

Patrick County Planning Commission

Public Hearing

Minutes of August 15, 2023

6 p.m.

Present: Larry Cowley, Chairman, Kurt Bozenmayer, Vice-President, David Lusk and Barbara Jo Newton; Cynthia Cowley and Jane Fulk, Citizens at Large members; Doug Perry, Board of Supervisor Liaison

Also Present representing Energix Renewables: Kelsey Forren, Project Developer, Dominica Sink, Senior Director, Scott Foster, Attorney and Gracen Draney.

Absent: Richard Hazelwood

Also Absent: Teresa McCormick, Clerk

Present for Public Comment: Jamie Clark, Mayo River District and Jim Best, Blue Ridge District

Larry Cowley called the meeting to order

Approval of meeting Agenda:

Barbara Jo Newton made a motion to approve the agenda; seconded by Jane Fulk and carried unanimously by all voting members present.

Voting Yes: All members present

Absent: Richard Hazelwood

Barbara Jo Newton made a motion to approve the July 18, 2023 work session and minutes; seconded by David Lusk and carried unanimously by all voting members present.

Voting Yes: All members present

Absent: Richard Hazelwood

The public hearing commenced at 6:00 p.m. The purpose of the hearing is to adopt the Comprehensive Plan Conformance Review Application.

Larry Cowley, Chairman opened the floor for public comment.

Kelsey Forren, Project Developer had a short presentation on Energix Renewables regarding Fairy Stone Solar, LLC.

Doug Perry had to leave at 6:06 p.m.

Public Comment:

Questions from Audience regarding Batteries, Security, the bond for decommissioning, Cadmium Telluride. Decommission will take place above and below ground equipment and land will be put back to prior use.

Kelsy Forren stated no batteries will be stored on the project site. First alert for any problems will go to Ohio.

Dominica Sink stated the site will have electric chain fencing around the site for security and camera will be monitoring.

Dominica Sink stated the bond runs for duration of 40 years and the bond will be re-evaluated every 5 years.

Jamie Clark stated concerns of Energix Renewables solar to be constructed.

Energix advised no hazardous material to bother air, etc., using PBR process.

Question from audience regarding runoff, chemicals leaching out of the panels.

Jim Best stated concerns of Energix Renewables solar to be constructed.

Motion to close Public Hearing after public comments:

Jane Fulk made a motion to close the Public Hearing; seconded by Kurt Bozenmayer and carried unanimously by all voting members present.

Call for a vote:

Voting Yes: All members present

Absent: Richard Hazelwood

Discussion:

Action:

Kurt Bozenmayer made a motion that the Patrick County Planning Commission finds that the proposed Project is in conformity with the County's Comprehensive Plan, to send to the Patrick County Board of Supervisors; seconded by David Lusk and carried unanimously by all voting members present.

Call for a vote:

Voting Yes: All members present

Absent: Richard Hazelwood

New Business:

Jason Brown, Patrick County Building Official reviewed with the Planning Commission the application from Milestone Towers. The location of the cell tower will be at the Patrick County High School.

Jonathan Yates with Milestone Towers was speaking via phone.

Larry Cowley questioned if the School Board voted approval for the tower. Jonathan Yates stated Mr. Wood, Superintendent had the authority from the School Board to sign off on the contract.

Larry Cowley stated a school board member contacted via phone and confirmed the cell tower was approved by the school board members.

Jane Fulk stated the Communication Tower Ordinance is to have a spot for 4 additional users in the design and construction of the tower.

Jane Fulk asked for reason for tower being VERIZON. It was stated that VERIZON Wireless wants this because their foot print is not what it should be.

Jane Fulk advised the Ordinance did not specify broadband and that needed to be changed.

Jonathan Yates stated the tower will be for voice and broadband.

Jane Fulk asked if T-Mobile and US Cellular were eligible for a spot on this tower?

Jonathan Yates said, "Yes."

A question was asked as to who was doing the tower and what type of tower? The answer received was that Milestone was doing the tower with a 197-foot mono-pole style for VERIZON and 3 other broadband carriers.

Barbara Jo Newton asked if the tower has adequate distance from the students at the school. She also asked if the tower was 500 feet from classes and children on the field.

Jonathan Yates stated the tower will be 500 feet from residents and will provide review of the emission situation.

Audience asked if the tower provides coverage for the Town of Stuart.

Jonathan Yates stated the tower will improve the service.

Jason Brown reviewed the check list for the Milestone Tower and had gone through the Ordinance.

- 1) It is within 2 miles
- 2) Has engineering plans and drawings
- 3) It has a 20-foot fall zone

Mark Vernon has reviewed the plans.

There will be a balloon test this Saturday for part of the visual analysis.

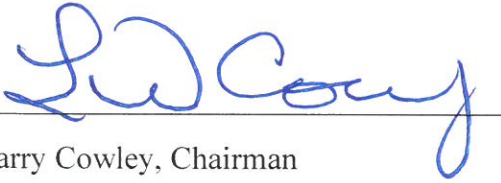
Jason Brown advised certified letter was sent to property owners.

Barbara Jo Newton stated the certified letter had the wrong date.

Jason Brown advised a hardship waiver will be needed in order to erect this tower.

Jonathan Yates stated he will change the word "broadband" and will add 4 entities on the tower and will check about emissions and the distance from the children's classes and playing field.

Jane Fulk made a motion to adjourn from the business meeting; seconded by Barbara Jo Newton and carried unanimously by all voting members present.



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Larry Cowley, Chairman

The next Planning Commission sub-committee work session scheduled for September 19, 2023 at 4 p.m. followed by a regular business meeting 6 p.m.