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Sent: Tuesday, January 8, 2019 9:00 AM

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Cc: Thomas G. Benton; Chris Yakabouski; Kevin Marshall; Timothy J. McLaughlin; David Ross; Paul D. Trampe; Gary Skinner; Aimee Mann; Wanda Parrish; Paulette Mann; Patrick White; concernedcitizensspotsylvania@gmail.com

Subject: Response to information presented at the Planning Commission meeting held on January 2, 2019

To: Spotsylvania County Planning Commissioners

CC: Spotsylvania County Supervisors, Spotsylvania County Planning Staff

Date: 8 January 2019

Dear Commissioners:

My remarks are in direct response to information presented at the Planning Commission meeting held on January 2, 2019 regarding the sPower Solar Energy Facility sites A, B and C.

First, Property Valuation. In his December 28th report, commissioned by sPower, Spotsylvania appraiser Christian Kaila – who spoke to the Planning Commission - referenced the Richard Kirkland MAI Study for the Greenwood Solar Project in Culpeper County. What Mr. Kaila omitted was the result of that study.

According to a July 10, 2018 article in the Culpeper Star-Exponent, Culpeper County Supervisor Sue Hansohn urged that the chosen appraisal firm come from outside the area. "We don't want to look at appraisers in the county because that could taint the appraisal," she said. "I think we need to go outside the county to get a fair appraisal. Everybody in Culpeper knows everybody." Culpeper County Supervisor Jack Frazier said he didn't want a review of the developer-submitted appraisal reports. "We know what we get with that," he said. "We need a separate study. They'd be wasting their time looking at this."

Please use Mr. Kaila's reference and perform an independent study with an appraiser not located in Spotsylvania County.

Second, Setbacks and Buffering. Both Mr. Payne, the sPower attorney, and Ryan Creamer, President of sPower, referenced the Lancaster CA solar project as a prime example of the ability of sPower to install solar facilities in a community. Lancaster CA has 24 sites (and counting) with sites from 2MW to 107MW. Not one of the sites is closer to a residential boundary than 2000 feet!

Please use the Lancaster CA projects as a reference for determining similar distances from private land boundaries for the current sPower projects.

Finally, Complementary Use. The Planning Staff Report references "complementary land uses such as agritourism, agribusiness, and renewable energy generation in agricultural and rural areas." The initial response in the Planning Commission staff report for Special Use Standards of Review #2 stated, in part, "The magnitude of the proposal tests the limits of whether the project may be found harmonious in scale." This concern disappears in the revised report with conditioned statements like "SEF's by nature require large amounts of land acreage…" without specifying a limit or size to such SEF's.

In this specific case, sPower is taking a very large parcel of land (6500 acres) and using more than half of it (approximately 3700 acres) for a solar utility and reserving less than half (approximately 2800 acres) for wetlands, forest and open space. Consuming the majority of the land for an industrial solar facility is not complementary or harmonious in use; it is dominating.

How can the County Planning Commission staff determine the limit of "harmonious use" when it has no precise and unambiguous definition of "harmonious use?"

The County must reject these special use permits until such time as the County:

a) Conducts an independent appraisal on property values by an appraiser not located in the County;

b) Agrees to setbacks which are in distance the same as those in sPower's own referenced project in Lancaster CA and;

c) Has the Planning Commission staff determine the unambiguous and precise meaning of complementary use.

Respectfully submitted,
Mike Mikolosko
Livingston District resident

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