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## HANOVER COUNTY

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CODE COMPLIANCE SUPERVISOR

P. O. BOX 470  
HANOVER, VIRGINIA 23069  
PHONE 804-365-6171  
FAX: 804-365-6232

June 16, 2023

VIA E-mail: [cody.jannise@sunenergy.com](mailto:cody.jannise@sunenergy.com)  
Kenny Habul and Cody Jannise  
595 Summer Street, 4<sup>th</sup> Floor  
Stamford, CT 06901

RE: CUP2021-00005, Springfield Farm Solar, L.L.C.

Dear Mr. Habul and Mr. Jannise,

Planning staff has conducted a review of your resubmission materials and provides the comments listed below. Attached, you will also find comments from other reviewing agencies. We are still waiting on comments from VDOT and will provide them once we receive them. Your request has tentatively been placed on the Planning Commission's agenda for September 21, 2023. Please respond to the comments below by **August 11, 2023**, which is the submittal deadline for the August meeting. If the revised documents are not received by the date noted above, staff cannot assure that your request will be placed on this agenda. Please email me a PDF of the revised sketch plan. Do not submit hard copies of the revised sketch plan until after we have discussed the revisions. 14 hard copies of the revised plan will be due 14 days prior to the Planning Commission meeting.

The following are Planning staff's comments regarding your request:

1. Please be aware that Hanover County is currently in the process of drafting a solar policy and a solar ordinance for consideration by the Board of Supervisors. Staff recommends that the public hearings for this application be delayed until after the policy and ordinance are adopted by the Board of Supervisors.
2. Please also be aware that the current draft of the policy includes the following provision concerning solar facilities with a capacity greater than 20 megawatts (MW):

*Use may be considered on properties designated as Agricultural on the Comprehensive Plan and are to be located outside of the Suburban Service Area (SSA) as shown on the County's Comprehensive Plan.*

This proposal is for a solar facility with a capacity greater than 20 MW and located inside the SSA; therefore, this proposal is not consistent with the draft policy.

3. Should you decide to move forward with this application prior to adoption of the policy and ordinance, staff recommends addressing the comments below.
4. On the sketch plan:
  - a. Add existing vegetation that will remain.
  - b. Add the general location of RPA, wetlands, rivers, streams or other environmentally sensitive features.
  - c. Add and differentiate buffers and setback areas based on the following provision identified in the draft policy:
    - i. Buffers: Photovoltaic panels, substations, and other equipment associated with the production and distribution of electricity (other than poles and wires) shall maintain the following minimum buffers:
      - a. 150 feet from any property with an existing residence.
      - b. 100 feet from any other property or road.
      - c. 100 feet from wetlands, rivers, streams or other environmentally sensitive features.
      - d. 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 to the buffers required in paragraphs a and b
      - e. No panels, cabinets, or other associated equipment, exclusive of utility poles, wires, cables, and access roads, shall be located closer than ten (10) feet to the buffer required in paragraph c
  - d. Show buffer details and ensure that in accordance with the following provisions outlined in the draft policy:
    - a. Buffer Planting Supplementation
      - Forested Buffers need no supplementation provided:
        - i. The buffer area is covered with at least 75% of natural established vegetation
        - ii. The existing plant material is mature and in healthy condition
        - iii. The existing plant material consists of a mix of evergreen and deciduous trees
        - iv. Any existing trees used to satisfy this requirement must have the entirety of their canopies located within the buffer area
        - v. There is an established understory of small trees and shrubs, both evergreen and deciduous, to provide significant buffering at the lower forested area
      - Supplementation for buffer that do not meet all or some of the requirements listed above:
        - i. Forested Buffers with no understory buffering as listed in (v) – to be established along the inside or outside buffer line in a staggered pattern and placement, as follows per every 100' of buffer length -
          - 3 small deciduous understory trees
          - 3 small evergreen trees
          - 5 large shrubs

- 10 small to medium shrubs
- ii. Forested Buffers with no evergreen tree component – to be established along the inside or outside buffer line in a staggered pattern and placement, as follows per every 100' of buffer length
  - 4 large evergreen trees
  - 6 small evergreen trees
- iii. Forested Buffers with no deciduous tree component
  - This does 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 below. The existing evergreen trees can be used to meet this requirement.
- iv. Buffer Supplementation for buffers with immature, inadequate or unhealthy existing vegetation – with a staggered pattern and placement, as follows per every 100' of buffer length
  - Plantings to be established in a clustered formation between tangent areas within the buffer
  - Clusters to be of no more than 50' in width
  - 2 Large Deciduous Trees
  - 4 Small Deciduous Trees
  - 6 Large Evergreen Trees
  - 8 Small Evergreen Trees
  - 7 large shrubs
  - 15 Small to medium shrubs
  - Existing healthy vegetation can be used to meet this requirement.
- Maintain Existing Mature Vegetation. The preservation of existing trees and shrubs within required buffers shall be maximized. All trees located within a buffer shall be retained unless removal is necessary to accommodate vehicular access and/or utilities that run generally perpendicular through the buffer.
- e. Remove note #5 on Sheet SL2.0, *Site layout and equipment locations are preliminary and subject to change.*

**Should this Conditional Use Permit be approved, the property will be required to be developed in substantial conformity with the conceptual plan.**

- f. Add the zoning of the adjacent properties.
- g. Add the total acreage of the project.
- h. Show existing utility line easements (note attached comments from Public Utilities).
- i. Add a list of pollinator species that will be used for ground cover.
- j. Add an overlay showing the location of the panels on the soil identification map and identify Prime Agricultural Soils and Soils of Statewide Importance. Please be aware that the draft policy includes the following provision:

*Site should be evaluated to determine the impacts to Prime Agricultural Lands and/or Lands of Statewide Significance. Solar energy facilities should limit the amount of facilities in these locations.*

5. There were two boundary surveys that have been submitted. One for the parcels in the original submittal and one that only includes the new parcel. Please submit a boundary survey that includes the entirety of the amended project.
6. The amended application only includes the new parcel. Please submit an application that includes all parcels and on page 3, include the total acreage of all the parcels in the "Total CUP area" section. If the CUP area includes the entire acreage of all the parcels, please add the same acreage to the "Total Area" section.
7. Please submit a Decommissioning Plan that includes the following as identified in the draft policy:
  - a. Removal of all materials and equipment include cabling and wiring, both above and below ground
  - b. Restoration of the property to its predevelopment condition including:
    - i. Soil remediation including de-compaction to ensure agricultural soils are able to support crops or pastureland
    - ii. Reforestation of areas where tree clearing has occurred
  - c. An estimate of the gross cost for the complete removal of Solar facility and all associated infrastructure, the cost of soil remediation, and the cost of reforestation.
    - i. The cost estimate shall not include credits for the resale or salvage of the equipment and materials.
    - ii. Cost estimates shall be itemized by decommissioning task
  - d. Reimbursement of the County by the Solar provider for an independent review and analysis by a professional engineer of the cost estimate.
  - e. Financial surety to Hanover County in an amount sufficient to undertake decommissioning activities should the owner default in its decommissioning responsibilities
  - 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 electricity for the distribution system to which it was connected
8. As previously discussed, a community meeting will be necessary for this case. Before setting a date for the meeting, please reach out to myself and the Board and Planning Commission representatives for the Beaverdam and South Anna districts to make sure we are available for the meeting date. The meeting will need to take place prior to the advertising deadline for the August meeting which is **August 25th**. The community will need to be notified of the meeting two weeks prior to the date of the meeting.
9. Staff may have additional comments following the community meeting.

If you have any questions, please contact me at (804) 365-6374.

Sincerely,



Brendan McHugh  
Planner

## **ZONING STAFF MEETING**

### **Department of Public Utilities Comments**

**CASE NAME: Springfield Farm Solar, LLC**

**PROJECT #: CUP2021-00005**

**PLEASE MARK THE APPROPRIATE BOX BELOW:**

No Comment: ☐

Comments Below: ☒

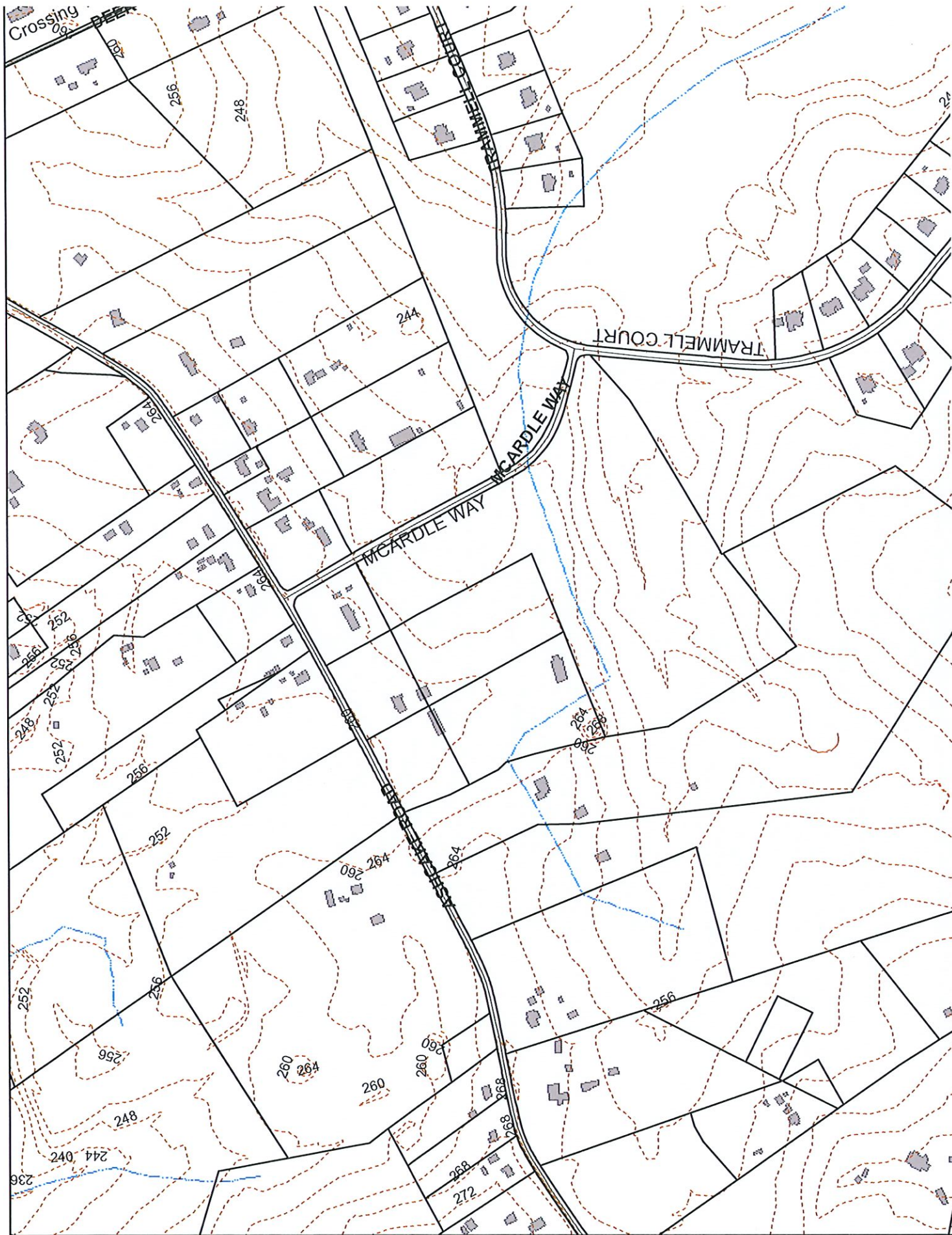
DATE: 4/19/2023

REVIEWED BY: T. Watkins

The Hanover County Department of Public Utilities (DPU) has reviewed the above referenced conditional use permit request and has the following comments:

1. This development is within the Suburban Service Area (SSA) but it is DPU's understanding that public water and sanitary sewer service is not required for this project.
2. Water and Sanitary Sewer Easements across the CUP boundary will be required for site plan approval to allow upstream areas of the SSA beyond this development to be served with gravity sanitary sewer in the future, including neighboring properties that would naturally drain to Stony Run.
3. The easement along Stony Run shall be 50' wide.
4. Water and Sanitary Sewer Easements along the entire frontages of Cedar Lane and Elmont Road for future waterline extensions will be required for site plan approval.
5. These easements should be shown conceptually. Final alignments and widths shall be coordinated with site plan approval.

Please feel free to contact me if you have any questions or concerns.



**Conditional Use Permit**

**Department of Public Works Comments**

**CASE NAME: Springfield Solar**

**TRACKIT PROJECT #: CUP2021-00005**

**PLEASE MARK THE APPROPRIATE BOX BELOW:**

No Comment ☐

Comments Below ☒

DATE: 04/07/2023 REVIEWED BY: MJD

At the time of site plan:

- 1) Additional development subject to runoff reduction and channel protection.
- 2) Evaluation of permissible velocity in natural channels will be required.
- 3) Identify wetlands and RPA, provide WQIA certification of these features. No construction is allowed in these areas without appropriate approvals. Obtain wetlands approval as needed for any impacts.
- 4) Floodplain on site will have to be computed/established.
- 5) Topo may require due consideration of E&S controls.
- 6) Site must meet DEQ guidance for solar development



# HANOVER COUNTY

## Office of the Fire Marshal



Office (804) 365-6195  
Fax (804) 537-5488

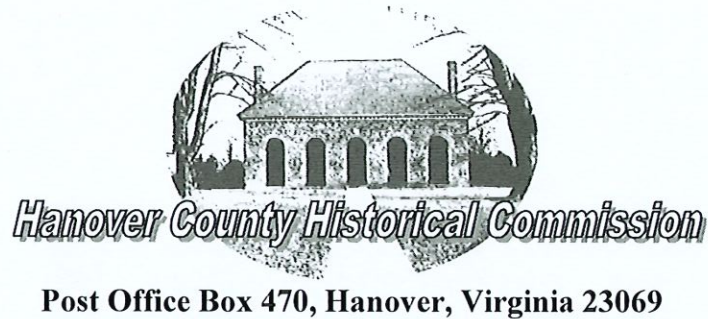
13326 Hanover Courthouse Road  
P.O. Box 470 Hanover, VA 23069

[fmo@hanovercounty.gov](mailto:fmo@hanovercounty.gov)  
Dispatch (804) 365-6140

### PLANS REVIEW

|                |                                                                                                                                                                                                                                                                |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| JURISDICTION:  | Hanover                                                                                                                                                                                                                                                        |
| FMO FILE #     | CUP2021-00005                                                                                                                                                                                                                                                  |
| TO:            | Brendan Mchugh                                                                                                                                                                                                                                                 |
| FROM:          | Doug Atkins, Plan Examiner<br>Office 804-365-4858<br>Email: <a href="mailto:jdatkins@hanovercounty.gov">jdatkins@hanovercounty.gov</a>                                                                                                                         |
| SUBJECT:       | Springfield Farm Solar                                                                                                                                                                                                                                         |
| DATE:          | 4-20-2023                                                                                                                                                                                                                                                      |
| TYPE OF REVIEW | CUP 3 <sup>rd</sup> Review                                                                                                                                                                                                                                     |
| COMMENTS:      | <ol style="list-style-type: none"><li>1. Access to the sites 12-foot wide roads throughout sites.</li><li>2. Knox locks on access points.</li><li>3. Location naming/addressing for sites.</li><li>4. Emergency shut off for the sites and training.</li></ol> |
| TrackIt:       | 4-20-2023                                                                                                                                                                                                                                                      |

| <a href="#">Relationships</a> | CUP2021-00005        | Type (Asc)         | <b>GO</b>                                                                                                                                                                                                                                                                                                                                                                         | JP2022-00017<br>023 | Edit   |
|-------------------------------|----------------------|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|--------|
| Trees                         | Sites                | Status             | Name                                                                                                                                                                                                                                                                                                                                                                              | Date                | Action |
| Project # CUP2021-00005       | No Parent Activities | CUP                | David N Wachsmann                                                                                                                                                                                                                                                                                                                                                                 | PJRC                | Edit   |
| No Projects                   | No Permits           | Grou               | If onsite sewage disposal is needed owner should contact an AOSE working with a PE to evaluate and design system prior to applying for Building Permit. If site has well that will need to be abandoned apply with the Health Department for well abandonment permit. Include AOSE proposal for well abandonment with application for abandonment. Otherwise approve application. | OJDA                | Edit   |
| No Cases                      | No Issues            | Statu              | 4/17/2023 11:36:06 AM                                                                                                                                                                                                                                                                                                                                                             |                     | Edit   |
| Print                         | Attachments          | CUP                |                                                                                                                                                                                                                                                                                                                                                                                   | PJRC PTMI           | Edit   |
| Internet Links                | Imaging              | Grou               |                                                                                                                                                                                                                                                                                                                                                                                   | PJRC                | Edit   |
| Plan Location                 | View Notes           | Statu              |                                                                                                                                                                                                                                                                                                                                                                                   |                     | Edit   |
|                               |                      | CUPC1 PUBLIC WORKS |                                                                                                                                                                                                                                                                                                                                                                                   |                     |        |
|                               |                      | Group              |                                                                                                                                                                                                                                                                                                                                                                                   |                     |        |



### MEMORANDUM

**TO:** Gretchen Biernot, Current Planning Manager

**FROM:** Claudia Cheely, Senior Planner II *CNC*

**SUBJECT:** Historical Commission Recommendation  
CUP2021-00005, Springfield Farm Solar L.L.C

**DATE:** June 15, 2023

At the Historical Commission meeting on June 6, 2023, the Commission reviewed an amendment to add acreage to a request for a Conditional Use Permit to allow solar utility facility. The Commission reviewed the request because this property is in the area of Ride Around McClellan, June 12 – 15, 1862.

Because this proposal is within the Elmont area, a community that contains many surveyed homes and is mostly residential, the Commission determined to reiterate its earlier recommendations from March 2021, when this request was first submitted. The Commission recommends that the applicant provide a vegetative screen wherever the solar farm is proposed adjacent to residential properties and within view of any road frontages to shield solar panels from view from the road and from adjacent residential parcels.

/cdc