



PLANNING COMMISSION MEETING AGENDA

May 20, 2025

The Prince Edward County Planning Commission encourages citizens participation in public meetings through in-person participation, written comments and/or remote participation by calling: **1-844-890-7777, Access Code: 390313** (*If busy, please call again.*) Additionally, citizens may view the Commission meeting live in its entirety at the County's YouTube Channel, the link to which is provided on the County's website.

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**AGENDA**

**PAGE #**

- 7:00 P.M.**
1. The Chair will call the May meeting of the Planning Commission to order.
  2. Invocation
  3. Pledge of Allegiance
  4. Conflict of Interest Disclosures
  5. Approval of Minutes 3
  6. **PUBLIC HEARINGS:** The Commission will receive public input prior to considering the following:
    - a. A Special Use Permit request by Dogwood Properties, LLC for a proposal to operate a restaurant on land totaling 1.5 +/- acres denoted as Tax Map Parcel 107-A-44 with an address of 8306 Patrick Henry Highway Green Bay, VA on US Route 360, which is zoned Agricultural Conservation (A1) District. 33
    - b. A Special Use Permit request filed by Michael and Helen Royea for a proposal to operate a rural events center on land totaling 136.49 +/- acres denoted as Tax Map Parcel 055-A-32 with an address of 25943 Prince Edward Highway, Rice, VA on US Route 460, which is zoned Agricultural Conservation (A1) District. 53
  7. Review of Supervisors Actions
  8. Old Business
  9. New Business
  10. Next Meeting:  
Regular Meeting: Tuesday, June 17, 2025 at 7:00 p.m.  
Joint Public Hearing w/Board of Supervisors: Tuesday, June 24, 2025 at 7:00 p.m.
  11. Adjournment

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**Planning Commission  
Agenda Summary**

**Meeting Date:** May 20, 2025  
**Item No.:** 5  
**Department:** Planning and Community Development  
**Staff Contact:** Robert Love  
**Agenda Item:** Approval of Minutes

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**Summary:**  
For approval.

**Attachments:**

February 18, 2025 and March 18, 2025 Draft Planning Commission meeting minutes

Motion \_\_\_\_\_  
Second \_\_\_\_\_

Fuller \_\_\_\_\_  
Gilliam \_\_\_\_\_  
Hart \_\_\_\_\_

Hogan \_\_\_\_\_  
Paige \_\_\_\_\_  
Peery \_\_\_\_\_

Prengaman \_\_\_\_\_  
Weiss \_\_\_\_\_



**Prince Edward County Planning Commission  
Meeting Minutes  
February 18, 2025  
7:00 pm**

Members Present: Brad Fuller Llew W. Gilliam, Jr.  
David Hart John H. Hogan  
Whitfield M. Paige John "Jack" W. Peery, Jr.  
John Prengaman Rhett Weiss

Staff Present: Robert Love, Planning/Zoning Director Douglas P. Stanley, County Administrator

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Public Hearing comments for Planning Commission meetings will be subject to the "Citizen Guide for Providing Input During Public Participation and Public Hearings For Prince Edward County Government Meetings" revised October 12, 2022.

Chairman Prengaman called the February 18, 2025 meeting to order at 7:00 p.m., established there was a quorum, gave the invocation and led the Pledge of Allegiance.

**In Re: Approval of Minutes**

Commissioner Peery made a motion, seconded by Commissioner Paige, to approve the meeting minutes from January 21, 2025; the motion carried:

|      |                           |      |        |          |             |
|------|---------------------------|------|--------|----------|-------------|
| Aye: | Brad Fuller               | Nay: | (None) | Abstain: | Rhett Weiss |
|      | Llew W. Gilliam, Jr.      |      |        |          |             |
|      | David Hart                |      |        |          |             |
|      | John H. Hogan             |      |        |          |             |
|      | Whitfield M. Paige        |      |        |          |             |
|      | John "Jack" W. Peery, Jr. |      |        |          |             |
|      | John Prengaman            |      |        |          |             |

**In Re: Public Hearing – Rezoning A1 to C1 – Anthony Q. & Tracey M. Ellington**

Chairman Prengaman announced this was the date and time scheduled to receive citizen input prior to considering a request by Anthony Q. & Tracey M. Ellington to amend the Prince Edward County Zoning Map and rezone approximately 6.82 +/- acres from A1, Agricultural Conservation to C1, General Commercial for the purpose of permitting a mini-warehouse by Special Use Permit. The property is identified as Tax Map Parcel 040-A-23, located on the south side of US Route 460 (Prince Edward Highway) at its intersection with State Route 736 (Pisgah Church Road). Notice of this hearing was advertised according to law in the Wednesday, February 5, 2025 and Friday, February 7, 2025 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.



Mr. Love stated the County has received an application request Anthony Q. & Tracey M. Ellington to amend the Prince Edward County Zoning Map and rezone approximately 6.82 +/- acres from A1, Agricultural Conservation to C1, General Commercial for the purpose of permitting a mini-warehouse by Special Use Permit. The property is identified as Tax Map Parcel 040-A-23, located on the south side of US Route 460 (Prince Edward Highway) at its intersection with State Route 736 (Pisgah Church Road).

Mr. Love said he received no correspondence from anyone regarding this issue. He stated this parcel is contiguous with the existing C1, General Commercial District and would not be considered spot zoning.

County staff is of the opinion the use is generally compatible with the zoning district and that the rezoning of this parcel would be in harmony and will have minimal impacts on surrounding properties as far as traffic and noise.

Commissioner Weiss asked for clarification that this public hearing is to rezone the property to C1 unconditionally so any uses by right or Special Use Permit would apply, or if the request to rezone is only for this one purpose. Mr. Love said the applicant is only asking for the rezoning [to establish a mini-warehouse].

Mr. Love stated that typically when a parcel is rezoned, other by-right uses could apply and be developed; in this case, it is for a mini-warehouse only by Special Use Permit but would lend itself to other commercial uses. Mr. Love said that through the site plan review, VDOT looked at it specifically for the mini-warehouse for the [specific] number of units, and that has been approved by VDOT at this point.

Commissioner Weiss asked that if the mini-warehouse project does not pan out, then other by-right uses could happen at this site, subject to administrative approval.

Mr. Love said that is correct, subject to site plan review, stormwater and ENS permit and building permit.

Commissioner Weiss then asked that, from the staff's point of view, it is okay to rezone it unconditionally and not limited to this purpose. Mr. Love said yes, there is a site across the road that will be a landscape business.

Commissioner Weiss then asked if there is a house on the site; Mr. Love said the property lines are drawn without the aerials from the State of Virginia, and that structure is [on the adjoining lot].

Commissioner Fuller asked if there is a telephone facility on the corner, and asked if that is part of the property. Mr. Ellington said that they were given an easement on that location years ago. Mr. Love said it will not affect the impact or grading.

Chairman Prengaman opened the public hearing.

Mr. Everett Vaughn said that he and his wife oppose the rezoning for the 186-storage unit facility. He said this addition to Rice would further industrialize the community and degrade the quality of life that current homeowners enjoy. He said that at present, Tharpe Trucking Company and a service station on either side of Rice Village. He said they hear truck beds slamming and coming through the Village, and they have a large trash problem at the convenience store service station. He said they do not believe that this proposal for 186-storage units, centered on the village, with the portion of residents having this in their backyard, will serve the best interest of the community. He said this doesn't say "Welcome to Rice Village" and is an industrial village losing its old charm to 186-storage units, fencing with barbed wire, all-night pollution and 24-[hour] access to its customers. He said the High Bridge Trail borders the proposed storage unit facility; even with a 25-foot buffer, we're sure it probably would not be appealing to visitors coming to Rice. He said that some of the big issues that are possible include noise, lighting, and traffic in and out 24-hours a day. He said there are at least five storage buildings within five to seven miles of the Rice area, and is not sure how this would be a necessity to Rice. He then said his property adjoins the back of this property and is concerned about his property value in the future. Mr. Vaughn said they are new to the Village, just two and a half years, having moved there because of the charm and safety, family oriented, and have invested time, money and

plan to renovate the stables and start a mini-farm. He said they will be subject to view of the metal buildings, wire fences, barbed wire, 24-hour lighting, and customers with 24-hour access. He asked Mr. and Mrs. Ellington if they would want this in their backyard, and is concerned about [the area] becoming an industrial park.

Commissioner Weiss asked if Mr. Vaughn is opposed to any rezoning of the site, for any use other than its current zoning. Mr. Vaughn said he is concerned about the rezoning because you never know what may come in there; he said there isn't a lot in Rice other than agriculture, and commercialization is going to take away from the village itself and turn into an industrial park.

There being no one further wishing to speak, Chairman Pregaman closed the public hearing.

Mr. Love said this parcel and the parcel across the road are currently in the Economic Enterprise Zone and is shown in the current 2014 Comprehensive Plan as the Rice development area. This has been identified by the County for about a decade of being an area where some commercialization could occur. He said he understands the concern and said Mr. Vaughn may not have been aware of that. Mr. Love said it is in the Comprehensive Plan and the IDA has this as an Enterprise Zone, and is meant to attract business.

Mrs. Vaughn asked if there are any plans for anything to go in there. Mr. Love said yes, right across the road will be a 100' x 100' building, landscape and pool installation company, with bins with earthen material such as rock, stone, dirt, and sand. He said that property was previously approved for up to 50 trucks on-site, a second Tharpe Trucking site that was never built. He said another site was to be a commercial campground that was never built.

Mr. Fuller asked that fencing will be around it for security; he asked what is planned for surface coating. Mr. Ellington said it would be millings to start with.

Chairman Pregaman stated this is for the rezoning of the parcel. He said if this proceeds, then the second public hearing would be for the Special Use Permit.

Commissioner Hart asked if it was zoned agriculture and approved for a campground, is that agriculture; Mr. Love said that was a special use permit. He said the reason the lot needs to be rezoned C1, Commercial, is that storage facilities are only allowed on a commercial or more intensive zoning district if issued a special use permit. Mr. Love said campgrounds are seen as recreational but are commercial in nature, so a special use permit is put on them.

Commissioner Weiss said this rezoning request is consistent with the Comprehensive Plan, and this parcel is in the Enterprise Zone. Mr. Love said that is correct.

Commissioner Weiss said C1 allows 60 or so uses by right, and about 35 uses by Special Use Permit. He said rezoning without conditions opens it up to about 100 different uses.

Commissioner Weiss made a motion, seconded by Commissioner Fuller, that the Planning Commission recommend approval of the request by Anthony Q. & Tracey M. Ellington to amend the Prince Edward County Zoning Map and rezone approximately 6.82 +/- acres from A1, Agricultural Conservation to C1, General Commercial, on the basis that it is consistent with the Comprehensive Plan and the Enterprise Zone; the motion carried:

Aye: Brad Fuller  
Llew W. Gilliam, Jr.  
David Hart  
John H. Hogan  
Whitfield M. Paige  
John "Jack" W. Peery, Jr.  
John Pregaman  
Rhett Weiss

Nay: (None)

**In Re: Public Hearing – Special Use Permit, Anthony Q. & Tracey M. Ellington, Mini-Warehouse**

Chairman Prengaman announced this was the date and time scheduled to receive citizen input prior to considering a Special Use Permit request by Anthony Q. & Tracey M. Ellington for the purpose of establishment of a mini warehouse on Tax Map Parcel 040-A-23, located on the south side of US Route 460 (Prince Edward Highway) at its intersection with State Route 736 (Pisgah Church Road). Notice of this hearing was advertised according to law in the Wednesday, February 5, 2025 and Friday, February 7, 2025 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Love stated the County has received an application request by Anthony Q. & Tracey M. Ellington for a Special Use Permit to construct and operate a mini warehouse on Tax Map Parcel 040-A-23, located on the south side of US Route 460 (Prince Edward Highway) at its intersection with State Route 736 (Pisgah Church Road).

The purpose of the Special Use is to allow for the establishment of a mini warehouse facility. This parcel was previously issued a Special Use Permit for a campground, but that facility was never constructed. If approved, this Special Use Permit for a mini warehouse would replace the prior Special Use Permit. County staff is of the opinion the use is generally compatible with the zoning district but 'Will have minimal impacts on surrounding properties as far as traffic and noise.

Mr. Love stated staff supplied a list of conditions; he added there were two engineering drawings from Maxey and Associates on mini-warehouses. He said once the applicant goes to bidding, it will be determined if it will be three buildings or four. The footprint of the gravel disturbed area is the same.

Mr. Love stated he just received a letter from DCR; they do not have an opposition to this but have a preference for the use of native species for screening purposes, such as Eastern Red Cedar or American Holly. This was shared with the applicant. Mr. Love said VDOT reviewed this proposed project and have no issue with it; they approve entrance from Route 460 and exit on the side road. Mr. Love said he added the development guidelines from the County Code.

Chairman Prengaman opened the public hearing.

Commissioner Peery asked if the entrance on Route 460 will have a turn lane; Mr. Love said there will not be a turn lane. He said this will be a right-turn in and a turn-lane or taper was not deemed necessary.

Commissioner Gilliam said there are problems coming from Route 307 and if someone is turning right after going under the old railroad trestle; he suggested entrance and exit on Pisgah Road and not put the entrance on Route 460.

Mr. Ellington said that when it was originally designed to be the campground, the entrance was to come off Pisgah Church Road. The new engineer saw it differently and stated it has plenty of sight distance. Mr. Ellington said the new engineer said he didn't want anyone exiting that way because he didn't want them to try to hit the median and go westbound. Some discussion followed.

Mr. Love said VDOT wanted to segregate incoming traffic from outgoing traffic to eliminate conflict points.

Commissioner Gilliam said there was a site plan at Route 307 which was a disaster, and has been fixed several times and still has issues.

Chairman Prengaman said as the Commission, they can add conditions regarding access and VDOT will have to go back to approve or deny them.

Commissioner Hart asked why VDOT is not allowing exit traffic to turn right onto Pisgah Church Road. It appears to be a required left turn on Pisgah Church Road to exit and get back on Route 460.

Mr. Love stated there is a long-standing truck prohibition on Pisgah Church Road; Commissioner Gilliam said that is for big trucks. Discussion followed.

Commissioner Hart asked if the fencing will be inside the natural screening; Mr. Ellington said it will be inside, adding that they will not disturb any natural growth that is there currently.

Mr. Ellington stated that originally he planned for four buildings; he said the contractor recommended three buildings for cost purposes. He said the goal is to start with one building and when that is 80% full, build the next building, and then the third. He said the fencing will not be complete until the very end of the project. He said the lighting on the side of the buildings and the pole lighting will be to reduce light pollution as much as possible; he said there will also be a very sophisticated security system in place.

Chairman Prengaman asked if the gate is going to be the only access with a code to enter; Mr. Ellington said anyone will be able to drive in until they get to the final stage.

Commissioner Weiss asked if Mr. Ellington would be agreeable to put the ingress and egress on Pisgah Church Road, because of safety issues. He said he drove by a few times to see if there would be any issues. Mr. Ellington said it would likely save money as there wouldn't be two entrances and was agreeable.

Commissioner Hart said there is another storage facility on Route 460 closer to town, and there have been a few accidents due to there being no deceleration lanes. Mr. Ellington said that area is more dangerous and there are more accidents closer to the entrance to the church.

Chairman Prengaman said that in order for the Special Use Permit to come to the Planning Commission, it had to be approved by VDOT first. He said any changes would have to go back to VDOT before the Planning Commission can review it. He suggested tabling the issue and send it back to VDOT for their consideration. He said there is a potential challenge with ingress.

Commissioner Weiss said there may be an alternative, to put in the motion that would require VDOT to review and approve this alternative ingress and egress. Discussion followed.

Commissioner Gilliam said this site plan was done by Maxey and Associates; he said the site plan needs to be changed or an option added to it regarding Pisgah Church Road, and then the highway department has to agree to that. He said that this has been presented to them and they approved it. Mr. Love said he had Mr. Ellington contact VDOT prior to going to Maxey to design the site; this was designed based on the letter from Brian Lokker. Mr. Love then said that VDOT designed and met with the engineer before this concept was developed; he said because of the rezoning required VDOT to evaluate traffic based on trips. Discussion followed.

There being no one further wishing to speak, Chairman Prengaman closed the public hearing.

Commissioner Gilliam made a motion, seconded by Commissioner Weiss, to table this issue of the Special Use Permit request by Anthony Q. & Tracey M. Ellington for the purpose of establishment of a mini warehouse facility for 30 days, with the pretense to speak to VDOT for consideration of what was discussed regarding the entrance and exit on Pisgah Church Road.

Commissioner Hart questioned if the Planning Commission would deny the project if VDOT does not want to change the site plan, and if not, asked why they are voting on a delay.

Chairman Prengaman questioned Mr. Ellington about the approval from VDOT with the ingress and egress. Mr. Ellington stated that the site plan has already in blueprint and drawn on the Pisgah Church Road entrance. Mr. Ellington said VDOT did not like the traffic on Pisgah Church Road, the radius turning in and out. Discussion followed.

Commissioner Fuller made a substitute motion, seconded by Commissioner Hart, with approval of the Special Use Permit request by Anthony Q. & Tracey M. Ellington for the purpose of establishment of a mini warehouse facility which replaces the existing Special Use Permit for a campground, with the recommendation that VDOT review the ingress and egress prior to this going to the Board of Supervisors, and with the following conditions; the motion carried:

|      |                           |             |
|------|---------------------------|-------------|
| Aye: | Brad Fuller               | Nay: (None) |
|      | Llew W. Gilliam, Jr.      |             |
|      | David Hart                |             |
|      | John H. Hogan             |             |
|      | Whitfield M. Paige        |             |
|      | John "Jack" W. Peery, Jr. |             |
|      | John Prengaman            |             |
|      | Rhett Weiss               |             |

**ANTHONY Q. & TRACEY M. ELLINGTON  
SPECIAL USE PERMIT CONDITIONS  
Tax Map Parcel # 040-A-23**

**SITE PLAN**

1. Development activities on the site shall be limited to those as specified in the Special Use Permit Application and Site Plan. The final locations of incidental facilities may be adjusted provided no such adjustment violates any buffers, setbacks, or other statutory requirement. The concepts reflected in the filed special use permit amendment dated 01/14/2025 are hereby made part of these development conditions.
2. Final site plan approval for the facilities shall be submitted to the Prince Edward County Community Development Department for final review and approval pursuant to Appendix B of the Prince Edward County Code (Zoning Ordinance).
3. Any proposed expansion of the operation, change of activities or additional facilities or activities shall be submitted to the Prince Edward County Planning and Community Development office for review prior to implementation. Any changes may be subject to Permit amendment procedures, including Public Hearings.
4. All buildings within the property shall be developed as a cohesive entity ensuring that building placement, architectural treatment, parking lot lighting, landscaping, trash disposal, vehicular and pedestrian circulation and other development elements work together functionally and aesthetically.
5. All landscaping shall be mulched and maintained to the reasonable satisfaction of the Prince Edward County Planning and Community Development Director. Any vegetation found to be of poor condition shall be replaced and/or improved at the reasonable direction of the Planning and Community Development Director or his designee.

**ENVIRONMENTAL**

6. All pollution control measures, erosion and sediment control measures, storm water control facilities, and all construction activities shall comply with the requirements of the appropriate federal, state, and local regulations and ordinances.
7. All facilities for the provision of potable water and sanitation and wastewater disposal systems and food preparation shall be approved by the appropriate local, state, or federal agency including but not limited to Virginia Department of Health, Virginia Departments of Environmental Quality, Environmental Protection Agency, etc.
8. Any development activities of a structural or land disturbing nature not specifically addressed by these Conditions shall be in conformance with applicable provisions of federal, state, and local statutes and regulations.

## **TRANSPORTATION**

9. All entrances to the site shall be installed in accordance with and permitted by the Virginia Department of Transportation, as commercial entrances. Permit issuance for the improvements is subject to VDOT review of the site plan submission.
10. All internal roads used for public access shall be of compacted earth or have a minimum of a four (4) inch stone base and shall be paved with concrete, asphalt, or durable pervious paving material.
11. Adequate area shall be provided on site to accommodate parking of all employees and patrons. It shall be the responsibility of the Permittee to assure that employees and patrons park only on site and not on any highway right-of-way, or on adjoining or adjacent parcels unless written consent is provided by the owner or owners thereof.

## **GENERAL**

12. The facility shall be subject to and comply with the development standards set forth in Prince Edward County Code (Zoning) Article III Section 3-100.9. - Commercial use types: mini-warehouses.
13. All exterior lighting shall be designed and installed so as to minimize glare onto adjoining properties or any public access road. All lighting shall be full cut-off type fixtures.
14. Outdoor storage of trash containers shall be situated at the rear of buildings and shall be appropriately screened.
15. Buffer and Screening of the site shall be in compliance with the Zoning Ordinance section 4-200.3 and Section 4-200.5 and Section 4-200.7. The Buffer Yard Type C Option 1 buffer specifications in combination existing vegetation shall be implemented along the High Bridge Trail State Park boundary. Preservation of existing woodland and vegetation, as permitted by Section 4-200.9 can be used along appropriate boundaries (south, possibly east). However, perimeter landscaping standards shall be required along the public right of way portion of the northern boundary.
16. A 25-foot buffer yard shall be required along the north, east, and south boundaries of the property and a 50-foot buffer yard shall be required on the west boundary along the High Bridge Trail.
17. No storage buildings shall be placed within any buffer yard.
18. The Permittee is responsible for the appearance of the site including litter pick-up and other orderly site appearance.
19. This Permit is non-transferable, except and unless written notice from the Permittee regarding the transfer, and a signed document from the proposed new Permittee is received by the Planning and Community Development Office which states that the new Permittee agrees to comply with all terms and Conditions imposed with the original Permit Issuance. If the proposed new Permittee desires to amend the original Permit Conditions, amendments must be addressed by the Prince Edward County Planning Commission and Board of Supervisors through the Special Use Permit process.
20. Failure of Permittee to full conform to all terms and conditions may result in revocation of this Special Use Permit if said failure or failures are not corrected or addressed to the satisfaction, not to be unreasonably withheld, of the County within thirty (30) days of written notice from the County.

### **In Re: Review of Supervisors Actions**

Mr. Love stated that due to inclement weather, the Board of Supervisors meeting was cancelled. All of the public hearings will be moved to the March agenda. He said there is still correspondence coming in regarding the solar sites.

### **In Re: Old Business**

Mr. Love said that Mrs. Sandlin resigned after the last Planning Commission meeting; we will recognize her for her service at a future meeting.

**New Business**

Mr. Love stated he expects CEP Solar to hold two community meetings in the Green Bay and Meherrin areas. They are waiting on VDOT review for access. On the Wilkerson site, which is Strata, should be before the Planning Commission in the next 30 days.

Mr. Love stated the next meetings scheduled are Open House meetings for the Comprehensive Plan; the first is March 3 and the second is March 4. He said these are the last step prior to bringing the draft to the Planning Commission for a public hearing which may happen in May or June.

Chairman Prengaman declared the meeting adjourned at 8:08 p.m.

**Next Meeting: March 18, 2025**



**Prince Edward County Planning Commission  
Meeting Minutes  
March 18, 2025  
7:00 pm**

Members Present: Brad Fuller Llew W. Gilliam, Jr.  
John H. Hogan Whitfield M. Paige  
John "Jack" W. Peery, Jr. Rhett Weiss

Absent: David Hart, John Pregelman

Staff Present: Robert Love, Planning/Zoning Director Douglas P. Stanley, County Administrator

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Vice-Chairman Peery called the March 18, 2025 meeting to order at 7:00 p.m., established there was a quorum, gave the invocation and led the Pledge of Allegiance.

**In Re: Approval of Minutes**

Mr. Love stated minutes for the February meeting were deferred until the next monthly meeting.

**In Re: Public Hearing – Oak Lane Solar Farm, LLC**

Vice-Chairman Peery announced this was the date and time scheduled to receive citizen input prior to considering a Special Use Permit to construct and operate a 5MWac solar energy facility on land totaling 194.8 +/- acres denoted as Tax Map Parcels 115-6-4, 115-A-59 located on Patrick Henry Highway (US Route 360), near its intersection with Campbell Crossing Road (State Route 628), which is zoned Agricultural Conservation (A1) District. Notice of this hearing was advertised according to law in the Wednesday, March 5, 2025 and Friday, March 7, 2025 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Purpose of the review under Virginia Code Section 15.2-2232:

As required by VA Code § 15.2-2232, requires that the Planning Commission review all proposed developments that include a "public utility facility" prior to the construction or authorization of such facility. A public hearing is required to determine whether the location, character, and extent of the proposed solar facility is in substantial accord with the Prince Edward County Comprehensive Plan, prior to any approval of the special use permit for the facility.

Existing Conditions and Zoning:

The application property consists of mostly timber land. It is bordered by existing agricultural land consisting of pasture and timber land, as well as single-family residential homes. The property is shown as Agricultural and Forestal on the Future Land Use map as described in the Prince Edward County Comprehensive Plan.



Comprehensive Plan Citations:

The following are relevant excerpts of Prince Edward County Comprehensive Plan:

Chapter VI, Special Policy Areas, on Pg. 75 notes "When future development requests require Commission review and Board of Supervisors approval, the economic and quality of life benefits of open space and agricultural and forest land uses should be considered as well as the adequacy of public facilities and services to the area."

Goals, Objectives, and Strategies, Land Use on Pg. 94-95 "Goal:

Ensure optimal use of land resources within Prince Edward County, and promote and support an environmentally sound future land use pattern that provides for a variety of community needs, minimizes conflicts between existing, and proposed land uses, and can be supported by adequate public facilities."

Land Use Objective #1: Strategies on Pg. 95:

"Utilize well planned site designs and effective buffer areas to mitigate the impacts of adjacent land uses of differing intensities."

Historic and Cultural Resources Strategies on Pg. 105:

"Evaluate the impact of new development on local historic structures and areas. Support development proposals and site designs that respect and promote the character of adjacent or nearby historic properties."

Mr. Love stated the Oak Lane Solar Farm was applied for by CEP Solar; this public hearing is to make the determination that this project is substantially in accord with the Prince Edward County Comprehensive Plan and for the proposal to construct and operate a 5MW solar energy facility on land totaling 194.8 acres, on three parcels, Tax Map 115-6-4, 115-A-55, and 115-A-59, located on Patrick Henry Highway, U.S. 360 near its intersection with Campbell Crossing. The parcels are zoned A1, Agricultural. This site is 61 acres of which is solar panels and 134 acres of setback buffers, wildlife corridors and landowner use.

Tyson Utt, Project Manager, Commonwealth Energy Partners (CEP), gave a presentation on the proposed project, and stated it is aligned with multiple goals in the County's Comprehensive Plan. He stated the Environmental and Cultural Due Diligence has presented no known issues.

Harry Kingery reviewed the Oak Lane project details, stating this project aligns with multiple goals stated in the Comprehensive Plan that are related to land use and environmental aspects. He said a variety of studies were performed related to wildlife, cultural, and historical resources, and there is no known endangered species on-site, no known cultural resources on-site, and they will work with the state to mitigate any potential issues of resources. He said this is an up-to-5MWac site which is estimated to be constructed by 2027 for up to 40 years. He said the three parcels total 195 acres, with 110 acres being evaluated and estimating about 60 acres for the solar facility. He then reviewed the preliminary site plan. He stated the project will be smaller than shown. There are two entrances planned; one is the construction entrance along Route 360, and one along Holly Lane for non-construction purposes, which would include existing landowner use and potential emergency use and operations. He said the electrical interconnection will be along Route 360; this project will connect directly into the distribution lines.

Mr. Kingery described the buffer; he said the project is set back off the road and is surrounded by existing woodland. It is well sited and will not be seen from Route 360. He said there are often concerns about erosion and sediment control in these projects; he said they use strong requirements that will mitigate any issues to protect the waterways. During decommissioning, all project materials which will be removed and recycled or disposed of in accordance with the appropriate regulations. He said there will be a bond in place to cover that cost; he said they will restabilize the site after decommissioning to prevent erosion and sediment issues. He stated a community meeting was held in December 2024 which was low attended, but made changes to accommodate conversations that were held. He discussed installation of ground cover for pollinator habitat; he then said the Economic Benefits Analysis, stating that beyond tax revenue, during the construction phase of the project there is a one-time pulse of economic activity due to labor income and various forms of economic output. During the operational phase, there is an ongoing economic activity. He said that over the life of the project, the tax revenue will increase from about \$50,000 to \$700,000, based on the increase to the real estate property tax and solar revenue share. He closed by stating the project generates

affordable and emission-free electricity. These projects will prevent more intensive forms of development, maintain open space, are relatively low-impact and will be removed at the end of their life cycle.

Chairman Prengaman entered the meeting at this time.

Vice-Chairman Peery asked how the panels are made and where; he then asked what materials are the panels made of. Mr. Utt said there is currently no set source of the panels; he said 90% of the panels by weight is silicone, tempered glass and aluminum. He said he wasn't sure of the manufacturing process, but they are made all over the world; some are made in China and Vietnam, and there is an increasing demand for domestic manufacturing.

Commissioner Fuller questioned the stream or creek on the property. Mr. Utt said that it bisects the projects; it flows to the northwest. Mr. Utt said a wetlands study and where the buffer will be; he added there is a road crossing the creek currently.

Richard Wright, Manager, CEP, said stream and creek crossings like this are subsequently handled for study and design through the Army Corps, and both permitted, built, and inspected to comply with the requirements. He said the setback for the buildable area is 50 feet and the stream crossing area will be built with normal [setbacks].

Commissioner Hogan asked if there are certain contractors or if the project goes to bid. Mr. Utt said the project goes through the normal documentation and studies, then the project would be sold to another buyer who would manage the EPC and construction processes. He said there are conditions that they would need to abide by. He said anything that they agree to with this board, the EPC needs to abide by; there are requirements in excess what [Prince Edward County] requires.

Commissioner Hogan clarified that this would be sold to a contractor if this is approved. Mr. Utt said it would be sold to a potential owner who would then manage the construction process and determine the EPC.

Commissioner Hogan then asked what the active lifetime of this solar production. Mr. Utt stated it would have a lifetime of up to 40 years.

Commissioner Gilliam asked what year this will be built. Mr. Utt stated it would be built in 2027 and should take about eight months to build as this is not a huge project.

Commissioner Gilliam asked about an agreement to tie this project to the grid. Mr. Utt stated the process is underway; an interconnection application has been submitted to Dominion and it is under study.

Chairman Prengaman asked if they currently have other active projects within the state. Mr. Utt said they do, and only develop projects in Virginia; three are approved [in Prince Edward County], and the two tonight, and there are a handful of others.

Commissioner Weiss said this is to determine if this project is in substantial accord with the Comprehensive Plan. The current Comprehensive Plan says nothing about solar. He asked how this project would have substantial accord when the Comprehensive Plan is silent on the subject. Mr. Utt stated the Comprehensive Plan currently does not mention anything on solar; the Zoning Ordinance encourages solar facilities, and it backs into the Comprehensive Plan. Mr. Utt said that in the Comprehensive Plan, it does seek to preserve open space and discourages high-density developments, and protection of resources.

Commissioner Weiss said their proposal states that removing any topsoil will be stored on-site and then additionally, "removing the land from agricultural production for four decades will reduce dust emissions and pesticide use and it will allow soil to rest within that period." He asked if this is saying this is a better use of the land than agriculture use. Mr. Utt stated this project is an appropriate use of the land, given that it is an agriculturally zoned property. Mr. Utt said this is currently part timberland and part wooded; by pine [trees] tend to have poor soil, and they have to improve the soil to a certain level of quality to maintain a ground cover.

Commissioner Fuller asked about pollinators. Mr. Utt said [plants] used under panels are low-growing pollinator-friendly [plants], and the native pollinator species. Mr. Utt said that inside the fenced area that is not under panels will be a different native seed mixture in the open area. Mr. Utt said the maintenance plan is to leave the outside area alone and keep the growth under the panels low.

Commissioner Gilliam asked about their intent to put ground back under the panels. Mr. Utt said that in the past, the site would be graded and mix topsoil with the subsoil and clay. That is decreasingly not the way it is done now; he said it is very hard to grow ground cover without good topsoil, and doing so would prevent erosion issues. He said this only an issue where there is grading work.

Commissioner Gilliam asked what major waterway does the creek on this property flow into. Mr. Utt said all flow to the Appomattox River; the scale of this project and the conditions applied to it will mitigate problems with erosion.

Mr. Wright stated one of the specific conditions listed for this project caps the amount of disturbance at the site at 50%. He said DEQ has a new stormwater handbook and the site will meet these new standards.

Chairman Prengaman opened the public hearing.

Tabitha Zaun, Powhatan, stated her father-in-law lives in Leigh District, and she hopes the last meeting will take precedent. She said this is agricultural conservation land and this project is disturbing the creeks. She said the project manager stated they sell off the projects to other people and questioned if this is safe. She stated this county is beautiful and she understands this project would make money for the county. She stated they are small business owners and there are ways to bring small business into the county without solar facilities.

Bryon Zaun, Leigh District, stated Mountain Creek flows to Bush River, to the Appomattox River, and said that 50' buffer is not very far. He stated they would need to flatten the land to install the panels and they need to increase the setbacks. He stated there are other ways to create revenue.

Wendy Kirk Chumley, Leigh District, stated the back of the property backs up to her pond which was a half-acre, but in the last two years it has gone down to less than one-quarter acre. She said the road is a four-wheeler road as the property was a hunting club. She said toxic chemicals in the panels will leach into the ground. She said focusing on the short-term financial benefits without considering the long term consequences by putting industrial solar farms on agricultural land is irresponsible, adding farmland lost is farmland lost forever. She then stated industrialized landscapes alter everything from sun exposure to surface temperatures. Dark surfaces of the panels absorb most of the light and heat that reaches them, but only 15% energy is converted to electricity. The rest is returned to the environment as heat which can have unknown consequences on the surrounding environment. She said some panels can incinerate insects and burn the feathers of birds that fly through them. A 5MW farm requires 25 acres or more to be fully productive and disrupt wildlife and habitat. She said on December 18 [2024] she met with Oak Farm [project managers] in Meherrin when this project was to be 69 acres and has now jumped to 197 acres, and lost that project manager.

Patrick Murphy, Prospect District, stated that he is a representative of the Prince Edward County Farm Bureau and the majority of the 341 producer members which were polled on their opinion of the solar projects. He said that there are 20 primary residents in the project area, and stated the housing values will diminish with an industrial-sized solar site behind them. He said that 22% efficiency is about the average for a solar panel, which is not good. He said green energy is evolving quickly and it is expected that within the next six to eight years, solar will become a trend of the past. He stated that undetermined origin of the solar panels are a concern of the contents and efficiency of the panels. He encouraged the Commission to vote no and keep solar use for homesteads.

Darren Reeves, Leigh District, said he owns two of the parcels. He stated that being a biologist, he loves the outdoors and knows how to take care of the environment. He said purchased his property for hunting, for pleasure, for their families and friends; he said the of his 162 acres, this will take 35 of it. He said they take

stewardship of this property very seriously and listed the pros and cons of the effects of a small solar farm on the land and what it would do to the animals. He said there are no trees there and would like to take the field and bring the kids and grandkids to teach them how to have progress and land conservation at the same time. He said after their thorough research, he feels this is in the best interest of all stakeholders and asked for approval of this project.

Alan Fowlkes, Leigh District, stated his family has been in the area since the 1700s. He said he would not do something that is not right for the community; his family sold part of their land to the state for High Bridge. He said they agree with the conservationists, but there needs to be diversified economy. He stated CEP has a good track record, and asked about landowners' rights; he asked the Commission to vote yes.

Brian Staffin, Leigh District, said he lives across from the proposed site and is concerned that the solar farm will affect his property value, and the impact to his livestock and erosion. He said the solar panels will need a firm foundation to withstand the weather. He said currently the panels are made with cadmium and expressed his concern about environmental impacts from those if damaged. He asked why 200 acres are being applied for rezoning when only 60 are utilized. He stated this will be a solar junkyard in 25 years. He stated he doesn't have the studies from scientists and engineers to present, but there were scientists and engineers to present studies around Harrisburg before [the accident at] Three Mile Island.

David Jennings, Leigh District, stated the property to the north [of this project] belongs to his grandfather and has farmed it for about 30 years, and wants to leave it to the next generation. He stated this would alter the land forever and ruin aesthetics.

Buddy \_\_\_\_, Leigh District, stated he owns the undeveloped property across the street from the proposed project, and asked when will the outcome [of this hearing] be determined and how long until it is known if this is a yay or nay. Chairman Prengaman explained the process, and stated it will go to the Board of Supervisors in the future.

There being no one further wishing to speak, Chairman Prengaman closed the public hearing.

Mr. Utt stated conservation and the draft Comprehensive Plan promotes responsible development of solar facilities or alternative energy facilities, and through the Zoning Ordinance, plan for agriculture conservation. He said agricultural conservation has no limitation and the owner can cut down trees, etc. He said conservation easement cannot be touched. He stated a property value analysis was submitted, which uses an industry standard best practice for evaluating the sale of homes near solar projects; he said the results of this study show there is not a statistically significant difference in homes that were sold near a solar facility and comps in the area. He then stated a 22% to 25% efficiency rate is not bad in context; he stated gas-powered cars provide a 30% efficiency rate. He said this regarding the efficiency versus the economics behind it.

Mr. Utt stated there are different types of energy, and solar is clean, affordable, near-term solution to meet the quickly growing energy needs. He said the solar panel models have not been selected, but there are conditions and parameters as to what can be used. He said requirements include use of Tier 1 solar panels, and those are required to pass the toxic characteristic leaching procedure test, during which they are deemed non-hazardous by the EPA. He said during decommissioning, the bond and process is included in the Plan, with the final procedure and final estimates in the design. This is to safeguard this site from becoming a solar junkyard. He said that if the facility is not operating for six months, the County will cash in the bond and begin decommissioning.

Chairman Prengaman asked the life of the panels. Mr. Utt stated there is a warranty on most panels of 25 years; the Department of Energy estimates that panels can last 30-35 years. He said these projects are planned so they can be repowered during the project life cycle. He said certain components have a life span and the project would last longer than some of the components.

Mr. Wright stated all three parcels comprise 190 acres; he said that from an ordinance standpoint, there are properties that are being considered to be rezoned. This does not mean intent to use all 190 acres for the project; the panel area should occupy approximately 60 acres. The design contemplates all of the

requirements in the ordinance for setbacks, within which there is a vegetative buffer to protect the viewshed. He said the existing vegetation would remain. There is no reason to grade the land where it is not needed and the project would use the existing topography. He said the racking for the panels is pile-driven, and there is no or little concrete, and they do not want to disturb any more than necessary. He said most of the disturbance is for the stormwater basins.

Mr. Kingery stated the County's ordinance requires 75 feet setback from a home; he said they exceed the code and criteria from the homes and from the stream and wetlands.

Commissioner Gilliam asked why the County would have to pull the bond and clean up. Mr. Love stated the County would have to do that only if the company would walk away from the project. Mr. Stanley said the cost is calculated by an engineer that looks at the cost to pull the material, and added the bond is updated every five years, which is set once the project is complete. Mr. Love said it would be approved by the company engineer, the County Administrator, and a third-party engineer.

Commissioner Weiss asked for clarification that this is a Special Use Permit and not a zoning issue. Chairman Pengaman said that is correct.

Commissioner Weiss expressed his concern about the substantial accord [of this project]. He said this was well-presented but the issue is that the current Comprehensive Plan says nothing about solar. He said the state statute requires that we determine this is in substantial accord. He said this property is zoned agricultural. The current Comprehensive Plan is clear in encouraging such uses, and the applicant went so far as to suggest that this is a good substitute if not a better use than agricultural because of dust and pesticide use. He said the timing is such that until the new Comprehensive Plan is complete with regard to solar, he cannot find substantial accord with the current Comprehensive Plan as it doesn't exist. Discussion followed.

Commissioner Hogan made a motion, seconded by Commissioner Paige, that the Planning Commission recommend approval of the Oak Lane Solar Farm, LLC proposed 5MWac solar energy facility as described in the Special Use Permit application with the amendment to a 100' buffer around the creek, is substantially in accord with the Prince Edward County Comprehensive Plan and that the Planning Commission recommend approval of the Special Use Permit request with the following conditions; the motion carried:

|         |                           |      |                      |
|---------|---------------------------|------|----------------------|
| Aye:    | Brad Fuller               | Nay: | Llew W. Gilliam, Jr. |
|         | John H. Hogan             |      | Rhett Weiss          |
|         | Whitfield M. Paige        |      |                      |
|         | John "Jack" W. Peery, Jr. |      |                      |
|         | John Pengaman             |      |                      |
| Absent: | David Hart                |      |                      |

**Oak Lane Solar Farm, LLC  
PRINCE EDWARD COUNTY, VIRGINIA  
Special Use Permit Conditions**

**SECTION I. GENERAL PROVISIONS**

1. This Special Use Permit applies to the following properties for which a special use permit application was submitted: Tax Map Parcel Identification Numbers: 107-A-63, 107-A-64. The Special Use Permit application was submitted on 02/21/2025 by Oak Lane Solar Farm, LLC on behalf of the owners of the said properties, and compliance with these conditions is the express duty of, and these conditions shall bind, the Applicant and any assignee of the Applicant who operates the Solar Facility.

2. The Site shall be developed, constructed, operated, and decommissioned in compliance with all of the following:
  - a. All applicable federal, state, and local laws, statutes, ordinances, and regulations.
  - b. All written agreements entered into between the Applicant and the County, expressly including, but not limited to, a Solar Facility Siting Agreement.
  - c. The Site Plan approved by Prince Edward County.
  - d. The Decommissioning Plan approved by Prince Edward County.
  - e. The Emergency Response Plan approved by Prince Edward County.
  - f. The Construction Traffic Management Plan approved by Prince Edward County.
  - g. The Erosion and Sediment Control Plan approved by Prince Edward County.
  - h. The Stormwater Management Plan approved by Prince Edward County and/or DEQ.

Violation by the Applicant or by any one or more of Applicant's agents, employees or contractors of any terms, conditions, or provisions of any of the foregoing shall constitute a violation of this Special Use Permit if Applicant has failed to begin and diligently pursue (or has failed to cause its agents, employees or contractors, as applicable, to begin and diligently pursue) correction of the violation within thirty (30) days after written notice by the County to Applicant.

3. The following terms shall have the following meanings if or when used in these Conditions:
  - a. **"Abandoned"** means the discontinuation of power generation by the Solar Facility for a period of at least 180 consecutive days, except in the event of a force majeure event requiring reconstruction.
  - b. **"Applicant"** means Oak Lane Solar Farm, LLC.
  - c. **"Approved Site Plan"** means the detailed drawing showing all equipment, excavation, landscaping, and other changes or improvements to be made to the real property or properties for the development of the Project following approval of the Special Use Permit Application by the Prince Edward County Planning Commission, and the Prince Edward County Board of Supervisors and administrative review and approval by Prince Edward County staff.
  - d. **"Board"** means the Board of Supervisors of Prince Edward County, Virginia.
  - e. **"Commercial Operation"** means the period beginning on the date that the sale of electricity generated from the Solar Facilities to a third party through the Grid commences pursuant to a Power Purchase Agreement and terminating contemporaneously with the commencement of Decommissioning.
  - f. **"County"** means Prince Edward County, Virginia.
  - g. **"County Administrator"** means the county administrator of Prince Edward County, Virginia.
  - h. **"Decommission" or "Decommissioning" or "Decommissioning Activities"** means the work on the Solar Facility to remove improvements on the real property and to otherwise comply with the Decommissioning Plan.
  - i. **"Decommissioning Commencement Date"** means the earliest date on which Decommissioning is required to begin under the terms set forth in these Special Use Permit Conditions.
  - j. **"Decommissioning Plan"** means the plan for Decommissioning Activities submitted by Oak Lane Solar Farm, LLC and approved by the County.
  - k. **"Grid"** means the interconnected network for delivering electricity from producers to consumers (consisting of generating stations, electrical substations, high voltage transmission lines, and distribution lines that connect individual customers) to which the Project is connected and provides power.
  - l. **"Investor Owned Utility Company"** means an electric utility as defined in Section 56-576 of the Code of Virginia.

- m. **"Operator"** means any party which undertakes the management, maintenance, and operation of the Solar Facility, including, but not limited to, as assignee of the Applicant.
  - n. **"Power Purchase Agreement"** means the written agreement pursuant to which electricity generated from the Solar Facilities is sold to a third party.
  - o. **"Project"** means the Solar Facility on the parcel, including the following: (i) the development, design, procurement, construction, installation, commissioning, testing, interconnection, and start-up of the Solar Facility on the Site; (ii) the operation, repair, replacement, and maintenance of the Solar Facility on the Site; and (iii) the decommissioning and removal of the Solar Facility from the Site.
  - p. **"Related Entity"** or **"Related Entities"** means any two or more entities described in I.R.C. § 267(b).
  - q. **"Site"** or **"Solar Facility Site"** means all properties to be leased or purchased by the Applicant or any Related Entity for development in connection with the Project, identified as follows: Prince Edward County Tax Map Identification Numbers 115-6-4, 115-A-55, and 115-A-59.
  - r. **"Site Plan"** means the detailed drawing showing all equipment, landscaping, roads, retention facilities, fencing, buffers, and other changes or improvements to be made to the real property or properties for the development of the Project.
  - s. **"Solar Facility"** or **"Solar Facilities"** means the Site together with all equipment, apparatus, or other items of personal property used for the construction, operation, or decommissioning of the Project.
  - t. **"Surety Review Date"** means the date by which the Applicant will update the cost estimate in the Decommissioning Plan every five (5) years and reimburse the County for the actual and reasonable, out-of-pocket costs of each such independent review and analysis by a licensed engineer of each decommissioning cost estimate revision.
4. The Site shall be developed in general conformance with the information and exhibits submitted with the Special Use Permit application (the "SUP" Application), except as modified by associated conditions, the Approved Site Plan, and as required by the land development ordinances of Prince Edward County.
  5. This Special Use Permit (SUP) is issued to the owners of the properties for which the special use permit application was submitted (the Properties) and shall run with the land unless and until this SUP is revoked, expires, or is voided.
  6. An Approved Site Plan shall be required for this use.
  7. Prior to the issuance of construction permits, the Applicant shall record in the Circuit Court Clerk's Office of Prince Edward County, Virginia a plat of survey delineating the property boundary and total acreage.
  8. The Applicant shall submit an Emergency Response Plan (the "ER Plan") with the submission of the Site Plan. The ER Plan shall include fire suppression methods that can be deployed during both the construction and operation of the project. The ER Plan shall also include a program of education and training to be provided for County emergency response staff covering onsite emergency response.
  9. Unless approved in writing by the County, no signage shall be permitted on the Site; except that signage containing notices, warnings, or other information, if required by law or by applicable codes and standards, or deemed by the County to be in the interest of the safety and welfare of the community, shall be required.

10. Oak Lane Solar Farm, LLC, or owner, will reimburse, or cause to be reimbursed, to the County all out-of-pocket costs and fees incurred for professional services engaged for purposes of assisting the County during the application and permitting process and during and through construction, including, but not limited to, legal fees and consulting fees; however legal fees shall not be assessed to Oak Lane Solar Farm, LLC after construction is completed. The purpose of the reimbursement payments is to defray the costs and expenses incurred by the County in connection with (i) the zoning and permitting processes related to the approval of the Solar Facility, to include litigation against Prince Edward County for Zoning Actions, (ii) the permitting process with federal and state agencies, as applicable, and (iii) the construction of the Solar Facility. Should the special use permit application submitted by Oak Lane Solar Farm, LLC for the Project not be approved by the County, no reimbursement under this paragraph will be owed by Oak Lane Solar Farm, LLC to the County.
11. The Project owner or operator will, in coordination with Prince Edward County Emergency Management, provide education and training on how to respond in the event of a fire or other emergency on the premises. "Knox Boxes" or coded padlocks will be added at access gate locations, so that emergency services resources can gain access inside the security fence during the construction phase of the project.

## **SECTION II. BUFFERS, HEIGHTS, AND SETBACKS**

12. Buffers throughout the Site shall include the following:
  - a. All setbacks shall be no less than those shown on the site plan approved by Prince Edward County. There shall be a minimum 100' buffer to any stream, creek, or wetland.
  - b. The Site Plan will identify a maximum extent of Project area, outside of which solar panels, or other equipment will not be located. The solar panels, or other equipment of the Solar Facility will not be located within the standard setbacks established by Section 7-110 (D) of the County Ordinance.
  - c. The Site Plan will include a vegetative buffering plan (the "Vegetative Buffer Plan") that will limit the visibility of the Solar Facility and from the public rights-of-way adjacent to the Site. For purposes of this Condition, "Solar Facility" does not include the perimeter security fencing, gravel access road, or interconnection equipment. Also, the "Solar Facility" is not an objectionable feature, within the meaning of County Ordinance Section 7-110 (F). All vegetative buffering areas, as shown on the Vegetative Buffer Plan, shall enable insolation of the Solar Facility and may be both natural and planted, shall be a part of the approved Project, and should be protected from harvest so long as the Site is operated as a solar facility.
  - d. Vegetative buffering areas shall be installed (pursuant to the screening suggestions attached as Exhibit A) and, as necessary, managed to ensure health and preservation of the vegetation. Any vegetative buffering that is dead during the operating period shall be removed and replaced in conformance with the approved site plan, within a six (6) month time period during a typical growing period. The type and height of replacement vegetation shall be similar to that of which was originally planted during construction. In the event that the vegetative buffering is severely damaged due to an unusual weather occurrence or natural catastrophe, the Project shall have one year or one growing season, whichever is sooner, to replace or replant.



- e. Electrical lines leaving the solar facility shall be underground until the point of reaching the first pole outside of the facility as to not impact the screening plan unless: (a) otherwise approved by the County in the final site plan; (b) otherwise approved by the County in connection with building permit approvals, including electrical permits; (c) underground lines conflict with other applicable permitting standards, including environmental permits; or (d) underground lines are not reasonably practical given site constraints.
- f. Any historical resources noted in the Virginia Department of Historic Resources Map that are listed or eligible for listing in the National Register of Historic Places must be identified, marked, and preserved at a setback approved by the Virginia Department of Historic Resources, as reflected on the Site Plan.
- g. The maximum height of ground mounted systems, equipment, and structures, as measured from the grade or base of the improvements to the highest point, shall not exceed eighteen (18) feet in height. Excluded from this height requirement are overhead electric distribution and transmission lines and poles, project substation, and utility switchyard.

### **SECTION III. CONSTRUCTION, TRAFFIC, and ROAD REPAIRS**

- 13. Subject to compliance with applicable site safety requirements and upon reasonable prior notice, the County Administrator, building official, zoning administrator, or environmental codes and compliance officer, or any party or parties designated by any one or more of those county officials, including other federal, state, or local government officials, shall be allowed to enter the Site at any time during construction. Once the facility has commenced Commercial Operation, subject to compliance with applicable Site safety requirements, County officials may enter the Site upon at least one week's advance notice to the Solar Facility liaison.
- 14. All construction entrances for the Site shall be in general conformance with the information and exhibits submitted with this Special Use Permit application and must be authorized and approved by the Virginia Department of Transportation (VDOT).
- 15. All construction activity shall be conducted during daylight hours Monday-Saturday. Activities allowed on Sundays include only the following: onsite planning, walking and riding the Site by passenger vehicle (not heavy construction trucks or equipment), office work, and other activities that do not produce large quantities of traffic on the surrounding roads or loud construction noises within the Site. The Applicant shall comply with the Prince Edward County Noise Ordinance Chapter 46, Article II during operation but shall not be required to do so during construction.
- 16. All heavy construction traffic, including, but not limited to, dump trucks, tractors and trailers, supplier vehicles, and trucks hauling equipment shall enter the site at the designated private driveway entrances.
- 17. The Applicant shall submit a Construction Traffic Management Plan ("CTMP") as part of the Site Plan. The CTMP shall address traffic control measures, an evaluation of the condition of the public roads along the Delivery Routes prior to construction, and a description and an estimate of any anticipated repairs to public roads that may arise due to damages attributable to construction of the Solar Facilities, which CTMP must be reviewed by a third-party selected by the County and paid by, and at the sole cost of, the Applicant.

18. Dust containment measures shall be utilized at all times, as necessary, to contain dust from constituting a nuisance to nearby residents.
19. No burning of stumps and/or debris will be allowed onsite at the subject solar facility.
20. The Solar Facilities shall be enclosed within chain link security fencing not less than six (6) feet in height.
21. The Project will not utilize permanent lighting. If installed at a later date, lighting will be downward facing, motion activated security lighting located at the Project entrance gate or at the control panels near the equipment pad. Lighting shall be limited to that minimally required for safety and operational purposes and shall be full cut-off type fixtures.
22. Prior to commencement of construction, the Applicant shall provide the County a bond equal to 100% of the cost of the anticipated repairs to be made to the public road along the Delivery Routes, as defined in paragraph 23 below, including the entire public right of way along the Delivery Route. The bond may be in the form of a letter of credit, a surety bond, or a cash bond given to the County, to be held by the County without interest, but the form of any surety bond must be approved by the County Administrator. The County will release, return, and terminate the roadway surety upon completion of construction and Commercial Operation of the Project.
23. Subject to the CTMP, Delivery Routes to the site shall include U.S. Route 360 (Patrick Henry Highway), to the proposed site entrance(s) as shown in Appendix A – Site Plan with Entrances of the SUP application. The Delivery Routes are subject to modification pursuant to direction or recommendation from VDOT and approval by the Zoning Administrator.
24. The Solar Facilities shall have commenced construction within three (3) years of approval. The Board of Supervisors may approve one extension of up to one (1) year ~~each~~ upon written request from the Applicant detailing the need for an extension.
25. Solar panels will be constructed, maintained, and operated in accordance with national industry standards and regulations including the National Electrical Code, International Fire Code of the International Code Council and the National Fire Protection Association Fire Code, as provided in Va. Code 15.2-2286. In the event of a conflict between the national industry standards and these Conditions, the national industry standards shall control so that as technology advances, updated technology may be used by the Applicant. Notwithstanding any of the foregoing, the use of any of the following materials at any time, whether in construction, maintenance, or operation of the facility, is expressly prohibited: ~~cadmium telluride~~, cadmium, tellurium, GEN X, field-applied Teflon® coating, or any other materials prohibited by federal or state agencies. All solar panels shall be “BloombergNEF Tier 1 rated and have passed the Toxicity Characteristic Leaching Procedure (TCLP) test, as administered by the United States Environmental Protection Agency.
26. No panels, inverters, pyranometers, substations, or any other component of the Solar Facility, except fencing, shall be located in a floodplain.
27. Upon completion of the construction of the Solar Facilities, the Applicant shall submit a post-construction evaluation of the condition of the roads along the Delivery Routes to the County Administrator for approval. The post-construction evaluation shall include a plan for repairing any damage caused to the public roads along the Delivery Route directly attributable to the Applicant. The Applicant shall be responsible for causing such repairs to be completed to the satisfaction of the VDOT and shall be responsible for coordination of repairs with VDOT. All roadway repairs along the Delivery Routes shall be made at the sole expense of the Applicant.

#### SECTION IV. ENVIRONMENTAL

28. The Applicant shall submit a Stormwater Management Plan and an Erosion and Sediment Control Plan as part of the Site Plan. The Applicant shall reimburse, or cause to be reimbursed to, the County all reasonable, out-of-pocket costs incurred by the County related to retaining such third-party inspectors, plan reviewers, and advisors as reasonably necessary for project review and inspections. All such payments shall be remitted to the County within thirty (30) days of invoicing. The County shall retain the right to inspect the Site to verify the findings of the third-party inspectors upon reasonable, prior notice and subject to compliance with Site safety requirements. The phasing of land disturbance shall be detailed in the Erosion and Sediment Control plan and accompanying project narrative.
29. Stabilization of the Site shall be maintained at all times in compliance with Virginia Department of Environmental Quality (DEQ) standards, rules, requirements, and regulations. The Applicant and the Operator, or either one of them, shall notify the County within twenty-four (24) hours of receiving any DEQ notice of less than full compliance by the Project and shall, within forty-eight (48) hours of receipt, provide the County with a copy of the notice. Thereafter, the Applicant and the Operator, or either one of them, shall provide to the County within forty-eight (48) hours of transmission or receipt copies of all correspondence with DEQ regarding Project noncompliance issue until such time as the matter is fully resolved to the satisfaction of DEQ. In order to ensure orderly development of the Solar Facility and to protect the stabilization and environmental integrity and quality of the Site, no more than fifty percent (50%) of the total site development area shown on the Approved Site Plan may be disturbed at any point in time. For purposes of this condition, an area for which any one or more of the following is true is not considered to be disturbed: the area has established ground cover, the County has determined that the area is not disturbed, an area where temporary stabilization measures have been implemented, gravel driveways, or laydown areas.
30. Soil testing shall be conducted on the Site as follows:
  - a. Testing shall be conducted in no less than three (3) locations on the Site, at least one location being within proximity to panels of each different type or manufacturer. Samples will be collected from a depth of six inches below ground surface.
  - b. Testing shall be conducted prior to the issuance of a land disturbance permit and annually thereafter. Testing also shall be conducted immediately prior to Decommissioning and immediately following the termination of Decommissioning.
  - c. Samples shall be analyzed for Priority Pollutant 13 Metals (arsenic, antimony, beryllium, cadmium, chromium, copper, lead, mercury, nickel, selenium, silver, thallium, and zinc) in accordance with EPA methods SW 6020, SW 6020A, SW1312, and 200.8.
  - d. Testing shall be performed by a service provider retained by the Operator but approved by the County.
  - e. A test report for each testing event, including an executive summary, shall be provided to the Prince Edward County zoning administrator within ten (10) days of the completion of such report.
  - f. No costs shall be incurred by Prince Edward County for soil testing or reports of soil testing provided to Prince Edward County.

31. After completion of construction of the project, noise levels measured at the property line during standard operations shall not exceed 50 dbA. Applicant shall submit equipment and component manufacturers' noise ratings to demonstrate compliance. The applicant shall be required to provide Operating Sound Pressure Level measurements from a reasonable number of sampled locations at the perimeter of the site to demonstrate compliance with this standard.
32. Any damaged solar components or portions thereof shall be collected by the facility operator and removed from the site or stored on site in a location protected from weather and wildlife and from any contact with ground or water until removal from the site can be arranged; storage shall not exceed sixty (60) days. If not returned to the manufacturer, damaged components shall be transferred directly to an approved recycling facility or disposal site in accordance with local, state, and federal laws.

## **SECTION V. DECOMMISSIONING**

33. Decommissioning shall be conducted in accordance with the Decommissioning Plan approved by Prince Edward County.
34. The Applicant or the Operator shall provide a Notice of Decommission to the County Administrator of Prince Edward County within thirty days of a determination to cease Operation of the Solar Facility.
35. Prior to the commencement of construction, the Applicant shall submit to the County and receive County approval of a Decommissioning Plan. The Applicant shall comply with all terms and conditions of the Decommissioning Plan as approved by the County. The Decommissioning Plan at a minimum shall include provisions regarding the following:
  - a. Specifications for the removal of all solar equipment, buildings, cabling, electrical components, pads or foundations, pilings, and fencing.
  - b. A requirement that all Site real property must be restored to the condition of the property as of the date Construction commences (reasonable wear and tear excepted).
  - c. A requirement that the property must be stabilized so as to adequately control, prevent, and minimize any and all erosion or sediment runoff, consistent with the approved Erosion and Sediment Control Plan.
36. Decommissioning shall begin immediately after the Facility has, for a period of six (6) consecutive months, ceased operating as a solar energy facility distributing energy to the electrical grid and shall be diligently pursued, as determined by the County in its sole discretion, and completed within eighteen (18) months from the Decommissioning Commencement Date. Prior to its expiration, the County may extend this Decommissioning period by six (6) months if the County finds that the Operator commenced Decommissioning the Solar Facility diligently and continuously worked to Decommission the Facility throughout the Decommissioning period, and is reasonably expected to complete the Decommissioning within the additional six-month period.
37. Periods during which the Facility is not operational for maintenance, repair, or due to a catastrophic event beyond the control of Oak Lane Solar Farm, LLC during which time Oak Lane Solar Farm, LLC works diligently to return the Facility to full Commercial Operation, shall not constitute the cessation of operations requiring the initiation of Decommissioning requirements herein. Oak Lane Solar Farm, LLC must provide written notice and evidence of the Solar Facility status and repair efforts to the County Administrator during the period in which the Solar Facility is not fully operational. Such notice shall identify the last day on which the

Facility was fully operational. Regardless of the efforts of Oak Lane Solar Farm, LLC to return the Solar Facility to full Commercial Operation, if the Solar Facility does not operate as a solar energy facility distributing energy to the electrical grid after the catastrophic event for a period of eighteen (18) months, the Project shall be deemed Abandoned and Oak Lane Solar Farm, LLC shall commence Decommissioning no later than the 548th day after the catastrophic event.

38. Any change of party responsible for Decommissioning of the facility, or change in any part of the contact information, shall be reported to the County Administrator within sixty (60) days of the change(s).
39. If Decommissioning Activities are not completed within the allotted time, or if the Project is Abandoned, the County may complete or have completed at its expense the Decommissioning Activities required under the terms of the Decommissioning Plan and may recover all costs of completing those Decommissioning Activities from the surety provided as set forth herein.
40. To secure the costs of Decommissioning, Oak Lane Solar Farm, LLC or its successor shall at all times, beginning at commencement of construction and until the termination of Decommissioning, provide financial surety in a form and in an amount approved by the County. If the Solar Facility is transferred to a public utility or an Investor or Member Owned Utility Company (e.g.: Dominion Energy, Old Dominion Electric Cooperative or its successor entity), the surety required of the Applicant may be cancelled at the time of the transfer and no further surety will be required.
41. The amount of the surety required shall be 100% of the estimated Decommissioning costs estimated at each Surety Review Date, less the scrap or repurposing value of the Solar Facility. The estimated costs and surety to meet the above requirements shall be reviewed by the County Administrator on each Surety Review Date, at which time the County Administrator shall determine if the estimates adequately reflect the Decommissioning costs and any scrap or repurposing value and that the surety will guarantee performance. Should the County Administrator determine that estimated costs and surety are insufficient, the County Administrator and Oak Lane Solar Farm, LLC shall mutually agree to determine the correct surety amount; and Oak Lane Solar Farm, LLC shall then provide the agreed, adequate surety within one hundred eighty (180) days following the Surety Review Date or, if later, within thirty (30) days after the County Administrator and Oak Lane Solar Farm, LLC agree on the adequate surety amount.
42. Surety must be provided in the form of a cash bond deposited with the County; by an irrevocable letter of credit provided for the County's benefit; or by a surety bond listing the County as the obligee, a hypothecated account, an escrow account, or a guaranty issued by a credit-worthy entity, or as otherwise provided in Section 15.2-2241.2 of the Code of Virginia.
  - a. A cash bond shall be in the form of a cashier's check or certified check deposited with the County which has cleared all issuing institutions. Any interest accruing on such funds shall be added to the total amount and retained by the County for Decommissioning. The deposit shall be accompanied by a letter agreement, acceptable to, and issued by, the County Administrator, confirming that the cash deposit is to be held by the County to guarantee the performance of the Decommissioning work required herein, and should the Solar Facility be Abandoned or should the Decommissioning work not be diligently undertaken or performed according to the requirements herein, or should the Special Use Permit be revoked, lapse, expire, or be voided due to violation thereof, the County may expend the deposited funds to undertake the Decommissioning work required herein, without more, after providing written notice to the person identified as owner of the property in the land records of Prince Edward County as of the date

of the notice. Within six (6) months of the completion of the Decommissioning work required herein by a person or entity other than the County or a contractor engaged by the County, as confirmed by the County Administrator, the cash bond and accrued interest, less any amounts expended by the County as allowed herein, shall be released and paid to Oak Lane Solar Farm, LLC or, if the Project has been Abandoned, to the person identified as owner of the property in land records of Prince Edward County as of the date of the completed Decommissioning or as otherwise directed by that owner of the property.

- b. An irrevocable letter of credit shall mean an instrument provided by a lending institution guaranteeing payment to the County within seventy-two (72) hours of the County's written notice to the institution that the Solar Facility has been Abandoned or the Decommissioning Activities have not been diligently undertaken or performed according to the requirements herein and demand to the institution for the funds, without more. The letter of credit shall have no expiration date or required renewal and shall remain in effect for the benefit of the County and shall under no circumstances be withdrawn before the Decommissioning Activities required herein are completed or the amount guaranteed has been fully drawn by the County. The letter of credit shall require that the County be notified thirty (30) days prior to any cancellation or alteration of the letter of credit. Should the County receive notice that the letter of credit will be cancelled or otherwise become unavailable or decrease, or should this Special Use Permit be revoked, lapse, expire or be voided due to violation thereof by Oak Lane Solar Farm, LLC, the County may, immediately draw down the entirety of the letter of credit and convert the surety to a cash bond to be deposited with the County and subject to the terms herein; this shall be specifically reflected in the language of the irrevocable letter of credit. The County may expend the guaranteed funds, without more, to undertake the Decommissioning Activities required herein and required pursuant to the terms of the Decommissioning Plan after providing written notice to Oak Lane Solar Farm, LLC or, if the Project is Abandoned, to the person identified as the owner of the Property in the land records of Prince Edward County as of the date of the notice. Within six (6) months following the completion of the Decommissioning Activities required herein and required pursuant to the terms of the Decommissioning Plan by a person or entity other than the County or a contractor engaged by the County, as confirmed by the County Administrator, the letter of credit shall be released by the County and any amounts drawn on the letter of credit, less any amounts expended by the County as allowed herein, shall be released and paid to Oak Lane Solar Farm, LLC or, if the Project has been Abandoned, to the person identified as owner of the property in land records of Prince Edward County as of the date of the completed Decommissioning or as otherwise directed by that owner of the property.
- c. A surety bond shall mean a bond issued by a company with an AM Best rating of A++, that is treasury listed, and that is licensed to do business in the Commonwealth of Virginia. The surety bond shall list the County as an obligee and shall remain in effect for the benefit of the County and shall under no circumstances be withdrawn or cancelled before the Decommissioning Activities required herein and required by the terms of the Decommissioning Plan are completed or the amount guaranteed has been fully paid to the County. The surety bond shall require that the County be notified thirty (30) days prior to any cancellation or alteration of the bond. Should the County receive notice that the surety bond will be cancelled or otherwise become unavailable or decrease below the limits required herein, or should the Special Use Permit be revoked, lapse, expire or be voided due to violation thereof by Oak Lane Solar Farm, LLC, the County may, immediately file a claim, for the entirety of the amount of the bond, the guarantor shall pay the amounts guaranteed and the County shall convert the surety to a

cash bond to be deposited with the County and subject to the terms herein; this shall be specifically reflected in the language of the surety bond. The County may expend the guaranteed funds, without more, to undertake the Decommissioning Activities required herein and required pursuant to the terms of the Decommissioning Plan, after providing written notice to Oak Lane Solar Farm, LLC, or, if the Project is Abandoned, to the person identified as the owner of the Property in the land records of Prince Edward County as of the date of the notice. Within six (6) months following the completion of the Decommissioning Activities required herein by a person or entity other than the County or a contractor engaged by the County, as confirmed by the County Administrator, the surety bond shall be released by the County, and the bond funds paid to the County less any amounts expended by the County as allowed herein, shall be released and paid to Oak Lane Solar Farm, LLC or, if the Project has been Abandoned, to the person identified as owner of the property in land records of Prince Edward County as of the date of the completed Decommissioning or as otherwise directed by that owner of the property.

43. Should this Special Use Permit be revoked, lapse, expire, or be voided due to violation thereof, the County may immediately draw down all of the surety funds and convert them into a cash bond for purposes of Decommissioning as set forth hereunder and as set forth in the Decommissioning Plan. In such case, no contractual agreement shall be required for the cash bond. This shall be reflected in the surety provided.
44. Should the funds guaranteed for the Decommissioning Activities for any reason not be sufficient for the County to complete the Decommissioning Activities as allowed for herein and as set forth in the Decommissioning Plan, Oak Lane Solar Farm, LLC or its successor, shall be and shall remain liable to the County for the difference between the guaranteed funds and the amounts required to Decommission the Solar Facility and shall pay the difference to the County upon demand. The County shall not be liable to any party in any way for the funds drawn pursuant to the conditions set out herein and expended in relation to Decommissioning.
45. Should the Facility be Abandoned, or should the Special Use Permit be revoked, lapse, expire, or be voided due to violation thereof, or should the Decommissioning Activities not be diligently undertaken or performed, and should the County draw down the funds for the purpose of performing the Decommissioning Activities and mobilize its contractors to perform the Decommissioning Activities or otherwise incur liability to its contractors for the performance of the Decommissioning Activities, Oak Lane Solar Farm, LLC, its successor or agent, shall have no right to perform the Decommissioning Activities unless specifically authorized by the County in a writing that confirms that the County has incurred no liability to any contractors to perform the Activities or that any such liability is transferrable as deemed acceptable to the County. The Applicant or the Operator shall immediately, upon written demand by the County or any person or entity authorized to act on behalf of the County, without more, grant or release to the County, or any person or entity authorized to act on behalf of the County, under terms deemed acceptable by the County, all necessary real property rights, personal property rights, either or both, as determined solely by the County, other than fee simple ownership or a leasehold interest of the real property, so that the County or any person or entity authorized to act on behalf of the County may undertake any required Decommissioning Activities that have not otherwise been performed as required. This shall include, but may not be limited to, releasing any interest in the personal property, facilities, fixtures, and structures which are to be removed and recycled, disposed of, or otherwise demolished.

**In Re: Public Hearing – Special Use Permit, Green Bay Solar Farm, LLC**

Chairman Prengaman announced this was the date and time scheduled to receive citizen input prior to considering a Special Use Permit to construct and operate a 5MWac solar energy facility on land totaling 67.8 +/-acres denoted as Tax Map Parcels 107-A-63 and 107-A-64 located on Patrick Henry Highway (US Route 360), near its intersection with Cheatham Road (State Route 694), which is zoned Agricultural Conservation (A1) District. Notice of this hearing was advertised according to law in the Wednesday, March 5, 2025 and Friday, March 7, 2025 editions of THE FARMVILLE HERALD, a newspaper published in the County of Prince Edward.

Mr. Love stated the County has received an application request by Green Bay Solar Farm, LLC; this public hearing is to make the determination that this project is substantially in accord with the Prince Edward County Comprehensive Plan and for a Special Use Permit to construct and operate a 5MWac solar energy facility on land totaling 67.8 +/-acres denoted as Tax Map Parcels 107-A-63 and 107-A-64 located on Patrick Henry Highway (US Route 360), near its intersection with Cheatham Road (State Route 694), which is zoned Agricultural Conservation (A1) District.

Purpose of the review under Virginia Code Section 15.2-2232:

As required by VA Code § 15.2-2232, requires that the Planning Commission review all proposed developments that include a "public utility facility" prior to the construction or authorization of such facility. A public hearing is required to determine whether the location, character, and extent of the proposed solar facility is in substantial accord with the Prince Edward County Comprehensive Plan, prior to any approval of the special use permit for the facility.

Existing Conditions and Zoning:

The application property consists of mostly timber land. It is bordered by existing agricultural land consisting of pasture and timber land, as well as single-family residential homes. The property is shown as Agricultural and Forestal on the Future Land Use map as described in the Prince Edward County Comprehensive Plan.

Comprehensive Plan Citations:

The following are relevant excerpts of Prince Edward County Comprehensive Plan.

Chapter VI, Special Policy Areas, on Pg. 75 notes "When future development requests require Commission review and Board of Supervisors approval, the economic and quality of life benefits of open space and agricultural and forest land uses should be considered as well as the adequacy of public facilities and services to the area."

Mr. Love said this property is primarily timber; the project will have a buildable area approximately 58 acres, of which approximately 39 acres would be solar panels. There will be 29 acres of setbacks, buffers, and wildlife corridor.

Mr. Utt stated this is Comprehensive Plan and zoning compliant, and is similar project, scale and land use, and in conformance with the Comprehensive Plan. He said they have done their environmental and cultural due diligence, and have found no presence of threatened or endangered species, or historical or archeological resources. He stated this project is an up-to-5MW solar project to operate up to 40 years. This project consists of two privately owned parcels. He said 40 acres of the 68 acres will hold the solar facility. There are two construction entrances proposed; this will connect directly to the distribution line. Both parcels are timbered and there will be a planted buffer, and along Route 360 is a 10-12-foot-tall berm. The construction, operation and decommissioning, there are strong erosion and sediment control requirements that exceed the requirements set by DEQ. He said this project will be managed locally in terms of inspections because of the size of the project. He said for decommissioning, all materials will be removed in accordance with appropriate regulations, the bond will be in place to ensure funding will be available, and the site will be restabilized. He said a joint community meeting was held; he said the ground cover will be a low-lying ground cover under the panels with a taller species in the open space. He said the economic benefit include the one-time pulse of activity during construction, and sustained economic activity afterwards. He then stated the revenue comparison projected will increase from \$25,000 - \$700,000 over the life of the project.



Commissioner Paige questioned the fire safety, and asked that the sites would have inverters and batteries, and where they would be located. Mr. Utt said there are no batteries on this site; the inverters are the size of a refrigerator and convert the energy from the panels to DC into AC so they can go into the grid. These are located central to the project. He said the noise that is heard comes from the inverters and at the property line would register at about 50 decibels which is equal to a quiet conversation.

Commissioner Gilliam asked about an ongoing potential contract with Dominion [Energy]. Mr. Kingery stated the project is in Dominion [Energy] territory but cannot speak to that. He said the project could be sold to Dominion and Prince Edward County citizens will benefit from that.

Commissioner Gilliam said that once the power is in the grid, it could go anywhere. Mr. Utt because this is connecting to the distribution system, from a technical concept, the power for the energy flows to the nearest demand. If the energy from the project exceeds the demand at any given moment, it could go flow to the substation and go up on the transmission line. He added that generally, for this scale of project, most of the power is used locally.

Commissioner Gilliam asked about the lay of the land falling towards the wetlands and into the pond. Mr. Utt said there is a west-to-east slope and also converges towards the stream and the drainage area would be at the pond, but the erosion and sediment demands are very high in this project, with no negative effects.

Commissioner Gilliam said solar panels do not absorb water; Mr. Utt said the land absorbs the water and that's why they use the ground cover.

Commissioner Gilliam then asked if the stream has a 50-foot buffer. Mr. Utt said it does. Mr. Kingery said it can be amended to use a 100' buffer.

Chairman Prengaman opened the public hearing.

Natalie Fowlkes, Leigh District, stated she did not get notice of this project but saw the sign on the property. She expressed her concerns regarding an increase in property taxes, the noise level, road conditions after construction, and if the solar panels affect air quality. She asked if the site will be fenced and monitored as she is concerned about safety issues.

Chairman Prengaman stated letters were sent to adjoining property owners; he said the meeting was noticed in the Farmville Herald, was posted on the County's website, and there was a community meeting.

Mr. Love stated there will be no direct effect on your tax bill; any revenue that comes in from solar sites go to the County's General Fund. Some of those can be used for capital improvements such as the elementary school renovation, trash collection centers, building an animal shelter, or for general needs of the County. Conditions include construction is to occur during daylight hours, and there will be fire safety measures incorporated. He said there will be a road repair bond; stormwater and erosion and sediment control will also be controlled by a bond, and any lighting will be for site security only.

Mr. Utt said this project is eligible for shared solar, which generally speaking, goes to nearby homes. This is eligible for shared solar program which leads to lower energy bills if the customers sign up for the program.

Thomas Nelson, Leigh District, said he was concerned about the berms being 100' from his house but the owner lives in Florida. He said this land that has been timbered is not flat land with deep ravines. He discussed the ponds and said the water flows to Sandy River Reservoir and could do damage. He said if they put a fence around it, that will delete the area for wildlife to go through. It is also a windbreak. He then asked if CEP is a stand-alone company or a subsidiary.

Bryon Zaun, Leigh District, said the property is very hilly and the project could be seen. He then said that is a spring creek which goes into Sandy River Reservoir. He said if this has a 100' buffer, it needs to have one on the front side at Route 360. He said this will take a lot of buffer to keep from seeing it. He asked if these

[solar projects] are why his bill from Dominion is always increasing. He asked the Commissioners to vote no.

Tabitha Zaun, Powhatan, stated this is a more important site because the water feeds into the reservoir. She said this is conservation land, and there are Core 1 samples not far that feed into the creek. She said there is only 1% that are Core 1 samples. She said this is an industry-sized facility on conservation property, which will be a bigger impact to the environment.

David Jennings, Leigh District, asked if the County has employed a consultant to evaluate these projects. He said his family is opposed to this project. He added that Powhatan put a moratorium on solar projects. He said there would need to be a larger buffer and there is not a proper approach to manage this.

Alan Fowlkes, Leigh District, said there were solar projects approved last summer that were above Sandy River Reservoir through Miller Lake which were just as close as that pond, and this company will ensure that bonds are in place, and this company has a good reputation. He said [his family is] trying to be good stewards of the land, and this should be a diverse economy. He said they allow people to hunt their land, and now are changing a few things.

Patrick Murphy, Prospect District, said he has spent countless hours in 2014 to develop a solid, public-input based Comprehensive Plan, and the resounding accord of the people of Prince Edward County "like the country-esque appeal of Prince Edward County." He asked how a solar panel fits into that. He said there would need to be 25-foot-tall trees to block the view. He said rural character is what the people in Prince Edward County want in the Comprehensive Plan. He said the Farm Bureau encourages smaller scale solar projects. He said the County needs to reach out to business owners to **help** create a task force to help generate revenue within Prince Edward County. He said the project manager said they sell projects to another buyer which takes away control. He asked the Commissioners to vote no.

There being no one further wishing to speak, Chairman Prengaman closed the public hearing.

Mr. Utt said for security, no one patrols the site but it is monitored remotely. He said the site does not need to be flat; their goal is minimal grading as that is disturbance of the site. He said that regarding the concerns about downstream, that is premised on erosion issues; there are significant measures that are in place. He said the goal is to separate the fact from fiction and recognize when there is gray area, and if there is a problem, adjust for it.

Mr. Wright said that in the mid- to late-2000s, there were errors in the industry. He said the industry and state have worked to correct and avoid issues by collaborating through highly intense DEQ standards and requirements to prevent the issues that occurred. He discussed the field under the panels and stormwater basins once it is in operation and the ground is stabilized, which must occur before installing the racking and panels. He said they are carefully managed and they cannot increase the quantity of the runoff from the site, and from a quality standpoint, there are specific requirements that the project has to meet. He then stated the project process begins with the County process, then the project goes for State approvals. He said they then return to the County for the building permit. He added that CEP started through different phases, including construction and operation, to make sure they build these to be the highest quality and to mitigate the questions that are coming up. He said they can take the projects through construction if not through construction and beyond; there are different owners in different phases, and the conditions carry for 40 years regardless of the owner.

Commissioner Gilliam asked what diameter is the overflow pipe into the pond. Mr. Utt said one of the issues identified in underestimating the overland flow; he said DEQ has since corrected for that but now are overcorrecting for estimating the runoff for these projects. He added Virginia Co-op is performing a long-term study currently and monitoring six to eight projects' stormwater runoff, which will provide field-tested ecoefficiency. Some discussion followed.

Commissioner Fuller said Virginia has more data centers than any other locality in the world, and are using energy left and right. He said this decision is for the general good of Prince Edward County versus individual property rights, and it is a tough decision.

Mr. Love stated that this is less than 0.15% of the county is in solar [use]. Discussion followed.

Chairman Prengaman said that is less than a lot of other counties.

Commissioner Fuller made a motion, seconded by Commissioner Gilliam, that the Planning Commission recommend denial of the Green Bay Solar Farm, LLC proposed 5MWac solar energy facility as described in the Special Use Permit application, as it is not substantially in accord with the Prince Edward County Comprehensive Plan due to the fact that it fosters and/or promotes land development in agricultural areas and will have an impact to the adjacent roadway and nearby residences, site selection and aesthetics; the motion carried:

|         |                           |      |        |
|---------|---------------------------|------|--------|
| Aye:    | Brad Fuller               | Nay: | (None) |
|         | Llew W. Gilliam, Jr.      |      |        |
|         | John H. Hogan             |      |        |
|         | Whitfield M. Paige        |      |        |
|         | John "Jack" W. Peery, Jr. |      |        |
|         | John Prengaman            |      |        |
|         | Rhett Weiss               |      |        |
| Absent: | David Hart                |      |        |

#### **In Re: Review of Supervisors Actions**

Mr. Love stated the Board of Supervisors approved Lindsay Mulvey's Special Use Permit Application for the Dog Kennel, and Mr. Wilson's Geodesic Dome Campground. They denied the Gabriel Solar project.

#### **In Re: Old Business**

(None)

#### **New Business**

Mr. Love stated Strata Solar will hold a community meeting, Thursday, March 20, at Meherrin Fire Department. He said this project would have 2,000 acres, of which would be 610 acres of panels. That application will be coming.

Mr. Love said that the next Board meeting will hear these public hearings, and the public hearing for Andy Ellington's business will be held during the April 8 Board of Supervisors meeting. Scott Frederick, the VDOT engineer, went back out with Maxey's engineer Chip Coleman and designed a proposal for a full access on Pisgah Church Road; VDOT will not accept that. He said the spacing is too close and they will stay with the entrance-only on Route 460 and an exit-left onto Pisgah Church Road to go back to Route 460. He said the tax maps were not correct, but the survey site plan shows it correctly. He said Brian Lokker's property doesn't touch the property.

Mr. Love stated there may not be an April meeting as it would conflict with a [Board of Supervisors] budget meeting. He said an application is expected for the old gas station in Green Bay to be turned into a restaurant.

Chairman Prengaman declared the meeting adjourned at 9:53 p.m.

**Next Meeting: TBD**

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## Planning Commission Agenda Summary

**Meeting Date:** May 20, 2025  
**Item No.:** 6-a  
**Department:** Planning and Community Development  
**Staff Contact:** Robert Love/Doug Stanley  
**Agenda Item:** SUP – Dogwood Properties Green Bay, VA LLC – Restaurant

### Summary:

The County has received an application request by Dogwood Properties Green Bay, VA, LLC for a Special Use Permit to operate a restaurant on land totaling 1.5 +/- acres denoted as Tax Map Parcel 107-A-44 with an address of 8306 Patrick Henry Highway Green Bay, VA on US Route 360, which is zoned Agricultural Conservation (A1) District.

The public hearing notice was published in the May 7, 2025 and May 9, 2025 editions of the Farmville Herald, Attachment (2). The list of adjoining property owners and the sample letter sent to each can be found in Attachments (3) and (4).

The purpose of the Special Use is to allow for the establishment of a restaurant in an existing vacant building. The building was formerly used as a gasoline station but has been closed for many years. County staff is of the opinion the use is generally compatible with the zoning district but will have minimal impacts on surrounding properties as far as traffic and noise.

### Attachments:

1. Special Use Permit Application
2. Notice of Public Hearing
3. List of adjoining property owners
4. Sample Letter sent to adjoining property owners
5. Potential Conditions

### Recommendations:

1. Conduct the Public Hearing and render a decision concerning the request for the Special Use Permit.

### Recommended Motions:

I move that the Planning Commission recommend approval of the Special Use Permit request by Dogwood Properties Green Bay, VA, LLC for the purpose of establishment of a restaurant, with the following conditions:

*(list of conditions)*

Motion \_\_\_\_\_  
Second \_\_\_\_\_

Fuller \_\_\_\_\_  
Gilliam \_\_\_\_\_  
Hart \_\_\_\_\_

Hogan \_\_\_\_\_  
Paige \_\_\_\_\_  
Peery \_\_\_\_\_

Prengaman \_\_\_\_\_  
Weiss \_\_\_\_\_



**Planning Commission  
Agenda Summary**

**OR**

I move that the Planning Commission recommend denial of the Special Use Permit request by Dogwood Properties Green Bay, VA, LLC for the purpose of establishment of a restaurant, due to the following.  
(list reasons)

**OR**

I move that the Planning Commission table the Special Use Permit request by Dogwood Properties Green Bay, VA, LLC for the purpose of establishment of a restaurant, until the next meeting in order to:  
(list reasons)

Motion \_\_\_\_\_  
Second \_\_\_\_\_

Fuller \_\_\_\_\_  
Gilliam \_\_\_\_\_  
Hart \_\_\_\_\_

Hogan \_\_\_\_\_  
Paige \_\_\_\_\_  
Peery \_\_\_\_\_

Prengaman \_\_\_\_\_  
Weiss \_\_\_\_\_

COMMENTS: \_\_\_\_\_

PERMIT/APPLICATION NO. \_\_\_\_\_

ZONING DISTRICT \_\_\_\_\_

MAGISTERIAL DISTRICT \_\_\_\_\_

DATE SUBMITTED \_\_\_\_\_

## County of Prince Edward

PLEASE PRINT OR TYPE

### PRINCE EDWARD COUNTY APPLICATION FOR SPECIAL USE PERMIT

TO: PRINCE EDWARD COUNTY PLANNING COMMISSION  
VIA: ZONING ADMINISTRATOR

SPECIAL EXCEPTION REQUESTED:

The undersigned owner of the following described property hereby applies for a Special Use permit as provided in Section 5-124 of Article V, Site Plan requirements are found in Section 4-100 of Article IV Development Standards of the Zoning Ordinance of Prince Edward County, Virginia.

Applicant's Name: Dogwood Properties Green Bay VA LLC

Applicant's Address: 1478 Levi Road Green Bay VA 23942

Applicant's Telephone Number: 434 294-5000

Present Land Use: Not in use - vacant commercial building

Legal Description of Property with Deed Book and Page No. or Instrument No. 201300182

Tax Map # 107-A-44 Acreage: 1.5

Narrative statement evaluating effects on adjoining properties (noise, odor, dust, fumes, etc.): (Attach additional sheet if necessary.) \_\_\_\_\_

Statement of general compatibility with adjacent and other properties in the zoning district. (Attach additional sheet if necessary.) Post office on one side, vacant building next door Dollar General + home across street, shed sales business across street

Height of Principal Building (s): Feet 16 Stories 1 story

APPLICANT'S STATEMENT: (if not owner(s) of property):

I hereby certify that I have the authority to make the foregoing application, that the information given is complete and correct to the best of my knowledge, and that development and/or construction will conform with the regulations as set forth in the Prince Edward County Zoning Ordinance as written and also with the description contained in this permit application.

Signature of Applicant (if not property owner)

Date

2/24/25

PROPERTY OWNER(S) STATEMENT:

I hereby certify that I/we own the above described property, that the information given is complete and correct to the best of my knowledge, and the above person(s), group, corporation, or agent has the full and complete permission of the undersigned owner(s) to make application for a Conditional Use permit as set forth in the Prince Edward County Zoning Ordinance as written.

Signature of Property Owner(s)

Date

2/30/25

Signature of Property Owner(s)

Date

Signature of Property Owner(s)

Date

NOTE: THIS PERMIT APPLICATION IS NOT VALID UNLESS ALL PROPERTY OWNER(S) SIGNATURES ARE AFFIXED AND DATED. ATTACH ADDITIONAL SHEETS IF NECESSARY.

Application Fee \$300.00

Fee Received by

Rmlaw

Date

4/2/2025

The above mentioned application charges are nonrefundable, regardless of whether the permit application is approved or denied once submitted.

All checks for payment should be made payable to: Treasurer, Prince Edward County, Virginia.

Mail to: Department of Planning &  
Community Development  
P. O. Box 382  
Farmville, VA 23901  
(434) 392-8837

**RESTAURANT PROPOSAL**  
**8306 Patrick Henry Hwy**  
**Green Bay, VA 23942**  
**March 30, 2025**

I, Paul R Ward, Jr, have applied for a special use permit to convert a former gas/service station in Green Bay, VA to a restaurant. The property address is 8306 Patrick Henry Hwy in the town of Green Bay. This will be a family style restaurant serving home cooked meals and barbeque. Drinks served will be tea, coffee, water, and sodas. The restaurant will be open seven days a week from 6 am to 8 pm and will serve breakfast, lunch and dinner. There will be seated dinning for approximately 45 guests. A patio with 6 picnic tables will be available for those who would like to dine outside. The staff will consist of 6-8 employees including cooks and wait staff. There will be 2 handicap bathrooms and handicap parking. The parking lot will have additional 13 - 15 spaces for patrons. VDOT has approved the entrance and exit from the property. The property is on a four lane highway where the speed limit reduces to 45 mph. The Green Bay Post Office is located next door and Dollar General is across the road. The closest restaurants are located in Keysville, Crewe, Victoria, and Farmville.

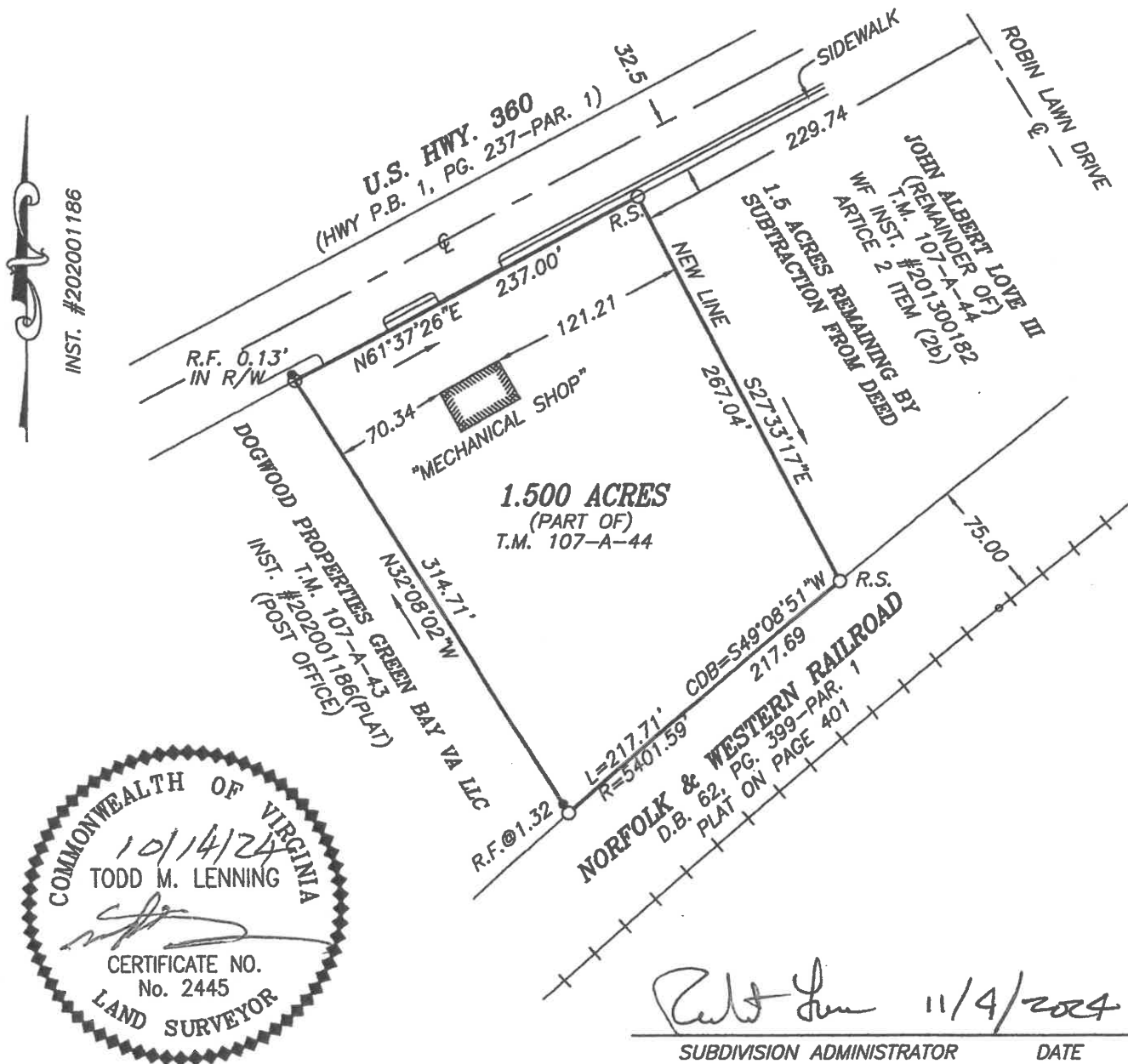
I have been in the restaurant and hospitality business for 23 + years. Since selling the Hillside Restaurant in Burkeville, VA, many of my former patrons have asked when I was going to open another restaurant. They missed the home-style food we served and meeting friends to eat.

Paul R Ward, Jr  
434-294-5000



LENNING LAND SURVEYING  
2126 LEWISTON PLANK RD.  
BURKEVILLE VA 23922  
434-767-9940

R.F.=ROD FOUND  
R.S.=ROD SET

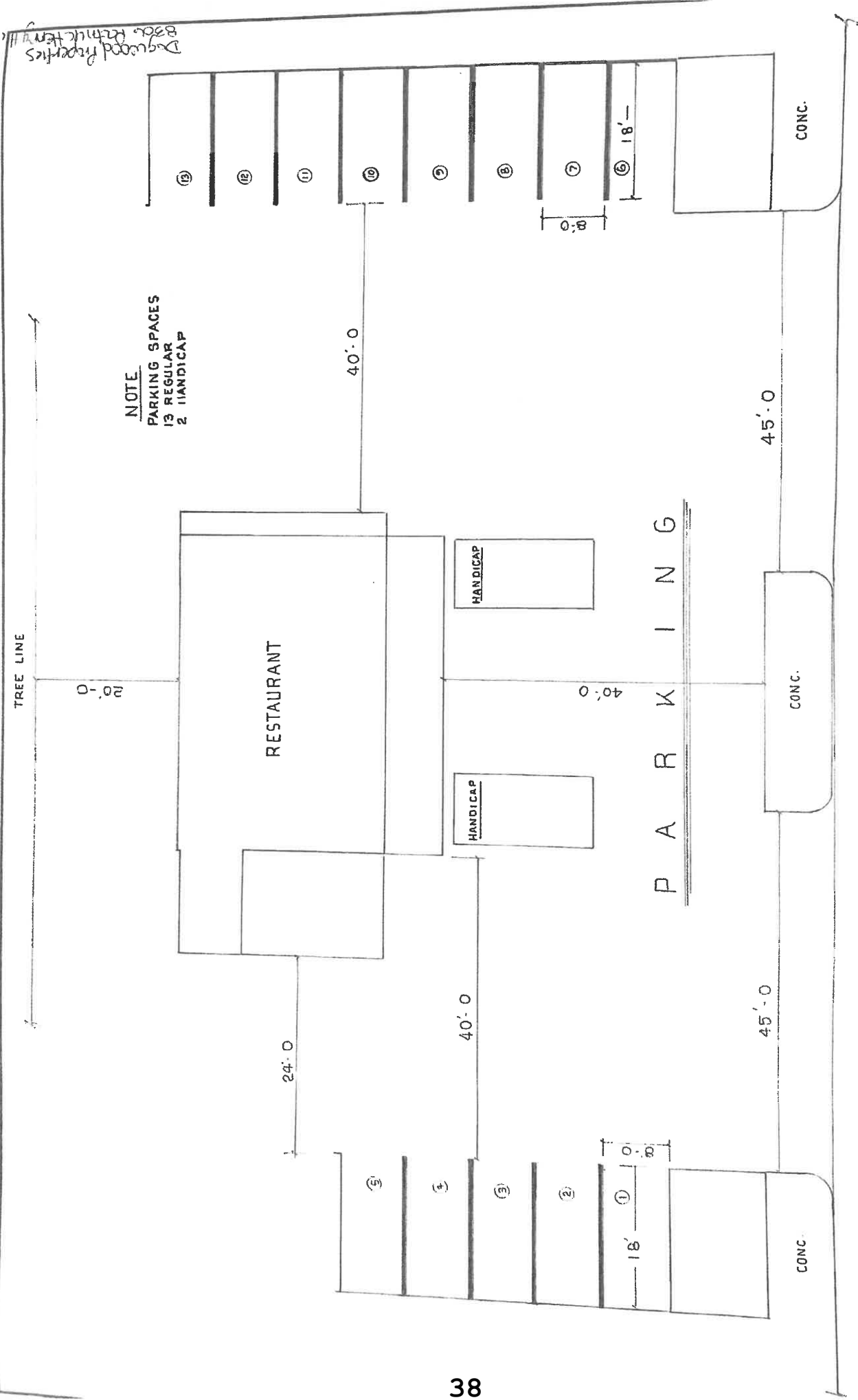


**DIVISION OF 1.500 ACRES OF LAND TO  
BE CONVEYED TO DOGWOOD PROPERTIES GREEN BAY VA LLC  
BEING A PORTION OF PROPERTY CONVEYED TO JOHN ALBERT LOVE III,  
IN WF. INST. #201300182-ARTICLE TWO, ITEM 2b**

LOCATED IN LEIGH MAG. DIST.  
PRINCE EDWARD COUNTY, VA.

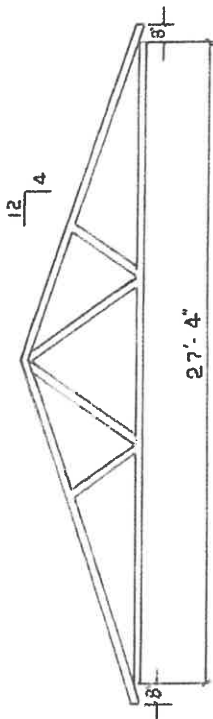
1"=100' SEPT. 17, 2024

REVISED: 10/14/24

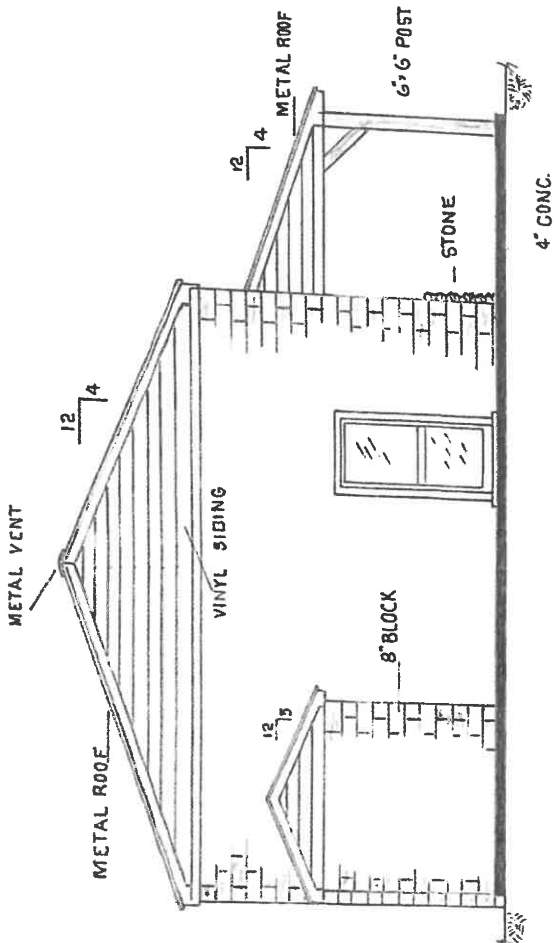


DeWood Properties  
 8300 Rte 100, Ste 111

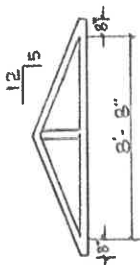
ENGINEERED TRUSS 2x4  
TRUSS SPACED @ 2'-0" O.C.



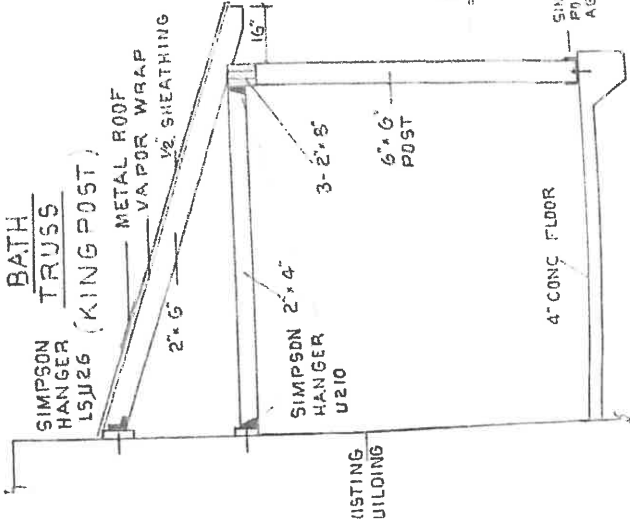
FINK TRUSS



END VIEW

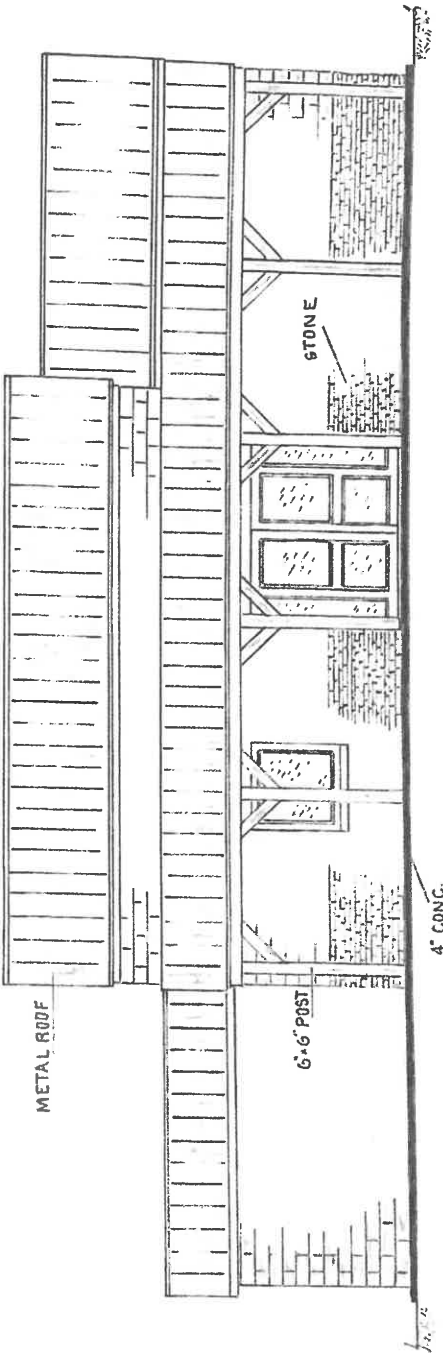


BATH  
TRUSS  
SIMPSON HANGER  
LSJ26 (KING POST)



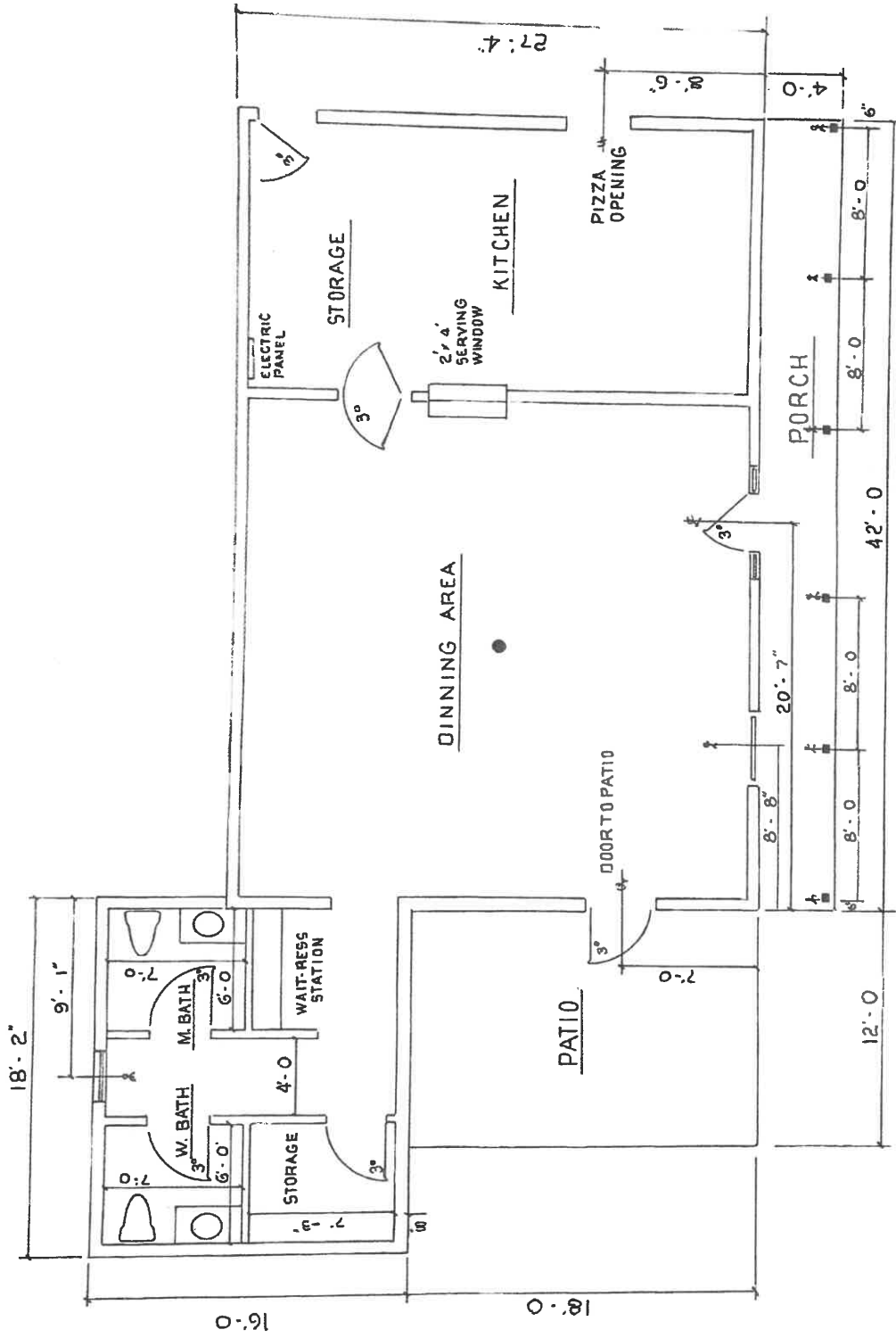
PORCH FRAMING

SCALE 1/2" = 1'-0"



FRONT VIEW

|                             |                                |                         |
|-----------------------------|--------------------------------|-------------------------|
| CONVERT STORE TO RESTAURANT |                                | APPROVED BY:            |
| SCALE: 1/8" = 1'-0"         | DRAWN BY:                      | REVIEWED:               |
| DATE: 2-11-25               | ELLINGTON CUSTOM ARCHITECTURAL |                         |
| DRAWING & DESIGN            |                                | ESTIMATE NUMBER: 3 OF 3 |



|                                |                                 |
|--------------------------------|---------------------------------|
| CONVERT STORE TO RESTAURANT    |                                 |
| SCALE: 1/4" = 1'-0"            | APPROVED BY: <i>[Signature]</i> |
| DATE: 3-25-25                  | REVIEWED: <i>[Signature]</i>    |
| ELLINGTON CUSTOM ARCHITECTURAL |                                 |
| DRAWING & DESIGN               |                                 |
| DRAWING NUMBER                 |                                 |
| 2 OF 3                         |                                 |

# RENOVATION BUILDING PLAN

## Entity Information

### Entity Information

Entity Name: Dogwood Properties Green Bay, VA, LLC  
Entity ID: 11326740  
Entity Type: Limited Liability Company  
Entity Status: **Active**  
Series LLC: No  
Reason for Status: Active  
Formation Date: 01/07/2022  
Status Date: 02/08/2023  
VA Qualification Date: 01/07/2022  
Period of Duration: Perpetual  
Industry Code: 0 - General  
Annual Report Due Date: N/A  
Jurisdiction: VA  
Charter Fee: N/A  
Registration Fee Due Date: Not Required

### Registered Agent Information

RA Type: Individual  
Locality: PRINCE EDWARD COUNTY  
RA Qualification: Member or Manager of a Limited Liability Company that is a Member or Manager of the Limited Liability Company  
Name: Paul Richard Ward Jr.  
Registered Office Address: 1478 Levi Rd, Green Bay, VA, 23942 - 3007, USA

### Principal Office Address

Address: 1478 Levi Rd, Green Bay, VA, 23942 - 3007, USA

[Filing History](#) [RA History](#) [Name History](#) [Previous Registrations](#) [Protected Series](#) [Garnishment Designees](#)

[Image Request](#)

[Back](#) [Return to Search](#) [Return to Results](#)

[Back to Login](#)

**From:** Lokker, Brian P.E. (VDOT) <Brian.Lokker@VDOT.Virginia.gov>  
**Sent:** Friday, March 14, 2025 4:22 PM  
**To:** paul ward  
**Cc:** Robert Love; Edwards, Charles D. (VDOT)  
**Subject:** VDOT Access Evaluation - Green Bay Restaurant - 8370 Patrick Henry Hwy, TM 107-A-44 - PE County  
**Attachments:** VDOT Markup - Rt 360 Restaurant.docx; IMG\_1298.jpg; IMG\_1300.jpg; IMG\_1299.jpg; P Ward Parcel Trip Gen - Meherrin.pdf

Good afternoon, Paul.

Thank you for the follow up information.

The Department has evaluated the site, proposed use and attached plan (photo's). The findings/recommendations are as follows:

- The traffic generated with the proposed restaurant (980 SF / 41 seats) is significantly lower than traffic generated with the previous use (4 fueling position gas station) - data attached.
- The condition of the existing concrete driveways is acceptable for the intended use.
- Designate the western access as an ingress only with the placement of two (2) R6-2 ONE WAY (24"x30") signs, one facing east and one west along with an ARROW pavement marking pointing into the site.



R6-2

- Designate the eastern access as an egress only with the placement of two (2) R5-1 DO NOT ENTER (30"x30") signs facing Rt 360 along with an ARROW pavement marking pointing toward the roadway.



R5-1

- Signs are to be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD)/VDOT standards and be placed on a VDOT standard STP-1 post (details provided upon request).

I've attached a marked-up sketch/photo representing the improvements cited above.

Sign and pavement marking installation is subject to issuance of a VDOT Land Use Permit and Prince Edwards approval of the zoning/site. Contact Daryl Edwards (cc'd; 464-505-3424) for permit issuance.

Brian



**Brian Lokker, P.E.**  
*Assistant Residency Administrator - Land Use*  
*Lynchburg District - Farmville Residency*  
Virginia Department of Transportation  
804-627-3241  
brian.lokker@vdot.virginia.gov

---

**From:** paul ward <comfortinnburkeville@yahoo.com>  
**Sent:** Friday, March 14, 2025 11:10 AM  
**To:** Lokker, Brian P.E. (VDOT) <brian.lokker@vdot.virginia.gov>  
**Subject:** Re: VDOT request for information - Green Bay Restaurant - 8370 Patrick Henry Hwy, TM 107-A-44 - PE County

Brian,

One island with two pumps that will be removed.  
Family style  
Wait staff with table service  
6am - 8pm  
14' x 18'

Thanks,  
Paul

On Wednesday, March 12, 2025 at 02:49:44 PM EDT, Lokker, Brian P.E. (VDOT) <brian.lokker@vdot.virginia.gov> wrote:

Paul -

I'm in the process of estimating traffic for your proposed use and the past use. Please let me know the following:

- Number of pumps at the existing islands (if there is any remanence of what was there)
- Type of food served
- Will there be wait staff with table service or will people order and seat themselves?
- Anticipated hours of service and days open
- Dimensions of patio area (those dimensions were cut off from the photo I had taken)

- Signs are to be in accordance with the Manual of Uniform Traffic Control Devices (MUTCD)/VDOT standards and be placed on a VDOT standard STP-1 post (details provided upon request).

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Will there be wait staff with table service or will people order and seat themselves?

Anticipated hours of service and days open

Dimensions of patio area (those dimensions were cut off from the photo I had taken)



NOTE  
PARKING SPACES  
13 REGULAR  
& 2 HANDICAP

RESTAURANT

PARKING

DRIVE

24'-0"

40'-0"

45'-0"

18'-0"

18'-0"

Do Not Enter

One Way

CONC.

CONC.

CONC.

US STATE ROUTE 360

CONVERT STORE to RESTAURANT

SCALE: 1/8" = 1'-0"

DATE: 2-14-25

DESIGNED BY:

DRAWN BY:

## Trip Generation Summary

Alternative: Alternative 1

Phase:

Project: New Project

Open Date: 3/14/2025

Analysis Date: 3/14/2025

| ITE                              | Land Use                                       | Weekday Average Daily Trips |       |      | Weekday AM Peak Hour of Generator |   |       | Weekday Peak Hour of Generator |       |       |
|----------------------------------|------------------------------------------------|-----------------------------|-------|------|-----------------------------------|---|-------|--------------------------------|-------|-------|
|                                  |                                                | *                           | Enter | Exit | Total                             | * | Enter | Exit                           | Total | Total |
| 930                              | FAST-CASUAL-RESTRNT 1<br>0.98 1000 Sq. Ft. GFA |                             | 155   | 154  | 309                               |   | 22    | 13                             | 35    | 0     |
| 932                              | RESTAURANTHT 2<br>0.98 1000 Sq. Ft. GFA        |                             | 55    | 55   | 110                               |   | 8     | 6                              | 14    | 0     |
| 932                              | RESTAURANTHT 1<br>41 Seats                     |                             | 90    | 89   | 179                               |   | 14    | 10                             | 24    | 0     |
| 944                              | GASSTATION 1<br>4 Vehicle Fueling Positions    |                             | 344   | 344  | 688                               |   | 21    | 21                             | 42    | 0     |
| <hr/>                            |                                                |                             |       |      |                                   |   |       |                                |       |       |
| Unadjusted Volume                |                                                |                             | 644   | 642  | 1286                              |   | 65    | 50                             | 115   | 0     |
| Internal Capture Trips           |                                                |                             | 0     | 0    | 0                                 |   | 0     | 0                              | 0     | 0     |
| Pass-By Trips                    |                                                |                             | 0     | 0    | 0                                 |   | 0     | 0                              | 0     | 0     |
| Volume Added to Adjacent Streets |                                                |                             | 644   | 642  | 1286                              |   | 65    | 50                             | 115   | 0     |

Total Weekday Average Daily Trips Internal Capture = 0 Percent

Total Weekday AM Peak Hour of Generator Internal Capture = 0 Percent

Total Weekday Peak Hour of Generator Internal Capture = 0 Percent

\* - Custom rate used for selected time period.

Source: Institute of Transportation Engineers, Trip Generation Manual 10th Edition

**TRIP GENERATION 10, TRAFFICWARE, LLC**



Please publish the following public hearing notice in **THE FARMVILLE HERALD** on **Wednesday, May 7, 2025** and **Friday, May 9, 2025**.

---



### NOTICE OF PUBLIC HEARING

The Prince Edward County Planning Commission will hold PUBLIC HEARINGS on Tuesday, May 20, 2025 commencing at 7:00 p.m. in the Board of Supervisors Room, Prince Edward County Courthouse, 111 N. South Street, 3<sup>rd</sup> Floor, Farmville, Virginia, to receive citizen input prior to considering the following:

1. A Special Use Permit request filed by Dogwood Properties, LLC for a proposal to operate a restaurant on land totaling 1.5 +/- acres denoted as Tax Map Parcel 107-A-44 with an address of 8306 Patrick Henry Highway Green Bay, VA on US Route 360, which is zoned Agricultural Conservation (A1) District.
2. A Special Use Permit request filed by Michael and Helen Royea for a proposal to operate a rural events center on land totaling 136.49 +/- acres denoted as Tax Map Parcel 055-A-32 with an address of 25943 Prince Edward Highway, Rice, VA on US Route 460, which is zoned Agricultural Conservation (A1) District.

Citizen input for Public Hearings will be received through: (1) in-person participation; (2) remote participation by calling 1-844-890-7777, Access Code # 390313; or (3) by written comments mailed to: Planning Commission, P.O. Box 382, Farmville, VA 23901. Please limit word count to no more than 500 words. Comments must be received by 2:00 p.m. the day of the meeting; via email to [info@co.prince-edward.va.us](mailto:info@co.prince-edward.va.us); or via facsimile at 434-392-6683. Based on the number of speakers, the Chair will determine the time allotted to each. Citizens may also view the monthly Planning Commission meeting live (no public input) at the County's YouTube Channel by using the link on the County website under Meetings & Public Notices.

Additional information regarding the special use permit applications is available for public review on the County's web site at [www.co.prince-edward.va.us](http://www.co.prince-edward.va.us) or in the Prince Edward County Administrator's Office, 111 N. South Street, 3<sup>rd</sup> Floor, Farmville, VA. It is the County's intent to comply with the Americans with Disabilities Act. Should you have questions or require special accommodations, please contact the County Administrator's Office at 434-392-8837.

###

# Prince Edward County

## SUP Request

Applicant: Dogwood Properties Green Bay, VA, LLC

Tax Map: 107-A-44

### Schedule B

List of adjoining Property owners and mailing addresses for the property for a restaurant SUP.

| Parcel ID              | Owner                               | Address                                           | Note |
|------------------------|-------------------------------------|---------------------------------------------------|------|
| 107-A-44<br>(Residual) | JOHN A LOVE III                     | PO BOX 278 GREEN<br>BAY, VA 23942                 |      |
| 107-A-25;<br>107-A-26  | JOSHUA P & JESSICA M WICKIZER       | 8337 PATRICK HENRY HIGHWAY<br>GREEN BAY, VA 23942 |      |
| 107-A-27               | LINDA MAYHEW & JAMES LEE WELTON     | PO BOX 172 GREEN<br>BAY, VA 23942                 |      |
| 107-A-43               | DOGWOOD PROPERTIES GREEN BAY VA LLC | 1478 LEVI ROAD GREEN<br>BAY, VA 23942             |      |
| 107-A-46               | 364 WINGO ROAD LLC                  | 1478 LEVI ROAD GREEN<br>BAY, VA 23942             |      |
|                        |                                     |                                                   |      |
|                        |                                     |                                                   |      |
|                        |                                     |                                                   |      |
|                        |                                     |                                                   |      |
|                        |                                     |                                                   |      |
|                        |                                     |                                                   |      |
|                        |                                     |                                                   |      |
|                        |                                     |                                                   |      |
|                        |                                     |                                                   |      |
|                        |                                     |                                                   |      |

**PLANNING COMMISSION**

John Prengaman  
Chairman  
Llew W. Gilliam, Jr.  
Board Representative  
Brad Fuller  
David Hart  
John Hogan  
Whitfield M. Paige  
John "Jack" W. Peery, Jr.  
Rhett L. Weiss



**COUNTY OF PRINCE EDWARD, VIRGINIA**

**DIRECTOR OF PLANNING &  
COMMUNITY DEVELOPMENT**

Robert Love, GISP  
Post Office Box 382  
111 N. South Street, 3<sup>rd</sup> Floor  
Farmville, VA 23901  
Office: (434) 414-3037  
Fax: (434) 392-6683  
[rlove@co.prince-edward.va.us](mailto:rlove@co.prince-edward.va.us)

May 6, 2025

To: Property Owners

From: Robert Love, Director of Planning and Community Development

Subject: Special Use Permit Request – Dogwood Properties Green Bay, VA, LLC

The Prince Edward County Planning Commission will hold a public hearing on Tuesday, **May 20, 2025** at 7:00 p.m. to receive citizen input on a request for a Special Use Permit by Dogwood Properties Green Bay, VA, LLC for a proposal to operate a restaurant on land totaling 1.5 +/- acres denoted as Tax Map Parcel 107-A-44 with an address of 8306 Patrick Henry Highway Green Bay, VA on US Route 360, which is zoned Agricultural Conservation (A1) District.

You are receiving this notice because you own land in the vicinity of the property requested to be approved for a special use permit. Following the hearing the Prince Edward County Planning Commission may vote to recommend approval or denial of the request.

Instructions of how to listen or participate in the meeting and public hearing are contained on the reverse side of this letter. If you have any questions or comments, please do not hesitate to contact me at: 434-414-3037 or by email at: [rlove@co.prince-edward.va.us](mailto:rlove@co.prince-edward.va.us)

Respectfully,

Robert Love  
Director of Planning and Community Development

Special Use Permit – Dogwood Properties Green Bay, VA, LLC  
Tax Parcel Map #: 107-A-44  
CONDITIONS

**SITE PLAN**

1. Development activities on the site shall be limited to those as specified in the Special Use Permit Application and Site Plan. The final locations of incidental facilities may be adjusted provided no such adjustment violates any buffers, setbacks, or other statutory requirement. The concepts reflected in the filed special use permit dated 03/30/2025 are hereby made part of these development conditions.
2. Final site plan approval for the Restaurant shall be submitted to the Prince Edward County Community Development Department for final review and approval pursuant to Appendix B of the Prince Edward County Code (Zoning Ordinance).
3. Any proposed expansion of the operation, change of activities or additional facilities or activities shall be submitted to the Prince Edward County Planning and Community Development office for review prior to implementation. Any changes may be subject to Permit amendment procedures, including Public Hearings.
4. All buildings within the property shall be developed as a cohesive entity ensuring that building placement, architectural treatment, parking lot lighting, landscaping, trash disposal, vehicular and pedestrian circulation and other development elements work together functionally and aesthetically.
5. All landscaping shall be mulched and maintained to the reasonable satisfaction of the Prince Edward County Planning and Community Development Director. Any vegetation found to be of poor condition shall be replaced and/or improved at the reasonable direction of the Planning and Community Development Director or his designee.

**ENVIRONMENTAL**

6. All pollution control measures, erosion and sediment control measures, storm water control facilities, and all construction activities shall comply with the requirements of the appropriate federal, state, and local regulations and ordinances.
7. All facilities for the provision of potable water and sanitation and wastewater disposal systems and food preparation shall be approved by the appropriate local, state, or federal agency including but not limited to Virginia Department of Health, Virginia Departments of Environmental Quality, Environmental Protection Agency, etc.
8. Any development activities of a structural or land disturbing nature not specifically addressed by these Conditions shall be in conformance with applicable provisions of federal, state, and local statutes and regulations.

**TRANSPORTATION**

9. All entrances to the site shall be installed in accordance with and permitted by the Virginia Department of Transportation.

10. All internal roads used for public access shall be of compacted earth or have a minimum of a four (4) inch stone base and shall be paved with concrete, asphalt, or durable pervious paving material.
11. Adequate area shall be provided on site to accommodate parking of all employees and patrons. It shall be the responsibility of the Permittee to assure that employees and patrons park only on site and not on any highway right-of-way, or on adjoining or adjacent parcels unless written consent is provided by the owner or owners thereof.

### **GENERAL**

12. Restaurant hours of operation shall be limited to 6 a.m. until 8 p.m. daily.
13. Occupancy shall be limited to the determination by the Prince Edward County Building Official in accordance with the 2021 Virginia Building Code.
14. Site signage shall be limited to a monument and storefront sign, as specified in Appendix B – Zoning, Section 3-104.5 (2) and Section 3-104.5 (3).
15. All exterior lighting shall be designed and installed so as to minimize glare onto adjoining properties or any public access road. All lighting shall be full cut-off type fixtures.
16. Outdoor storage of trash containers shall be appropriately screened per Prince Edward Zoning Ordinance, Section 4-200.15.
17. The Permittee is responsible for the appearance of the site including litter pick-up and other orderly site appearance.
18. This Permit is non-transferable, except and unless written notice from the Permittee regarding the transfer, and a signed document from the proposed new Permittee is received by the Planning and Community Development Office which states that the new Permittee agrees to comply with all terms and Conditions imposed with the original Permit Issuance. If the proposed new Permittee desires to amend the original Permit Conditions, amendments must be addressed by the Prince Edward County Planning Commission and Board of Supervisors through the Special Use Permit process.
19. Failure of Permittee to full conform to all terms and conditions may result in revocation of this Special Use Permit if said failure or failures are not corrected or addressed to the satisfaction, not to be unreasonably withheld, of the County within thirty (30) days of written notice from the County.

**[This page intentionally left blank]**





## Planning Commission Agenda Summary

**Meeting Date:** May 20, 2025  
**Item No.:** 6-b  
**Department:** Planning and Community Development  
**Staff Contact:** Robert Love/Doug Stanley  
**Agenda Item:** SUP – Michael and Helen Royea – Rural Events Center

---

### Summary:

The County has received an application request by Michael and Helen Royea for a Special Use Permit to operate a rural events center on land totaling 136.49 +/- acres denoted as Tax Map Parcel 055-A-32 with an address of 25943 Prince Edward Highway, Rice, VA on US Route 460, which is zoned Agricultural Conservation (A1) District.

The public hearing notice was published in the May 7, 2025 and May 9, 2025 editions of the Farmville Herald, Attachment (2). The list of adjoining property owners and the sample letter sent to each can be found in Attachments (3) and (4).

The purpose of the Special Use is to allow for the establishment of a rural events center. County staff is of the opinion the use is generally compatible with the zoning district but will have minimal impacts on surrounding properties as far as traffic and noise.

### Attachments:

1. Special Use Permit Application
2. Notice of Public Hearing
3. List of adjoining property owners
4. Sample Letter sent to adjoining property owners
5. Potential Conditions

### Recommendations:

1. Conduct the Public Hearing and render a decision concerning the request for the Special Use Permit.

### Recommended Motions:

I move that the Planning Commission recommend approval of the Special Use Permit request by Michael and Helen Royea for the purpose of establishment of a rural events center with the following conditions:  
(list of conditions)

**OR**

Motion \_\_\_\_\_  
Second \_\_\_\_\_

Fuller \_\_\_\_\_  
Gilliam \_\_\_\_\_  
Hart \_\_\_\_\_

Hogan \_\_\_\_\_  
Paige \_\_\_\_\_  
Peery \_\_\_\_\_

Prengaman \_\_\_\_\_  
Weiss \_\_\_\_\_



## Planning Commission Agenda Summary

I move that the Planning Commission recommend denial of the Special Use Permit request by Michael and Helen Royea for the purpose of establishment of a rural events center due to the following.  
(list reasons)

**OR**

I move that the Planning Commission table the Special Use Permit request by Michael and Helen Royea for the purpose of establishment of a rural events center until the next meeting in order to:  
(list reasons)

Motion \_\_\_\_\_  
Second \_\_\_\_\_

Fuller \_\_\_\_\_  
Gilliam \_\_\_\_\_  
Hart \_\_\_\_\_

Hogan \_\_\_\_\_  
Paige \_\_\_\_\_  
Peery \_\_\_\_\_

Prengaman \_\_\_\_\_  
Weiss \_\_\_\_\_

COMMENTS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

PERMIT/APPLICATION NO \_\_\_\_\_  
ZONING DISTRICT \_\_\_\_\_  
MAGISTERIAL DISTRICT \_\_\_\_\_  
DATE SUBMITTED \_\_\_\_\_

*County of Prince Edward*

PLEASE PRINT OR TYPE

**PRINCE EDWARD COUNTY APPLICATION  
FOR SPECIAL USE PERMIT**

TO: PRINCE EDWARD COUNTY PLANNING COMMISSION      SPECIAL EXCEPTION REQUESTED:  
VIA: ZONING ADMINISTRATOR

The undersigned owner of the following described property hereby applies for a Special Use permit as provided in Section 5-124 of Article V, Site Plan requirements are found in Section 4-100 of Article IV Development Standards of the Zoning Ordinance of Prince Edward County, Virginia.

Applicant's Name: Michael and Helen Royea  
Applicant's Address: 25943 Prince Edward Hwy, Rive VA 23966  
Applicant's Telephone Number: (    ) 8046529789/804001883

Present Land Use: Residential and Agricultural

Legal Description of Property with Deed Book and Page No. or Instrument No. \_\_\_\_\_

055 A 32 - Deed Book Page 2022 / 1274  
25943 Prince Edward Hwy Rice VA 23966 /

Tax Map # 055 A 32      Acreage : 136

Narrative statement evaluating effects on adjoining properties (noise, odor, dust, fumes, etc.): (Attach additional sheet if necessary.) Building usage for events/meeting space and buisness events, whihc could include organizations and/or wedding / social gatherings for picturesque - photo shoots

Statement of general compatibility with adjacent and other properties in the zoning district. (Attach additional sheet if necessary.) This building is located in a field where there are 20 acres of land with sufficient distance to any residential housing

Height of Principal Building (s): Feet inside cieling hight 12.7      Stories single story

APPLICANT'S STATEMENT: (if not owner(s) of property):

I hereby certify that I have the authority to make the foregoing application, that the information given is complete and correct to the best of my knowledge, and that development and/or construction will conform with the regulations as set forth in the Prince Edward County Zoning Ordinance as written and also with the description contained in this permit application.

\_\_\_\_\_  
Signature of Applicant (if not property owner)      4/2/2025  
Date

PROPERTY OWNER(S) STATEMENT:

I hereby certify that I/We own the above described property, that the information given is complete and correct to the best of my knowledge, and the above person(s), group, corporation, or agent has the full and complete permission of the undersigned owner(s) to make application for a Conditional Use permit as set forth in the Prince Edward County Zoning Ordinance as written.

[Signature]      4/2/2025  
Signature of Property Owner(s)      Date  
[Signature]      4/2/2025  
Signature of Property Owner(s)      Date  
\_\_\_\_\_  
Signature of Property Owner(s)      Date

NOTE: THIS PERMIT APPLICATION IS NOT VALID UNLESS ALL PROPERTY OWNER(S) SIGNATURES ARE AFFIXED AND DATED. ATTACH ADDITIONAL SHEETS IF NECESSARY.

Application Fee    **\$300.00**      Fee Received by Rimon      Date 4/22/2025

The above mentioned application charges are nonrefundable, regardless of whether the permit application is approved or denied once submitted.

All checks for payment should be made payable to: Treasurer, Prince Edward County, Virginia.

Mail to: Department of Planning &  
Community Development  
P. O. Box 382  
Farmville, VA 23901  
(434) 392-8837

## **Red Hill Ranch LLC "EVENT CENTER"**

**Helen And Michael Royea  
25943 Prince Edward Hwy  
Rice VA, 23966  
8046529789 / 8044001883**

In submission of the "Special Use Permit"

Our 3200 square feet building is located on a parcel of our property that is approx 135 acres, the site for the building is located internally to an existing arena that is approx 100 x 200 feet and half of that space is where the building is located (hence, we have preserved the existing open space for agriculture)

The intended use of the building is usual and customary activities ie: private parties, business meetings, educational seminars, wedding receptions/ceremonies, family reunion or family gatherings, showers (baby/bridal) and photo shoots in outdoor farming scenery, non profits or similar events of this nature.

The building has adequate water and septic services to support approx 125 guests, and all events will be managed by the property owners - my wife and I. There is adequate trash disposal that is sourced via GFL Environmental.

On site parking is available via an open lot of 3.4 acres at the roadway from West 460 and the entrance has been reviewed as requested and the response is attached to the document submissions. No additional burdening of the existing roadway is needed and traffic maneuvering is contained within the property.

The nearest property to the building is approx 750 feet and exterior lighting is not projected toward established residential locations.

The level of noise produced from the building would be minimalized as the distance to residential locations is reported above, but that would be respectfully in compliance with PEC Noise Ordinance Article II, Sec. 46-31 / in turn, music would be directed towards woodline away from any residence

## **Red Hill Ranch LLC**

### **Rural Events Center - Special Use Permit**

#### **Overview:**

Red Hill Ranch LLC is requesting that the County of Prince Edward approve the Special Use Permit to allow the project contained in this presentation, to be granted with required restrictions.

Red Hill Ranch LLC has erected a 40x80 building (with required permits) to host an event center on the property located at 25943 Prince Edward Hwy, Rice VA 23966, Tax Map 055 A 32 - which consist of approx 134 acres.

The intended use of the building will be for events, typically conducted in a day, with attendance by invitation or reservation. This facility would host usual and customary activities including, but not limited to private parties, business meetings, educational events, wedding receptions/pre-wedding photos and pre-wedding startups, ceremonies, reunions and similar space requests.

The open floor plan is equivalent to 3200 sq feet and will house bathrooms, a small residential style kitchen, and serving area as well as 12x40 storage for chairs/tables ect.

Traffic review for the entryway was completed by VDOT and deemed sufficient for intended use.

Parking is (off street) and adjacent to entry way with enough area to handle the intended amount of vehicles. There is additional parking down the lane to the building sufficient to 50 vehicles.

Lighting is provided on top of poles with solar powered "soft" lights and single (front and back) electrical outdoor lights. The lighting is directed down so that it does not point towards residential areas

Adequate provisions for sanitation is already on site with GFL dumpster and scheduled pickups.

Sound mitigation will be incorporated into the plan so that it is pointed towards/away from residential areas and distance from nearest homesite at more than 750 feet.

#### **The Site Detail:**

The location of the building is situated on a former Horse Arena that was constructed in the early 2000's. Its approximately 100 X 200 feet and has compacted soil and sand. Using this space for the event center resulted in maintaining all current agricultural space for animals as the space was not included in farming operations.

**Building detail:**

40 X 80 concrete flooring with dual 12 X 80 lean too provided enough space for intended use. The build will have dual bathrooms, a residential style kitchen and a serving area on one side with the other for storage. The building will also be enclosed with entry doors and roll up garage style large doors. Exterior improvements with simple patio blocking and shrubbery.

Hours of operation will follow guidance from the Planning Commision with respect to noise ordinance requirements.

**Signage:**

Based on guidance, the sign is 5 X 5 and no more than 6 feet off the ground. It will be place near the entryway from the street and illuminated via solar sign lighting designed for that purpose.

**From:** Lokker, Brian P.E. (VDOT) <Brian.Lokker@VDOT.Virginia.gov>  
**Sent:** Tuesday, April 8, 2025 2:12 PM  
**To:** Mike Royea  
**Cc:** Robert Love  
**Subject:** VDOT Comments - 25943 Prince Edward Hwy - PE County - Rice - SUP application for entrance review and comment  
**Attachments:** Special Use Application-2025.pdf

Good afternoon, Mike (and Robert)..... VDOT comments on the attached as follows:

The Department has evaluated the site access to 25943 Prince Edward Hwy and finds the location, condition and geometry of the access acceptable for the intended use as described in the application. It is understood, based on verbal discussions with Mr. Royea, that no buses will be utilizing the access point.

Brian



**Brian Lokker, P.E.**  
*Assistant Residency Administrator - Land Use*  
*Lynchburg District - Farmville Residency*  
Virginia Department of Transportation  
804-627-3241  
[brian.lokker@vdot.virginia.gov](mailto:brian.lokker@vdot.virginia.gov)

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**From:** Mike Royea <mroyea33@gmail.com>  
**Sent:** Thursday, April 3, 2025 2:17 PM  
**To:** Lokker, Brian P.E. (VDOT) <Brian.Lokker@vdot.virginia.gov>  
**Cc:** Robert Love <rlove@co.prince-edward.va.us>  
**Subject:** Re: 25943 Prince Edward Hwy - PE County - Rice - SUP application for entrance review and comment

The septic permit is for 125, and the open lot I own is directly off the main drive and can accommodate all of that and more..

On Thu, Apr 3, 2025, 1:52 PM Lokker, Brian P.E. (VDOT) <[Brian.Lokker@vdot.virginia.gov](mailto:Brian.Lokker@vdot.virginia.gov)> wrote:  
Thanks Mike. . . What is the max number of people per event that you intend to accommodate?

Note that I've cc'd Robert Love in PE County for awareness.

Brian



**Brian Lokker, P.E.**  
*Assistant Residency Administrator - Land Use*  
*Lynchburg District - Farmville Residency*  
Virginia Department of Transportation  
804-627-3241  
[brian.lokker@vdot.virginia.gov](mailto:brian.lokker@vdot.virginia.gov)

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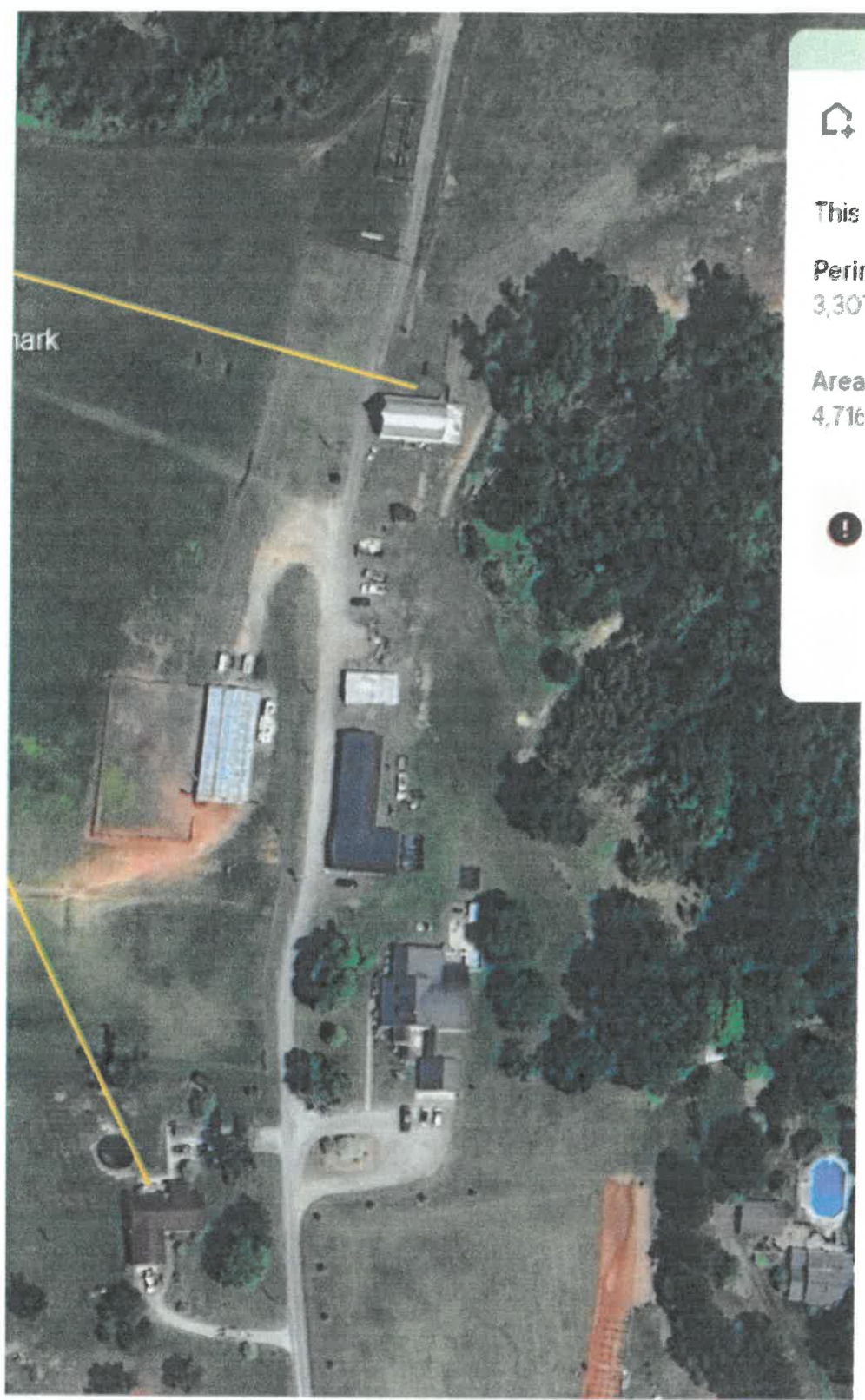
**From:** Mike Royea <[mroyea33@gmail.com](mailto:mroyea33@gmail.com)>  
**Sent:** Thursday, April 3, 2025 11:42 AM  
**To:** Lokker, Brian P.E. (VDOT) <[brian.lokker@vdot.virginia.gov](mailto:brian.lokker@vdot.virginia.gov)>  
**Subject:** SUP application for entrance review and comment

Morning Brian - here is the form heading to PEC





Building is 40x80'  
Approx 3200 sq feet  
Building is already approved and built





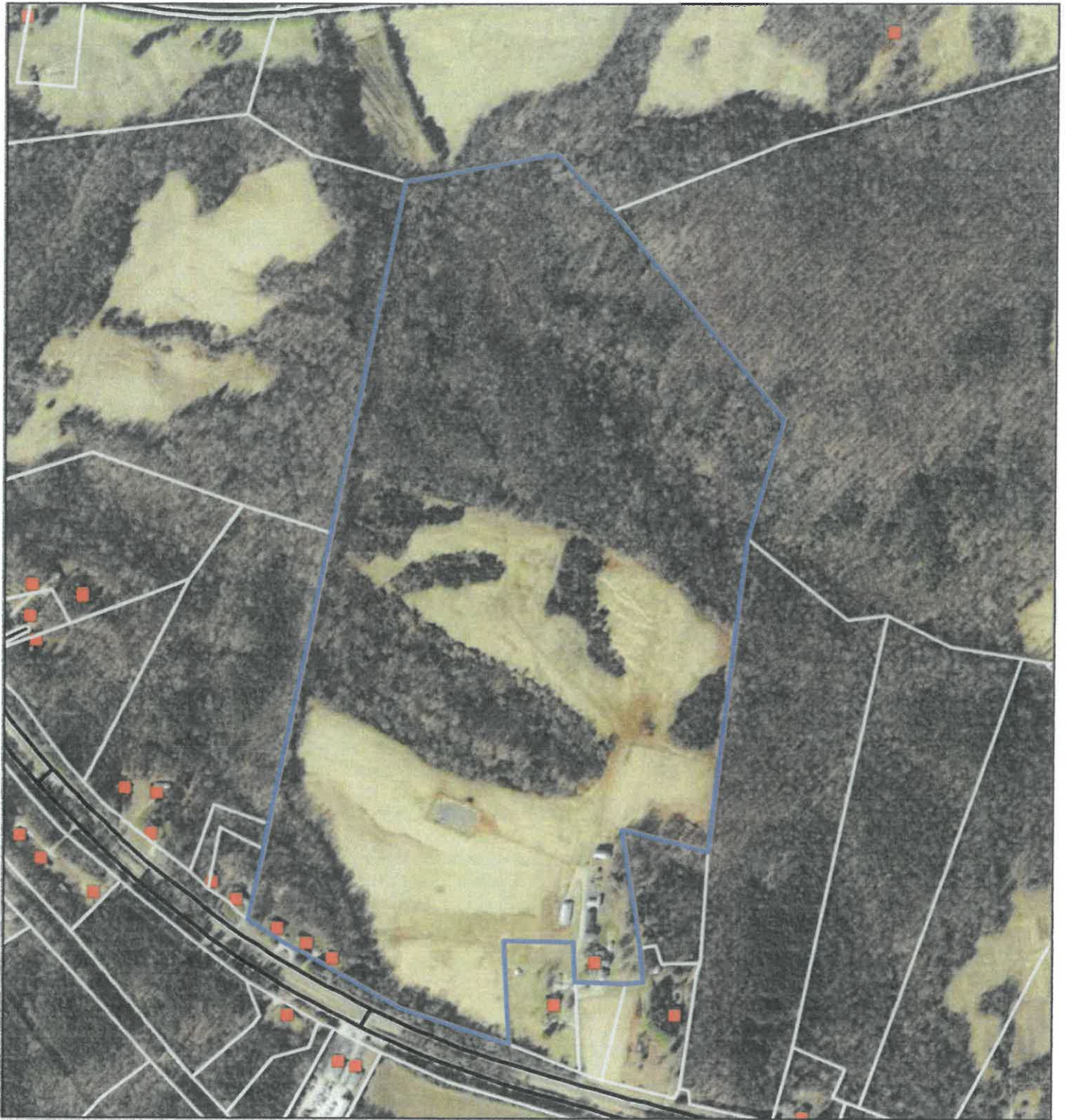


Imagery ©2025 Airbus, CNES / Airbus, Maxar Technologies, Map data ©2025 100 ft

Measure distance

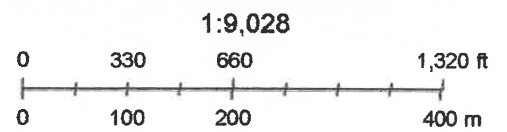
**Total distance: 753.30 ft (229.60 m)**





April 22, 2025

-  Parcels
-  Road Centerline
-  Address Points
-  County Boundary



Virginia Geographic Information Network (VGIN)





















Please publish the following public hearing notice in **THE FARMVILLE HERALD** on **Wednesday, May 7, 2025** and **Friday, May 9, 2025**.

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### NOTICE OF PUBLIC HEARING

The Prince Edward County Planning Commission will hold PUBLIC HEARINGS on Tuesday, May 20, 2025 commencing at 7:00 p.m. in the Board of Supervisors Room, Prince Edward County Courthouse, 111 N. South Street, 3<sup>rd</sup> Floor, Farmville, Virginia, to receive citizen input prior to considering the following:

1. A Special Use Permit request filed by Dogwood Properties, LLC for a proposal to operate a restaurant on land totaling 1.5 +/- acres denoted as Tax Map Parcel 107-A-44 with an address of 8306 Patrick Henry Highway Green Bay, VA on US Route 360, which is zoned Agricultural Conservation (A1) District.
2. A Special Use Permit request filed by Michael and Helen Royea for a proposal to operate a rural events center on land totaling 136.49 +/- acres denoted as Tax Map Parcel 055-A-32 with an address of 25943 Prince Edward Highway, Rice, VA on US Route 460, which is zoned Agricultural Conservation (A1) District.

Citizen input for Public Hearings will be received through: (1) in-person participation; (2) remote participation by calling 1-844-890-7777, Access Code # 390313; or (3) by written comments mailed to: Planning Commission, P.O. Box 382, Farmville, VA 23901. Please limit word count to no more than 500 words. Comments must be received by 2:00 p.m. the day of the meeting; via email to [info@co.prince-edward.va.us](mailto:info@co.prince-edward.va.us); or via facsimile at 434-392-6683. Based on the number of speakers, the Chair will determine the time allotted to each. Citizens may also view the monthly Planning Commission meeting live (no public input) at the County's YouTube Channel by using the link on the County website under Meetings & Public Notices.

Additional information regarding the special use permit applications is available for public review on the County's web site at [www.co.prince-edward.va.us](http://www.co.prince-edward.va.us) or in the Prince Edward County Administrator's Office, 111 N. South Street, 3<sup>rd</sup> Floor, Farmville, VA. It is the County's intent to comply with the Americans with Disabilities Act. Should you have questions or require special accommodations, please contact the County Administrator's Office at 434-392-8837.

###

# Prince Edward County

## SUP Request

Applicant: Michael and Helen Royea

Tax Map: 055-A-32

### Schedule B

List of adjoining Property owners and mailing addresses for the property for an Events Center SUP.

| Parcel ID                   | Owner                                       | Address                                          | Note |
|-----------------------------|---------------------------------------------|--------------------------------------------------|------|
| 055-A-32C                   | CORNELIUS JR & BARBARA D JONES              | 1277 SAYLERS CREEK ROAD RICE, VA 23966           |      |
| 055-A-32B                   | JASON ROSS & AMANDA REED                    | 25941 PRINCE EDWARD HIGHWAY RICE, VA 23966       |      |
| 055-A-32A; 055-A-33         | MICHAEL & HELEN ROYEA                       | 25943 PRINCE EDWARD HIGHWAY RICE, VA 23966       |      |
| 055-A-33A                   | WILLIAM R HARBOUR & LILLY A GOETZ           | 26011 PRINCE EDWARD HIGHWAY RICE, VA 23966       |      |
| 055-6-1                     | JUNE OAKES THOMAS                           | 521 LATANE DRIVE NORTH CHESTERFIELD VA 23236     |      |
| 055-A-31                    | DONALD J & JUNE L SURA                      | 472 HINES LANE RICE, VA 23966                    |      |
| 041-A-78                    | EUGENE & STEPHANIE HALL                     | 486 PISGAH CHURCH ROAD RICE, VA 23966            |      |
| 055-A-37                    | BEVERLY BASS HINES                          | 24875 PRINCE EDWARD HIGHWAY RICE, VA 23966       |      |
| 055-1-1; 055-A-34; 055-A-35 | WILLIAM H & JERLEAN J BOWEN                 | 25631 PRINCE EDWARD HIGHWAY RICE, VA 23966       |      |
| 055-A-3                     | MANSON VENABLE & HENRY HUTCHINS JR          | 935 SCHERGER AVENUE PATCHOGUE NY 11772           |      |
| 055-A-14; 055-A-14B         | ROSALIND NASH                               | 25702 PRINCE EDWARD HIGHWAY RICE, VA 23966       |      |
| 055-A-15                    | CROSSROADS COMMUNITY SERVICES BOARD         | PO DRAWER 248 FARMVILLE, VA 23901                |      |
| 055-A-16                    | MARY ELIZABETH ATKINS & STEPHANIE ANNE HEIN | 713 PERSIMMON TREE FORK ROAD FARMVILLE, VA 23901 |      |
|                             |                                             |                                                  |      |

**PLANNING COMMISSION**

John Prengaman  
Chairman  
Llew W. Gilliam, Jr.  
Board Representative  
Brad Fuller  
David Hart  
John Hogan  
Whitfield M. Paige  
John "Jack" W. Peery, Jr.  
Rhett L. Weiss



**COUNTY OF PRINCE EDWARD, VIRGINIA**

**DIRECTOR OF PLANNING &  
COMMUNITY DEVELOPMENT**

Robert Love, GISP  
Post Office Box 382  
111 N. South Street, 3<sup>rd</sup> Floor  
Farmville, VA 23901  
Office: (434) 414-3037  
Fax: (434) 392-6683  
[rlove@co.prince-edward.va.us](mailto:rlove@co.prince-edward.va.us)

May 6, 2025

To: Property Owners

From: Robert Love, Director of Planning and Community Development

Subject: Special Use Permit Request – Michael and Helen Royea

The Prince Edward County Planning Commission will hold a public hearing on Tuesday, **May 20, 2025** at 7:00 p.m. to receive citizen input on a request for a Special Use Permit by Michael and Helen Royea for a proposal to operate a rural events center on land totaling 136.49 +/- acres denoted as Tax Map Parcel 055-A-32 with an address of 25943 Prince Edward Highway, Rice, VA on US Route 460, which is zoned Agricultural Conservation (A1) District.

You are receiving this notice because you own land in the vicinity of the property requested to be approved for a special use permit. Following the hearing the Prince Edward County Planning Commission may vote to recommend approval or denial of the request.

Instructions of how to listen or participate in the meeting and public hearing are contained on the reverse side of this letter. If you have any questions or comments, please do not hesitate to contact me at: 434-414-3037 or by email at: [rlove@co.prince-edward.va.us](mailto:rlove@co.prince-edward.va.us)

Respectfully,

Robert Love  
Director of Planning and Community Development

Special Use Permit - Michael and Helen Royea dba Red Hill Ranch LLC  
Tax Map #: 055-A-32  
POTENTIAL CONDITIONS

**SITE PLAN**

1. Development activities on the site shall be limited to those as specified in the Special Use Permit Application and Site Plan. The final locations of incidental facilities may be adjusted provided no such adjustment violates any buffers, setbacks, or other statutory requirement. The concepts reflected in the filed special use permit dated 04/02/2025 are hereby made part of these development conditions.
2. Final site plan approval for the Rural Events Center shall be submitted to the Prince Edward County Community Development Department for final review and approval pursuant to Article IV Development Standards of the Prince Edward County Code (Zoning Ordinance).
3. Any proposed expansion of the operation, change of activities or additional facilities or activities shall be submitted to the Prince Edward County Planning and Community Development office for review prior to implementation. Any changes may be subject to Permit amendment procedures, including Public Hearings.
4. All buildings within the property shall be developed as a cohesive entity, ensuring that building placement, architectural treatment, parking lot lighting, landscaping, trash disposal, vehicular and pedestrian circulation and other development elements work together functionally and aesthetically.
5. All landscaping shall be mulched and maintained to the reasonable satisfaction of the Prince Edward County Planning and Community Development Director. Any vegetation found to be of poor condition shall be replaced and/or improved at the reasonable direction of the Planning and Community Development Director or his designee.

**ENVIRONMENTAL**

6. All erosion and sediment control measures, storm water control facilities, and all construction activities shall comply with the requirements of the appropriate federal, state, and local regulations and ordinances.
7. All facilities for the provision of potable water and sanitation and wastewater disposal systems shall be approved by the Virginia Department of Health.
8. Any development activities of structural of land disturbing nature not specifically addressed by these Conditions shall be in conformance with applicable provisions of federal, state, and local statues and regulations.

**TRANSPORTATION**

9. All entrance permits must be authorized by the Virginia Department of Transportation (VDOT). Development activities shall comply with all requirements of VDOT.

10. All internal roads used for public access shall be of compacted earth, or have a minimum of a four (4) inch stone base, or shall be paved.
11. Adequate area shall be provided on site to accommodate parking of all employees and patrons. It shall be the responsibility of the Permittee to assure that employees and patrons park only on site and not on any highway right-of-way, or on adjoining or adjacent parcels unless written consent is provided by the owner or owners thereof.

## **GENERAL**

12. Occupancy shall be limited to a total 125 visitors and 5 employees maximum.
13. All activities shall comply with Article II – Noise of the Prince Edward County Code. Quiet time shall be 11 p.m. to 8 a.m.
14. All exterior lighting shall be designed and installed so as to minimize glare onto adjoining properties or any public access road. All lighting shall be full cut-off type fixtures.
15. Outdoor storage of trash containers shall be situated at the rear of buildings and shall be appropriately screened.
16. The Permittee is responsible for the appearance of the site including litter pick-up and other orderly site appearance.
17. This Permit is non-transferable, except and unless written notice from the Permittee regarding the transfer, and a signed document from the proposed new Permittee is received by the Planning and Community Development Office which states that the new Permittee agrees to comply with all terms and Conditions imposed with the original Permit Issuance. If the proposed new Permittee desires to amend the original Permit Conditions, amendments must be addressed by the Prince Edward County Planning Commission and Board of Supervisors through the Special Use Permit process.
18. Failure of Permittee to full conform to all terms and conditions may result in revocation of this Special Use Permit if said failure or failures are not corrected or addressed to the satisfaction, not to be unreasonably withheld, of the County within thirty (30) days of written notice from the County.

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