



**Staff Report 01/8/2015**

**Owner:** Daryl Keith Burgess & Darline Joyner Burgess

**Applicant:** Melinda Solar, LLC/Sunlight Partners, LLC

**Parcel ID:** 0552 01011

**Location:** Foster Road, approx. 0.5 miles southwest of NC 39 Hwy South

**Current Zoning:** (A-R) Agricultural Residential

**Public Hearing:** 01/8/2015

**Prepared by:** David Robinson

**Description of Conditional Use Permit Request:**

The applicant is requesting a conditional use permit to allow construction of a 5 MW solar farm under the use category of "Solar Energy System, Large Scale".

**Exhibits as follows:**

- Exhibit 1.** Application
- Exhibit 2.** Applicant's supporting materials; Project Narrative
- Exhibit 3.** Application Owner Consent/Signature Sheet
- Exhibit 4.** Site Plan/Aerial Photography/Surrounding Zoning Map
- Exhibit 5.** Driveway Permit
- Exhibit 6.** Solar Farm regulations (as per zoning ordinance)
- Exhibit 7.** Conditional Use Permit Check List

**DRAFT Findings of Fact**

1. The request is for a conditional use permit to allow a 5 MW solar farm on a parcel zoned (A-R) Agricultural Residential.
2. The property is owned by Daryl Keith Burgess & Darline Joyner Burgess.
3. The property is located on the south side of Foster Road approximately 0.5 miles southwest of NC 39 Hwy South.
4. The property consists of 135 +/- acres of which approximately 25 acres will be the array footprint. A total of 6.23 acres will be cleared as a part of the construction.
5. The property is partly wooded and partly open fields with the solar arrays being located in the open portions.
6. The application requesting a conditional use permit was filed on December 10, 2014.
7. The adjoining property owners were notified on December 19, 2014.
8. The property was posted on December 22, 2014.
9. The legal notice was run in the Henderson Daily Dispatch on December 30, 2014 and January 6, 2015.

**Staff Comments**

The applicant is requesting a conditional use permit to construct a 5 MW solar farm. As proposed, the solar farm project would involve leasing a portion (approximately 25 acres) of a 135 acre parcel.

The proposal shows a 6 foot fence (8 foot is required) on the site plan with 1 foot of barbed wire and a 25 foot landscape screening buffer consisting of double staggered trees and ground vegetation. The buffer will consist of large canopy trees staggered with understory trees and shrubs. No specifics are given on the types of trees to be utilized; however it would be recommended that an evergreen variety be included within the buffer. In regard to setbacks, the solar farm is proposed to be setback 50 feet from the front or eastern side, 25 feet from the side or southern side, and is over 1,500 feet from the rear or eastern property line. The property does consist of an existing single wide mobile home which would be located approximately 200 feet from the fence line of the solar farm. For the most part the solar farm will be located within the open areas of the property with approximately 6 acres of existing woodland to be removed. An erosion and sediment control permit will be necessary from NCDENR and it is recommended that this be a condition of receiving the conditional use permit.

In regard to access to the property, a 30 foot private access easement has been created and recorded on Plat Book – Y477 (See attached).

The solar panels will have no moving parts and will have a relatively low profile with a

maximum height of 12 feet (ordinance requires less than 25 feet).

**Staff Review Items**

- Need executed interconnection agreement prior to releasing conditional use permit – could be condition of approval.
- Need copy of DENR erosion and control permit prior to releasing conditional use permit – could be condition of approval.
- The site plan could use more detail regarding the amount of existing vegetation that will remain on the southern side of the project abutting Mettre Estate Subdivision.
- Vegetative buffer should include plants of an evergreen variety in addition to other plants to maximize the buffer effectiveness.
- Has survey work been completed on eastern boundary?



# Vance COUNTY

NORTH CAROLINA

## Conditional Use Permit Application

Vance County Planning & Development Department

156 Church Street, Suite 3  
Henderson, NC 27536  
Ph: (252) 738-2080  
Fax: (252) 738-2089

**For Administrative Use Only:**

Case #	20150108-1
Fee Paid	\$250 ck# 5864
BOA Date	1/8/2015



### Property Owner Information

Property Owner: Daryl Burgess

Mailing Address: 102 Pecan Lane

City: Richland State: NC Zip Code: 28574

Phone #: ( 910 ) 389 - 8377 Fax #: ( ) -

E-mail Address: \_\_\_\_\_

### Applicant Information

Applicant: Melinda Solar, LLC / Sunlight Partners, LLC

Mailing Address: 4115 East Valley Auto Drive #204

City: Mesa State: AZ Zip Code: 85206

Phone #: ( 801 ) 550 - 7150 Fax #: ( ) -

E-mail Address: keith.colson@sunlightpartners.com

### Property Information *For multiple properties please attach an additional sheet.*

Property Address: 433 Foster Road, Henderson NC

Tax Map Number: \_\_\_\_\_ PIN (parcel identification #): 055201011

Type of Petition: \_\_\_\_\_

Existing Zoning: AR Proposed Zoning: \_\_\_\_\_

Acreage: 25 Road Frontage: \_\_\_\_\_

Existing Use: Agricultural

### Deed Reference

- Metes and bounds description attached
- Site plan/sketch of proposal attached



# Vance COUNTY

NORTH CAROLINA

## Conditional Use Permit Application

Vance County Planning & Development Department

### Statement of Justification

1. Application is hereby made for the following use: *Please explain below:*

5MW Solar Facility

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2. The intent is to : *Check all that apply:*

- Construct a new structure for a conditional use;
- Repair the existing structure for the conditional use;
- Alter and/or expand the existing structure for the conditional use;
- Other

3. The following requirements have been provided: *Check all that apply:*

- Site plan;
- Property description;
- NC DOT entrance permit (if applicable);

4. Additional information:

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**In order to issue a Conditional Use Permit, the Board shall consider each of the following conditions, and based on the evidence presented at the hearing(s) make findings in regards to each and must find that the issuance of the Conditional Use Permit is in the best interest of the county.**

A. The use requested is among those listed as an eligible conditional use in the district in which the subject property is located.

Yes  No

See Attached Project Narrative

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B. The use or development is located, designed and proposed to be operated so as to maintain or promote the public health or safety;

Yes  No

See Attached Project Narrative

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# Vance COUNTY

NORTH CAROLINA

## Conditional Use Permit Application

Vance County Planning & Development Department

C. The use or development complies with all required regulations of the Zoning Ordinance and all applicable specific conditions and specifications;

Yes  No

See Attached Project Narrative

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D. The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of adjoining or abutting property, or that use or development is a public necessity;

Yes  No

See Attached Project Narrative

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E. The use or development will be in harmony with the area in which it is located and will be in general conformity with the plan of development of the County.

Yes  No

See Attached Project Narrative

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### Property Owners Signature

See Attached Owner Consent Form

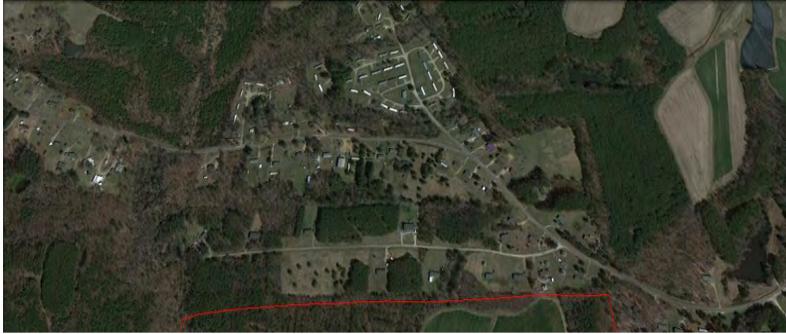
*Please sign in blue or black ink*

Date \_\_\_\_\_

### Applicants' Signature

*Please sign in blue or black ink*

Date \_\_\_\_\_



# 2014

## Project Narrative for Melinda Solar



Submitted by:  
Sunlight Partners, LLC  
12/17/2014

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PROJECT DESCRIPTION..... 2  
PROJECT LOCATION ..... 3  
REQUIRED FINDING OF FACT ..... 4  
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## INTRODUCTION

Sunlight Partners respectfully submits the following as supporting documentation for the affirmation that the Melinda Solar project meets the requirements for approval of a Conditional Use Permit (CUP).

## PROJECT DESCRIPTION

The proposed Melinda Solar project will consist of an unmanned, 5 Mega-watt (MW), fixed tilt, photovoltaic solar farm. The project is situated on Parcel No. 055201011 within Vance County.

Components of the project will consist of mounted photovoltaic solar panels, electrical power inverters, electrical transformers, and buried electrical conduit. The solar generating facility will interconnect to the existing utility grid. **Figure 1** shows a typical photovoltaic solar generating facility.



Figure 1 - Conceptual Site Rendering.

## PROJECT LOCATION

The Melinda Solar project site is located at 433 Foster Road, Henderson, NC.

**Figure 2** depicts project location.

Figure 2 – Melinda Solar project site.



## **REQUIRED FINDING OF FACT**

*In Order to issue a Conditional Use Permit, the board shall consider each of the following conditions, and based on the evidence presented at the hearings make findings in regards to each and must find that the issuance of the Conditional Use Permit is in the best interest of the County.*

### **The use requested is among those listed as an eligible conditional use in the district in which the property is located.**

*The Melinda Solar project will comply with all required regulations of the Unified Development Ordinance (UDO) and any specific conditions and specifications required for this project. The UDO was reviewed during the design phase of this project, as a good faith effort at compliance, prior to the submittal of the Conditional Use Permit application.*

### **The use or development is located, designed and proposed to be operated so as to maintain or promote the public health and safety.**

*The Melinda Solar Project will not materially endanger the public health, safety, or general welfare if located where proposed and developed according to the plan as submitted and approved.*

**Public Health & Safety-** *The Melinda Solar facility will not adversely affect public health and safety. The solar facility is an unmanned, infrequently visited project site. As such, the project will not increase the existing demand on public safety agencies (police and fire departments). The project site will be enclosed with a fence, preventing access to the general public.*

### **The use or development complies with all required regulations of the Zoning Ordinance and all applicable specific conditions and specifications.**

*The Melinda Solar project will comply with all required regulations of the Unified Development Ordinance (UDO) and any specific conditions and specifications required for this project. The UDO was reviewed during the design phase of this project, as a good faith effort at compliance, prior to the submittal of the Conditional Use Permit application.*

### **The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of adjoining or abutting property, or that use or development is a public necessity.**

*Because the Melinda Solar project will have landscaping and natural buffers shielding the project*

*from view, the project will not adversely affect the use, physical attribute, or impact the value of adjoining or abutting property.*

*In 2013, David Massey was commissioned to perform an analysis on solar farm impacts on adjacent property values within Guilford County, North Carolina. Mr. Massey is a State Certified General Real Estate Appraiser by the State of North Carolina and a Licensed Real Estate Broker. Mr. Massey's practice consists of residential and commercial appraisals in Guilford, Alamance, Orange, Durham, Randolph, Chatham and Caswell Counties of North Carolina.*

*Mr. Massey's study was performed to address the impact on adjacent property values related to two similar sized solar projects that Sunlight Partners was permitting in Guilford County. In the study **(Attachment B)** Mr. Massey concludes that, "My professional and expert opinion is that the two proposed Solar Farms that will not be visible will have no impact on the market values of the surrounding properties. The Solar Farms with the proposed landscaping buffers and natural buffers will not create a negative externality for the surrounding properties as they will not be visible."*

**The use or development will be in harmony with the area in which it is located and will be in general conformity with the plan of development of Vance County.**

*The proposed location for the Melinda Solar project is designated as Residential-Agricultural District. The Melinda Solar project will be in harmony with the area and will be in compliance with the plan for the physical development of the Town due to the fact that project will not increase the population density within the Residential/Agricultural area, will not require urban services, will not decrease the level of service on existing roads, and views of the Melinda Solar project will be shielded by natural and landscape buffers.*

## **CONCLUSION**

The Melinda Solar project has been designed, in good faith, to meet all required conditions and specifications as set forth by Vance County. Sunlight Partners believes that the finding of facts has been adequately addressed, and that the Melinda Solar project meets the requirements for approval of a Conditional Use Permit (CUP).



4115 East Valley Auto Dr. #204  
 Mesa, AZ 85206  
 480-582-1540  
<http://sunlightpartners.com>

**OWNER'S CONSENT FORM**

Name of Project: Melinda Solar, LLC Submittal Date: 12/3/2014

**OWNER'S AUTHORIZATION**

I hereby give CONSENT to Keith Colson, Sunlight Partners to act on my behalf, to submit or have submitted this application and all required material and documents, and to attend and represent me at all meetings and public hearings pertaining to the application(s) indicated above. Furthermore, I hereby give consent to the party designated above to agree to all terms and conditions which may arise as part of the approval of this application.

I hereby certify that I have full knowledge of the property's anticipated use. I have an ownership interest in the subject of this application. I understand that any false, inaccurate or incomplete information provided by me or my agent will result in the denial, revocation or administrative withdrawal of this application, request, approval or permits. I acknowledge that additional information may be required to process this application. I further consent to the Town of Smithfield to publish, copy or reproduce any copyrighted document submitted as part of this application for any third party. I further agree to all terms and conditions, which may be imposed as part of the approval of this application.

Sylvia Smith Burgess      Sylvia Smith Burgess      December 3, 2014  
 Signature of Owner      Print Name      Date  
Daryl Burgess      Daryl Burgess      12-7-14

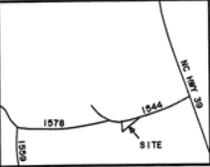
**CERTIFICATION OF APPLICANT AND/OR PROPERTY OWNER**

I hereby certify the statements or information made in any paper or plans submitted herewith are true and correct to the best of my knowledge. I understand this application, related material and all attachments become official records of the Planning Department of the Town of Smithfield, North Carolina, and will not be returned.

Keith Colson      Keith Colson      12/3/2014  
 Signature of Owner/Applicant      Print Name      Date

[Signature]      Robert Desrochers      12-9-14  
 Signature      Name      Date  
 Managing Director  
 of its Manager  
 Gate Street Cap. Inc

Y-477



COURSE	BEARING	DISTANCE
L-1	S 79° 11' 02" E	62.71'
L-2	S 82° 36' 37" E	54.13'
L-3	S 85° 35' 58" E	60.71'
L-4	S 88° 55' 23" E	54.37'
L-5	N 87° 25' 22" E	55.81'
L-6	N 84° 44' 10" E	56.21'
L-7	N 81° 07' 49" E	52.37'
L-8	N 78° 00' 37" E	56.68'
L-9	N 73° 59' 35" E	48.72'
L-10	N 70° 50' 40" E	68.29'



TIE FROM EPK CENTERLINE INTERSECTION OF NC HWY. 39 AND S.R. 1544 TO ERS. S 61° 58' 52" W 2291.26'

BRINDA L. COOKE D.B. 781, Pg. 378 P.B. \*V\*, Pg. 747 ZONED R-30

DANNY ALLEN SMITH D.B. 1214, Pg. 1091 P.B. \*X\*, Pg. 923 ZONED R-30

RICHARD GARY SMITH D.B. 630, Pg. 659 ZONED R-30

FOSTER ROAD S.R. 1544

To the best of my knowledge, this survey is not located within 2000 feet of a Grid Monument.

NOTE All distances are horizontal ground distances.

ALL OF THE FOLLOWING PROPERTY MARKERS ARE CONTROL CORNERS UNLESS OTHERWISE NOTED: NRB, NIS, NPK, EIP, ERB, EIS, EPK.

THIS SURVEY HAS BEEN PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND DOES NOT THEREFORE NECESSARILY INDICATE ALL ENCUMBRANCES ON THE PROPERTY.

NOTE: Area computed by Coordinate Method

This plat is subject to all easements, agreements and rights of way of record prior to the date of this plat.

Y-477

TIMOTHY EDWARD PADGETT D.B. 759, Pg. 672 ZONED R-30

JESUS HERNANDEZ VAZQUEZ SANDRA CRUZ HERNANDEZ D.B. 1064, Pg. 193 ZONED R-30

1.500 ACRES D.B. 1275, Pg. 628 ZONED R-30

I, JORDAN M'MILLEN Subdivision Administrator of Vance County, certify that this plat does not create a subdivision subject to the subdivision approval regulations of the Vance County Subdivision Ordinance, (and that it meets all statutory requirements for recording.)

12/12/2014 Date Jorden M'Mille Subdivision Administrator

MICHAEL BONAPARTE HELEN L. BONAPARTE D.B. 786, Pg. 443 ZONED AR

- LEGEND**
- EIP Existing Iron Pin Found
  - NIP New Iron Pipe Set
  - EIS Existing Iron Spike Found
  - NIS New Iron Spike Set
  - EPK Existing PK Nail Found
  - NPK New PK Nail Set
  - ERB Existing Rebar Found
  - NRB New Rebar Set
  - ERS Existing Railroad Spike Found
  - NRS New Railroad Spike Set
  - ECM Existing Concrete Monument Found
  - ENL Existing Nail Found
  - NL 60 Penny Nail Set
  - CP Computed Point
  - MBL Minimum Building Limits
  - R/W Right-of-Way
  - UP Utility Pole
  - N/P Now or Formerly
  - MAG Magnetic Nail Found

DARYL KEITH BURGESS DARLINE JOYNER BURGESS D.B. 1233, Pg. 887 ZONED AR

NOTE: SEPTIC TANK AND DRAIN FIELD WERE SKETCHED FROM DRAWING FURNISHED BY PETE BURGESS AND I TAKE NO RESPONSIBILITY ON THE LOCATION OF THE SEPTIC TANK AND DRAIN FIELD

State of North Carolina County of Vance By Cynthia W. Holland Review Officer of Vance County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording. Cynthia W. Holland Review Officer

ROBERT C. CAWTHORNE PLS 3961

FILED Dec 12, 2014 02:41 pm BOOK 0000Y PAGE 0477 INSTRUMENT # 04483 FILED FOR RECORD - VANCE COUNTY NC CAROLYN R. PECORA, REGISTER OF DEEDS

I, Robert C. Cawthorne, certify that this plat was drawn under my supervision from an actual field survey made under my supervision from deeds referenced on the face of the plat; that any boundaries not surveyed are clearly indicated on the face of the plat; that the ratio of precision as calculated is 1:10,000; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, registration number and seal this 8th day of DECEMBER, 2014.

I certify that this survey is of an existing parcel or parcels of land and does not create a new street or change an existing street. Robert C. Cawthorne, P.L.S. L-3961

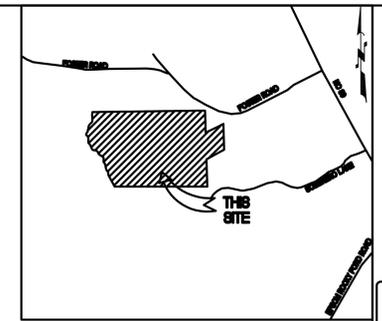


CAWTHORNE & ASSOCIATES Registered Land Surveyors, P.A. License No.: C-0378 822 Dabney Drive Henderson, North Carolina 27536 Phone # 252-492-0041 Fax # 252-492-2846

SURVEY FOR DARYL K. BURGESS SYLVIA S. BURGESS OWNER - DARYL & SYLVIA BURGESS SANDY CREEK TOWNSHIP VANCE COUNTY, NORTH CAROLINA SCALE 1" = 50' DECEMBER 8, 2014 FILE # 91-14-004-L TAX MAP # 552-1-23

# SITE PLAN FOR "MELINDA SOLAR LLC" HENDERSON TOWNSHIP VANCE COUNTY, NORTH CAROLINA

612 TOTAL RACKS  
23,256 TOTAL MODULES  
5MW AC 1.42 AC/DC RATIO



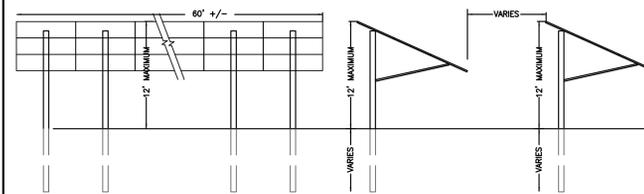
VICINITY MAP  
N.T.S

### ENGINEER'S NOTE

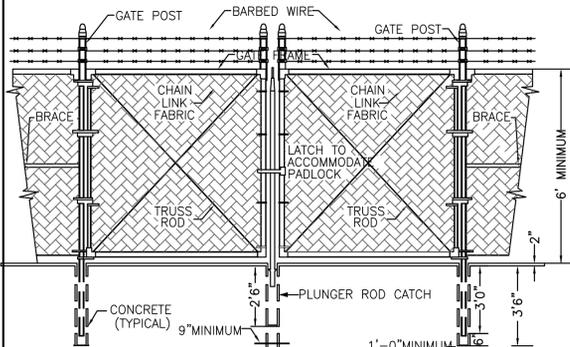
1. DUE TO THE LOW TRAFFIC VOLUME, MINIMAL PARKING WILL BE PROVIDED UPON BUILD OUT OF THIS DEVELOPMENT. TEMPORARY MAINTENANCE CREW SHALL UTILIZE THE GRAVEL ACCESS WAY FOR PARKING.
2. THE PURPOSE OF THIS PLAN IS FOR A CONDITIONAL USE PERMIT APPLICATION FOR REVIEW AND APPROVAL BY THE VANCE COUNTY BOARD OF COMMISSIONERS TO CONSTRUCT A SOLAR ELECTRIC POWER PLANT. THE LOCATION OF PROPOSED IMPROVEMENTS INCLUDING BUT NOT LIMITED TO, FENCING, SOLAR ARRAY, RACKING, INVERTERS, OVERHEAD POLES AND LINES ETC. SHOWN IS APPROXIMATE AND MAY BE SUBJECT TO MODIFICATION DUE TO SITE CONDITIONS. ADDITIONAL PERMITTING REQUIREMENTS (NCDOT, NCDENR, USACOE, ETC.) EQUIPMENT SPECIFICATIONS, AND/OR OTHER CONSTRAINTS, ANY REVISIONS WILL BE SUBMITTED FOR STAFF APPROVAL PRIOR TO CONSTRUCTION TO VERIFY COMPLIANCE WITH ZONING REQUIREMENTS AND CONDITIONS AS APPROVED.
3. THE ONLY UTILITY PROPOSED FOR THIS SITE SHALL BE DUKE ENERGY PROGRESS. NO OTHER UTILITIES SHALL BE EMPLOYED OR PROPOSED FOR THIS PROJECT.
4. MINIMAL SIGNAGE SHALL BE PROPOSED AT THIS TIME.
5. NO EXTERIOR LIGHTING IS PROPOSED AT THIS TIME.
6. DURING GRADING AND CONSTRUCTION, DUST CONTROL WILL BE PROVIDED BY WATERING AND CONTROLLED VEHICULAR SPEEDS. AFTER CONSTRUCTION, DUST CONTROL WILL BE IMPLEMENTED BY INSTALLING GRAVEL ROADS AS WELL AS REDUCING THE VEHICULAR SPEEDS. THE SOLAR PANELS WILL ACT AS WIND BREAKS, THE PERIMETER FENCING WILL ACT AS A WIND BREAK.
7. WEED AND NOXIOUS PLANTS SHALL BE ROUTINELY REMOVED FROM THE SITE. IT IS THE RESPONSIBILITY OF THE DEVELOPER TO REGULARLY PROVIDE THIS SERVICE TO THE SITE.
8. STRUCTURES WILL NOT EXCEED 25 FEET IN HEIGHT AS MEASURED FROM GRADE AT THE BASE OF THE STRUCTURE TO ITS HIGHEST POINT.
9. NO PERMANENT STRUCTURES ARE PROPOSED FOR THIS PROJECT.
10. COPIES OF ALL PERMITS AND APPROVED PLANS MUST BE KEPT ON-SITE IN A PERMIT BOX THAT IS CONSPICUOUSLY LOCATED AND EASILY ACCESSIBLE DURING CONSTRUCTION
11. PROJECT AREA, INCLUDING CONSTRUCTION STAGING AREAS WILL BE CLEARED AND GRUBBED AS NECESSARY RETAINING PRE-DEVELOPMENT DRAINAGE PATTERNS (I.E., NO MASS GRADING). A PORTION OF PROJECT AREAS MAY CONSIST OF TREE CLEARING ONLY (NO GRUBBING) TO ALLEVIATE SHADING OF THE ARRAY, AS INDICATED ON THE SITE PLAN. MINOR GRADING WILL OCCUR AROUND INVERTER AREAS TO DIVERT SURFACE DRAINAGE, CONSTRUCTION STAGING AND AREAS SUBJECT TO RUTTING DURING CONSTRUCTION WILL BE TEMPORARILY STABILIZED WITH LOGGING MATS, WHICH WILL BE REMOVED FOLLOWING CONSTRUCTION. THE ONLY PERMANENT IMPERVIOUS SURFACES WILL BE TWO CONCRETE SLABS, TOTALING LESS THAN 100 SF AT EACH INVERTER.
12. SYSTEMS, EQUIPMENT AND STRUCTURES WILL NOT EXCEED TWELVE FEET IN HEIGHT WHEN GROUND MOUNTED. EXCLUDED FROM THIS HEIGHT REQUIREMENT, ARE ELECTRIC TRANSMISSION LINES AND UTILITY POLES.
13. GROUND COVER MATERIAL IS TO BE A SLOW GROWING GRASS TO MAINTAINED AND COVERED UNDER A MAINTENANCE AGREEMENT TO BE PROVIDED AT COD.

### LANDSCAPE NOTE

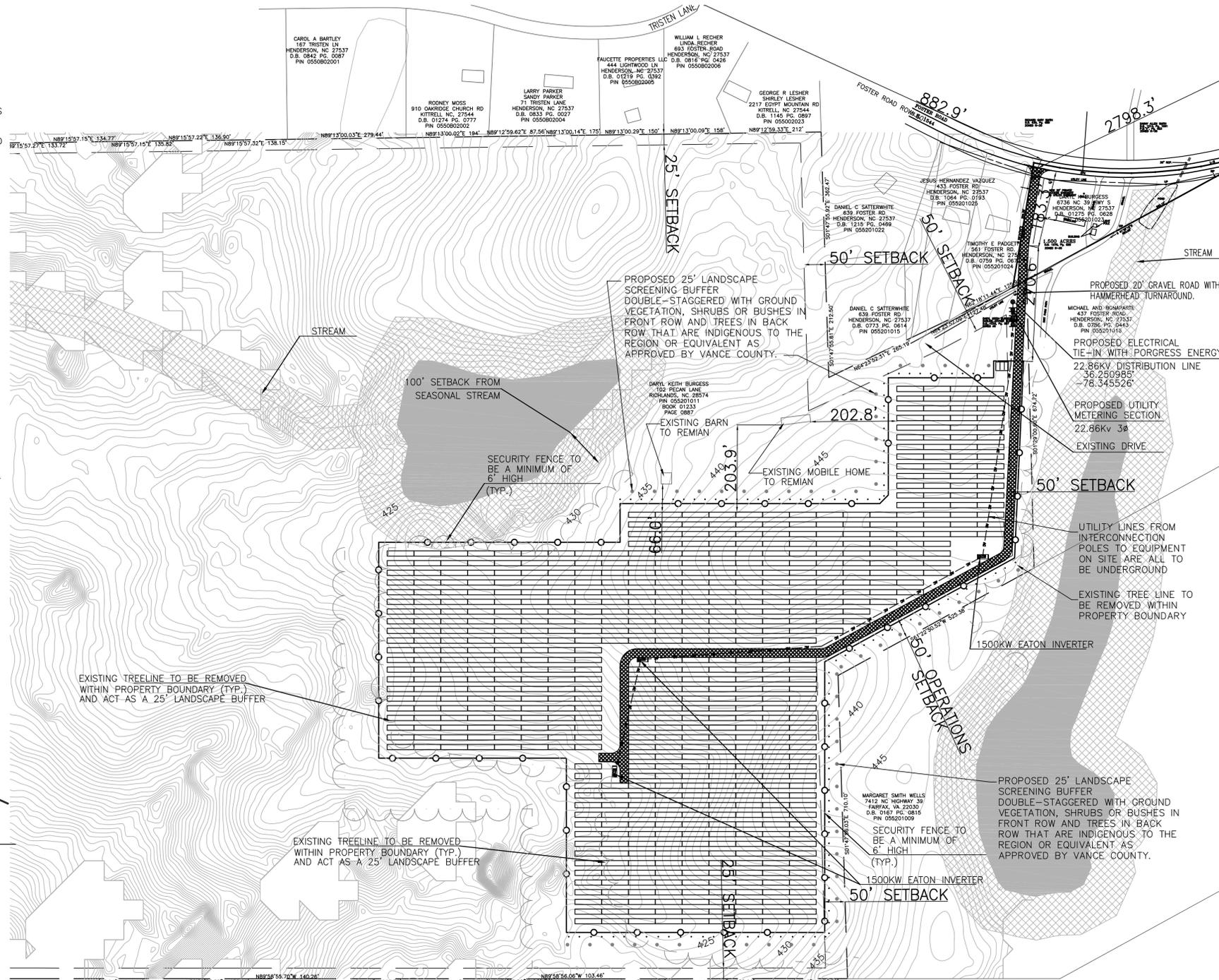
1. THE BUFFER YARD SHALL CONTAIN 3 CANOPY TREES AND 5 UNDERSTORY TREES PER 100 LINEAR FEET OF BUFFER YARD. CANOPY TREES SHALL BE A MINIMUM OF 8 FEET IN HEIGHT AND 2 INCHES IN CALIPER (MEASURED 6 INCHES ABOVE GRADE) WHEN PLANTED. WHEN MATURE, A CANOPY TREE SHOULD BE AT LEAST 40 FEET HIGH AND HAVE A CROWN WIDTH OF 30 FEET OR GREATER. UNDERSTORY TREES SHALL BE A MINIMUM OF 4 FEET HIGH AND 1 INCH IN CALIPER (MEASURED 6 INCHES ABOVE GRADE) WHEN PLANTED. VANCE COUNTY UDO PAGE 11. - 28 - OF 105
- THE BUFFER YARD SHALL ALSO CONTAIN 25 SHRUBS PER 100 LINEAR FEET OF BUFFER YARD. ALL SHRUBS SHALL BE OF A SPECIES WHICH CAN BE EXPECTED TO REACH A MINIMUM HEIGHT OF 36 INCHES AND A MINIMUM SPREAD OF 30 INCHES WITHIN 3 YEARS OF PLANTING.



TYPICAL ELEVATION  
1"=10'-0"



DOUBLE SWING GATE  
N.T.S



**DEVELOPER**  
SUNLIGHT PARTNERS, LLC  
4115 E. VALLEY AUTO DR. SUITE#204  
MESA, ARIZONA 85206  
PHONE: 801-550-7150  
FAX: 480-582-1575  
ATTN: KEITH COLSON

**OWNER**  
DARYL BURGESS  
102 PECAN LANE  
RICHLAND, NC 28574

**ENGINEER**  
D.E.E.P. ENGINEERING SOLUTIONS  
25 CARRIAGE WAY  
SCARBOROUGH, ME 04074  
PHONE: 207-217-2216  
ATTN: MICHAEL WALLACE

**SITE ADDRESS**  
MELINDA SOLAR LLC  
433 FOSTER RD  
HENDERSON, NC 27537

**PARCEL NUMBER**  
PARID # 055201011  
ZONING DISTRICT = AR

**SITE SUMMARY TABLE**

GROSS ACREAGE	:135 ACRE
NET ACREAGE	:135 ACRE
EXISTING LAND USE	:AGRICULTURAL
PROPOSED LAND USE	:ALTERNATIVE ENERGY FACILITY
PERCENT IMPERVIOUS	:15%
AREA OF DISTURBANCE	:+/- 25 ACRES
AREA TO BE CLEARED	:6.23 ACRES

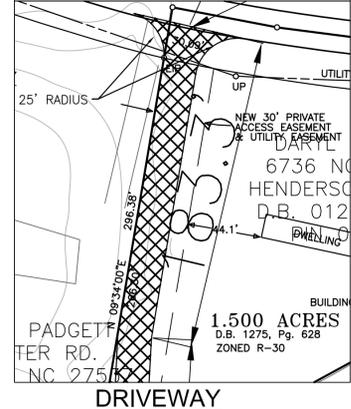
**SETBACKS**  
FRONT = 50 FEET  
SIDE = 25 FEET  
REAR = 30 FEET

### SHEET INDEX

1.....SITE PLAN

**LEGEND**

	BOUNDARY LINE
	SET BACK LINE
	SECURITY FENCE
	PROPOSED UTILITY METERING SECTION
	EXISTING TREELINE
	SOLAR PANELS
	INVERTER
	NCS MONUMENT
	R/W LINE
	MAJOR CONTOUR
	MINOR CONTOUR



DRIVEWAY  
1"=50'



REVISIONS:

SITE PLAN  
"MELINDA SOLAR LLC"  
VANCE COUNTY, NORTH CAROLINA

JOB No.:  
Drawn By: TB  
Checked: MRW  
1st Submittal: 10-23-14  
2nd Submittal:  
3rd Submittal:

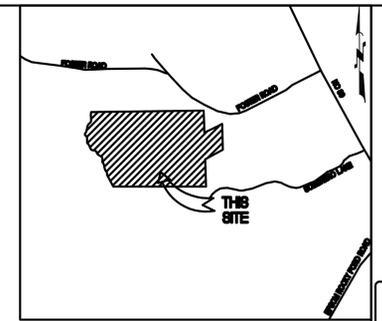
CALL THESE NUMBERS DAVIS BEFORE YOU DIG  
1-800-632-4949

JOB NO.  
MELINDA SOLAR

SHEET NO.  
1

1 OF 1

# SITE PLAN FOR "MELINDA SOLAR LLC" HENDERSON TOWNSHIP VANCE COUNTY, NORTH CAROLINA



**VICINITY MAP**  
N.T.S



**DEVELOPER**  
SUNLIGHT PARTNERS, LLC  
4115 E. VALLEY AUTO DR. SUITE#204  
MESA, ARIZONA 85206  
PHONE: 801-550-7150  
FAX: 480-582-1575  
ATTN: KEITH COLSON

**OWNER**  
DARYL BURGESS  
102 PECAN LANE  
RICHLAND, NC 28574

**ENGINEER**  
D.E.E.P. ENGINEERING SOLUTIONS  
25 CARRIAGE WAY  
SCARBOROUGH, ME 04074  
PHONE: 207-217-2216  
ATTN: MICHAEL WALLACE

**SITE ADDRESS**  
MELINDA SOLAR LLC  
433 FOSTER RD  
HENDERSON, NC 27537

**PARCEL NUMBER**  
PARID # 055201011  
ZONING DISTRICT = AR

**SITE SUMMARY TABLE**

GROSS ACREAGE	:135 ACRE
NET ACREAGE	:135 ACRE
EXISTING LAND USE	:AGRICULTURAL
PROPOSED LAND USE	:ALTERNATIVE ENERGY FACILITY
PERCENT IMPERVIOUS	:±5%
AREA OF DISTURBANCE	:+/- 25 ACRES

**SETBACKS**  
FRONT = 50 FEET  
SIDE = 25 FEET  
REAR = 30 FEET

**SHEET INDEX**  
1.....SITE PLAN

**LEGEND**

	BOUNDARY LINE
	SET BACK LINE
	SECURITY FENCE
	PROPOSED UTILITY METERING SECTION
	EXISTING TREELINE
	SOLAR PANELS
	INVERTER
	NCS MONUMENT
	R/W LINE
	MAJOR CONTOUR
	MINOR CONTOUR

300 FOSTER ROAD  
HENDERSON, NC/ 27537  
D.B. 0816 PG. 0426  
PIN 0550B02006

GEORGE R LESHER  
SHIRLEY LESHER  
2217 EGYPT MOUNTAIN RD  
KITRELL, NC 27544  
D.B. 1145 PG. 0897  
PIN 055002023

FOSTER ROAD ROWS. B. 01544  
882.9'

RICHARD GARY SMITH  
D.B. 630, Pg. 659  
ZONED R-30

2798.7'  
FOSTER ROAD  
DANNY GARY SMITH  
D.B. 630, Pg. 623 1021  
ZONED R-30

N89°13'00.09"E 158'  
N89°12'59.33"E 212'

25' SETBACK

DANIEL C SATTERWHITE  
639 FOSTER RD  
HENDERSON, NC 27537  
D.B. 1215 PG. 0469  
PIN 055201022

JESUS HERNANDEZ VAZQUEZ  
433 FOSTER RD  
HENDERSON, NC 27537  
D.B. 1064 PG. 0193  
PIN 055201025

DARYL BURGESS  
6736 NC 39 HWY S  
HENDERSON, NC 27537  
D.B. 01275 PG. 0628  
PIN 055201023

TIMOTHY E PADGETT  
561 FOSTER RD.  
HENDERSON, NC 27537  
D.B. 0759 PG. 0674  
PIN 055201024

1.500 ACRES  
D.B. 1275, Pg. 628  
ZONED R-30

50' SETBACK

DANIEL C SATTERWHITE  
639 FOSTER RD  
HENDERSON, NC 27537  
D.B. 0773 PG. 0614  
PIN 055201015

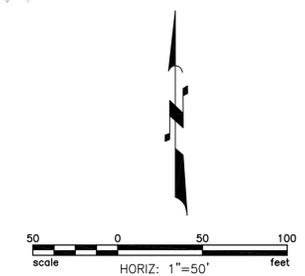
DARYL KEITH BURGESS  
DARLINE JOYNER BURGESS  
D.B. 1233, Pg. 887  
ZONED AR

MICHAEL AND BONAPARTE  
437 FOSTER ROAD  
HENDERSON, NC 27537  
D.B. 0786 PG. 0443  
PIN 055201016

PROPOSED ELECTRICAL  
TIE-IN WITH PORGRESS ENERGY  
22.86KV DISTRIBUTION LINE  
36.250985°  
-78.345526°

DESIGNED 25' LANDSCAPE  
PLANTING BUFFER  
- STAGGERED WITH GROUND  
COVERAGE, SHRUBS OR BUSHES IN  
FRONT ROW AND TREES IN BACK  
ROW THAT ARE INDIGENOUS TO THE  
AREA OR EQUIVALENT AS  
RECOMMENDED BY VANCE COUNTY.

DARYL KEITH BURGESS  
102 PECAN LANE  
RICHLAND, NC 28574



**DRIVEWAY**  
1"=50'

**SITE PLAN**  
PROJECT: "MELINDA SOLAR LLC"  
VANCE COUNTY, NORTH CAROLINA

Job No.:  
Drawn By: TB  
Checked: MRW  
1st Submission: 10-23-14  
2nd Submission:  
3rd Submission:

CALL THREE WORKING DAYS  
BEFORE YOU DIG  
1-800-632-4949

JOB NO.  
MELINDA SOLAR

SHEET NO.  
2

2 OF 2



Foster Rd Ext

**RMHC Zoning District**  
**R20 Zoning District**

Foster Rd

**AR Zoning District**

**R30 Zoning District**

Tristen Ln

Foster Rd

South Vance Dr

**AR Zoning District**



Hacienda Ln N

**R30 Zoning District**

Sombbrero Ln

Pueblo Ln

Pinata Ln

Hacienda Ln S

Amigo Ln

Feet

N

0 155 310 620



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

PAT McCRORY  
GOVERNOR

DIVISION OF HIGHWAYS  
Division Five

ANTHONY J. TATA  
SECRETARY

321 Gillburg Road  
Henderson, North Carolina 27537  
Telephone (252) 492-0111  
Fax (252) 492-0123  
12/2/2014

DRIVEWAY PERMIT: D53-91-14-009

COUNTY: Vance

Sunlight Partners  
4115 East Valley Auto Drive  
Mesa, Arizona 85206

SUBJECT: Driveway Permit Onto SR 1544 (2,635 feet southwest of the intersection of NC 39 and SR 1544)

Attached for your file is a copy of the Driveway Permit which you requested.

This permit is approved with the understanding the owner/agent is responsible for the proper construction of the above drive and subject to the attached Special Provisions.

Please refer to Permit D53-91-14-009 in all future correspondence with this office concerning this drive. Should you have any questions, please contact this office at (252) 492-0111.

Sincerely,

A handwritten signature in black ink that reads "Stephen D. Winstead".

Stephen D. Winstead, P.E.  
District Engineer

cc: J. R. Hopkins, P. E., Division Engineer  
County Maintenance Engineer

D53-91-14-009

Use Type	AR	R30	R20	R10	RMHC	HC	GC1	LI	IM	EIA	OI	OS	WOZ	Parking-Loading
Adult Establishments	X	X	X	X	X	CU	CU	CU	X	X	X	X	X	Parking: 4 per 1,000 SF Loading: N/A
Airports	CU	X	X	X	X	X	CU	CU	CU	CU	CU	X	X	Special Study Required***
Commercial Communications Towers (Cell Towers)	CU	X	X	X	X	CU	CU	CU	CU	CU	CU	CU	CU	Parking: 2 per tower Loading: 1
Cemetery (Church, Family)	P	P	P	CU	X	X	X	X	X	X	X	P	CU	N/A
Cemetery (Commercial)	P	CU	X	X	X	X	X	X	X	X	X	CU	CU	Parking: 6 per 1,000 SF of office-building Loading: 1
Shooting Ranges	CU	X	X	X	X	X	X	X	X	X	X	CU	CU	Parking: 1.5 per shooting station Loading: 1
Solar Collector (Accessory)	P	P	P	P	P	P	P	P	P	P	P	P	P	N/A
Solar Energy Systems, Large Scale (Solar Farms)	CU	X	X	X	X	X	X	CU	CU	CU	CU	X	X	Parking: 1/every 2 employees on shift of greatest employment
<b>TEMPORARY USES</b>														
Commercial (temporary-see Definitions) Outdoor Sales	P	P	X	X	X	P	P	P	P	P	P	P	P	Parking: staff review Loading: N/A
Concrete/Asphalt Operations	X	X	X	X	X	X	X	CU	P	X	X	X	X	Parking: staff review Loading: 1 per vehicle
Contractor's Office (located at project site for duration of project)	CU	CU	X	X	X	CU	CU	CU	P	CU	CU	X	CU	Parking: 1 per 200 SF Loading: N/A
Farmstand	P	P	X	X	X	P	P	P	X	X	X	P	P	Parking: 8 spaces Loading: N/A
Manufactured Housing Unit for Office and/or Exhibition	CU	CU	CU	CU	P	P	P	P	X	X	CU	CU	CU	Parking: 1 per vehicle Loading: N/A
Manufactured Home for Hardship	CU	CU	CU	CU	P	X	X	X	X	X	X	X	CU	Parking: 2 per dwelling unit Loading: N/A
Public Interest Event and/or Special Event	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	Parking: 1/patron Loading: 1 per vehicle
Temporary Miscellaneous Sales (see Definitions)	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	Parking: 1 per vehicle Loading: N/A
<b>***See Section 6.10.L</b>														

- c. *Warning signs.* Warning signs meeting National Rifle Association (NRA) guidelines for shooting ranges shall be posted at one hundred-foot intervals along the entire perimeter of the shooting range facility and along the entire perimeter of the property lines in the same intervals.
  - d. *Distance from occupied dwelling.* All shooting stations, targets, and firing lines shall be located at least one-half (1/2) mile from any existing, occupied dwelling.
  - e. *Access to facility.* Access to the facility and shooting range shall be secured and controlled, with ingress and egress permitted only during operating hours as established below. Prior to issuance of a permit, a valid driveway permit must be obtained from North Carolina Department of Transportation.
  - f. *Written variance.* The distance requirements of this section may be varied with written permission in the form of an affidavit from all adjoining property owners and all rightful leaseholders of dwellings located within the ½ mile surrounding area affected thereby, except that written approval is not needed for any adjoining land owned by the State of North Carolina.
5. Operational Requirements:
- a. *Maintenance.* Where not otherwise specified within this ordinance, shooting range facilities shall be operated and maintained in a manner that shall meet or exceed the guidelines as specified by the Range Technical Team Advisor upon inspection going by the guidelines in the NRA's Range Source Book: A Guide to Planning and Construction, current edition.
  - b. *Best Management Practices.* Outdoor Shooting Ranges shall provide a plan outlining its Best Management Practices (BMPs) relating to lead management. Said plan shall meet or exceed the guidelines as specified by the Environmental Protection Agency's (EPA) Best Management Practices for Lead at Outdoor Shooting Ranges, current edition.
  - c. *Hours of operation.* Shooting Ranges shall be allowed to operate between sunrise and sunset Monday through Saturday, except that the hours may be extended after sunset for purposes of subdued-lighting certification of law enforcement officers, or may be extended for other purposes only when a permit allowing such activity is issued in advance by the Sheriff's Office.
  - d. *Liability insurance.* The permittee shall be required to carry a minimum of three million dollars (\$3,000,000.00) per occurrence of liability insurance. Such insurance shall name Vance County as an additional insured party and shall save and hold Vance County, its elected and appointed officials, and employees acting within the scope of their duties harmless from and against all claims, demands, and causes of action of any kind or character, including the cost of defense thereof, arising in favor of a person or group's members or employees or third parties on account of any property damage arising out of the acts or omissions of the permittee, his/her group, club, or its agents or representatives. The County shall be notified of any policy changes or lapses in coverage.

#### **N. Solar Energy Systems, Large Scale (Solar Farms)**

1. Height: Systems, equipment and structures shall not exceed twenty-five (25) feet in height when ground mounted. Excluded from this height requirement, however, are

electric transmission lines and utility poles. Roof mounted systems shall not exceed the maximum height for the applicable zoning district.

2. Setback: Active solar system structures must meet the following setbacks:
  - a. Ground mounted– Ground mounted solar energy systems as part of a solar farm shall meet the minimum zoning setback for the zoning district in which it is located.
3. Screening and Fencing: Adequate fencing shall be provided along the perimeter of the area (with all entrances gated) to prevent trespassing on the property.
4. Lighting: All lighting shall be arranged and shaded so as to reflect the light away from adjoining properties and streets.
5. Noise: Noise levels measured at the property line shall not exceed fifty (50) decibels when located adjacent to an existing residence or residential district.
6. Power Transmission Lines: To the extent practical, all new power transmissions lines to any building, structure or utility connection shall be located underground. Existing above ground utility lines shall be allowed to remain in their current location.
7. Approved Solar Components: Electric solar system components must have a UL listing.
8. Compliance with Building and Electrical Codes: All solar farms shall be in conformance with the requirements of the State Building and Electrical Codes (current addition), the State of North Carolina and Vance County. All active solar systems shall be inspected by a Vance County building inspector.
9. Utility Notification: No grid tied photovoltaic system shall be installed until evidence has been given to the Planning and Development Department that the owner has been approved by the utility company to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
10. Abandonment: It is the responsibility of the owner to notify the County and to remove all obsolete or unused systems within twelve (12) months of cessation of operations. Reusable components are to be recycled whenever possible.

#### O. WIRELESS COMMUNICATIONS TOWERS (“CELL TOWERS”)

1. The purpose of the following requirements is to promote and to protect the public health, welfare, and safety by regulating existing and proposed communication towers. The requirements are intended to protect property values, create a more attractive economic and business climate, and enhance and protect the scenic and natural beauty of designated areas.
2. *General Requirements.* When allowed, such towers and associated equipment shall be subject to the following additional requirements:
  - a. Towers shall not interfere with normal radio and television reception in the vicinity. Commercial messages shall not be displayed on any tower. Violations shall be considered zoning violations and shall be corrected under the enforcement provisions.
  - b. Lighting shall not exceed the Federal Aviation Administration (FAA) minimum if lighting is required by the FAA. The lights shall be oriented so as not to project directly onto surrounding residential property, consistent with FAA requirements. Prior to issuance of a building permit, the applicant shall be required to submit documentation from the FAA that the lighting is the minimum lighting required by the FAA.
  - c. Towers shall be constructed and maintained in conformance with all applicable building code requirements.
  - d. In order to protect the public from unnecessary exposure to electromagnetic radiation, the tower owner shall provide appropriate

### Conditional Use Permit Check Sheet

1. The use requested is among those listed as an eligible conditional use in the district in which the subject property is located.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	<div style="border: 1px solid black; width: 80px; height: 30px;"></div>
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

2. The use or development is located, designed and proposed to be operated so as to maintain or promote the public health or safety.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	<div style="border: 1px solid black; width: 80px; height: 30px;"></div>
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

3. The use or development complies with all required regulations of the Zoning Ordinance and all applicable specific conditions and specifications.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	<div style="border: 1px solid black; width: 80px; height: 30px;"></div>
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

4. The use or development is located, designed and proposed to be operated so as to maintain or enhance the value of adjoining or abutting property, or that the use is a public necessity;

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	<div style="border: 1px solid black; width: 80px; height: 30px;"></div>
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	

5. The use or development will be in harmony with the area in which it is to be located and will be in general conformity with the plan of development of the County.

	True	False		True	False		True	False	TOTAL
Alston:	<input type="checkbox"/>	<input type="checkbox"/>	Harvin:	<input type="checkbox"/>	<input type="checkbox"/>	Stainback:	<input type="checkbox"/>	<input type="checkbox"/>	<div style="border: 1px solid black; width: 80px; height: 30px;"></div>
Brummitt:	<input type="checkbox"/>	<input type="checkbox"/>	Johnson:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 1:	<input type="checkbox"/>	<input type="checkbox"/>	
Haley:	<input type="checkbox"/>	<input type="checkbox"/>	Shaw:	<input type="checkbox"/>	<input type="checkbox"/>	Alternate 2:	<input type="checkbox"/>	<input type="checkbox"/>	