

**Minutes of the
SUSSEX COUNTY JOINT PUBLIC HEARING OF
THE PLANNING COMMISSION AND THE BOARD OF SUPERVISORS
Monday, September 13, 2022 at 4:00 P. M.
Sussex County Social Service Conference Room
20103 Princeton Road
Sussex, VA 23884**

PLANNING COMMISSIONERS PRESENT

J. Lafayette Edmond, Vice Chair
Roger King
Dennis P. Mason
Rudolph Shands
Kevin Bracy
Andrew Mayes

BOARD OF SUPERVISORS PRESENT

Susan B. Seward, Chair
Wayne O. Jones, Vice Chairman (Virtual)
C. Eric Fly, Sr.
Alfred Futrell
Rufus E. Tyler, Sr. (Arrived 5:08 pm)
Debbie P. Jones
Steve White, Tie Breaker

PLANNING COMMISSIONERS ABSENT

Terry Massenburg, Chair
Frank Irving

STAFF PRESENT

Richard Douglas, County Administrator
Shilton Butt Ricks, Asst. to the County Admin/Deputy Clerk
Beverly Walkup, Director of Planner
Michael Poarch, Sussex County Planner
Jeff Gore, County Attorney

CALL TO ORDER:

COMMISSIONER EDMOND, called the Planning Commission Meeting to order at 4:18 pm.
SUPERVISOR SEWARD, called the Board of Supervisors Meeting to order at 4:18 pm.

INVOCATION

The invocation was led by SUPERVISOR FLY

THE PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited by all.

ADOPTION OF AGENDA AMENDMENTS:

Mr. Gore, County Attorney requested to add a closed session as Item 6.1

ON MOTION OF COMMISSIONER MAYES, seconded by COMMISSIONER MASON and carried: RESOLVED that the agenda of the September 13, 2022 meeting of the Sussex County Planning Commission is hereby approved as amended.

Voting aye: Commissioners Edmond, King, Bracy, Mayes Mason, and Shands.

ON MOTION OF COMMISSIONER D. JONES, seconded by COMMISSIONER FLY and carried: RESOLVED that the agenda of the September 13, 2022 meeting of the Sussex County Board of Supervisors is hereby approved as amended.

Voting aye: Supervisor Seward, Fly, Futrell, D. Jones

STAFF REPORT PRESENTATION- ZONING AMENDMENT #2022-01, RHETSON COMPANIES, INC.

Beverly Walkup, Director of Planning, presented a brief summary of the application and information from the staff report. She explained that the applicant is seeking to rezone to a general commercial district, however, the applicant has proffer some conditions that will not allow certain uses which can cause a nuisance to adjacent property owners.

STAFF REPORT

APPLICATION SUMMARY:

Project:	Dollar General
Location:	The property is located on the corner of Sussex Drive (Rt. 40) and Booth Road (Rt. 658) in Stony Creek, Virginia.
Parcel Record Number(s):	66-A-11
Proposal:	Rezone for Retail Use
Applicant:	Rhetson Companies, Inc 2075 Juniper Lake Road West End, NC 27376

APPLICATION:

The applicant, Rhetsen Companies, Inc under ZA #2022-01 seeks to rezone a portion of tax parcel number 66-A-11 containing 2.2 acres out of 101 acres from A-1, General Agricultural to B-2, General Business to accommodate a retail use for a Dollar General Store. The property is located on the corner of Sussex Drive (Rt. 40) and Booth Road (Rt. 658) in Stony Creek, Virginia.

ELECTION DISTRICT:

Stony Creek Election District

LOCATION:

The proposed location for the rezoning is located at the corner of Sussex Drive (Rt.40) and Booth Road (Rt. 658). To the north, there are several residences, Galilee Baptist Church, and a dilapidated building that used to be a laundromat. To the west, there is Stony Creek Convenience Store, old house, and Sappony Solar. To the east, there is the Town of Stony Creek. To the south, there is mostly agricultural lands and a communication tower.

BACKGROUND:

The subject property is currently unoccupied and considered as agricultural lands. The applicant seeks to bring in a retail use of a Dollar General store.

DESCRIPTION:

The applicant is requesting rezoning to the General Business District (B-2) to accommodate a retail use. The applicant proposes to develop approximately 2.2 acres of the parcel.

The parcel is currently zoned General Agricultural District (A-1). The A-1 zoning district does not allow for a retail store.

COMPREHENSIVE PLAN REVIEW:

The current Comprehensive Plan land use designation for this property is commercial. Appropriate uses for the commercial land use designation include areas for retail, consumer services, and professional services. (Is this consistent with the small area plan just adopted?)

ORDINANCE REVIEW:

The current zoning designation for this property is A-1. The district is established to protect land and property values, ground water and surface water quality, and other resources. The intent is to provide for the continued security of the county’s agricultural sector by encouraging the orderly and responsible growth of its livestock, dairy, and poultry industry. Limited residential development is anticipated in these areas.

The proposed rezoning designation for this property is B-2. The B-2 district is intended for the conduct of general business to which the public requires direct and frequent access, but is not

characterized either by constant heavy trucking, other than stocking and delivery of light retail goods, or by any nuisance factors, other than occasioned by incidental light and noise of congregation of people and passenger vehicles. This includes such uses as retail stores, banks, theaters, business offices, newspaper offices, printing presses, restaurants, taverns and garages and service stations.

STAFF CONCLUSIONS:

Strengths:

1. Allows for more retail uses within Stony Creek.
2. Located in a prominent location
3. Adjacent to a similar use (Stony Creek Convenience Store)
4. Has access to public water and sewer
5. From initial review, VDOT didn't share any major concerns.

Weaknesses:

1. None identified at this time.

STAFF RECOMMENDATION:

Staff recommends approval for this rezoning along with voluntary proffers.

Chair Seward and Acting Chairman Edmond opened the public hearing for Zoning Map Amendment #2022-01

ENTER PUBLIC HEARING FOR ZONING MAP AMENDMENT #2022-01, RHETSON COMPANIES, INC.

Mr. Hodges, special counsel for Rhetson Companies, Inc., introduced himself and discuss how is in agreeance with the staff report and staff's recommendation.

PUBLIC COMMENTS:

Ms. Epps questioned why you would want a Dollar store within a short distance of another.

Ms. Walkup answered that the Dollar General has a different affiliation from Family Dollar. As stated, Family Dollar is not always open. The potential of having a Dollar General should improve the access to retail products.

Ms. Epps also asked if this will affect the capacity of water or sewer in relation to a potential grocery store in the future. Ms. Walkup answered that staff has reach out to Sussex Service Authority (SSA). SSA indicated that there was no issues with providing water or sewer to this location. Mr. Douglas reiterated that this use will have minimum impact on the capacity of water and sewer. He clarified that the applicant may intend to put a Dollar General there, however, it can be a number of other uses that can be allowed within this zoning district.

Ms. Upton, owner of Stony Creek Convenience Store, opposes the application. She explain how this potential use will hurt her business due to it being adjacent to her store.

Ms. Bishop, Town of Stony Creek, opposes the application because it will kill the small businesses within that area.

Mr. Alige stated that dollar stores will hurt the small businesses by lowering their prices in comparison with any of the local convenience stores.

Chairman Seward closes the public hearing for Zoning Map Amendment #2022-01

ON MOTION OF SUPERVISOR FUTRELL, and seconded by SUPERVISOR D. JONES and carried: RESOLVED that the meeting return to Regular Session.

Voting aye: Supervisor Seward, Jones, Fly, Futrell, Tyler

Voting nay: None

QUESTIONS, CONCERNS, AND COMMENTS FROM THE COMMISSION

- What purpose do you have to build that close to another store? Mr. Williams, project manager for Rhetsen Companies, Inc., explained that Dollar General has done their due diligence based market trend and analytics. Dollar General determined that this location was best suited for this proposal.
- It is hard to deter this application based on its merit. However, it is unfortunate that it may an impact on local business within the area. In order for the county to grow, we have to allow these new and/or outside companies in to help with progress within the County itself.

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QUESTIONS, CONCERNS, AND COMMENTS FROM THE BOARD OF SUPERVISORS

- We have to allow for new businesses into the County in order for it to grow.
- Clarification on how much land will be acquired and rezoned. Matt Williams responded that they are focus on approximately 2.2 acres depending to be developed. The rest of the 9 acres will remain unchanged unless there are future plans for potential development which will require us to come back before these bodies for another approval prior to proceeding with it.
- How much potential real estate revenue for this potential project? Matt Williams responded that we don't know the exact numbers right now. However, we will putting a 1.2 million dollar investment into the land.
- Questioned if a condition can be added to prohibit the future sale of gas. Mr Gore stated that it could be done through an amendment of the proffer conditions or as a deed restriction. If it is done as a deed restriction, the county would not have any authority over this restriction. Mr. Hodges, special counsel, responded that they can add this condition as a private covenant.
- Question rather the County can limit the rezoning to only include a development of a Dollar General. Jeff Gore indicated that the County cannot limit the use for a specific business. A rezoning will allow the following permitted uses within that zoning district with an exception to the uses prohibited within the voluntary proffer which runs with the land.

COMMISSION'S ACTION ON PUBLIC HEARING ITEM: ZONING MAP AMENDMENT #2022-01, RHETSON COMPANIES, INC.

ON MOTION OF COMMISSIONER MASON, seconded by COMMISSIONER BRACY and carried: RESOLVED that the Planning Commission forward Zoning Map Amendment #2022-01, Rhetson Companies, Inc., to the Board of Supervisors for approval with proffered conditions.

Voting aye: Commissioners Edmond, King, Burgess, Bracy, Mayes Mason, and Shands

Voting nay: None

BOARD'S ACTION ON PUBLIC HEARING ITEM ZONING MAP AMENDMENT #2022-01, RHETSON COMPANIES, INC.

ON MOTION OF SUPERVISOR FUTRELL, seconded by SUPERVISOR D. JONES and carried: RESOLVED that the Board of Supervisors approves Zoning Map Amendment #2022-01, Rhetson Companies, Inc. with proffered condition as presented.

Voting aye: Supervisor Seward, D. Jones, Fly, Futrell, Tyler

Voting nay: None

MOTION TO CONVENE IN CLOSED SESSION UNDER CODE SECTION 2.2-3711

A:8

COMMISSIONER EDMOND motion to convene in closed session under Code Section 2.2-3711 A:8.

SUPERVISOR SEWARD motion to convene in closed session under Code Section 2.2- 3711 A:8.

MOTION TO CONVENE TO CERTIFY THAT ALL ITEMS DISCUSSED WITHIN THE CLOSED SESSION IDENTIFIED AND SHALL NOT CONVENE WITH CLOSED SESSION AS PERMITTED UNDER THE FREEDOM INFORMATION ACT

ON MOTION OF COMMISSIONER MAYES, seconded by COMMISSIONER SHANDS and carried: RESOLVED that the Planning Commission convene to certify that discussed within the closed session identified and shall not convene with closed session as permitted under the Freedom Information Act.

Ms. Ricks proceeded with roll call:

Mr. Bracy- Aye

Mr. Shands-Aye

Mr. King- Aye

Mr. Mayes- Aye

Mr. Edmond- Aye

ON MOTION OF COMMISSIONER FUTRELL, seconded by COMMISSIONER TYLER and carried: RESOLVED that the Board of Supervisors convene to certify that discussed within the closed session identified and shall not convene with closed session as permitted under the Freedom Information Act.

Ms. Ricks-Butts proceeded with roll call:

Mr. Fly- Aye

Mr. Tyler-Aye

Mr. Futrell- Aye
Ms. Jones- Aye
Ms. Seward- Aye

STAFF REPORT PRESENTATION- Amendment to Conditional Use Permit #2019-01, Waverly Solar, LLC.

Beverly Walkup, Director of Planning, presented a brief summary of the application and information from the staff report. She explained that the applicant is seeking to amend condition 10 and additional condition under CUP #2019-01. Staff has consulted with the Department of Forestry in regards to the proposal offered by the applicant. The representative of the Department of Forestry concurred and approved of the proposal.

**Staff Report
Waverly Solar, LLC
Application for Amendments to Conditional Use Permit #2019-01
Sussex County, Virginia**

**Report Date: September 1, 2022
Planning Commission Meeting Date: September 13, 2022**

APPLICATION SUMMARY

Project: Waverly Solar, LLC

Location: The site in question located between the Town of Waverly to the north and the unincorporated community of Newville to the southwest.

Parcel Record Numbers: 28A10-A-20, 28-A-22, 28A11-A-3, 28-A-25, 42-A-33, 27-1-A, 27-1-B, 28-A-20, 28-A-21, 28-A-24, 27-A-2, 27-A-3, 27-A-4, 27-A-5, 27-A-12, 28-A-17A, 42-A-6, 41-A-19, 41-A-20, 41-A-21, 41-A-22, 42-A-2, 42-A-3, 42-A-5, 42-A-13, 42-A-14, 42-A-15, 42-A-26, 42-A-27, 42-A-11, and 42-A-12

Proposal: Amendments to Conditional Use Permit #2019-01

Application Submitted: August 30, 2022

Applicant(s): Energix US, LLC- Waverly Solar, LLC
1201 Wilson Blvd, Suite 2200
Arlington, VA 22209

Representative: Eliana Ginis
571-414-1442

Parcel Owner(s): Waverly Solar, LLC, Hal B, Miles and Peggy L Miles, Jack Philip Bain Jr. and Robin Bain Presson. Gray Christopher Farland, as Trustee under the Frances B. Gray 2002 Irrevocable Grandchildren’s Trust, Higgins Partners, LLLP,

BACKGROUND:

The applicant, Waverly Solar, LLC is seeking an amendment to their Conditional Use Permit #2019-01 approved by the Board of Supervisors on March 21, 2019 to construct and operate a 118 megawatt solar energy facility in Sussex County. Waverly Solar, LLC will be the long term owner and operator of the Project. The site is located between the Town of Waverly to the northeast and the unincorporated community of Newville to the southwest. The site is bound to the east by Coppahaunk Road (SR 654) and to the north by the Town of Waverly. Beef Steak Road (SR 626) traverses the western part of the project site and Oakdale Road (SR 655) runs through the southern part of the site. Sussex Drive (Route 40) extends north to south through the eastern part of the site. The project consists of 36 parcels (please see Exhibit B), totaling approximately 2,765 acres. The solar facility will only be located on approximately 823 acres. All properties are zoned A-1 and consist predominately of timberland and wetlands. The surrounding land uses include farmland, woodlands, single-family residences, a manufactured home park and overhead electrical transmission lines. The project will connect to the utility grid through a substation to be built by Virginia Electric and Power Company, d/b/a Dominion Energy. Waverly Solar will utilize approximately 330,000 single axis tracker and fixed tilt solar panels.

PROJECT DESCRIPTION

The applicant seeks to amend condition 10 and add condition 13 under CUP #2019-04. These conditions were applied by the Board of Supervisors during the original approval to buffer the visual impact of the solar operation from adjacent residences and public rights-of-way.

According to the applicant, the required bufferyards were erroneously cleared by the property owner(s) during a timbering operation after approval of the original CUP and prior to the solar company taking ownership of the parcels. Because the bufferyards were approved as conditions of the CUP approval, the applicant is required to file an amendment to address changes necessary to restore the vegetated buffers.

PROPOSED AMENDMENTS

The applicant has proposed the following changes to:

- **Condition 10.** A minimum one hundred and fifty (150) foot setback shall be maintained from the solar equipment to any adjacent residential dwellings that exist at the time of the approval of the Board of Supervisors unless it is across a public right-of-way from the solar equipment. A wooded buffer of existing trees at least 25 feet in width shall be maintained on the applicant’s property from the solar energy facility to any existing residential dwelling. The security fence and project roads may be located within the setbacks. During construction the setback may be used for staging of materials and parking. For the purposes of this CUP, project roads shall mean internal roads used to

access the solar energy facility during construction. With respect to tax map #28A10-A-17A and #28A10-A-18 (Sussex Trace Associates), a minimum of 500 foot setback for solar equipment shall be maintained from the property line and the wooded buffer shall consist of a 200-foot-wide contiguous area left in its natural vegetative state of existing trees and shall be located entirely on tax map #28-A-211 and #28-A-20 (Grayland Company). ~~In the event of a natural disaster or similar event that substantially eliminates the wooded buffer around tax map # 28A10 A 17A and #28A10 A 18 (Sussex Trace Associates); #27 A 1 (Bernardo); and #42 A 6A (Pittman), an evergreen buffer shall be planted consisting of a double row of evergreen trees that are at least 6-8 feet in height at the time of planting and spaced 10 feet apart. Each row shall be offset from the other to achieve the maximum amount of screening.~~ In addition, there shall be a 200-foot-wide contiguous area left in its natural vegetative state of existing trees which shall remain along a line north from #28A10-A-17A (Sussex Trace Associates) property boundary and running parallel with Sussex Drive to the property boundary of tax map #28-A-21 (Grayland Company).

- **Condition 11.** A minimum 50' foot setback from the solar equipment to the property line shall be provided around the perimeter of the solar energy facility where it is adjacent to property not owned by the same property owner as covered in the CUP at the time of approval by the Board of Supervisors. A 25-foot wide wooded buffer of existing trees shall be maintained on the applicant's property around the perimeter of the project where it is adjacent to property not owned by the same property owner as covered in the CUP. During construction the setback area may be used for the staging of materials or parking. The security fence and project roads may be located within the setbacks.
- **Condition 12.** A minimum 100-foot setback from any solar structure to any public right-of-way shall be provided where the project is adjacent to the public right-of-way. Along public rights-of-way, a 25-foot-wide wooded buffer of existing trees shall be maintained on the applicant's property. The security fence and project roads may be located within setbacks. During construction the setback area may be used for the staging of materials and parking.
- **Added Condition 13.** In the case of any event, natural or otherwise, that substantially eliminates a required wooded buffer, whether that buffer was planted, consisted of existing trees, or was an area left in its natural vegetative state, an evergreen buffer shall be planted consisting of a double row of evergreen trees that are at least 6-8 feet in height at the time of planting and spaced 10 feet apart. Each row shall be offset from the other to achieve the maximum amount of screening.

COMPREHENSIVE PLAN CITATIONS

The Comprehensive Plan 2004-2005 update was adopted on October 20, 2005. The plan was amended April 2, 2019 and February 17, 2022 to specifically address solar generating facilities. In relation to the amended conditions, the comprehensive plan recommends that steps be taken

to minimize negative impacts in proximity to residences; historic, cultural, recreational, or environmentally- sensitive areas; and scenic viewsheds.

ZONING ORDINANCE PROVISIONS

The original CUP was approved prior to the revision of the County’s Zoning Ordinance to more adequately address solar facilities. Conditions 10, 11 and 12 were included as conditions of the CUP to preserve adequate bufferyards to lessen the visual impact of the facility adjacent to existing residential development and from public rights-of-way. The revised ordinance includes the following provision.

The Zoning Ordinance was updated February 17, 2022 and now includes the following language:

Appendix B, Zoning: Article I 16-1 Definitions and Article XXII, Solar and Battery Facilities, Supplementary Use regulations
Sec. 16-406f

- **Vegetative Screening:** In the event existing vegetation or landforms providing the screening are inadequate or disturbed, new plantings shall be provided in a landscaped strip at least 50 feet wide. Landscaping intended for screening shall consist of a combination of non-invasive species, pollinator species, and native plants, shrubs, trees, grasses, forbs, and wildflowers. Trees intended for screening shall consist of a combination of evergreen and deciduous trees that are 5-6 ft. in height at time of planting. A triple row of trees shall be placed on average at 15 ft. on center. A list of appropriate plant materials shall be available at the Planning Office. Species listed on DCR’s Invasive Plant Species list shall not be used.

STAFF CONCLUSIONS

Proposed amendments to CUP condition (10) with an additional proposed condition.

There have been changes since the issuance of the CUP to instigate this change. The condition was approved along with the original CUP and is still valid today. During site plan review, The Planning & Zoning Department find a conflict with condition 10, 11, and 12 in regards to the 25-foot- wide wooded buffer of existing trees. Staff was inform that the wooded buffers was removed by a property owner. The situation was discussed between Energix Renewables, developer of Waverly Solar, LLC, and Sussex County on how to remedy the issue. However for any suggested remedy, it will require an amendment to the CUP in order to address the verbiage of current conditions which exclusively expresses “the use of a 25 foot wide wooded buffer of existing trees that shall be maintained on the applicant’s property” along the right-of-way and perimeter of the project.

Based on Planning and Zoning Department staff recent site visit, many of the areas that timbered or cleared had retain some of its vegetation. Some areas referenced within the exhibit may have adequate amount of vegetation for a buffer which will not need the planting of evergreen trees. Staff believe that the original purpose of these conditions was to allow this project to blend in seamlessly with its surroundings. The major goals were to minimize the impact of the natural vegetation as well as reduce visual impacts on the community.

STAFF CONCLUSIONS

Strengths

- The proposed 6-8-foot replacement vegetation exceeds the height recommended by the revised ordinance provisions.
- The cleared areas are beginning to naturally re-establish vegetation.
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Weaknesses

- Some of the regrown vegetation may be disturbed in the process of re-planting of trees.
- It may take approximately 5 years or more for the new vegetation to reach the original intent of the conditions.

STAFF RECOMMENDATION

Staff recommends approval of the proposed amendments contingent upon additional changes as may be included upon review and discussion by the Commission and Board.

SUPERVISOR SEWARD clarified that this is not a rehearing of the Conditional Use Permit. The purpose to remedy the condition in relation to the vegetative buffer.

Chairman Seward opened the public hearing for Amendment to Conditional Use Permit #2019-01

Ms. Sink, representative for Energix Renewables, introduced herself. She discussed about some background of the company. She explained the buffer areas that was affected from a timber operation and introduce the proposed evergreen buffer.

ENTER PUBLIC HEARING FOR Amendment to Conditional Use Permit #2019-01, Waverly Solar, LLC

Ms. Auton, adjacent property owner, wanted an understanding of what they are proposing. She advised that the Commission and the Board to not let them get around anytime that was originally agree in the initial Conditional Use Permit. The County need to stop bowing down to these new companies and stand up for the people of this county. She indicated that the county is a rural and agricultural community. We should do as much as we can to hide the project.

Chairman Seward closed the public hearing for Amendment to Conditional Use Permit #2019-01

QUESTIONS, CONCERNS, AND COMMENTS FROM THE COMMISSION

- Commissioner Mayes: Will the trees be maintain or allow to grow back to its original vegetation state? Ms. Sink clarified that the intent is to maintain the wooded buffer area, while the rest of the area within the setbacks will be allowed to return to their original vegetative state.
- Commissioner Bracy: Will the grass be maintained underneath the solar panels? Ms. Sink responded that they will maintain that area as well.
- Commissioner Mayes: Will the areas where there will be no solar panels be replanted as well? Ms. Sink respond that they will allow those areas to regrow naturally where no solar panels are visible.

QUESTIONS, CONCERNS, AND COMMENTS FROM THE BOARD OF SUPERVISORS

- Supervisor Futrell: Is there a way to plant the trees ahead of time? Ms. Sink stated that they usually doing their planting near the end of a project. However, we will be happy to do prior to the start of construction.
- Supervisor Seward: If the planted trees died, will they be replaced? Ms. Sink responded that they will be replaced. Mr. Foster, special counsel of the applicant, followed up by stating that it would be covered under the new condition to replace any dying trees. Mr. Gore indicated that it is not clearly defined within that new condition.
- The Board and Mr. Gore discussed about adding conditions which include the time of planting by the end of 2022 and the replacement of diseased and/or dying trees by the next planting season.
- Mr. Fly: Concern on how much area is left to naturally revegetate after the security fence and access road is placed within the setback. Ms. Sink responded that the access road be approximately 20'. Mr. Fly indicated that we leave only 5 feet of re-vegetation within some of the setbacks. Mr. Gore question if it is feasible to place the access road outside of the setback area.
- Mr. Gore suggested that the language should be striked to not allow access/ internal roads within the setbacks. Ms. Sink consulted with their engineer and confirm that they can accommodate doing that.
- Mr. Gore said there are three conditions that are proposed before the Commission and Board. One condition deals with the planting time of the buffers. Another replacement of buffer that dies. Last one includes not having the security fence and access roads within the setbacks where the buffer was removed.

COMMISSION'S ACTION ON PUBLIC HEARING ITEM: AMENDMENT TO CONDITIONAL USE PERMIT #2019-01, WAVERLY SOLAR, LLC

ON MOTION OF COMMISSIONER MAYES, seconded by COMMISSIONER MASON and carried: RESOLVED that the Planning Commission forward Amendment to Conditional Use Permit #2019-01, to the Board of Supervisors for approval with the three additional conditions as proposed by Counsel.

Voting aye: Commissioners Edmond, King, Bracy, Mayes, Mason, and Shands

Voting nay: None

BOARD'S ACTION ON PUBLIC HEARING ITEM: AMENDMENT TO CONDITIONAL USE PERMIT #2019-01, WAVERLY SOLAR, LLC

ON MOTION OF SUPERVISOR D. JONES, seconded by SUPERVISOR TYLER and carried: RESOLVED that the Board of Supervisors approve Amendment to Conditional Use Permit #2019-01, to the Board of Supervisors for approval with the three additional conditions as proposed by Counsel.

Voting aye: Supervisor Seward, D. Jones, Fly, Futrell, Tyler

Voting nay: None

Citizen Comments

None

ADJOURNMENT – The meeting adjourned at 6:37 P. M.

ON THE MOTION OF COMMISSIONER BRACY, seconded by COMMISSIONER MASON and carried: RESOLVED that the Sussex County Planning Commission is hereby adjourned.

Voting aye: Commissioners Edmond, King, Bracy, Mayes, Mason, and Shands

Voting nay: None

ON THE MOTION OF SUPERVISOR FLY, seconded by SUPERVISOR FUTRELL and carried: RESOLVED that the Sussex County Board of Supervisors is hereby adjourned.

Voting aye: Supervisor Seward, D. Jones, Fly, Futrell, Tyler

Voting nay: None

Submitted by:

Approved by PC: