1	0	0.0	0	0.0
OP 2	0	0.0	0	0.0
OP 3	0	0.0	0	0.0
OP 4	0	0.0	0	0.0

PV: PV array 1 no glare found

Receptor results ordered by category of glare

Receptor	Annual Green Glare		Annual Yellow Glare	
	min	hr	min	hr
W Rose Garden Rd	0	0.0	0	0.0
OP 1	0	0.0	0	0.0
OP 2	0	0.0	0	0.0
OP 3	0	0.0	0	0.0
OP 4	0	0.0	0	0.0

PV array 1 and Route: W Rose Garden Rd

No glare found

PV array 1 and OP 1

No glare found

PV array 1 and OP 2

No glare found

PV array 1 and OP 3

No glare found

PV array 1 and OP 4

No glare found

Assumptions

"Green" glare is glare with low potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.

"Yellow" glare is glare with potential to cause an after-image (flash blindness) when observed prior to a typical blink response time.

Times associated with glare are denoted in Standard time. For Daylight Savings, add one hour.

The algorithm does not rigorously represent the detailed geometry of a system; detailed features such as gaps between modules, variable height of the PV array, and support structures may impact actual glare results. However, we have validated our models against several systems, including a PV array causing glare to the air-traffic control tower at Manchester-Boston Regional Airport and several sites in Albuquerque, and the tool accurately predicted the occurrence and intensity of glare at different times and days of the year.

Several V1 calculations utilize the PV array centroid, rather than the actual glare spot location, due to algorithm limitations. This may affect results for large PV footprints. Additional analyses of array sub-sections can provide additional information on expected glare. This primarily affects V1 analyses of path receptors.

Random number computations are utilized by various steps of the annual hazard analysis algorithm. Predicted minutes of glare can vary between runs as a result. This limitation primarily affects analyses of Observation Point receptors, including ATCTs. Note that the SGHAT/ ForgeSolar methodology has always relied on an analytical, qualitative approach to accurately determine the overall hazard (i.e. green vs. yellow) of expected glare on an annual basis.

The analysis does not automatically consider obstacles (either man-made or natural) between the observation points and the prescribed solar installation that may obstruct observed glare, such as trees, hills, buildings, etc.

The subtended source angle (glare spot size) is constrained by the PV array footprint size. Partitioning large arrays into smaller sections will reduce the maximum potential subtended angle, potentially impacting results if actual glare spots are larger than the sub-array size. Additional analyses of the combined area of adjacent sub-arrays can provide more information on potential glare hazards. (See previous point on related limitations.)

The variable direct normal irradiance (DNI) feature (if selected) scales the user-prescribed peak DNI using a typical clear-day irradiance profile. This profile has a lower DNI in the mornings and evenings and a maximum at solar noon. The scaling uses a clear-day irradiance profile based on a normalized time relative to sunrise, solar noon, and sunset, which are prescribed by a sun-position algorithm and the latitude and longitude obtained from Google maps. The actual DNI on any given day can be affected by cloud cover, atmospheric attenuation, and other environmental factors.

The ocular hazard predicted by the tool depends on a number of environmental, optical, and human factors, which can be uncertain. We provide input fields and typical ranges of values for these factors so that the user can vary these parameters to see if they have an impact on the results. The speed of SGHAT allows expedited sensitivity and parametric analyses.

The system output calculation is a DNI-based approximation that assumes clear, sunny skies year-round. It should not be used in place of more rigorous modeling methods.

Hazard zone boundaries shown in the Glare Hazard plot are an approximation and visual aid based on aggregated research data. Actual ocular impact outcomes encompass a continuous, not discrete, spectrum.

Glare locations displayed on receptor plots are approximate. Actual glare-spot locations may differ.

Refer to the Help page at www.forgesolar.com/help/ for assumptions and limitations not listed here.

Default glare analysis parameters and observer eye characteristics (for reference only):

- Analysis time interval: 1 minute
- Ocular transmission coefficient: 0.5
- Pupil diameter: 0.002 meters
- Eye focal length: 0.017 meters
- Sun subtended angle: 9.3 milliradians

Draft Siting Agreement for King William County

SOLAR FACILITY SITING AGREEMENT

This Solar Facility Siting Agreement (the “Agreement”), dated as of _____, 2026 (the “Effective Date”), is made by and between King William County, Virginia, a political subdivision of the Commonwealth of Virginia (the “County”), and King William Solar 2 LLC, a Virginia limited liability company (the “Applicant”). The County and the Applicant are referred to herein each as a “Party” and collectively, the “Parties”.

RECITALS

WHEREAS, the Applicant intends to build, operate, and decommission a commercial solar photovoltaic (electric energy) generation facility and associated electric grid interconnection facilities (collectively, the “Project”) on certain real property in the County identified as Tax Map Parcel Number 47-13 (the “Property”);

WHEREAS, the Project will be five (5) megawatts or less and therefore is not subject to (i) the requirements of Virginia Code § 15.2-2316.7 including, without limitation, the obligation of the Applicant to meet, discuss and negotiate a siting agreement with the County, or (ii) the revenue share ordinance adopted by the County pursuant to Virginia Code § 58.1-2636;

WHEREAS, notwithstanding the foregoing, the County issued a Conditional Use Permit (CUP-____-2026) for the Project dated _____, 2026 (the “CUP”), which CUP requires, among other things, that the Project be developed, constructed, operated and decommissioned in compliance with a solar facility siting agreement between the Applicant and the County;

WHEREAS, in furtherance of the satisfaction of the conditions set forth in the CUP, the Parties desire to enter into this Agreement to provide certain financial compensation to the County as authorized by Virginia Code § 15.2-2288.8(B) and pursuant to the terms and conditions hereof;

WHEREAS, the Applicant has agreed to the payments and financial terms contained herein; and

WHEREAS, pursuant to the requirement of Virginia Code § 15.2-2316.8(B), the County held a public hearing in accordance with subdivision A of Virginia Code § 15.2-2204 for the purpose of considering this Agreement, after which a majority of a quorum of the members of the King William County Board of Supervisors approved this Agreement.

AGREEMENT

NOW, THEREFORE, the County and the Applicant, intending to be legally bound hereby and in consideration of the mutual covenants contained herein, the receipt and sufficiency of which are hereby acknowledged, do hereby agree as follows:

Article I

Conditions

1. **CUP Conditions.** The Applicant acknowledges and agrees that it is bound by all the terms and conditions contained in the CUP. The CUP is attached hereto as **Exhibit B** and is hereby incorporated herein. Violation by the Applicant or by any of the Applicant's agents, assigns, or successors in interest of any terms and conditions of the CUP or of any other applicable zoning requirements of the County shall constitute an event of default under Section 13 of this Agreement.

Article II

Payments

1. **Purpose.** The Parties acknowledge that the payments required hereunder shall be made to the County for use in funding substantial public improvements, the need for which is not generated solely by the granting of the CUP, and that such payments are reasonably related to the Project; in recognition thereof, the Applicant agrees to make the payments set forth on **Exhibit A** (in accordance with paragraph 2 of this Article), as permitted under Virginia Code § 15.2-2288.8(B).

2. **Payment Structure.** The Applicant shall make payments to the County, as follows:

a. A \$25,000.00 one-time payment due within six (6) months of acceptance into the **Shared Solar Program** (as defined below) and \$25,000.00 one-time payment due within six (6) months of the Commercial Operation Date. (as defined below) (the "**Initial Payment**").

b. Annual payments as set forth in **Exhibit A** attached hereto and incorporated herein (each, an "**Annual Payment**", and collectively, the "**Annual Payments**", and together with the Initial Payment, the "**Payments**"). As used herein, the Initial Payment contingent upon the acceptance into the shared solar program means the date on which the Project has been accepted in Virginia Electric and Power Company d/b/a Dominion Energy Virginia's Shared Solar Program (the "**Shared Solar Program**"). For purposes of this Agreement, the Shared Solar Program acceptance date shall be based off of the date of the fully executed copy of the Shared Solar Subscriber Organization Coordination Agreement between Dominion Energy and the Applicant. The Annual Payments shall begin no later than six (6) months following the Commercial Operation Date on a prorated basis for that year; provided, however, if the Commercial Operation Date is June 1 or later, that first year's prorated payment shall be due and payable on or before December 1 of the first year. As used herein, "**Commercial Operation Date**" means the date on which the Project commences "**Commercial Operation**," which means the point at which the Project becomes fully operational and can begin selling power under the terms of a power purchase or offtake agreement. Generation of test energy shall not be deemed Commercial Operation. The Annual Payments shall be due and payable on or before December 1st of each year following the Commercial Operation Date until the completion of the decommissioning of the Project by the Applicant (the "**Termination Date**"), as evidenced by written notice to the County from the Applicant that decommissioning of the Project is complete. The Parties acknowledge that, except

as otherwise provided herein, the Applicant's obligation to make the Annual Payments shall be conditioned upon the Project commencing Commercial Operation. Each Annual Payment shall be made to the County in one lump sum payment made annually during the term of this Agreement.

3. Structure of the Payments; Statement of Benefit. The Applicant agrees that, by entering into this Agreement, it is bound by law to make the Payments in accordance with this Agreement. The Parties acknowledge and agree that this Agreement is fair and mutually beneficial to them both and that this Agreement provides for a clear and predictable stream of future payments to the County in amounts fair to both Parties.

Article III

Miscellaneous Terms

1. Term; Termination; Automatic Renewal. This Agreement shall commence on the Effective Date and shall continue until the Termination Date. The Applicant shall have no obligation to make any Payments after the Project is decommissioned. The Annual Payment due for the year in which the Project is decommissioned shall be prorated as of the Termination Date. Written notice of termination shall be given by Applicant (a "Notice of Termination"), and such Notice of Termination shall provide an anticipated termination date that is at least three (3) months from the date the Notice of Termination is given. The termination of this Agreement shall not limit the Applicant's legal obligation to pay local taxes in accordance with applicable law at such time and for such period as the Project remains in operation. Notwithstanding anything contained herein to the contrary, the Applicant may, in its sole discretion, terminate this Agreement at any time prior to Commercial Operation by delivery of written notice thereof to the County.

2. Mutual Covenants. The Applicant covenants to the County that it will pay the County the amounts due hereunder when due in accordance with the terms of this Agreement, and will not seek to invalidate this Agreement, or otherwise take a position adverse to the purpose or validity of this Agreement. The County covenants to the Applicant that it will not seek to invalidate this Agreement or otherwise take a position adverse to the purpose or validity of this Agreement.

3. No Obligation to Develop. The Applicant has no obligation to develop or construct the Project, and this Agreement does not require any Payments until after the Commercial Operation Date. Any test energy or other energy produced prior to the Commercial Operation Date shall not trigger any Payments under this Agreement. It is understood that development of the Project by the Applicant is contingent upon several factors including, but not limited to, regulatory approvals, availability and cost of equipment and financing, and market demand for the Project's energy. No election by the Applicant to terminate, defer, suspend, or modify plans to develop the Project shall be deemed a default of the Applicant under this Agreement.

4. Successors and Assigns. This Agreement shall be binding upon the successors or assigns of the Applicant, and the obligations created hereunder shall be covenants running with the Property. If Applicant sells, transfers, leases, or assigns all or substantially all of its interests in the Project or the ownership of the Applicant, this Agreement will automatically be assumed by and be binding on the purchaser or transferee. Upon such assumption, the sale, transfer, lease, or assignment shall relieve the Applicant of all obligations and liabilities under this Agreement

Draft Siting Agreement for King William County

accruing from and after the date of sale or transfer, and the purchaser or transferee shall automatically become responsible under this Agreement. The Applicant shall execute such documentation as reasonably requested by the County to memorialize the assignment and assumption by the purchaser or transferee.

5. Execution of Agreement Deems Project “Substantially In Accord” with County’s Comprehensive Plan. Pursuant to Virginia Code § 15.2- 2316.9(C), execution of this Agreement deems the Project to be substantially in accord with the County’s Comprehensive Plan in satisfaction of the requirements of Virginia Code § 15.2-2232.

6. Memorandum of Agreement. A memorandum of this Agreement, in a form substantially similar to that attached as **Exhibit C** hereto (the “Memorandum”), shall be recorded in the land records of the Clerk’s Office of the Circuit Court of the County (the “Clerk’s Office”). Such recordation shall be at the Applicant’s sole cost and expense and shall occur as soon as reasonably practicable after the Effective Date. Upon the termination of this Agreement, the Parties shall execute and record a release of the Memorandum in the Clerk’s Office.

7. Notices. Except as otherwise provided herein, all notices required to be given or authorized to be given pursuant to this Agreement shall be in writing and shall be delivered or sent by registered or certified mail, postage prepaid, by recognized overnight courier, or by commercial messenger to:

If to the County:

King William County, Virginia
180 Horse Landing Road
King William, VA 23086
Attn: Derek Stamey, County Administrator

If to the Applicant:

King William Solar 2 LLC
Attn: James Wrathall
2530 Riva Rd Suite 200
Annapolis, MD 21401

The County and the Applicant, by notice given hereunder, may designate any further or different persons or addresses to which subsequent notices shall be sent.

8. Governing Law; Jurisdiction; Venue. THIS AGREEMENT SHALL BE GOVERNED BY AND CONSTRUED IN ACCORDANCE WITH THE LAWS OF THE COMMONWEALTH OF VIRGINIA, WITHOUT REGARD TO ANY OF ITS PRINCIPLES OF CONFLICTS OF LAWS OR OTHER LAWS WHICH WOULD RESULT IN THE APPLICATION OF THE LAWS OF ANOTHER JURISDICTION. THE PARTIES HERETO (A) AGREE THAT ANY SUIT, ACTION OR OTHER LEGAL PROCEEDING, AS BETWEEN THE PARTIES HERETO, ARISING OUT OF OR RELATING TO THIS AGREEMENT SHALL BE BROUGHT AND TRIED ONLY IN THE CIRCUIT COURT OF KING WILLIAM COUNTY, VIRGINIA, (B) CONSENT TO THE JURISDICTION OF SUCH COURT IN ANY

SUCH SUIT, ACTION OR PROCEEDING, AND (C) WAIVE ANY OBJECTION WHICH ANY OF THEM MAY HAVE TO THE LAYING OF VENUE OR ANY SUCH SUIT, ACTION, OR PROCEEDING IN SUCH COURT AND ANY CLAIM THAT ANY SUCH SUIT, ACTION, OR PROCEEDING HAS BEEN BROUGHT IN AN INCONVENIENT FORUM. THE PARTIES HERETO AGREE THAT A FINAL JUDGMENT IN ANY SUCH SUIT, ACTION, OR PROCEEDING SHALL BE CONCLUSIVE AND MAY BE ENFORCED IN OTHER JURISDICTIONS BY SUIT ON THE JUDGMENT OR IN ANY OTHER MANNER PROVIDED BY LAW.

9. Confidentiality. This Agreement, once placed on the docket for consideration by the King William County Board of Supervisors, is a public document, subject to production under the Virginia Freedom of Information Act (“FOIA”). The County understands and acknowledges that the Applicant, and as applicable, its associates, contractors, partners and affiliates, utilize confidential and proprietary “state-of-the-art” information and data in their operations (“Confidential Information”), and that disclosure of any such information, including, but not limited to, disclosures of technical, financial or other information concerning the Applicant or any affiliated entity could result in substantial harm to them and could thereby have a significant detrimental impact on their employees and also upon the County. The County acknowledges that during the development and negotiation of this Agreement, certain Confidential Information may be, or may have been, shared with the County by the Applicant. The Applicant agrees to clearly identify any information it deems to be Confidential Information and not subject to mandatory disclosure under FOIA or other applicable law as Confidential Information at the time it provides such information to the County. The County agrees that, except as required by law and pursuant to the County’s police powers, neither the County nor any employee, agent, or contractor of the County will (i) knowingly or intentionally disclose or otherwise divulge any such Confidential Information to any person, firm, governmental body or agency, or any other entity unless a request for such Confidential Information is made and granted under an applicable provision of local, state or federal law. Upon receipt of such a request but before transmitting any documents or information which may contain Confidential Information to the requestor, the County shall contact Applicant to review the request for information and associated documents to determine if any Confidential Information is at risk of disclosure. If Confidential Information exists, the Applicant may intervene on behalf of the County and defend against disclosure of the Confidential Information. The County agrees to cooperate in this defense and to the extent allowed by law, work to protect the Confidential Information of the Applicant.

10. Insurance. Upon commencement of construction of the Project and throughout Commercial Operation, the Applicant will obtain and maintain in force the following policies of insurance covering the Project facilities and the Applicant’s activities on the Property: comprehensive general liability insurance with minimum coverage of at least \$500,000 for property damage, \$1,000,000 for bodily injury or death to any one person, and a minimum combined occurrence and annual coverage of \$2,000,000.

11. Modification. This Agreement may be modified only in writing duly executed by the Parties hereto.

12. Assignment. This Agreement may be assigned by the Applicant to any party without the prior consent of the County, so long as such assignment is expressly made subject to

all terms and conditions of this Agreement, and provided that such assignment shall not be effective against the County until such time as the Applicant delivers written notice of such assignment.

13. Default.

A. In the event of a default under this Agreement, the non-defaulting Party shall give written notice to the defaulting Party, describing the alleged default in reasonably sufficient detail. If a Party has not cured, as described by this Agreement, its default within thirty (30) days after receiving written notice of the default from the non-defaulting Party, or if the default cannot be cured within thirty (30) days thereof and the defaulting Party has not begun and pursued with diligence to cure said default within such thirty (30) day period, the non-defaulting Party shall have the right, but not the obligation, to cure such default and to charge the defaulting Party for the cost of curing such default, including the right to offset said costs of curing the default against any sums due or which become due to the defaulting Party under this Agreement. Such non-defaulting Party shall, in its reasonable judgment, attempt to use the most economically reasonable method of curing any such default.

B. This Agreement may be terminated by the County in the event of a material breach of this Agreement that has not been cured within sixty (60) days after written notice thereof. If a cure is initiated within such period, the Agreement shall not terminate. A material breach shall mean a failure to comply with (1) any of the provisions of this Agreement relating to the Payments, (2) the permits and approvals under which the Project will be operated or built, which failure results in a loss of such permits and approvals such that the Project is prohibited from operating, or (3) applicable federal or state laws, approvals, or regulations. A material breach shall also include the insolvency of the Applicant or its assignee, such insolvency to be established by the filing of a voluntary petition in bankruptcy that is not dismissed within one hundred eighty (180) days of its filing. A material breach shall also include a violation of the Conditional Use Permit issued to the Applicant, attached hereto as Exhibit B. Provided, however, the Applicant complying or taking action consistent with any governmental or regulatory warning letter, notice of violation, or plan of action shall be deemed a cure if the compliance or the action is initiated within sixty (60) days of the Applicant receiving the warning letter, notice of violation, or action plan. In the event the Applicant receives notice of a material breach that state or federal authorities determine threatens the safety of the public or threatens to cause material environmental damage and fails to resolve such material breach as soon as is reasonably practicable, the County shall be entitled to terminate this Agreement. If a dispute exists as to whether an amount is owed or a breach of this Agreement has occurred, either Party may seek a declaratory judgment or other appropriate action in the King William County Circuit Court. If the dispute involves an amount owed to the County, the Applicant shall submit said disputed amount to the Clerk's Office to be held pending resolution of the dispute. The cure period and any termination of this Agreement shall be extended and tolled pending a decision by the King William County Circuit Court on the declaratory judgment or other action filed.

C. If either the County or the Applicant files a lawsuit, counterclaim, or crossclaim to enforce any provision of this Agreement or to seek a declaratory judgment, the prevailing Party is entitled to all reasonable attorneys' fees, litigation expenses, and court costs.

14. Severability; Invalidity Clause. Any provision of this Agreement that conflicts with applicable law or is held to be void or unenforceable shall be ineffective to the extent of such conflict, voidness, or unenforceability without invalidating the remaining provisions hereof, which remaining provisions shall be enforceable to the fullest extent permitted under applicable law. If, for any reason, including a change in applicable law, it is ever determined by any court or governmental authority of competent jurisdiction that this Agreement is invalid, then the Parties shall, subject to any necessary County meeting vote or procedures, undertake reasonable efforts to amend and or reauthorize this Agreement so as to render the invalid provisions herein lawful, valid, and enforceable. If the Parties are unable to do so, this Agreement shall terminate as of the date of such determination of invalidity, and the Property and Project will thereafter be assessed and taxed as though this Agreement did not exist. The Parties will cooperate with each other and use reasonable efforts to defend against and contest any challenge to this Agreement by a third party.

15. Entire Agreement. This Agreement and any exhibits or other attachments constitute the entire agreement and supersedes all other prior agreements and understandings, both written and oral, between the Parties hereto with respect to the subject matter hereof. No provision of this Agreement can be modified, altered, or amended except in a writing executed by all Parties hereto.

16. Construction. This Agreement was drafted with input by the County and the Applicant, and no presumption shall exist against any Party.

17. Force Majeure.

A. “Force Majeure Event” means the occurrence of:

(i) an act of war (whether declared or not), hostilities, invasion, act of foreign enemies, terrorism or civil disorder;

(ii) a strike or strikes or other industrial action or blockade or embargo or any other form of civil disturbance (whether lawful or not), in each case affecting on a general basis the industry related to the construction, operation, or maintenance of the Project, as for example but not in limitation, the interruption in the supply of replacement solar panels, and which is not attributable to any unreasonable action or inaction on the part of Applicant or any of its subcontractors or suppliers and the settlement of which is beyond the reasonable control of all such persons;

(iii) specific incidents of exceptional adverse weather conditions in excess of those required to be designed for;

(iv) tempest, earthquake, or any other natural disaster of overwhelming proportions and the disruption of operations resulting therefrom;

(v) discontinuation of electricity supply, or unanticipated termination of a power purchase agreement;

(vi) other unforeseeable circumstances beyond the control of the Parties against which it would have been unreasonable for the affected Party to take precautions and which

Draft Siting Agreement for King William County

the affected Party cannot avoid even by using its best efforts, including quarantines ordered by competent governmental authority in the event of a public health emergency, which in each case directly causes either party to be unable to comply with all or a material part of its obligations under this Agreement.

B. Neither Party will be in breach of its obligations under this Agreement or incur any liability to the other Party for any losses or damages of any nature whatsoever incurred or suffered by that other (otherwise than under any express indemnity in this Agreement) if and to the extent it is prevented from carrying out those obligations by, or such losses or damages are caused by, a Force Majeure Event except to the extent that the relevant breach of its obligations would have occurred, or the relevant losses or damages would have arisen, even if the Force Majeure Event had not occurred.

C. As soon as reasonably practicable after the start of a Force Majeure Event, and within a reasonable time after the end of a Force Majeure Event, any Party invoking it will submit to the other Party reasonable proof of the nature of the Force Majeure Event and of its effect upon the performance of the Party's obligations under this Agreement.

D. Applicant will, and will ensure that its contractors will, at all times take all reasonable steps within their respective powers and consistent with good operating practices (but without incurring unreasonable additional costs) to:

- (i) prevent Force Majeure Events affecting the performance of Applicant's obligations under this Agreement;
- (ii) mitigate the effect of any Force Majeure Event; and
- (iii) comply with its obligations under this Agreement.

E. The Parties will consult together in relation to the above matters following the occurrence of a Force Majeure Event.

F. Should a single Force Majeure Event occur for a continuous period of more than one hundred eighty (180) days, then the Parties shall endeavor to agree on any modifications to this Agreement (including without limitation, determination of new revenue sharing payments) that are equitable, having due regard to the nature of the ability of Applicant to continue to meet its financial obligations to the County.

G. For the avoidance of doubt, a Force Majeure Event shall not include (a) financial distress or the inability of either Party to make a profit or avoid a financial loss, (b) changes in market prices or conditions, or (c) a Party's financial inability to perform its obligations hereunder, except such occurrences (a)-(c) that arise from a Force Majeure Event.

18. Third Party Beneficiaries. This Agreement is solely for the benefit of the Parties hereto and their respective successors and permitted assigns, and no other person shall have any right, benefit, priority, or interest in, under, or because of the existence of, this Agreement.

Draft Siting Agreement for King William County

19. Counterparts; Electronic Signatures. This Agreement may be executed simultaneously in any number of counterparts, each of which shall be deemed to be an original, and all of which shall constitute one and the same instrument. A signed copy of this Agreement delivered by e-mail/PDF or other means of electronic transmission shall be deemed to have the same legal effect as delivery of an original signed copy of this Agreement.

[signature page follows]

DRAFT

Draft Siting Agreement for King William County

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed by the authorized representatives whose names and titles appear below as of the Effective Date.

King William Solar 2 LLC, a Virginia limited liability company

By: _____

Name: _____

Title: _____

Date: _____

KING WILLIAM COUNTY, VIRGINIA, a political subdivision of the Commonwealth of Virginia

By: _____

Name: _____

Title: _____

Date: _____

Approved as to form:

By: _____
County Attorney

EXHIBIT A

SCHEDULE OF PAYMENTS

The following schedule of payments assumes an estimated Project nameplate capacity of 5 MW-ac, and all payments shall be adjusted proportionally if the nameplate capacity of the constructed Project differs from such estimate. As used herein, “Commercial Operation Date” means the date on which the Project commences “Commercial Operation,” which means the point at which the Project becomes fully operational and can begin selling power under the terms of a power purchase or offtake agreement. The Parties acknowledge that, except as otherwise provided herein, the Applicant’s obligation to make the Annual Payments shall be conditioned upon the Project commencing Commercial Operation. Each Annual Payment shall be made to the County in one lump sum payment made annually during the term of this Agreement.

One-Time Payments: \$25,000.00 due within six (6) months of acceptance into the Shared Solar Program and \$25,000.00 due within six (6) months of the Commercial Operation Date.

Annual Payments:

Annual Payment A: \$2,000 per MW-ac paid annually beginning upon the commencement of Commercial Operation; Escalating at a rate of ten percent (10%) beginning at the 6th Year of Commercial Operation, and every five (5) years thereafter.

The Annual Payments shall begin no later than six (6) months following the Commercial Operation Date on a prorated basis for that year. The Annual Payments shall be due and payable on or before December 1st of each year following the Commercial Operation Date pursuant to Section 2 of this Agreement.

Annual Payment for any automatic renewal pursuant to Section 1 of this Agreement: \$19,490, escalating at a rate of ten percent (10%) upon the expiration of the fortieth (40th) year of Commercial Operation, and every five (5) years thereafter should the Commercial Operation period be extended.

Annual Payment A			
Year of Commercial Operation	Annual Payment	Escalation Rate	Cumulative Amount Paid
1	\$10,000.00		\$10,000.00
2	\$10,000.00		\$20,000.00
3	\$10,000.00		\$30,000.00
4	\$10,000.00		\$40,000.00
5	\$10,000.00		\$50,000.00

Draft Siting Agreement for King William County

6	\$11,000.00	10%	\$61,000.00
7	\$11,000.00		\$72,000.00
8	\$11,000.00		\$83,000.00
9	\$11,000.00		\$94,000.00
10	\$11,000.00		\$105,000.00
11	\$12,100.00	10%	\$117,100.00
12	\$12,100.00		\$129,200.00
13	\$12,100.00		\$141,300.00
14	\$12,100.00		\$153,400.00
15	\$12,100.00		\$165,500.00
16	\$13,310.00	10%	\$178,810.00
17	\$13,310.00		\$192,120.00
18	\$13,310.00		\$205,430.00
19	\$13,310.00		\$218,740.00
20	\$13,310.00		\$232,050.00
21	\$14,645.00	10%	\$246,695.00
22	\$14,645.00		\$261,340.00
23	\$14,645.00		\$275,985.00
24	\$14,645.00		\$290,630.00
25	\$14,645.00		\$305,275.00
26	\$16,110.00	10%	\$321,385.00
27	\$16,110.00		\$337,495.00
28	\$16,110.00		\$353,605.00

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29	\$16,110.00		\$369,715.00
30	\$16,110.00		\$385,825.00
31	\$17,720.00	10%	\$403,545.00
32	\$17,720.00		\$421,265.00
33	\$17,720.00		\$438,985.00
34	\$17,720.00		\$456,705.00
35	\$17,720.00		\$474,425.00
36	\$19,490.00	10%	\$493,915.00
37	\$19,490.00		\$513,405.00
38	\$19,490.00		\$532,895.00
39	\$19,490.00		\$552,385.00
40	\$19,490.00		\$571,875.00

EXHIBIT B

CONDITIONAL USE PERMIT

DRAFT

EXHIBIT C

FORM OF MEMORANDUM

Full exhibit follows

DRAFT

PREPARED BY AND RETURN TO:

King William Tax Map ID No. 47-13

[NOTE TO CLERK: KING WILLIAM COUNTY, VIRGINIA, A POLITICAL SUBDIVISION OF THE COMMONWEALTH OF VIRGINIA, IS A PARTY TO THIS INSTRUMENT WHICH, ACCORDINGLY, IS EXEMPT FROM RECORDATION TAX PURSUANT TO VA. CODE SEC. 58.1-811.A.3.]

MEMORANDUM OF SOLAR FACILITY SITING AGREEMENT

This Memorandum of Solar Facility Siting Agreement (this “Memorandum”), dated and effective as of _____, 2026, is made by and between **King William County, Virginia**, a political subdivision of the Commonwealth of Virginia (the “County”) and **King William Solar 2 LLC**, a Virginia limited liability company (the “Applicant”), regarding the following:

1. Siting Agreement. The County and the Applicant are parties to that Solar Facility Siting Agreement, dated _____, 2026 (the “Siting Agreement”), which describes the intent of the Applicant to develop, install, build, and operate a commercial solar photovoltaic (electric energy) generation facility and associated electric grid interconnection facilities (“Project”) on that certain parcel of land identified as King William County Tax Map ID No. 47-13 (the “Property”).
2. Authorization. The County’s execution of the Siting Agreement was authorized during that certain regular meeting of the Board of Supervisors of King William County on _____, 2026.
3. Substantially in Accord. The Siting Agreement states, *inter alia*, that, pursuant to Virginia Code Ann. § 15.2-2316.9(C), by entering into the Siting Agreement, the County acknowledged that the Project is deemed to be substantially in accord with the King William County Comprehensive Plan under Virginia Code Ann. § 15.2-2232.
4. Obligations. The Siting Agreement sets forth, *inter alia*, certain obligations of the Applicant to comply with the Conditional Use Permit approved by the County for the Project, and to make certain payments to the County.
5. Siting Agreement Controls. This Memorandum does not supersede, modify, amend or otherwise change the terms, conditions or covenants of the Siting Agreement, and the County and the Applicant executed and are recording this Memorandum solely for the purpose of providing constructive notice of the Siting Agreement and the County’s and the Applicant’s rights thereunder. The terms, conditions and covenants of the Siting Agreement are incorporated in this Memorandum by reference as though fully set forth herein.
6. Counterparts. This Memorandum may be executed in counterparts, each of which shall be deemed an original and all of which when taken together shall constitute one and the same document.

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WITNESS the following signature and seal:

KING WILLIAM COUNTY, VIRGINIA,
a political subdivision of the Commonwealth of
Virginia

By: _____

Name: _____

Title: _____

Date: _____

COMMONWEALTH OF VIRGINIA,
COUNTY OF _____, to-wit:

Before me, a notary public in and for the jurisdiction aforesaid, this ____ day of _____, 2026, appeared _____, who acknowledged that they executed the foregoing instrument in their capacity as _____ of King William County, Virginia, on behalf of said political subdivision of the Commonwealth of Virginia.

Notary Public

My Commission Expires: _____

Notary Registration No. _____

Draft Siting Agreement for King William County

WITNESS the following signature and seal:

King William Solar 2 LLC,
a Virginia limited liability company

By: _____

Name: _____

Title: _____

Date: _____

COMMONWEALTH OF VIRGINIA
CITY/COUNTY OF _____, to wit:

Before me, a notary public in and for the jurisdiction aforesaid, this ____ day of _____, 2026, appeared _____, who acknowledged that they executed the foregoing instrument in their capacity as _____ of King William Solar 2 LLC, a Virginia limited liability company, on behalf of said company.

Notary Public

My Commission Expires: _____

Notary Registration No. _____

Vegetation Management Plan

Turkey Hill Shared Solar Garden

West of King William Road and north of W Rose Garden Road in West Point, VA (37.6327, -76.9545) PID:
47-13

The Advantages of Incorporating Natural Habitat Design on Solar Sites

The primary objective of solar sites is to achieve cost-effective, clean power production. However, there is an additional opportunity to create vital habitats for native pollinators within the solar array, while also benefiting from the long-term advantages of low maintenance native vegetation.

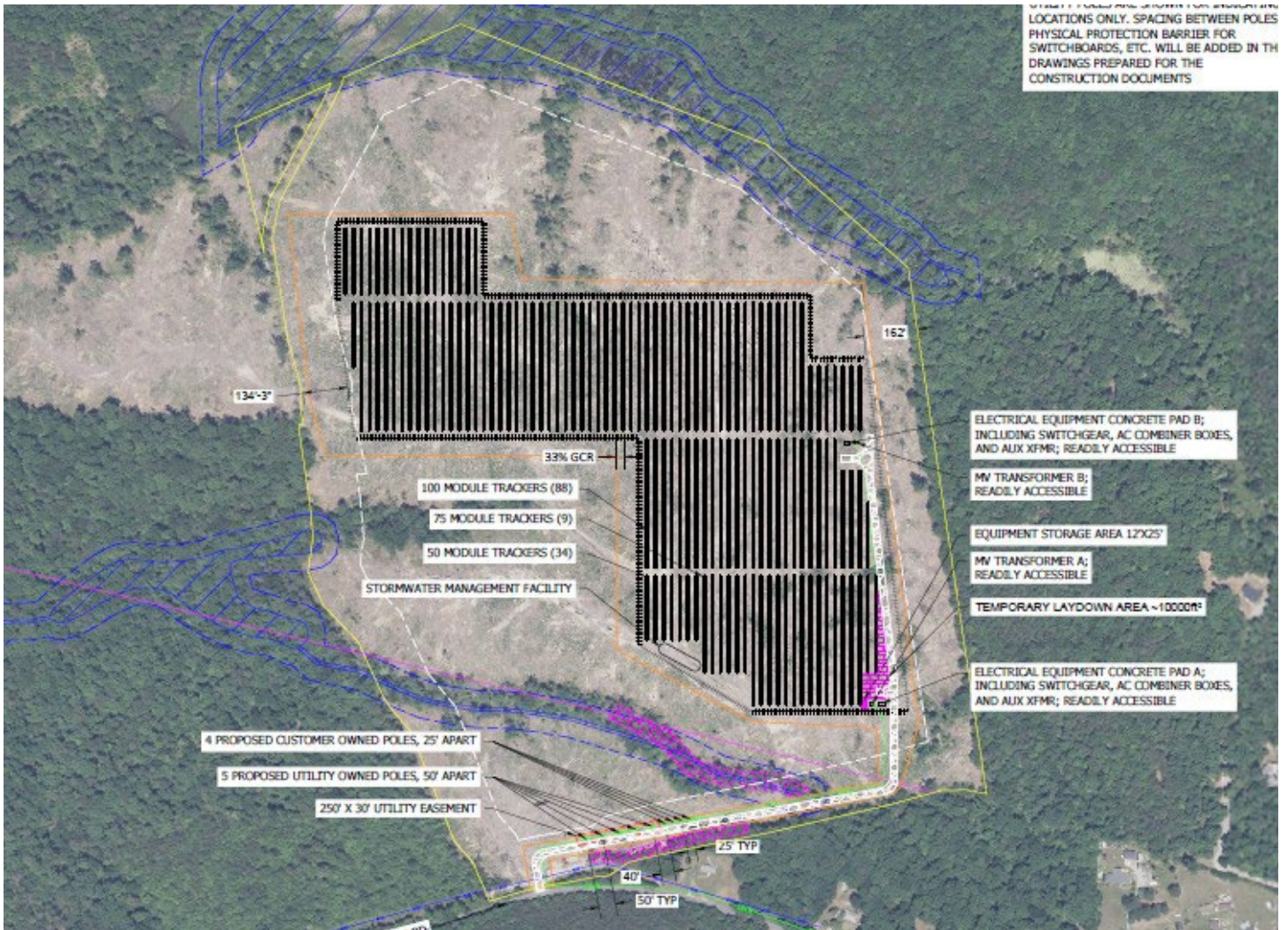
By establishing prairies and other native plant communities within solar sites, we have a remarkable chance to restore ecosystems that have been severely degraded or lost.

Some native plants possess extensive root systems, many reaching depths of 12 feet or more into the soil. These roots facilitate the absorption of rainwater, reducing water runoff and promoting the percolation of precipitation into the ground. Additionally, the deep-rooted plants stabilize the soil, helping prevent erosion caused by rain and wind. They provide seeds for songbirds, cover for game birds, and serve as a source of blossoms and host plants for butterflies and other nectar-loving insects. The selection of native grasses and forbs for the site will consider their ecological suitability to the specific conditions, including their mature height to ensure they do not interfere with the productivity of the solar panels. These plant species will not likely require irrigation, fertilizers, or other soil amendments.

The impact on habitat restoration is significant, considering the large area affected by solar projects and their long lifespan.



Site Map



Site Location: West of King William Road and north of W Rose Garden Road in West Point, VA (37.6327, -76.9545)

2530 Riva Road | Suite 200 | Annapolis, MD 21401
 Main: (443) 267-5012
 newenergyequity.com



AN ALLETE COMPANY

Turkey Hill SSG Narrative & Vegetation Preparation

The proposed Turkey Hill Shared Solar Garden (SSG) project is scheduled to occupy approximately 30 acres of a formerly forested site not including buffers, located in West Point, VA, which is in King William County.

The site is currently vacant and was timbered sometime between 2021 and 2023.

The interior of the array will be seeded with a native mix specifically chosen to support pollinators and adapt to the sandy prairie conditions. This seed mix will include native grasses and wildflowers that reach a mature height of 24" to 36" in order to avoid shading the solar panels. Allowing these native species to grow to their full heights will provide a beneficial pollinator habitat. The selected native grasses, including bunch grasses, will serve as nesting sites for native bees, insects, and songbirds. The chosen forbs are native to Virginia and will provide cost-effective vegetative cover for the site, essential forage throughout three seasons, and act as host plants for native butterflies, insects, and songbirds throughout the lifespan of the array.

By seeding the site with this proposed native mix, the project aligns with the Virginia Pollinator Smart program, which supports the establishment of native pollinator-friendly habitats. The site will undergo evaluation using the Virginia Pollinator-smart / Bird Habitat scorecard, to confirm its compliance with the standard (see page 11 & 12 for details).

In addition to the permanent native mix, a cover crop will be simultaneously sown to provide rapid green growth and help protect against water and wind erosion. The specific cover crop, either winter wheat or oats, will be determined based on the season.

Seed Mix

Diversity

- It is recommended to include at least three flowering species in each bloom period (spring, summer, fall) for projects so there is a continuous food source throughout the seasons.
- In large conservation plantings separate pollinator plots/zones may be planted as high diversity areas (.3-2 acres). These plots/zones should include at least 15 species and have a high percentage of forbs (greater than 50% by seed count).
- Clump-forming grasses are important to provide nesting sites and to provide fuel for prescribed burning but are generally kept between 3 and 5 pounds per acre in pollinator mixes.
- Shorter grasses such as little bluestem, side oats grama, and prairie dropseed (species that commonly grow in dry prairies) create less shade than taller grasses and allow forbs to grow effectively. Species should be selected that can persist in the soil and hydrology conditions of the site.

Layout

- It is helpful to plant forbs in masses to make them easier for pollinators to find and to increase foraging efficiency. This is a good strategy for smaller stormwater plantings and native gardens as it also creates a sense of order for projects.
- For urban projects it is useful to use "cues for care" along with native plantings to create order; such as edging, walls, fences, walkways, etc..
- Including a wide range of flower colors and shape will benefit a variety of pollinator species.
- Flowering trees and shrubs can also be important sources of pollen and nectar for pollinators, particularly early in the spring.

Insects

- When possible, plant species that can support specific insects that have specific needs for different geographic areas. (i.e., lupine for Karner blue butterflies, milkweed for monarchs, mints and goldenrods for Rusty-patch bumblebee).
- Plants and plant communities native to a specific area will provide the most benefit to local pollinators.

Example Seed Mix



Ernst Conservation Seeds
8884 Mercer Pike
Meadville, PA 16335
(800) 873-3321 Fax (814) 336-5191
www.ernstseed.com

Date: March 10, 2023

Fuzz & Buzz Mix - Standard - ERNMX-146

Botanical Name	Common Name	Price/Lb
26.40 % <i>Lolium perenne</i> , 'Crave', Tetraploid	Perennial Ryegrass, 'Crave', Tetraploid	3.60
21.00 % <i>Dactylis glomerata</i> , Potomac	Orchardgrass, Potomac	3.30
18.90 % <i>Poa pratensis</i> , 'Ginger'	Kentucky Bluegrass, 'Ginger' (pasture type)	4.80
12.00 % <i>Bromus biebersteinii</i> , 'Fleet'	Meadow Brome, 'Fleet'	8.64
5.70 % <i>Trifolium hybridum</i>	Alsike Clover	4.50
5.00 % <i>Festuca elatior x Lolium perenne</i> , Duo	Festulolium, 'Duo'	3.60
4.80 % <i>Trifolium pratense</i> , Medium, Variety Not Stated	Red Clover, Medium, Variety Not Stated	4.20
2.00 % <i>Lotus corniculatus</i> , 'Leo'	Bird's Foot Trefoil, 'Leo'	9.60
1.40 % <i>Chamaecrista fasciculata</i> , PA Ecotype	Partridge Pea, PA Ecotype	7.20
1.00 % <i>Linum perenne</i>	Perennial Blue Flax	48.00
0.90 % <i>Coreopsis lanceolata</i>	Lanceleaf Coreopsis	28.80
0.50 % <i>Chrysanthemum leucanthemum</i>	Oxeye Daisy	40.80
0.40 % <i>Solidago nemoralis</i> , PA Ecotype	Gray Goldenrod, PA Ecotype	264.00

100.00 %

Mix Price/Lb Bulk: \$6.52

Seeding Rate: Expect to apply about 40 lbs per acre with a cover crop of annual ryegrass 12 lbs/acre

Forage & Pasture Sites; Forage & Pasture Sites - Herbaceous Perennial; Solar Sites

The Fuzz & Buzz Mix-Standard was developed to address the unique nutritional needs of sheep, while providing a low-growing, easily maintained and sustainable vegetation solution for solar installations. The plant species were chosen with guidance from the American Solar Grazing Association (ASGA). The wildflowers in this mix support pollinators. Mix formulations are subject to change without notice depending on the availability of existing and new products. While the formula may change, the guiding philosophy and function of the mix will not.

Selecting Plants and Seed Mixes

Spring	Summer	Fall
Alumroot	Angelica	American Vetch
American Basswood	Bedstaws (Galium sp.)	Annual Sunflower*
American Wild Plum (pdf)	Blazing Stars* (Liatris sp.)	Black Eyed Susan (pdf)
Black Chokeberry (pdf)	Blue Lobelia*	Boneset*
Broad-leaf Arrowhead	Blue Vervain	Bugleweeds (Lycopus sp.)
Blanketflower	Bottle Gentian	Checkweeds
Bloodroot^	Bush Clovers	Frost Aster* (pdf)
Buttercups	Buttonbush (pdf)	Gentians*
Canada Anemone (pdf)	Canada Anemone (pdf)	Grass-leaved Goldenrod* (pdf)
Cherries* (pdf)	Canada Milkvetch (pdf)	Maximilian's Sunflower*
Columbine^	Canada Tick Trefoil	New England Aster* (pdf)
Common Strawberry	Coreopsis*	Nodding Bur-Marigold* (pdf)
Dogwoods (pdf)	Cow Parsnip	Showy Goldenrod*
Dutchman's Breeches*^	Culver's Root*	Sneezeweed*
Elderberry (pdf)	Cup Plant*	Stiff Goldenrod*
Field Blue-eyed Grass	Dogbane*	Virginia Mountain Mint*
Golden Alexander*	Dogwoods (pdf)	White Snakeroot^
Hoary Puccoon	Evening Primrose	Zig Zag Goldenrod*^
Juneberries*	False Indigo (pdf)	
Large Flowered Bellwort^	False Sunflower*	
Long-headed Thimbleweed	Giant Hyssop* (pdf)	
Lowbush Blueberry (pdf)	Grass-leaved Goldenrod* (pdf)	
Red Maple^ (pdf)	Harebell*	
Large-Flowered Penstemon*	Hedge Nettle	
Nannyberry (pdf)	Hoary Vervain*	
Prairie Milk Vetch	Ironweed	
Prairie Phlox	Jewelweed	
Prairie Smoke	Joe-Pye Weed* (pdf)	
Rue Anemone*	Large-leaved Aster^	
Solomon's Seal	Leadplant (pdf)	
Spiderwort	Milkweeds* (Asclepias sp.)	

Trillium	Narrow Leaf Coneflower*	
Violets^ (pdf)	Native Loosestrifes	
Virginia Bluebells^	Native Thistles* (pdf)	
Virginia Waterleaf*^ (pdf)	New Jersey Tea	
White Baneberry^	Ninebark* (pdf)	
Wild Lupine*	Obedient Plant*	
Wild Petunia	Partridge Pea	
Willows (pdf) (Salix sp.)	Prairie Cinquefoil	
	Purple Prairie Clover*	
	Prairie Coneflower (pdf)	
	Prairie Turnip	
	Prairie Wild Onion	
	Raspberries (pdf)/Blackberries*	
	Smooth Sumac	
	Spotted Bee Balm	
	Snowberry/Wolfberry	
	Turtlehead	
	Virginia Mountain Mint*	
	Waterlilies	
	White Meadowsweet (pdf)	
	Wild Bergamot	
	Wild Iris	
	Wild Quinine*	
	Wild Mint (pdf)	
	Smooth Wild Rose* (pdf)	
	Yarrow	

*High Value for Pollinator Species

^Shade Tolerant Species

Site Preparation

1. Prior to construction, the project area will undergo an inspection, soil test, and assessment to determine the site conditions and identify the need for any soil amendments.
2. If soil amendments are required, they will be applied and tilled into the soil before any construction activities commence.
3. The soil will be lightly disked or harrowed to create a suitable seedbed for planting.

Seed and Seeding

1. Construction debris, garbage, and building materials will be removed or relocated outside of the designated seeding areas.
2. Within the project area, the soil will be disked in preparation for seeding. It will then be harrowed or raked to achieve the optimal seedbed conditions.
3. All native seeds will be applied using a mechanical broadcast spreader.
4. Alongside the native species, a cover crop of either winter wheat or oats will be seeded, with the choice determined by the appropriate season.
5. After seeding, the site will be harrowed or cultipacked to ensure sufficient contact between the seeds and the soil.
6. In areas where equipment cannot access, hand seeding will be employed.

Procedures for Establishing Vegetation: Recommendations

Phase 1: Establishment (Growing seasons 1, 2, and 3)

Array and buffer areas will be managed in a similar manner.

Year 1:

To control the growth of annual/biennial weeds and prevent the production of viable seeds, complete mowings of the site are necessary.

- Depending on soil conditions, weather patterns, and planting dates, it is typical to conduct 2-3 mowings.
- Specialized zero-radius mowers, orchard mowers, and/or flail mowers should be used for mowing.
- The target mowing height should be 4-6 inches.
- Detailed reports of activities, site conditions, and recommendations for future management should be provided to the designated contact.

Year 2:

To manage the annual/biennial weed canopy and prevent seed production, mowing of the site should be done. Three visits are expected, depending on the growth and weed populations.

- Two mowings are likely in late spring or early summer.
- Mowing should be done using specialized zero-radius mowers, orchard mowers, and/or flail mowers.
- The target mowing height at this stage should be 4-6 inches to control weeds.
- One site visit using integrative vegetation management (IVM) is typical, depending on growth and weed populations.
- This includes spot mowing, spot herbicide application, herbicide wicking, and other techniques.
- Equipment such as tractor and/or ATV mounted sprayers should be used.
- Reports should be provided to the designated contact after each visit, including a summary of activities, site conditions, and recommendations for future management.

Year 3:

Integrated Vegetation Management (IVM) is required, with three site visits expected based on growth and weed populations.

- This includes spot mowing, spot herbicide application, herbicide wicking, and other techniques.
- Adaptive vegetation management techniques should be employed throughout the lifespan of the array.
- Equipment such as tractor and/or ATV mounted sprayers should be used.

Phases of Development and Maturity:

Years 4 - 34:

Integrated Vegetation Management (IVM) should be continued.

- Two site visits are typical, depending on the status of vegetation. The vegetation on the site reaches a height of 24" to 36", with taller species being wildflowers.
- This includes spot herbicide applications and/or herbicide wicking.
- Equipment such as tractor and/or ATV mounted sprayers should be used.
- A complete site mowing should be conducted once every 3 years to mulch the biomass and recycle nutrients. In years when a mowing occurs, only one IVM visit will be necessary.
- Adaptive management techniques should be employed throughout the lifespan of the array.

Monitoring:

Regular monitoring of the project is essential to evaluate vegetative establishment, weed presence, and potential erosion concerns. This information helps determine the appropriate management techniques, timing of implementation, and the need for any remedial action.

It is important to note that management activities may need to be implemented gradually, based on the seeding time of specific areas of the site. Careful management is required to ensure that the best techniques are employed in the right areas at the appropriate times.

Notes on Vegetation Management:

Establishing a successful native landscape is crucial, but it is also necessary to manage the vegetation for the optimal functioning of the array. This includes controlling vegetation along roads, combiner boxes, power panels, etc.

Solar crews should mechanically control weed growth beneath the panels. Mowing or trimming around every post is typically unnecessary for the health of the plant community.

After the establishment period is successfully completed, the site should be mowed once every 3-4 years. This mulching mowing closely mimics the benefits of a prescribed burn, which cannot be used on a solar site for obvious reasons. These mowings usually occur in early winter (when there is no snow) or spring, often before the ground thaws.

Virginia Energy Shared Solar Additional Information



Virginia Shared Solar Program

Key Terms

Bill Credit: The monetary value of the electricity generated by the shared solar facility, in kilowatt-hours, that is allocated to a subscriber to offset their energy bill.

Low-Income Customer: Any person, or household, whose income is no more than 80 percent of the median income in the locality where the customer lives. The median income of the locality is determined by the U.S. Department of Housing and Urban Development.

Minimum Bill: The minimum amount shared solar subscribers are required to pay on their utility bill per month after accounting for any bill credits.

Shared Solar Facility: A solar facility that has at least three subscribers and at least 40% of its capacity subscribed by customers with subscriptions of 25 kilowatts or less. Additionally, a shared solar facility cannot exceed 5,000 kilowatts, and must be connected to the electric distribution grid. It should be on a single parcel of land.

Subscriber: Retail customer that participates in the shared solar program by owning at least one subscription of a shared solar facility.

Subscription: Contract between a subscriber and the owner of a shared solar facility. The subscription's estimated bill credit will not exceed the subscriber's average annual electric bill.

Subscriber organization: Any for-profit or nonprofit entity that owns or operates one or more shared solar facilities. Note: *A subscriber organization may use a third-party entity to serve as an enrollment agent to manage customer enrollment and directly interface with subscribers.*



FAQs

Who can participate in the shared solar program?

Any residential, small business, commercial or industrial utility customer. This includes customers that do not have access to solar on their own properties such as renters, people whose properties are unable to support solar panels for various reasons or others who do not want to install their own solar panels.

Additionally, a minimum of 30 percent of the total capacity of the shared solar program must be comprised of low-income customers.

Currently, shared solar is only available to customers within Dominion Energy's Virginia service territory.

Is there a cap on the shared solar program?

The maximum cumulative of the shared solar program initially will be capped at 150 megawatts and individual solar facilities are capped at a maximum capacity of five megawatts. The program will be expanded by 50 megawatts to a cumulative size of 200 megawatts if the initial program meets the 30 percent requirement for low-income participation.

What information should a subscriber organization provide to a potential subscriber?

The State Corporation Commission (SCC) has developed a standardized consumer disclosure form.¹ This form provides all the necessary information to be disclosed and potential subscribers should expect to receive this information in the format provided by the SCC.

How are shared solar subscriptions sold?

Shared solar organizations may use a variety of methods to contact utility customers and sell subscriptions including mailings, door-to-door marketing and online advertising. Shared solar organizations may also partner with housing providers to enroll a group of customers. For example, affordable housing providers may subscribe on behalf of their low-income tenants.

All subscriber organizations must provide consumer disclosure information and a description of how the shared solar program will function prior to executing a written contract. Consumers should carefully evaluate all prospective shared solar subscriptions. All written contracts should include a toll-free number and address for any complaints or inquiries.

How does the billing work?

There are two billing mechanisms for shared solar: separate billing and consolidated billing (net crediting). Under separate billing, a subscribing customer will receive two bills - one from the Subscriber Organization and the other from the utility. Under consolidated billing, a subscriber will receive one bill from the utility which includes their standard electricity bill and their shared solar subscription fee from the Subscriber Organization. There may also be a net crediting fee for consolidated billing.

¹ <https://scc.virginia.gov/getattachment/4902726b-7f38-4d46-8a41-493d99aba283/shared-standard-customer-disclosure-guide.pdf>

What are the types of shared solar subscriptions?

Each subscriber organization may offer a different type of subscription and in some cases a subscriber may have different options available to them from the same subscriber organization. In all cases, a subscriber should not subscribe for an amount that exceeds their average annual energy usage.

While there may be other options, these are the most likely types of subscriptions:

- **Fixed kilowatt hours per year:** the customer can choose to purchase a set amount of electricity.
- **Percentage of a shared facility nameplate capacity:** the customer would have a set amount of a shared solar facility reserved for them, and they will receive credits based on how much energy their share of the facility generates.
- **Fixed percentage of subscriber usage:** the customer would have a certain amount of their total usage covered by a shared solar subscription.
- **Variable percentage of subscriber usage:** the customer would have a variable percentage of their typical usage that may change depending on the season.

What is the difference between the community solar program and the shared solar program?

In Virginia, the community solar pilot program² is managed by utilities. Customer participation and enrollment is managed by a utility. A community solar facility is either owned by a utility or subject to a power purchase agreement with a utility. Some investor-owned utilities and electric cooperatives offer community solar programs.

The shared solar program is not managed directly by utilities. Instead, various subscriber organizations own and operate the solar facilities. Additionally, enrollment is managed by third-party subscriber organizations.

What is the difference between the shared solar program and the multi-family shared solar program?

The multi-family shared solar program³ is a separate program specifically designed for solar facilities that are located on the premises of a multi-family housing complex. This may include an apartment, condominium or duplex complex. The multi-family shared solar program has different rules and charges that apply to subscribers and subscriber organizations.

What happens to the environmental attributes?

It is the choice of the subscriber organizations to determine how renewable energy certificates (RECs) will be owned or utilized for the shared solar facility. They may sell these attributes to other entities or retire them on behalf of the subscribers. This information will be disclosed to subscribers.

² [§ 56-585.1:3. Pilot programs for community solar development.](#)

³ [§ 56-585.1:12. Multi-family shared solar program.](#)



Additional Resources

- Code of Virginia: § 56-594.3. Shared solar programs.:
<https://law.lis.virginia.gov/vacode/title56/chapter23/section56-594.3/>
- Administrative Code: Rules Governing Shared Solar Program:
<https://law.lis.virginia.gov/admincode/title20/agency5/chapter340/>
- State Corporation Commission (SCC)
 - Subscriber Organization Licensing: <https://scc.virginia.gov/pages/Shared-Solar>
 - Frequently Asked Questions: <https://scc.virginia.gov/pages/Shared-Solar-FAQs>
- Dominion Energy Virginia Shared Solar Program: <https://www.dominionenergy.com/virginia/renewable-energy-programs/shared-solar-program>

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Independent Studies Confirm: Homes Near Solar Projects Do Not Lose Value

Blog

Aug 27, 2025 | 4 min read

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For many people in rural communities, a utility-scale solar farm can feel like a big change to what they love most: open country views, peaceful surroundings, and the unique character of their town. Compared to more intensive forms of development – like housing communities, data centers or distribution centers – solar farms help protect the open, quiet landscape people love, and keep the land usable as farmland into the future.

In particular, one of the first concerns from nearby homeowners is: “Will this lower my property value?” This fear often comes from stories heard secondhand. But the truth is, most studies have found that solar projects have no negative impact on neighboring property values. In some cases, they’ve been shown to slightly increase value. Here, we’ll take a closer look at the data.

What Factors Most Often Affect Home Values

Before diving into solar specifically, it’s helpful to review other factors that can determine a home’s value. These include:

- Local real estate supply and demand

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– Interest rates

New developments, including utility-scale solar projects, are just one variable. And studies have consistently found that it is not a variable that typically harm neighboring property values.

What the Data Says About Solar and Home Prices

Four studies conducted over the last few years have addressed this issue directly. Here are their findings:

Kirkland Appraisals, LLC, 2025

[Kirkland Appraisals, LLC](#), studied a 250 MW solar project near Penrod, Kentucky, and found it had **no negative impact** on nearby home values.

The report emphasized that setbacks and visual buffers helped ensure the project didn't detract from neighborhood aesthetics. In his report, the certified general appraiser also noted that people who live near solar arrays have expressed to him benefits like, "protection from future development of residential developments or other more intrusive uses, reduced dust, odor and chemicals from former farming operations, protection from light pollution at night, it is quiet, and there is minimal traffic."

Thesis research by Simeng Hao, 2023

Simeng Hao, a master's student at Loyola University, wrote a thesis titled [Assessing Property Value](#)

[Impacts Near Utility-Scale Solar in the Midwest](#). Hao [analyzed Zillow property value data for homes near 70 utility-scale solar projects in 10 Midwest states](#) using solar facility data from the Lawrence Berkely National

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Lawrence Berkeley National Laboratory – Energy Markets & Policy department, 2023

Lawrence Berkeley National Laboratory [reviewed 1,500 large-scale solar projects and over 1.8 million home sales in six states](#): California, Connecticut, Massachusetts, Minnesota, North Carolina, and New Jersey.

Their conclusion? While minor effects to property values in some contexts may occur, it depends on a home's distance from the project and the solar site's previous land use purposes.

CohnReznick, 2021

CohnReznick [studied nine existing solar facilities across seven states](#) and their impact on the value of nearby homes. After comparing the sales of 26 adjoining properties and 94 similar sales from a control area, it found **no evidence of property devaluation** for adjacent homes or agricultural properties.

Appraisers also spoke with local county and township assessors with solar facilities in their districts. The assessors said they had seen no evidence that nearby property values were negatively affected. Local real estate brokers echoed that, noting **no changes in home pricing, marketing time, or conditions of sale.**

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Why Solar Doesn't Hurt Property Values

That's why good solar developers plan carefully, using setbacks, community engagement efforts, tree screening, and thoughtful layouts that protect the countryside feel people value. Many neighbors appreciate that solar projects keep land open and quiet, instead of being turned into crowded housing or noisy businesses.

Unlike factories or busy commercial sites, large-scale solar arrays are quiet, clean, and low-traffic once operational. There's no noise, odor, or disruption of daily life. In fact, well-planned solar projects that take the surrounding communities into consideration often include visual screening or green buffers, making them less obtrusive.

For example, many projects add native grasses, wildflowers, or pollinator-friendly habitats under and around the panels. Others partner with local farmers to graze sheep and/or cultivate bees, keeping the land productive in new ways. And by preserving open space, solar projects can help keep large tracts of land from being divided up for dense housing or commercial uses that bring noise and traffic.

At the end of the day, a good solar project aims to fit in – preserving what

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The Takeaway: Trust the Data

It's understandable that rumors about declining home prices still pop up at town halls and kitchen tables. For many people in rural communities, a big change to familiar farmland can feel like a threat to what they love most: open country views, peaceful surroundings, and the unique character of their town.

Sometimes, neighbors worry that a nearby solar project might make it harder to sell their home someday, even if studies say otherwise. This fear often comes from stories heard secondhand.

It's normal to wonder if solar projects could hurt your home's value. But the truth is, with proper planning and community input, they don't, and they often help protect the open, quiet landscape people love.

Good solar developers don't take away what makes the land special, they build on it. A well-planned solar project doesn't just drop panels on a field and call it done. Responsible developers look at what's already good about the land – its open space, quiet surroundings, healthy soil, or native plants and find ways to protect or even improve those features.

At the end of the day, a good solar project aims to fit in – keeping what neighbors value about their land while adding new benefits for the whole community. When people see that projects are well planned and neighbors are heard, they often find that their initial worries fade and their community benefits in the long run.

Press Contact

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HOME / NEWS

Midwest study finds solar farms don't hurt property values — and they may even boost them

October 3, 2024 [Renewable Energy World](#)

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A solar farm near Wheatland, Wisconsin. Credit: Wikimedia Commons

by Kari Lydersen, Energy News Network

A newly published study examining property values near dozens of large Midwest solar farms has found no significant negative impact — and even a slight positive effect — from the projects, according to the data.

Loyola University researcher Gilbert Michaud has attended scores of community meetings about proposed solar projects, from the Midwest to rural France. In past research, he quantified that property values were the most common concern brought up in local hearings about proposed utility-scale solar in Europe — and he's seen similar trends in the U.S.

And while solar arrays may have an aesthetic impact, property values are influenced by a wide range of other factors, such as the quality of schools and the local economy.

"I've observed a lot of the negative comments framed as 'I think' or 'I saw something on social media,'" said Michaud, an assistant professor of environmental policy at the School of Environmental Sustainability at Loyola University Chicago. So he sought to "elevate the discussion from 'I think, I think, I think,'" by injecting it with some hard data.

His latest study, published in the December 2024 issue of the journal *Solar Compass*, looked at property values surrounding 70 utility-scale solar projects in the Midwest and found they actually had a minor positive effect — increasing values 0.5% to 2%.

"While the impact itself — of a few thousand dollars — might not be incredibly meaningful," said Michaud, "clearly these projects drive economic development in rural communities, through jobs, tax contributions, etcetera, which in turn increase residential property values."

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EMOTIONS RUNNING HIGH

Michael Wildermuth, a landowner in Allen County, Ohio, was hoping to lease land to the proposed 300 MW Birch Solar farm. But the project was denied by a state siting board, in the face of opposition from some residents.

“The nearest neighbors became enraged so quickly and voiced their rage so loudly that others were placed in a reactionary mode,” Wildermuth said. “The neighbors were greatly concerned with property values and flooding. The landowners were afraid of these vocal neighbors, the public officials were afraid of being on the wrong side of a political ‘hot potato’ issue.”

The developer appealed to the Ohio State Supreme Court, and Wildermuth filed an amicus brief. He wishes more data about property values had been available during the debate. He also thinks opponents ignored the \$81 million the developer estimated it would contribute to the economy, and assumed the project would have little local economic benefit since the power would go to an Amazon facility.

“Just get people ‘all het up’ and you don’t have to deal with reason and facts,” Wildermuth said.

“Do I think solar farms could actually improve property values or the financial well-being of landowners and neighbors of solar farms? Yes, I do. We argued that. We also pointed out that, in the rural area where the farm was planned, the properties would remain stable for 30 years,” preventing them from being developed for other purposes that neighbors may find less desirable.

SHINING NEW LIGHT

The study, co-authored by Loyola graduate Sampson Hao, notes that the benefits of rooftop solar on energy bills and property values are well-documented. But less is known about how utility-scale solar farms impact nearby properties — even though utility-scale solar accounts for about three-quarters of new solar development.

The study reviewed 70 solar farms built in the Midwest between 2009 and 2022, from a database by Berkeley Laboratory including solar farms over 5 MW. Hao and Michaud analyzed property values compiled by real estate firm Zillow, comparing values five years before a solar project became operational, with values at the operational date, which is often about two years after construction starts.

They aggregated by zip code, and controlled for factors like the COVID-19 pandemic that could affect housing values in a given year. Three-bedroom houses were used as a measure of overall property values. They also analyzed “control group” zip codes near the solar farm zip codes, but without solar farms, to account for other factors that might affect property values.

Michaud noted that while the number of bedrooms and other factors have a much larger impact on property values, the small positive impact that nearby solar farms could have could be similar to that of cultural amenities, like arts centers. Solar farms can also have an impact on schools — a major factor in determining property values — since solar projects augment local tax bases. Solar developers also often make ongoing contributions to school districts in the form of donations, supplies and energy education opportunities.

The study showed high numbers of solar farms going online in 2017 and 2021, with a smaller spike in 2020.

The projects included in the study range from a 10 MW urban installation in Chicago, installed by Exelon in 2010, to the 268 MW Riverstart Solar Park in Indiana, from 2021. Only 11 of the 70 projects studied were over 100 MW in capacity. Indiana had the most arrays at 22, followed by 14 in Minnesota, eight in Michigan and seven in Illinois.

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arrays at 22, followed by 14 in Minnesota, eight in Michigan and seven in Illinois.

The most beneficial impact on property values was from solar farms between 5 and 20 MW in size, perhaps in part because these can be hidden by vegetative buffers.

“The paper is not about a house that’s 200 feet away from a solar project, that’s very rarely the case,” said Hao, noting that developers often offer to buy properties at above market value in such situations. “We wanted to look at a bigger scale. A project between 5 and 20 MW, you’re really not supposed to even see these with your bare eyes.”

MIDWESTERN FOCUS

Michaud said that debunking myths around solar farms is particularly important in the Midwest, where there is much untapped potential for solar. While it has less sun than the Southeast and California, which have led the nation in solar farm development, the Midwest has massive stretches of agricultural land where solar can be deployed along with crops.

“This is a really important finding for Midwestern government officials, land owners, and many others to know about,” Michaud said. “Many of these folks are now making decisions about whether to host a large-scale solar project in their community, and the potential impacts to property values is often something that comes up in local debates and at local hearings. Data can help tell a story and move the debate beyond anecdotal or subjective arguments.”

The Loyola study cites a [2018 analysis of 956 specific solar farms](#) by a University of Texas researcher that found no conclusive evidence of impact on property values one way or another. The Loyola researchers also noted [a study by Berkeley Laboratory](#) that found about a 1% decline in property values around 2,000 solar farms in six states on the east and west coasts and in Minnesota.

“Most Midwestern states have 10 to 20 gigawatts of potential utility-scale solar in their queue, and developers are coming off of the coasts where the grid is more congested and there is less land for development, targeting agricultural land in the center of the country,” Michaud said. “Finding a large plot of land with good solar irradiation and access to a substation is the sweet spot for a lot of solar developers, and in essence, positive attributes of farming crops in the Midwest are also positive attributes for farming ground-mounted, large-scale solar.”

PERCEPTION BECOMES REALITY

The study notes the irony that perception plays a significant role in determining property values, and fears about property value declines can become a self-fulfilling prophecy.

“Projection and speculation drive market forces,” Michaud said. “A farmer might be angry that a solar farm is going in the community, he’s going to sell and move to Florida. A buyer thinks, ‘maybe I can negotiate this price down,’ and the house sells for less than its value, and an appraiser looks at that. But none of this is real, it’s just based on speculation and emotion, which then drives data points ... it all started with an emotional response.”

Hao theorized that developers who make poor choices in siting and managing solar farms can have an impact on property values elsewhere, if negative stories about solar spread by word of mouth or social media.

“Is a developer doing their best to have as much of a buffer as economically feasible?” he asked. “Is the developer making vegetative screenings so you’re not going to see millions of panels? Is the developer doing their best to move the inverter to the center of the leased land so noise doesn’t get over the road? There’s a lot of things at the end of the day that developers can do better. It’s up to the developers to really step up their game to eliminate those potential negative effects.”

The Loyola study notes that solar developers should do things like location, orientation, and

The Loyola study notes that solar developers often do things like hosting county fairs or supporting local organizations that can increase property values. Michaud said it's possible such dynamics were reflected in their data showing small increases in property values, along with other benefits.

“From an economic perspective,” Michaud said, “locals should increasingly look at these data to understand the job opportunities, wages paid, new tax revenues and negligible or positive impacts on property values, and realize that large-scale solar projects might actually be an amenity in their community.”

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Study: Midwest Property Values Unaffected by Nearby Solar Farms

Despite concerns that solar projects could lower property values, new research finds they actually rose slightly in areas near utility-scale solar installations.

1 Minute Read

October 10, 2024, 11:00 AM PDT

By [Diana Ionescu](#) X [@aworkoffiction](#)

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Nicholas J. Klein / [Adobe Stock](#)

Large solar farms do not have a negative impact on nearby property values in the Midwest, reveals a study from a Loyola University researcher. As Kari Lydersen notes in an article for Canary Media, they may even have a slight positive effect.

The study found that property values near 70 large-scale solar farms in the Midwest actually increased by 0.5 percent to 2 percent. The researcher, Gilbert Michaud, noted that the installations can also drive local economic development through new jobs and tax contributions. "The most beneficial impact on property values was from solar farms between 5 and 20 MW in size, perhaps in part because these can be hidden by vegetative buffers."

The study was a response to concerns by many residents in rural areas that solar projects will reduce property values and have a negative impact on local communities. Michaud hopes local officials will take note, saying, "Many of these folks are now making decisions about whether to host a large-scale solar project in their community, and the potential impacts to property values is often something that comes up in local debates and at local hearings. Data can help tell a story and move the debate beyond anecdotal or subjective arguments."

FULL STORY: [Solar farms don't hurt nearby property values, new research finds](#)

Monday, October 7, 2024 in Canary Media

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AGENDA ITEM 8.b.

Amendment to Zoning Ordinance Sec. 86-137 — Chesapeake Bay Resiliency (tabled from 1/6/26 PC Meeting)



BOARD OF SUPERVISORS
First District – Brenton J. Bohannon
Second District – Benjamin J. Edwards III
Third District – Justin Catlett
Fourth District – Lindsay May Robinson
Fifth District – T. Keith Fogg



County of King William, Virginia

TO: Planning Commission

FROM: Joyce Wolfe, Planner

SUBJECT: Proposed Amendments to the Chesapeake Bay Preservation Area Ordinance to Incorporate Coastal Resiliency and Mature Tree Preservation Initiatives in Accordance with the Requirements of 9 VAC 25-830-155.

DATE: April 7, 2026

REQUEST FOR ACTION

The Planning Commission is requested to review the proposed Amendments to the Chesapeake Bay Preservation Area Ordinance and forward a recommendation to the Board of Supervisors.

BACKGROUND

The Virginia Chesapeake Bay Preservation Act (Bay Act) requires that local governments in Tidewater Virginia adopt and implement ordinances to protect and improve water quality through effective land use management. Previously codified sections 9VAC25-830-130 and 140 required local governments to incorporate general performance criteria for land in Chesapeake Bay Preservation Areas and development criteria for Resource Protection Areas.

The State Water Control Board adopted statutory amendments in 2021 (9VAC25-830-155) that require localities to also address:

- Resiliency and adaptation to climate change, including sea-level rise, storm surge, and flooding.
- The preservation of mature trees and the use of trees as a water quality protection measure.

The Department of Environmental Quality has drafted and provided a model ordinance for consideration by localities. The proposed ordinance implements regulatory changes, with specific language provided in the model document that is required by statute to be included by the locality.

- **Key Ordinance Amendments**

- **Resiliency Assessments**

- The ordinance now requires a resiliency assessment for any proposed land development in a Resource Protection Area (RPA). The assessment must consider potential impacts

of sea-level rise, storm surge, and flooding on buffer function using data from approved models like the NOAA Intermediate-High scenario projection and SLOSH model. The assessment results determine if project alterations or specific nature-based adaptation measures are necessary for approval.

- **Mature Tree Preservation**

- The amendments formalize the protection of mature trees (canopy trees 35 feet or taller when mature, or understory trees 12 to 35 feet tall when mature). Mature trees must be preserved during development and only removed where necessary.
- When trees are removed, replacement with other equally effective vegetation is required, with an emphasis on native species.

- **Adaptation Measures**

The ordinance encourages the use of nature-based solutions to mitigate climate change impacts. These measures must maximize the preservation of mature trees and minimize land disturbance. The use of fill for adaptation measures is permitted under specific conditions to ensure stability and proper drainage.

SUMMARY

The model ordinance is not required to be adopted in total and Staff was directed to only incorporate the passages that are mandated by statute. Article II, Definitions and Sec. 86-137 have been revised accordingly and the draft is attached.

Possible Motions:

- I move that the proposed Chesapeake Bay Preservation Area Ordinance be forwarded to the Board of Supervisors for their consideration with our recommendation of approval.
- I move that the proposed Chesapeake Bay Preservation Area Ordinance be forwarded to the Board of Supervisors for their consideration with our recommendation of approval with the following changes_____.
- I move that the proposed Chesapeake Bay Preservation Area Ordinance be tabled until the _____ Planning Commission Meeting.

Attachments:

Proposed Draft Chesapeake Bay Resiliency Ordinance Revisions

ARTICLE II. DEFINITIONS

(The following terms are required to be added to our Ordinance):

Adaptation measure. A project, practice, or approach to mitigate or address an impact of climate change including sea-level rise, storm surge, and flooding including increased or recurrent flooding.

Canopy tree. A tree that typically reaches 35 feet in height or taller when mature.

Mature tree. A canopy tree with a diameter at breast height (DBH) of 12 inches or greater or an understory tree with a DBH of four (4) inches or greater.

Nature-based solution. An approach that reduces the impacts of sea-level rise, flooding, and storm events through the use of environmental processes and natural systems.

Understory tree. A tree that typically reaches 12 to 35 feet in height when mature.

Sec. 86-137. Chesapeake Bay Preservation Area.

- (a) *Applicability.* The requirements of this article shall apply to all development and redevelopment involving land disturbance, the creation of a construction footprint or a change in an existing construction footprint. Agricultural activities and silvicultural activities are subject to the specific provisions applicable to those activities, as noted herein.
- (b) *Chesapeake Bay Resource Protection Area (RPA) boundaries.* Resource protection areas or "RPAs" shall consist of:
 - (1) Tidal wetlands;
 - (2) Non-tidal wetlands connected by surface flow and contiguous to tidal wetlands or water bodies with perennial flow;
 - (3) Tidal shores;
 - (4) A vegetated buffer area not less than 100 feet in width located adjacent to and landward of the components listed above, and along both sides of any water body with perennial flow. The full buffer area shall be designated as the landward component of the RPA notwithstanding the presence of permitted uses, encroachments, and permitted vegetation clearing in compliance with this article.
- (c) *Chesapeake Bay Resource Management Area (RMA) boundaries.* The resource management area or "RMA" shall be provided contiguous to the entire inland boundary of the RPA and shall include all lands within the County not otherwise designated as an RPA.
- (d) *Chesapeake Bay Preservation Area maps to be maintained; site-specific delineation.* The director shall maintain maps generally locating identified Chesapeake Bay Preservation Areas (CBPAs). These maps are not conclusive evidence of inclusion or exclusion, and therefore, each applicant shall provide either the certification referred to in section 86-137(j), or a reliable, site-specific evaluation and delineation prepared by a qualified professional. Such delineation shall be in accordance with the latest edition of guidance documents issued by the Chesapeake Bay Local Assistance Board and acceptable to the director. Such delineation or certification shall include all information requested by the director, to supplement the application for approval of construction plans, land disturbance permit, building permit, site plan or subdivision plat, or with the water quality impact assessment.
- (e) *Use regulations.* Permitted uses, special permit uses, accessory uses and special exceptions shall be as established by the underlying zoning district unless specifically modified by the requirements set forth herein.

- (f) *Lot size.* Lot size shall be subject to the requirements of the underlying zoning district(s), provided that any lots shall have sufficient area outside the RPA to accommodate an intended development, in accordance with the standards in the section titled General performance criteria for CBPA, when such development is not otherwise allowed in the RPA.
- (g) *General performance criteria for Chesapeake Bay Preservation Area.* Any use, development or redevelopment of land within the CBPA shall meet the following performance criteria:
- (1) No more land shall be disturbed than is necessary to provide for the proposed use or development.
 - (2) The limits of land disturbance, development or redevelopment, including clearing or grading, shall be strictly defined by the construction footprint shown on the approved building permit, site plan, subdivision plat or water quality impact assessment. These limits shall be clearly shown on all plans and physically marked on the development site prior to any clearing or grading.
 - (3) Ingress and egress to any site during construction shall be limited to one access point, unless otherwise approved by the director.
 - (4) Notwithstanding any other provisions of this article or exceptions or exemptions, any land disturbing activity exceeding 2,500 square feet, including construction of single-family houses, septic tanks and drainfields, shall comply with the erosion and sediment control requirements of state law. Any such proposed development shall be the subject of a land disturbance permit, certification, building permit, site plan, subdivision plat or water quality impact assessment found by the director to be consistent with this article.
 - (5) Indigenous vegetation shall be preserved to the maximum extent practicable consistent with the use or development proposed. [Mature trees shall be protected during development and only removed where necessary, including to provide for the proposed use or development.](#)
 - (6) Diseased trees or trees weakened by age, storm, fire or other injury may be removed.
 - (7) Clearing shall be allowed only to provide necessary access, construction of improvements, positive site drainage, water quality best management practices, and the installation of utilities, as approved by the director.
 - (8) Prior to clearing or grading, suitable protective barriers, such as safety fencing, shall be erected five feet outside of the dripline of any tree or stand of trees to be preserved. These protective barriers shall remain so erected throughout all phases of construction. The storage of equipment, materials, debris, or fill shall not be allowed within the area protected by the barrier.
 - (9) Land development shall minimize impervious cover consistent with the use or development proposed. Unless otherwise approved by the director, grid and modular pavements that promote infiltration shall be used for any required parking area, alley, or low traffic driveway.
 - (10) All sewage disposal systems, except those requiring a Virginia Pollutant Discharge Elimination System permit, shall comply with the following:
 - a. Systems shall be pumped out at least once every five years, unless the owner submits documentation, certified by a sewage handler permitted by the Virginia Department of Health, that the septic system has been inspected, is functioning properly, and the tank does not need to have the effluent pumped out of it. As an alternative to the mandatory pump-out or documentation, a plastic filter approved by the health department may be installed and maintained in the outflow pipe from the septic tank to filter solid material from the effluent. Such a filter shall satisfy standards established in the sewage handling and disposal regulations administered by the Virginia Department of Health.
 - b. A reserve sewage disposal site with a capacity at least equal to that of the primary sewage disposal site shall be provided on each lot or parcel proposed for new construction. This reserve

sewage disposal site requirement shall not apply to any lot or parcel recorded prior to October 1, 1989, if the lot or parcel, as determined by the local health department, is not sufficient in capacity to accommodate a reserve sewage disposal site.

- (11) Building or construction of any impervious surface shall be prohibited on the area of all sewage disposal sites until the development is served by public sewer or an on-site sewage treatment system that operates under a permit issued by the state water control board.
- (12) For stormwater management, any land disturbance, development or redevelopment shall comply with all stormwater management criteria of the Virginia Stormwater Management Regulations contained in the Code of Virginia. The following stormwater management options shall be considered to comply with the requirements of this section:
 - a. Incorporation on the site of best management practices that achieve the required control.
 - b. Compliance with a site-specific Virginia Pollution Discharge Elimination System permit issued by the Virginia Department of Environmental Quality, provided that the director determines that the permit requires measures that collectively achieve water quality protection equivalent to that required by this subsection.
 - c. Any maintenance, alteration, use of, or improvement to an existing structure which does not degrade the quality of surface water discharge, as determined by the director, may be exempted from the requirements of this subsection.
 - d. Where utilization of best management practices requires regular or periodic maintenance, such maintenance shall be ensured through a maintenance agreement or other mechanism approved by the director which achieves an equivalent objective.
- (h) *Agricultural activities.* Land upon which agricultural activities are being conducted, including but not limited to crop production, pasture, and dairy and feedlot operations, shall have a soil and water quality conservation assessment conducted that evaluates the effectiveness of existing practices pertaining to soil erosion and sediment control, nutrient management, and management of pesticides, and, where necessary, results in a plan that outlines additional practices needed to ensure that water quality protection is being accomplished consistent with the act and regulations, approved by the soil and water conservation district board.
- (i) *Development criteria for resource protection areas (RPAs).*
 - (1) *Restriction.* Land development within an RPA may be allowed pursuant to this article when such development either is water-dependent, constitutes redevelopment, is a new use established pursuant to a permitted encroachment, is a road or driveway crossing, or is a flood control or stormwater management facility, and when such proposed development satisfies the conditions set forth below:
 - a. A water quality impact assessment is approved;
 - b. [A resiliency assessment as set forth in Section 86-137\(m\) of this Ordinance shall be required for any proposed land development during the plan of development or other project review process in the RPA.](#)
 - c. For a new or expanded water-dependent facility, demonstration that:
 1. The development of the facility does not conflict with the King William County Comprehensive Plan;
 2. The development complies with the performance criteria of this article;
 3. Any nonwater-dependent component is located outside of RPAs; and
 4. Access to the water-dependent facility will be provided with minimum disturbance necessary. Where practicable, a single point of access is provided.

- c. For redevelopment, there is no increase in the amount of impervious cover and no further encroachment within the RPA, and there is conformance with all applicable federal, state and county erosion and sediment control and stormwater management laws and with the regulations.
 - d. For nonexempt roads and driveways, each of the following conditions is met:
 - 1. The director finds that there are no reasonable alternatives to aligning the road or driveway in or across the RPA;
 - 2. The proposed alignment, design and construction of the road or driveway is optimized to minimize encroachment in the RPA and adverse effects on water quality; and
 - 3. The design and construction of the road or driveway conform to all applicable criteria of this article, including submission of a water quality impact assessment; and
 - 4. The director reviews the plan for the proposed road or driveway in coordination with construction plan, land disturbance, site plan, subdivision or building permit approvals, and finds that the plan is consistent with this article.
 - e. For flood control and stormwater management facilities that drain or treat water from multiple development projects or from a significant portion of a watershed;
 - 1. The director establishes that location of the facility within the RPA is the optimum location;
 - 2. The size of the facility is the minimum necessary to provide necessary flood control or stormwater treatment, or both;
 - 3. The facility is consistent with a stormwater management program that has been approved by the Chesapeake Bay Local Assistance Board as a phase I modification to the county's program;
 - 4. All applicable permits for construction in state or federal waters have been obtained from the appropriate state and federal agencies;
 - 5. Approval has been received from the director prior to construction; and
 - 6. Maintenance agreements in a form and with content acceptable to the director have been executed, to allow the county to perform routine maintenance on such facilities to assure that they continue to function as designed. This subsection shall not be construed to allow a best management practice to be located within the RPA that collects and treats runoff from only an individual lot or portion thereof.
- (2) *Buffer area requirements.*
- a. The 100-foot wide buffer area shall be the landward component of the RPA. Notwithstanding permitted uses, encroachments, and vegetation clearing, as set forth in this article, the 100-foot wide buffer area shall not be reduced in width. To minimize the adverse effects of human activities on the other components of the RPA, state waters, and aquatic life, a 100-foot wide buffer area of vegetation that is effective in retarding runoff, preventing erosion, and filtering nonpoint source pollution from runoff shall be retained if present and established where it does not exist. [The planting of trees shall be incorporated into the reestablishment of the 100-foot buffer, as appropriate to site conditions and in such a manner to maximize the buffer function. Inclusion of native species in tree planting is preferred.](#)
 - b. The 100-foot wide buffer area shall be deemed to achieve a 75 percent reduction of sediments and a 40 percent reduction of nutrients.
 - c. Where land uses such as agriculture or silviculture within the buffer area cease and the lands converted to other uses, the full 100-foot wide buffer shall be reestablished. In reestablishing the buffer, measures shall be taken to establish woody vegetation that assures the required buffer

functions. [The planting of trees shall be incorporated into the reestablishment of the 100-foot buffer, as appropriate to site conditions and in such a manner to maximize the buffer function. Inclusion of native species in tree planting is preferred.](#)

d. Permitted encroachments into the buffer area:

1. When providing the buffer area would result in the loss of a buildable area on a lot or parcel recorded prior to October 1, 1989, encroachments into the buffer area may be allowed by the director in accordance with the following criteria:
 - i. Encroachments shall be the minimum necessary to achieve a reasonable buildable area for a principal structure and necessary utilities;
 - ii. A vegetated area is established elsewhere on the lot or parcel, if practicable, that is equal to the area of encroachment into the buffer and will mitigate the effects of the encroachment. [Where established, such vegetated area shall include the planting of trees as appropriate to site conditions. Inclusion of native species in tree planting is preferred.](#);
 - iii. The encroachment does not extend into the seaward 50 feet of the buffer.
2. When providing the buffer area would result in the loss of a buildable area on a lot or parcel recorded between October 1, 1989 and March 1, 2002, encroachments into the buffer area may be allowed by the director in accordance with the following criteria:
 - i. The lot or parcel was created as a result of a legal process conducted in conformity with the subdivision article;
 - ii. Conditions or mitigation measures imposed through a previously approved exception are met;
 - iii. Any previously required best management practice (BMP) continues to function effectively or, if necessary, is reestablished or repaired and maintained; and
 - iv. The three criteria set forth previously for permitted encroachments also are met.
3. Permitted modifications of the buffer area:
 - i. Vegetation in the buffer area may be removed only as approved by the director pursuant to an application and a plan submitted for such removal and only to provide for reasonable sight lines, access paths, general woodlot management, and best management practices as follows:
 - (A) [Mature trees shall be preserved and trimmed or pruned in lieu of removal as site conditions permit and removal should be limited to the fewest number of trees feasible.](#)
 - (B) Trees may be pruned or removed as necessary to provide for sight lines and vistas, provided that were removed, they shall be replaced with other vegetation that is equally effective in retarding runoff, preventing erosion, and filtering pollution from runoff;
 - (CB) Any path is constructed and surfaced so as to effectively control erosion;
 - (DE) [When trees are proposed for removal to provide for sight lines, vistas, and access paths they shall be replaced with trees as appropriate to site conditions and in such a manner as to maximize the buffer function and to protect the quality of state waters. Inclusion of native species in tree planting is preferred.](#)

(E) Dead, diseased, or dying trees or shrubbery and noxious weeds (such as Johnson grass, kudzu and multiflora rose) may be removed and thinning of trees may be allowed pursuant to sound horticultural practices;

(E) For shoreline erosion control projects, trees and woody vegetation may be removed, necessary control techniques employed, and appropriate vegetation established in accordance with the best available technical advice and applicable permit(s).

1. The removal of mature trees for the installation and maintenance of proposed shoreline erosion control projects shall only be permitted as necessary and consistent with the best available technical advice, approved project plans, and applicable permit conditions or requirements.

2. Trees shall be incorporated, as appropriate to the site conditions and the project specifications. Inclusion of native species is preferred.

3. Shoreline erosion control shall be consistent with the Wetlands Act (Chapter 13 Title 28.2), the Virginia Marine Resources Commission (VMRC) Tidal Wetlands Guidelines which provide for "minimum standards for the protection and conservation of wetlands," and "ensure protection of shorelines and sensitive coastal habitat from sea level rise and coastal hazard."

(F) Adaptation measures proposed for location within the Resource Protection Area, shall meet the following conditions:

1. The selected adaptation measure shall be a nature-based solution that uses environmental processes, natural systems, or natural features identified as being appropriate for existing site conditions.

2. An identified adaptation measure shall be selected from one of the following sources: Chesapeake Bay program approved BMP list, the Virginia Stormwater BMP Clearinghouse, the VMRC Tidal Wetlands Guidelines, or be a project that is eligible for funding by the Virginia Community Flood Preparedness Fund Grant.

3. Adaptation measures approved for use in the RPA shall be designed, installed, and maintained in accordance with the applicable specifications for the selected adaptation measure.

4. The use of fill as a component of an adaptation measure may be permitted, provided it meets the following conditions:

a. The grading and slope created by the use of fill shall be no greater than necessary based upon the project specifications and implemented in a manner that minimizes the impact of run-off.

b. Fill shall have the necessary biogeochemical characteristics, including sufficient organic content, to support the growth of vegetation and adequate permeability to allow infiltration consistent with project specifications.

c. The use of fill shall not exacerbate stormwater run-off, and lateral flow onto adjacent properties shall be controlled.

d. Any impacts on the management of stormwater upland of the Resource Protection Area created by the use of fill shall be mitigated, as necessary.

e. The use of fill shall not negatively impact septic systems and drainfields.

f. The use of fill shall be consistent with any applicable local, state, or federal floodplain requirements including federal floodplain management regulations found in Title 44 CFR Part 60.

5. The preservation of existing natural vegetation shall be maximized, including mature trees, and land disturbance consistent with design specifications shall be minimized.

6. Adaptation measures shall comply with all federal, state and local requirements, including any required permits and conditions such as the need for a Water Quality Impact Assessment.

7. Nothing in these provisions shall be construed to authorize approval or allowance of an adaptation measure in contravention of floodplain management requirements, including [the local floodplain ordinance].

(G) When considering the reestablishment of a buffer within an Intensely Developed Area, the King William County Administrator shall encourage the planting of trees, including native species, as a component of such buffer reestablishment measure and the following information provided:

1. Describe the proposed adaptation measure(s) for the site as selected from one of the sources listed in subsection 86-137(m)(1) of this Ordinance and submit documentation of the proposed adaptation measure and its suitability for use on the site, such as design specifications, construction methods and materials that will provide shoreline stabilization until vegetation is established, and a proposed maintenance plan.

2. Describe how the selected adaptation measure meets the requirement for being a nature-based solution.

3. Describe how the selected adaptation measure(s) comply with applicable regulatory or permitting requirements. Submit a water quality impact assessment pursuant to Section 86-137(l) of this Ordinance and a site plan pursuant to Section 86-137(n) of this Ordinance detailing the proposed placement of the adaptation measure, existing and proposed topography and vegetation, proposed limits of clearing and grading, and mitigation for the area of land disturbance within the RPA. Additionally, provide documentation of as-built documentation of the final design and installation, including photographs, and final inspection is required upon completion of installation.

- ii. On agricultural lands the agricultural buffer area shall be managed in a manner approved by the staff of the soil and water conservation district board to prevent concentrated flows of surface water from breaching the buffer area and noxious weeds (such as Johnson grass, kudzu, and multiflora rose) from invading the buffer area. Agricultural activities may encroach into the buffer area as follows:

- (A) Agricultural activities may encroach into the landward 50 feet of the 100-foot wide buffer area when at least one agricultural best management practice which, in the opinion of the local soil and water conservation district board, addresses the more predominant water quality issue on the adjacent land—erosion control or nutrient management—is being implemented on the adjacent land, provided that the combination of the undisturbed buffer area and the best management practice achieves water quality protection, pollutant removal, and water resource conservation at least the equivalent of the 100-foot wide buffer area. If nutrient management is identified as the predominant water quality issue, a nutrient management plan, including soil tests, must be developed consistent with the Virginia Nutrient Management Training and Certification Regulations (4VAC5-15) administered by the Virginia Department of Conservation and Recreation.
- (B) Agricultural activities may encroach within the landward 75 feet of the 100-foot wide buffer area when agricultural best management practices which address erosion control, nutrient management, and pest chemical control, are being implemented on the adjacent land. The erosion control practices must prevent erosion from exceeding the soil loss tolerance level, referred to as "T," as defined in the "National Soil Survey Handbook" of November 1996 in the "Field Office Technical Guide" of the U.S. Department of Agriculture Natural Resource Conservation Service. A nutrient management plan, including soil tests, must be developed, consistent with the Virginia Nutrient Management Training and Certification Regulations (4VAC5-15) administered by the Virginia Department of Conservation and Recreation. In conjunction with the remaining buffer area, this collection of best management practices shall be presumed to achieve water quality protection at least the equivalent of that provided by the 100-foot wide buffer area.
- (C) The buffer area is not required to be designated adjacent to agricultural drainage ditches if at least one best management practice which, in the opinion of the local soil and water conservation district board, addresses the more predominant water quality issue on the adjacent land (either erosion control or nutrient management) is being implemented on the adjacent land.

(j) *Certification by director.*

- (1) Any applicant for a building permit to construct a single-family dwelling or accessory building or structure may request a determination from the director whether the proposed construction is in compliance with the requirements of this article, provided that the proposed construction meets the following criteria:
 - a. The development of the lot as represented in the building permit does not require subdivision approval; and
 - b. The area of any land disturbance is located outside the limits of the RPA as defined in the section on RPA boundaries, and outside of any drainage feature, area of concentrated surface water flow, wetlands, or floodplain; and
 - c. Land disturbance in excess of 2,500 square feet is subject to an erosion and sediment control permit.
- (2) Any applicant proposing development resulting in land disturbance of less than 2,500 square feet may request the director to make a site-specific determination of compliance with this article.

- (3) Application for a determination of compliance shall be made in a form and with information satisfactory to the director. If the director is unable to determine the boundaries of CBPAs after consulting available maps and resources, or if the director determines that the proposed construction does not comply with the criteria set out in this section, the applicant shall provide a certification or a water quality impact assessment as provided for hereinafter.
- (k) *Certification submitted by applicant.* Compliance with this article may be certified by a qualified professional when the proposed development or redevelopment will not result in land disturbance within an RPA and when the land disturbance does not exceed 2,500 square feet. Such certification shall also ensure that no drainage structure will be emplaced nor will concentrated flows occur from a disturbed area of more than 2,500 square feet to be located elsewhere on the property. The certification shall be made in a form acceptable to the director and shall be submitted at the time of application either for a land disturbance permit, building permit, site plan, preliminary or final subdivision approval. If multiple applications for approval are required, the certification shall be submitted with the first application filed. If an applicant chooses not to submit such certification or if the certification is not approved by the director, the applicant shall submit a water quality impact assessment.
- (l) *Water quality impact assessment (WQIA).*
- (1) Except as noted previously herein, a water quality impact assessment (WQIA) prepared and submitted by a qualified professional shall be approved by the director prior to:
 - a. Any proposed land disturbance, development or redevelopment within an RPA;
 - b. Any proposed land disturbance, development or redevelopment that will result in land disturbance in excess of 2,500 square feet;
 - c. The placement of a drainage structure or discharge of concentrated flows resulting from land disturbance in excess of 2,500 square feet located elsewhere on the property.
 - (2) The WQIA shall identify the impact of the proposed development or buffer area encroachment on water quality and on lands in RPAs and demonstrate compliance with the requirements of this article.
 - (3) If the director determines that potential impacts created by the proposal are not mitigated as required by this article, the director may require additional mitigation measures as a condition of approval. When, in the opinion of the director the proposed land disturbance, development or redevelopment does not comply with the requirements of this article, the director shall disapprove the WQIA. Any person aggrieved by such decision may appeal the decision in accordance with procedures set forth in article IV of the zoning chapter or other applicable state law.
 - (4) There shall be two levels of water quality impact assessments; a minor assessment and a major assessment. The information required shall in each case be supplemented by the applicant if the director finds it necessary. All WQIAs shall include a site-specific evaluation identifying the location of CPBA features. Designations shall be based on that site-specific information.
 - (5) Minor water quality impact assessment.
 - a. A minor water quality impact assessment is required for proposed land disturbance, development and redevelopment under the following circumstances:
 1. Where land disturbance outside the RPA will exceed 2,500 square feet but not more than 50,000 square feet. In this case, the WQIA must demonstrate that the rate and pollutant loading of post development runoff will meet the general performance criteria set out previously.

2. Where the placement of a drainage structure is proposed or where concentrated flows will occur from a disturbed area greater than 2,500 square feet anywhere on the property. In this case, the WQIA must demonstrate that the proposed development meets the general performance criteria set out previously.
- b. A minor WQIA shall include a site drawing to scale showing the following:
1. Delineation of all components of the CBPA based on a site-specific evaluation;
 2. The construction footprint;
 3. Wetlands delineations, which shall be performed in accordance with the procedures specified in the current regulations of the federal government pursuant to Section 404 of the Clean Water Act;
 4. Location and nature of the proposed project including, as appropriate: type of paving material; areas of clearing or grading; location of any structures, drives, or other impervious cover; and sewage disposal systems or reserve drainfield sites;
 5. Type and location of proposed best management practices.

(6) *Major water quality impact assessment.*

- a. A major water quality impact assessment shall be required for any proposed land disturbance, development or redevelopment which (i) exceeds 50,000 square feet of land disturbance; or (ii) disturbs any portion of the RPA. The following elements shall be included in the major WQIA:
1. All of the information required in a minor WQIA;
 2. A hydro-geological element that:
 - i. Describes the existing topography, soils, hydrology of the site and adjacent lands.
 - ii. Describes the impacts of the proposed development on topography, soils, hydrology on the site and adjacent lands.
 - iii. Indicates the following:
 - (A) Any disturbance or destruction of wetlands and justification for such action;
 - (B) Any disruptions or reductions in the supply of water to wetlands, streams, lakes, rivers or other water bodies;
 - (C) Any disruptions to existing hydrology including wetland and stream circulation patterns;
 - (D) Source location and description of proposed fill material;
 - (E) Location of dredge material and location of dumping area for such material;
 - (F) Estimation of pre- and post-development pollutant loads in runoff;
 - (G) Calculation of impervious surface on site and type(s) of surfacing materials used;
 - (H) Limits of disturbance;
 - (I) Anticipated duration and phasing schedule of construction project; and

- (J) Listing of all requisite permits from all applicable agencies necessary to develop the project.
 - iv. Describes the proposed mitigation measures for the potential hydrogeological impacts. Mitigation measures include:
 - (A) Erosion and sediment control plan;
 - (B) Stormwater management system;
 - (C) Creation of wetlands to replace those lost;
 - (D) Minimizing cut and fill.
 - 3. A landscape element that:
 - i. Identifies and delineates all significant existing and proposed plant material, including all trees six inches or greater in diameter measured outside the bark at a point four and one-half feet above the ground. Where there are groups of trees, stands may be outlined.
 - ii. Shows the impacts the development or use will have on the existing vegetation. Information shall include:
 - (A) General limits of clearing, based on all anticipated improvements, including buildings, drives, and utilities;
 - (B) Delineation of all trees or stands of trees which will be removed, including a description of the horticultural practice being followed in any removal;
 - (C) If additional vegetation is required in the buffer, a landscape plan showing location, type and size of materials, ground cover and trees to be used.
 - iii. Shows measures for mitigation. Possible mitigation measures include:
 - (A) Replanting schedule for trees and other significant vegetation removed for construction, showing plants and trees to be used;
 - (B) Preservation to the greatest extent possible of any significant trees and vegetation on the site to provide maximum erosion control and overland flow benefits;
 - (C) Indigenous plants used to the greatest extent possible;
 - (D) Landscaping, ground cover and trees are of the appropriate species and are planted in a manner that will maintain water quality.
- (7) *WQIA submission and review requirements.*
- a. Copies of all drawings, plats, and other applicable information shall be submitted to the director for review in accordance with procedures established by the director.
 - b. All information included in the WQIA shall be certified as complete and accurate by a qualified professional.
 - c. The WQIA shall be submitted with the application for a land disturbance permit, building permit, or with the application for site plan, or preliminary or final subdivision approval. If multiple applications for approval are required for a development, the WQIA shall be submitted with the first application filed.

- d. As part of any WQIA submittal, the director may request review by the Department of Conservation and Recreation (DCR) Chesapeake Bay Local Assistance Division. The director shall determine if such review is warranted for approval of the WQIA, in which case the director will request DCR/CBLA to review the WQIA and respond with written comments. Comments received from DCR/CBLA will be incorporated into the final review of the WQIA by the director.
- (8) *Evaluation procedure.*
- a. The director will evaluate the WQIA to determine if the proposed development is consistent with this article and make a finding based upon the following criteria:
 - 1. Within any RPA, the proposed development is water-dependent, redevelopment or otherwise conforms to the requirements of this article;
 - 2. The disturbance of wetlands will be minimized;
 - 3. The development will not result in significant disruption of the hydrology of the site;
 - 4. The development will not result in unnecessary destruction of plant materials on site;
 - 5. Proposed erosion and sediment control concepts are adequate to achieve the required reductions in runoff and prevent off-site sedimentation;
 - 6. Proposed stormwater management techniques are adequate to control runoff and achieve the required standard for pollutant control;
 - 7. Proposed revegetation of disturbed areas will provide adequate erosion and sediment control benefits;
 - 8. The design and location of any proposed drainfield will be in accordance with the requirements of this article;
 - 9. The development, as proposed, is consistent, to the extent possible, with the purpose and intent of this article.

(m) Resiliency Assessment.

- (1) Submittal of a resiliency assessment that considers the potential impacts of sea level rise, storm surge, and flooding on buffer function in light of a proposed RPA encroachment is required during the review of a plan of development or other review process. Such an assessment is to be based upon the RPA as delineated at the time of the proposed land development and is required in addition to all other requirements of this and other local ordinances. The assessment should:
 - a. Include the anticipated impacts of sea level rise, flooding and storm surge on the parcel and the proposed project.
 - i. For sea level rise, use the 2017 National Oceanographic and Atmospheric Administration (NOAA) Intermediate-High scenario projection curve [or any subsequently updated version thereof] on the project site. Sea level rise data can be accessed on the AdaptVA website, maintained by the Virginia Institute of Marine Science (VIMS).
 - ii. For storm surge, use the most up to date NOAA hydrodynamic Sea, Lake and Overland Surges Hurricanes (SLOSH) model on the project site. Storm surge data can be accessed on the AdaptVA website.
 - iii. For flooding use the most up to date Special Flood Hazard Area and the Limit of Moderate Wave Action (LiMWA) model on the project site according to the Virginia Flood Risk Information System (VFRIS) model in conjunction with the requirements and application of the King William County floodplain management ordinance. VFRIS includes the Flood Insurance Rate Maps, flood insurance studies, and associated models

[produced by the Federal Emergency Management Agency, and is available on the Virginia Department of Conservation and Recreation \(DCR\) website.](#)

- [b. Apply the results of the resiliency assessment to the proposed development. The King William County Administrator will review the assessment along with the water quality impact assessment and determine whether the anticipated impacts necessitate an alteration or conditions of the proposed project or implementation of an adaptation measure for approval.](#)
- [c. Identify conditions, alterations or adaptation measures for the proposed development. Should an impact from sea-level rise, storm surge or flooding be identified that exceeds available design alterations, approval of the proposed project should then be conditioned with the requirement for an adaptation measure.](#)
- [d. The resiliency assessment may be submitted as a standalone document as part of the plan of development process or it may be submitted as part of a water quality impact assessment pursuant to Section 86-137\(l\) of this Ordinance for those projects disturbing less than 2,500 square feet.](#)

~~(n#)~~ *Plan of development process.*

- (1) Prior to any development preparation activities such as clearing and grading, or the issuance of any building permit, the director shall ensure that the provisions of this article are met. This shall be accomplished either by requiring a certification as provided for in sections 86-137(j) and (k) of this article, or with the requirement for a minor or major WQIA as provided for in section 86-137(l) of this article. A duly approved certification or WQIA shall serve, in conjunction with an approved erosion and sediment control plan as provided for in chapter 30, article III of the Code of King William County, as an environmental site assessment for purposes of meeting regulations applicable to CBPAs.
- (2) Compliance, as applicable, with the provisions either for subdivision approval as set forth in article XVIII, or site plan approval as set forth in article XVII, supplemented by an environmental site assessment shall be a prerequisite to any land disturbance, development or redevelopment. Further, the director shall require evidence of all wetlands and other permits required by law prior to authorizing grading or other on-site activities.
- (3) The installation and completion of all features represented in the WQIA shall be required prior to issuance of a certificate of occupancy except that, in lieu of installation of landscaping prior to occupancy, the director may accept a performance agreement requiring installation within one year. All other required measures, including stormwater management facilities, shall be completed prior to issuance of any occupancy permit, or, in the case of subdivision, shall be secured and completed in accordance with requirements of the subdivision article.
- (4) With respect to all construction plans, land disturbance permits, building permits, site plans and subdivision plats, ~~Plat Notations shall be required, as applicable, concerning provisions for maintenance include the requirement to retain~~ of an undisturbed and vegetated 100-foot buffer, ~~delineation of RPA boundaries and a note stating that the remainder of a parcel is designated as RMA as identified during the site-specific CPBA determination and locations of reserve sewage disposal sites and the five-year septic pump-out requirement~~ [septic pump-outand 100% reserve drainfield site requirements for onsite sewage treatment systems when applicable and the permissibility of only water dependent facilities or redevelopment in Resource Protection Areas, including the 100-foot buffer area., with respect to all construction plans, land disturbance permits, building permits, site plans and subdivision plats.](#) The director shall also require those plans, permits and plats to include delineation of the buildable area allowed on each lot, based on the requirements of this article, zoning requirements and any other relevant easements or limitations regarding lot coverage, and a notation on plats stating that permitted development in the resource protection area is limited to water-dependent facilities or redevelopment.

[\(5\) Landscape Plan requirements:](#)

- a. Mature trees shall be protected during development and only removed where necessary, including to provide for the proposed use or development.
 - b. Specifications shall also be provided for the protection of existing trees and vegetation during site work and construction.
 - c. A demonstration that where the planting of new trees or vegetation is required, native species will be used to the greatest extent possible.
 - d. Mature trees shall be preserved and trimmed or pruned in lieu of removal as site conditions permit. Any removal of mature trees should be limited to the fewest number of trees feasible. When mature trees are removed in the RPA to provide for sight lines and vistas, access paths or BMPs they shall be replaced with trees as appropriate to site conditions.
- (n) *Exemptions for public utilities, railroads, public roads and facilities.*
- (1) Construction, installation, operation, and maintenance of electric, natural gas, fiber-optic and telephone transmission lines, railroads, and public roads and their appurtenant structures in accordance with:
 - a. Regulations promulgated pursuant to the Virginia Erosion and Sediment Control Law and the Virginia Stormwater Management Act;
 - b. An erosion and sediment control plan and a stormwater management plan approved by the Virginia Department of Conservation and Recreation; or
 - c. Local water quality protection criteria at least as stringent as the above state requirements will be deemed to constitute compliance with this article.
 - (2) The exemption of public roads is further conditioned on the optimization of the road alignment and design, consistent with other applicable requirements, to prevent or otherwise minimize:
 - a. Encroachment in the RPA; and
 - b. Adverse effects on water quality. Appurtenant structures include but are not limited to bridges, culverts, guard rails, drainage facilities, lighting, traffic control devices, fences and berms.
 - (3) Construction, installation, and maintenance of water, sewer, natural gas, fiber-optic and underground telecommunications and cable television lines owned, permitted or both, by the county, shall be exempt from the requirements of this article provided that the director determines that:
 - a. To the degree possible, the location of such utilities and facilities is outside the RPA;
 - b. No more land will be disturbed than is necessary to provide for the proposed utility installation;
 - c. All construction, installation, and maintenance of such utilities and facilities are in compliance with all other applicable federal, state and local requirements and permits and designed and conducted in a manner that protects water quality; and
 - d. Any land disturbance exceeding 2,500 square feet complies with the erosion and sediment control ordinance.
 - (4) Silvicultural activities are exempt from the requirements of this article provided that such activities adhere to water quality protection procedures prescribed by the Virginia Department of Forestry in "Virginia's Forestry Best Management Practices for Water Quality."
 - (5) Exemptions for living shorelines. A living shoreline, as defined by Va. Code § 28.2-104.1 may be exempt from additional performance criteria requirements of Section 86-137(i), including a water quality impact assessment in Section 86-137(l), provided the project minimizes land disturbance, maintains or establishes a vegetative buffer inland of the living shoreline, complies with the fill conditions in

[subsection 86-137\(1\)\(2\)d.3.\(F\) of this Ordinance, and receives approval from the VMRC or the local wetlands board, as applicable.](#)

(6) The following land disturbances in RPAs shall be exempted by the director from the requirements of this article; provided that any land disturbance exceeding 2,500 square feet shall comply with the erosion and sediment control article:

- a. Water wells and passive recreation facilities such as boardwalks, trails, and pathways, provided that the applicant submits a WQIA or other information deemed necessary by the director demonstrating that the intended use will not significantly deteriorate water quality; and
- b. Historic preservation and archaeological activities, provided that the applicant submits a WQIA or other information deemed necessary by the director demonstrating that:
 1. Any required permits, except those to which this exemption specifically applies, shall have been issued; and
 2. The intended activity will not significantly degrade water quality.

(o) *Exceptions.*

(1) Exceptions to development established for the RPA shall only be permitted pursuant to specific approval for such encroachment granted by the planning commission in accordance with 9VAC25-830-150. Any such exception to the RPA requirements set forth in sections on RPA lot size and development criteria shall occur only upon a finding by the planning commission, following public notice and a public hearing, that the following provisions are met:

- a. The requested exception is the minimum necessary to afford relief;
- b. Granting the request will not confer upon the applicant special privileges that are denied to other property owners who are similarly situated;
- c. The exception is in harmony with the purpose and intent of this section and is not of substantial detriment to water quality;
- d. The exception request is not based on conditions or circumstances that are self-created or self-imposed;
- e. There is compliance with all requirements of this section other than those for which an exception is granted; and
- f. Water quality shall be preserved by imposing reasonable and appropriate conditions, as warranted, that will prevent the allowed activity from causing a degradation of water quality.

(2) The planning commission may require any information necessary to make a determination regarding a request for such exception including, but not limited to, a WQIA as set forth in section 86-137(l).

(3) Exceptions to the required provisions of this article, other than as noted heretofore in section 86-137(o), may be granted upon written request to the director provided that the director determines through an administrative process that the following provisions are met:

- a. The exception is the minimum necessary to afford relief; and
- b. Reasonable and appropriate conditions are applied, as necessary, to meet the purpose and intent of this article.
- c. A requested exception to the general performance criteria set forth in section 86-137(g) is found to comply with the standards set forth in section 86-117(o)(1)a. through f.

[\(4\) No application for relief from Section 86-137\(g\) or 86-137\(i\) of this Ordinance shall be considered complete where a resiliency assessment, as outlined in Section 86-137\(m\) of this Ordinance has not](#)

occurred or the proposed adaptation measure allows for the use of fill in a Resource Protection Area in contravention to the requirements of subsection 86-137(i)(2)d.3.(F) of this Ordinance.

- (p) *Nonconforming uses and noncomplying structures.* The lawful use of a building or structure which existed on November 22, 2004, and which is not in conformity with the provisions of this section may be continued pursuant to article IX, entitled nonconforming uses, of the King William County Zoning Ordinance and other applicable regulations contained in this chapter and state law.
- (q) *Supplemental regulations; more restrictive apply.* The regulations of this section shall serve as a supplement to applicable federal, state and local laws and regulations, including the zoning and subdivision ordinances. In the event there is a conflict, the more restrictive requirements shall apply.
- (r) *Violations and enforcement.* Violations of this Section shall be administered in accordance with Section 86-53(c) of this Chapter and in accordance with all applicable laws of the Commonwealth of Virginia with respect to Chesapeake Bay preservation areas.

(Ord. No. 09-21R2, Att. A, 9-27-2021)

AGENDA ITEM 8.c.

Amendment to Subdivision Ordinance Article XVIII, Sec. 86-438 — Exempt
Subdivisions



BOARD OF SUPERVISORS
 First District – Brenton J. Bohannon
 Second District – Benjamin J. Edwards III
 Third District – Justin Catlett
 Fourth District – Lindsay May Robinson
 Fifth District – T. Keith Fogg



County of King William, Virginia

TO: Planning Commission
FROM: Joyce Wolfe, Planner I
SUBJECT: Amendments to the Subdivision Ordinance – Sec. 438, Exempt Subdivisions
DATE: April 7, 2026

REQUEST FOR ACTION

Consideration of amendments to the Subdivision Ordinance, Sections 86-438, Exempt Subdivisions.

BACKGROUND & SUMMARY

In February 2025, the Board repealed the former Chapter 66 of the King William Ordinance. This chapter contained provisions relating to subdivisions that either duplicated or were in conflict with Chapter 86. Since then, it has come to the attention of the Commission that provisions from Chapter 66 were inadvertently omitted from the 2021 code update and should be reinserted into Chapter 86. At their meeting on February 3, 2026, the Planning Commission voted unanimously to forward the revisions to the Subdivision Ordinance, Sec. 86-438, Exempt Subdivisions, to the Board of Supervisors with a recommendation of approval. At their meeting on March 9, 2026, the Board of Supervisors sent the amendment back to the Planning Commission for reconsideration of access provisions for exempt lots. The revised draft is below.

PROPOSED AMENDMENTS (Additions noted in *bold italic*)

Sec. 86-438. Exempt subdivisions.

- (a) Any subdivision, as defined herein, shall be exempt from the requirements of this article if all the following are met:
 - (1) Every lot of the subdivision is 25 acres or greater in area,
 - (2) The subdivision is in an area zoned agricultural/conservation,
 - (3) Every lot abuts an existing primary or secondary highway, ***with no less than 50 feet of frontage on the existing primary or secondary street,***
 - ~~(4) Adjacent exempt lots shall share one access to the public street via a deeded easement shown on the plat for recordation, (stricken from the 2.9.26 PC recommended version)~~
 - (4) The subdivision complies with the general platting requirements of King William County,
 - (5) The subdivision shall meet any Virginia Department of Transportation (VDOT) safety and/or design requirements.

RECOMMENDATION

Staff recommends the Planning Commission forward the proposed revisions to the Board of Supervisors with a recommendation of approval.

Possible Motions:

- I move that the Subdivision Ordinance revisions to Sec. 86-438, Exempt Subdivisions, be approved as presented.

- I move that the Subdivision Ordinance revisions to Sec. 86-438, Exempt Subdivisions, be approved as presented with the following changes _____.

- I move that the Subdivision Ordinance revisions to Sec. 86-438, Exempt Subdivisions be tabled until the _____ Planning Commission Meeting.

AGENDA ITEM 8.d.

Amendment to the King William Code of Ordinances, Chapter 78 – Utilities (Community Utility Systems)



BOARD OF SUPERVISORS
First District – Brenton J. Bohannon
Second District – Benjamin J. Edwards III
Third District – Justin Catlett
Fourth District – Lindsay May Robinson
Fifth District – T. Keith Fogg



County of King William, Virginia

TO: King William Planning Commission

FROM: Joyce Wolfe, Planner I

SUBJECT: Amendment to the King William Code of Ordinances, Chapter 78 – Utilities (Community Utility Systems)

DATE: April 7, 2026

REQUEST FOR ACTION

Sec. 86-456, Special Provisions for Open Space and Cluster Subdivisions was adopted by the Board of Supervisors at their meeting on February 9, 2026. This request is to adopt the companion provisions to the King William Utility Code that relate to development of community systems.

BACKGROUND

The new Open Space & Cluster Subdivision requirements, modeled after New Kent’s Ordinance, require certain regulations regarding central water systems that should be incorporated into the King William Utility Code. To summarize:

- Requirement for central water system (in lieu of individual wells) for 8 or more lots; system specifics are to be presented by the Director of Utilities to the Board of Supervisors for administrative approval.
- Community (central) water systems are to be deeded to the County for ownership, operation and maintenance.
- The developer of a community water system is to provide proof of an adequate source of water supply and a feasibility study indicating the financial basis for the upkeep and maintenance of the system.
- A community system will not be approved if the feasibility study shows that it would impose a burden on the County or when present and future operation and maintenance costs will require the expenditure of funds reasonably certain to cause deficit operations over a period of years.
- A community system will not be approved if any portion of the property to be served is within one mile from an existing water service area or existing public water system or within such distance from a water system projected to be constructed within five years as stated in the CIP.
- Facilities are at the total expense of the developer, including supply, distribution, treatment, storage, pumping, connections, as-builts, inspections, and engineering review.
- No community septic systems are allowed.

UTILITY CODE AMENDMENTS (insert NEW section 78-123):

Sec. 78-123. Community utility systems.

- (a) No community utility, water or wastewater system, capable of serving two or more connections, may be constructed in this county without first obtaining the approval of the board of supervisors upon recommendation from the director. All utility systems must be built in accordance with criteria and requirements of the county, state, and federal rules and regulations and the plans and specifications for all such systems must be approved by the director. All systems must be built using the applicable current county standards that apply, at the time of submittal for plans and specifications. If more than one year after the approval, construction has not begun, then construction plans must be amended to comply with the current rules and regulations.
- (b) Source and feasibility study. The developer of a proposed community utility system must provide the department with proof of an adequate source of water supply and/or wastewater treatment capacity for the system and a feasibility study indicating the financial basis for the upkeep and maintenance of the system. The department may require such additional information as is deemed necessary to protect the potential customers of the system. No utility system will be approved unless these studies show that the system can operate efficiently, effectively, and at a financially sound basis.
- (c) Community utility systems. A community utility system is defined as a self-contained privately owned and operated utility system not connected to the public utility system that serves a predetermined number of land parcels within a subdivision or planned unit development. This could be a community water system, wastewater system or both.
- (d) A community water system will not be approved if:
 - (1) Any portion of the property to be served by the utility system is (i) within one mile (measured on a straight line) from an existing water service area or an existing public water system or (ii) is within such distance from a water system that is projected to be constructed within the next five years as stated in the capital improvements plan; or
 - (2) The feasibility study indicates that (i) the number of users or potential users is such that the operation and maintenance of the system will impose a burden on the county or (ii) the necessary improvements to the system, when considered with present and future operation and maintenance costs, will require the expenditure of funds reasonably certain to cause deficit operations over a period of years.
- (e) No community ~~wastewater collections~~ **septic systems are allowed, individual septic systems and drainfields are required.**
- (f) Requirements for approved community utility systems.
 - (1) Extensions of transmission mains and/or distribution mains and construction of wells with adequate storage, and proper treatment necessary to provide public water service for a new development must be installed by and at the total expense of the developer.
 - a. For community water systems, the facilities necessary to supply and pump the water for a new development must be at the total expense of the developer.
 - b. For community utility systems that are within a utility service area or projected to be within such area within five years, the developer will be required to pay for the entire costs of the improvements connecting the development utility infrastructure to the public utility system.
 - (2) Materials and methods of construction must be in strict accordance with the county's construction specifications for water facilities; engineering submittals and designs will be reviewed and approved by the director.

- (3) All charges for services rendered by the county, including GIS as-built insertion, construction inspection, and engineering review must be paid in full by the developer at no expense to the county, as outlined in Appendix A.
 - (4) When a development is being done in phases or sections, an overall master utility plan for the entire development must be submitted to the director prior to the approval of any construction plan for any phase or section.
 - (5) The developer must enter into an agreement with the county prior to the approval of any construction plan to construct the system in accordance with all county requirements and to convey the system to the county when finished as approved by the director.
 - (6) The completed system must be deeded to the county in proper legal form for ownership and operation in a form as approved by the county attorney.
- (g) The Board of Supervisors may require the developer to provide for increased utility system capacity to serve areas of desired growth or present need beyond the boundary of the proposed project property and will enter into an agreement with the developer for such increased capacity.
 - (h) Facilities belonging to the County. When the county acquires any utility system, the following provisions apply: All lines, rights-of-way, plants, [pumping stations](#) and other related facilities, including ingress and egress, must be in the name of and owned wholly by the county.
 - (i) The director may require developers of utility systems to furnish performance and maintenance guarantees approved by the county attorney for the construction, operation and maintenance of the system. No building permit will be issued for any lot served by a system which is not covered by an approved guarantee that the director required. The guarantee will be in an amount equal to one year's operational costs and must be for a duration to be determined by the director.

SUMMARY & RECOMMENDATION

Staff recommends the Planning Commission send the Utility Code amendment adding Section 78-215, Community Utility Systems, forward to the Board of Supervisors with a recommendation of APPROVAL.

Possible Motions:

- I move that the Utility Code amendment adding Section 78-215, Community Utility Systems be forwarded to the Board of Supervisors with a recommendation of APPROVAL.
- I move that the Utility Code amendment adding Section 78-215, Community Utility Systems be forwarded to the Board of Supervisors with a recommendation of APPROVAL with the following changes_____.
- I move that the Utility Code amendment adding Section 78-215, Community Utility Systems be tabled until the _____ Planning Commission meeting.

AGENDA ITEM 10.a.

Review and Adoption of 2026 Planning Commission ByLaws



**BY-LAWS
OF THE
KING WILLIAM COUNTY
PLANNING COMMISSION
OF
KING WILLIAM COUNTY, VIRGINIA
FOR
CALENDAR YEAR 2026**

Adopted January 6, 2026

ARTICLE 1 - AUTHORIZATION

- 1-1. This Planning Commission is established in conformance with the resolution adopted by the Board of Supervisors of King William County (hereinafter referred to as the "Board") in 1968, and in accord with the provisions of §15.2- 2210 & §15.2-2212, of the Code of Virginia (1950) as amended.
- 1-2. The official title of this Commission shall be the "King William County Planning Commission."

ARTICLE 2 - PURPOSE

- 2-2. The purpose of the King William County Planning Commission (the "Commission") is to promote the orderly development of King William County in accord with 15.2-2210. In accomplishing the objectives of 15.2-2200 the Commission is to serve in an advisory capacity ~~to~~for the Board by preparing plans, ordinances, and other documents ~~to~~for the Board and ~~to carry out~~conducting all activities as designated by the Board. The Commission also approves, amends, and approves, or disapproves of the Comprehensive Plan in accord with the provisions of 15.2- 2225.

ARTICLE 3 - MEMBERSHIP

- 3.1. The Commission shall be composed of members in the number and for the term of office as designated by the Board. The Board shall appoint successors, and the Board shall fill all vacancies.
- 3-2. Members of the Commission shall be appointed for terms of four years as established by the Board.
- 3-3. Vacancies shall be filled by appointment made by the Board and shall be for an unexpired term only.
- 3-4-~~2~~. Members of the Commission shall be eligible for reappointment.
- 3-5. Members of the Commission may be removed by the Board for malfeasance in office, or poor attendance. A Commissioner may be dismissed without limitation ~~in the event~~ ~~that~~if the Commission member is absent from any three consecutive meetings of the Commission or is absent from any four meetings of the Commission within any twelve-month period.
- 3-6. The Board may provide for the payment of expenses incurred by Commission Members in the performance of their official duties and for compensation for services.

ARTICLE 4 - OFFICERS AND THEIR SELECTION

- 4-1. The officers of the Commission shall consist of a Chair, a Vice-Chair, and a Secretary. The Chair and ~~Vice-Chair~~Vice Chair shall be elected by the membership. The Secretary shall serve at the request of the Commission and may be a member of the Commission, an employee of King William County, or a citizen volunteer.
- 4-2. Nomination of officers shall be made from the floor at the organizational meeting each year. For this purpose, the organizational meeting shall ~~be considered to be~~be the first regularly scheduled meeting held each year, normally in January. A candidate for the offices receiving a majority vote of the entire membership of the Commission shall be declared elected.
- 4-3. Should the Chair and ~~Vice-Chair~~Vice Chair be absent at any meeting, the Commission shall elect a temporary Chair to serve at the meeting.
- 4-4. Terms of office shall be for one year or until a successor takes office. The Chair and Vice-Chair can succeed themselves, however, only two successive yearly terms are allowed. Officers shall take office at the next regularly scheduled or special called meeting immediately following the organizational meeting.
- 4-5. Vacancies of the offices of Chair, Vice-Chair and/or Secretary shall be filled by a majority vote of the Commission.

ARTICLE 5 - DUTIES OF OFFICERS

- 5-1. The Chair shall:
 - 5-1-1. ~~Be~~ a member of the Commission.
 - 5-1-2. ~~Preside~~ at all meetings.
 - 5-1-3. ~~Appoint~~ committees, special and/or standing.
 - 5-1-4. ~~Rule~~ on all procedural questions (subject to a reversal by a majority vote by the members present).
 - 5-1-5. Be informed immediately of any official communication and ~~report same~~report at the next regular meeting.
 - 5-1-6. ~~Carry out~~Conduct other ~~duties as~~duties assigned by the Commission.
 - 5-1-7. When presiding at a meeting of the Commission, without vacating the Chair, the presiding may give reasons for any decision made by the Chair on any point of order, and such decision shall be made without debate.

5-2. The Vice Chair shall:

5-2-1. ~~Be~~ Be a member of the Commission.

5-2-2. ~~Assume~~ Assume the full powers of the Chair in the absence or inability of the Chair.

5-3. ~~The~~ The Secretary shall:

5-3-1. ~~Record~~ Record attendance at all meetings.

5-3-2. Keep a set of minutes of the Commission meetings, which, after approval by the Commission, shall be retained in the Office of the Director of Community Development.

5-3-3. Notify all members of all meetings.

5-3-4. Maintain a file of all Commission records and reports.

5-3-5. Certify all maps, records, and reports of the Commission.

5-3-6. Give notice and be responsible for publishing public notices of all Commission public hearings and public meetings.

5-3-7. ~~Attend to~~ Address the correspondence of the Commission.

5-3-8. Make recommendations and an annual report to the Board of Supervisors concerning the operation of the commission and the status of planning within King William County.

5.4. All Commissioners - Interaction with Staff.

5-4-1. ~~No one~~ No one member of the Commission shall direct the Commission, Director of Planning, or any staff member to take any action on behalf of the Commission without a majority consensus of the Commission.

5-4-2. No Commission member shall unduly burden County employees with requests or contacts outside of normal working hours or meetings. Email requests made to staff should also be copied to the Director of Planning and Chair (at a minimum).

ARTICLE 6 - STANDING AND SPECIAL COMMITTEES

6-1. Committees may be appointed by the Chair to serve as needed.

6-2. The Chair shall be an ex officio member of every committee.

ARTICLE 7 – MEETINGS

- 7-1. Regular meetings of the Commission shall be held on the first Tuesday of each month at 6:30 P.M. When a meeting date falls on a legal holiday, the meeting shall be held the following week unless otherwise designated by the Commission. If the Chair, or the Vice ~~Chair~~Chair, if the Chair is unable to act, finds and declares that weather or other conditions are such that it is hazardous for commission members to attend a regularly scheduled meeting, the meeting shall be continued to the following Tuesday at 6:30 P.M. Such ~~finding~~findings shall be communicated to the members of the Commission and the press and posted on the County's website as promptly as possible. All hearing and other matters previously advertised shall be conducted at the continued meeting, and no further advertisement is required. Any regular meeting may be dispensed if there is no new business; this shall be at the discretion of the Chair. The Secretary shall notify the members of the Commission of the canceled meeting. At no time, however, shall more than two consecutive meetings be canceled.
- 7-2. Special meetings shall be called at the request of the Chairman or at the request of a quorum of the membership.
- 7-3. All regular meetings, work sessions, hearings, records, and accounts shall be open to the public except those meetings subject to the rules of executive session as set forth in the Code of Virginia. There shall be a Citizen Comment Period at each of the regular Planning Commission meetings. The Citizen Comment Period will allow a member of the Public three (3) minutes to speak about any planning matter, except agenda items scheduled for a Public Hearing.
- 7-4. A majority of the members shall constitute a ~~quorum~~quorum, and no action of the Commission shall be valid unless authorized by a majority vote of those present and voting in accord with 15.2-2215.
- 7-5. Meetings should be held in the Board Room of the King William County Administration Building unless circumstances ~~dictate~~dictate that some or all members meet electronically, as the law permits.
- 7-6. Policy for Electronic Board Meeting and Remote Participation in Commission Meetings—

Except as provided hereafter, the Commission does not conduct any meeting wherein the public business is discussed or transacted through telephonic, video, electronic, or other electronic communication means. This policy is applied strictly and uniformly, without exception, to the entire membership of the Commission and without regard to the identity of the member requesting remote participation or the matters that will be considered or voted on at the meeting.

For the purposes of this policy, “electronic communication” means the use of technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities to transmit or receive information.

7-6-1. Quorum Physically Assembled: ~~When:~~ When a quorum of the Commission is physically assembled, individual members of the Commission may use remote participation to attend a meeting if

- On or before the day of the meeting, the member of the Commission notifies the Chair, Planning Director, and/or Planning Secretary that such member is unable to attend the meeting due to
- temporary or permanent disability or other medical condition that prevents the member's physical attendance,
- family member's medical condition that requires the member to provide care for such family member thereby preventing the member's physical attendance,
- the member's principal residence is more than 60 miles from the meeting location identified in the required notice for such meeting, or
- that such member is unable to attend the meeting due to a personal matter and identifies with specificity the nature of the personal matter; and
- The Commission approves the member'smembers' participation by a majority vote of the members present at the primary or central meeting location based only on the criteria in this policy. If a Commission member's participation from a remote location is disapproved, such disapproval is recorded in the minutes with specificity.
- Remote participation by Commission members is subject to the following generally applicable~~applicable~~ requirements:
 - A quorum of the Commission must be physically assembled at one primary or central meeting location.
 - Participation by a Commission member by electronic communication means due to a personal matter is limited each calendar year to two meetings or 25% of the meetings held per calendar year rounded up to the next whole number, whichever is greater.
 - The Commission must arrange for the voice of the remote participant to be heard by all persons at the primary or central meeting location.
 - The minutes of the meeting must reflect the following:
 - The remote location from which the membermembers participated; however, the remote location need not be open to the public and may be identified in the minutes by a general description.

- The fact that the member participated through electronic communication means due to: (i) a temporary or permanent disability or other medical condition that prevented the member's physical attendance, (ii) a family member's medical condition that required the member to provide care for such family member, thereby preventing the member's physical attendance; (iii) the distance between the member's principal residence and the meeting location; or (iv) the specific nature of the personal matter cited by the member.

7-6-2. Quorum Not Physically Assembled: The Commission may meet by electronic communication means without a quorum physically assembled at one location when the Governor has declared a state of emergency in accordance with Virginia Code § 44-146.17, or the Board has declared a local state of emergency pursuant to Virginia Code § 44-146.21, provided: (1) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location; and (2) the purpose of the meeting is to provide for the continuity of operations of the Commission or the discharge of its lawful purposes, duties, and responsibilities. If the Commission holds a meeting pursuant to this section, it shall: Give public notice using the best available method given the nature of the emergency contemporaneously with the notice provided to members of the Commission; and

- ~~Make arrangements~~Plan for public access to the meeting through electronic communications means, including videoconferencing if already used by the Commission; and
- Provide the public with the opportunity to comment at those meetings when Citizen comment is customarily received; and
- State in the minutes of the meeting the nature of the emergency, the fact that the meeting was held by electronic communication means, and the type of electronic communication means by which the meeting was held; and
- Otherwise comply with the provisions of the Virginia Freedom of Information Act.

ARTICLE 8 – CONDUCT OF BUSINESS

8-1. For all regular meetings of the Planning Commission, the Director of Planning shall cause to be prepared and delivered to each member of the Planning Commission at least five (5) working days in advance of such meeting, an agenda listing all matters to be considered by the Planning Commission at such meeting. Any requests for inclusion of an item on the agenda must be in the Planning Office by 12:00 p.m. ten (10) working days prior to the meeting. The Planning Commission may add items to the agenda which were not received by the deadline at its discretion, either by consensus or by a formal vote of the majority.

- 8.2 Any matter not disposed of at a regular meeting shall be included on the agenda of the next regular meeting, except that the Planning Commission may continue consideration and disposition of the matter to a date, time and/or place other than the next regular meeting upon a majority vote of those members present.
- 8-2. Any citizen (individual, firm, association, or corporation) desiring to appear before the Planning Commission to make a presentation shall make a request to the Director of Planning and receive approval; however, no written application or approval shall be required ~~in order to~~ speak to the Planning Commission during Citizens Comment Period or at public hearings.
- 8-3. The Secretary to the Planning Commission shall prepare or cause to be prepared extra copies of the agenda and shall make the same available to the public in the Planning Department at the same time the agenda is delivered to the Planning Commission. ~~The Secretary shall also have extra copies available at the meeting.~~

ARTICLE 9- ORDER OF BUSINESS

- 9-1. ~~The order of business for a regular meeting shall be:~~
- 9-1-1. Call to Order
- 9-1-2. Approval of Electronic Participation by a Commission Member
- 9-1-3. ~~Roll Call~~
- 9-1-4. ~~Moment of Silence~~
- 9-1-5. ~~Pledge of Allegiance~~
- 9-1-6. ~~Review and Adopt Meeting Agenda~~
- 9-1-7. ~~Approval of Minutes~~
- 9-1-8. ~~Citizen Comment Period~~
- 9-1-9. ~~Public Hearings~~
- 9-1-10. ~~Unfinished Business~~
- 9-1-11. ~~New Business~~
- 9-1-12. ~~Director's Report~~
- 9-1-13. ~~Staff and/or Special Committee Reports~~

9-1-14.—. Commission Member Requests and Comments

9.1.15. Closed Session Meeting (if necessary)

9-1-16.—. Adjourn or Recess

9-2. Parliamentary procedure in Commission meetings shall be governed by a modified version of Robert's Rules of Order (Revised). Any Commission member may, at any time, table a matter that has not been tabled previously without a second to the motion. A motion to table a matter upon a single ~~members'~~ member's motion may be overruled by a motion of another member, which is properly seconded and passed by a majority vote of the Commission.

9-3. The Planning Commission shall keep a set of minutes ~~effor~~ for all meetings, and these minutes shall become a public record.

9-3-1.—. The secretary shall sign all minutes, and at the end of the year shall certify that the minutes of the preceding year are true and correct.

9-3-2. Retain audio-visual recordings of the meetings until after the Minutes have been approved and three months after the end of the calendar year, whichever is longer. Document destruction shall be in accordance with the Virginia Public Records Act.

ARTICLE 10 - HEARINGS

10-1.—. In addition to those required by law, the Commission, at its discretion, may hold public hearings when it deems that a hearing is in the public interest.

10-2.—. Notice of a hearing shall be published in a newspaper having general circulation in the area once a week for two (2) successive weeks specifying the time and place of hearing at which persons affected may appear and present their views, not less than five (5) days nor more than twenty-one (21) days after final publication, or as otherwise set forth in the Code of Virginia. ~~Non-legal~~ Non-legal matters, or informational meetings not covered by the Code of Virginia, but called by the Commission, may be advertised once ~~in a/in~~ any paper deemed appropriate by the Commission for the meeting ~~purpose~~ purposes.

10-3.—. The case before the Commission shall be summarized by the Chair or by the Secretary or other members delegated by the Chair. Interested parties shall have the privilege of the floor. The Chair, prior to the public hearing, may set time limits as to the length of time that the applicant, individuals, and persons representing groups may speak. Records or statements shall be recorded or sworn to, as evidence or any court of law, only after notice is given to the interested parties.

10-4.—. A record shall be kept of those speaking before the hearing.

ARTICLE 11 - CORRESPONDENCE AND APPLICATION INFORMATION

11-1.— It shall be the duty of the Secretary to draft and sign all correspondence necessary for the execution of the duties and function of the Planning Commission.

11-2.— It shall be the duty of the Secretary to communicate by telephone or other means when necessary to make communications that cannot be ~~carried-out~~conducted as rapidly as required through direct correspondence.

11-3.— All information from the applicant for a given activity, whether it is ~~for-~~consideration~~for consideration~~ of a rezoning, subdivision, or site plan, shall be submitted to the Secretary by the first business day of the month preceding the meeting. The Commission may rule that if information is received after the ~~mentioned~~dated the information shall not be ~~utilized~~utilized, and the application may be denied or tabled as appropriate.

11-4. All official papers and plans involving the authority of the Commission shall bear the signature of the Secretary.

ARTICLE 12 - AMENDMENTS

12-1. These bylaws may be changed by a recorded two-~~third~~third (2/3) vote of the entire membership after thirty (30) days prior notice to membership. Such notice shall include the proposed language for the amendment.

AGENDA ITEM 11.a.

Discussion of Changes to the BMA Standards of Development