COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING

In the Matter of:

| ELECTRONIC APPLICATION OF GREEN |) | |
|--|---|---------------------|
| RIVER SOLAR, LLC FOR A CERTIFICATE TO |) | |
| CONSTRUCT AN APPROXIMATELY 200 |) | |
| MEGAWATT MERCHANT SOLAR ELECTRIC |) | CASE NO. 2020-00387 |
| GENERATING FACILITY IN BRECKINRIDGE |) | |
| COUNTY AND MEADE COUNTY, KENTUCKY |) | |
| PURSUANT TO KRS 278.700 AND 807 KAR |) | |
| 5:110 |) | |

SUPPLEMENTAL RESPONSE TO SITING BOARD STAFF'S POST-HEARING REQUEST FOR INFORMATION TO GREEN RIVER SOLAR, LLC DATED NOVEMBER 3, 2021 GREEN RIVER SOLAR, LLC PSC CASE NO. 2020-00387 SITING BOARD STAFF REQUEST DATED 11/3/2021

Green River Solar, LLC (Green River Solar) hereby submits a supplemental responses to the Post-Hearing Request for Information of the State Board on Electric Generation and Transmission Siting (Siting Board) in this case dated November 3, 2021. Each response with its associated supportive reference materials is individually bookmarked.

COMMONWEALTH OF KENTUCKY

BEFORE THE KENTUCKY STATE BOARD ON ELECTRIC GENERATION AND TRANSMISSION SITING

IN THE MATTER OF:

THE ELECTRONIC APPLICATION OF GREEN)RIVER SOLAR, LLC FOR A CERTIFICATE TO)CONSTRUCT AN APPROXIMATELY 200)MEGAWATT MERCHANT SOLAR ELECTRIC)GENERATING FACILITY IN BRECKINRIDGE)COUNTY AND MEADE COUNTY, KENTUCKY)PURSUANT TO KRS 278.700, ET SEQ. AND)807 KAR 5:110)

CASE NO. 2020-00387

VERIFICATION OF LINA JENSEN

Comes now LINA JENSEN, on behalf of Green River Solar, LLC and, after first being duly sworn, does hereby swear and affirm that the foregoing Supplemental Response and information attached thereto is true and correct to the best of my knowledge and belief, formed after reasonable due diligence and inquiry, as of this 18th day of November, 2021.

TAMIKO FOSTER AY COMMISSION # GG 305952 EXPIRES: June 25, 2023 Sonded Thru Notary Public Underwriter

Lina Jensen

Ur

NOTARY PUBLIC

Commission No.: 66#3050 Commission Expires:

Siting Board Post-Hearing Request

Page 1 of 1

GREEN RIVER SOLAR, LLC

CASE NO. 2020-00387

RESPONSE TO POST-HEARING INFORMATION REQUEST

SITING BOARD STAFF'S POST-HEARING REQUEST FOR INFORMATION DATED 11/3/2021

POST-HEARING REQUEST

RESPONSIBLE PARTY: Lina Jensen

Request 6.Provide a copy of the conditional use permit obtained from the MeadeCounty Planning Commission.

Response 6.

Please see attached.

| 1. NAME AND ADDRESS OF PROPERTY | OWNER(S) |
|---------------------------------|------------|
| Kimberly L Millay Trust | 3530 Gusto |

| 3530 Guston Rd. Guston, KY 40142 | |
|---------------------------------------|--|
| | |
| | |
| | |
| | |
| 3. NAME OF SUBDIVISION OR DEVELOPMENT | |
| Valley View Est. Lot 17&18 | |

2. ADDRESS OF PROPERTY 215 Joyce Ct. Guston, KY 40142

PVA# 079-00-00-026.11

4. TYPE OF RESTRICTION (s) (Check all that apply):

Zoning Map Amendment to Zone Development Plan

_____Unrecorded Subdivision Plat

_____ Variance

XXX Conditional Use Permit

____Conditional Zoning Condition

_____Other (Specify)

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION Meade County Planning Commission

516 Hillcrest Dr., Ste #13 Brandenburg, KY 40108

251

yill

Signature of Completing Official Jess Mills-Board of Adjustment Chairman

Signature of Administrator

11/8/2021 Date

| M | eade County Zoning Board of Adjustments | |
|---|---|--|
| Conditional Use Permit | | |
| Property Address: | 215 Joyce Ct. Guston, KY 40142 | |
| PVA Identification: | 079-00-026.11 | |
| Owner: | Name: Kimberly L Millay Trust | |
| | Address: 3530 Guston Rd. Guston, KY 40142 | |
| Summary of Conditi | onal Use: Applicant was approved to construct a 200-Megawatt Level III | |
| | th 70-Megawatts in Meade County. | |
| | 0 of the Kentucky Revised Statutes, the Meade County Board of | |
| | s, based on the results of an open hearing conducted on November 8, 2021, | |
| | d above of the subject property subject to the following conditions: | |
| Condition 1: | This Conditional Use Permit (CUP) will allow for a Utility Scale Level III | |
| | Solar Energy System (SES) as outlined in MCO 920.00 Section 4.3.7. | |
| Condition 2: | This CUP applies to the 584-acre site consisting of 23 tracts, designated in | |
| | the approved site plan. Any expansion of the site shall require any | |
| | necessary zone change, an amended CUP, and an amended development | |
| | plan. | |
| Condition 3: | A development plan, prepared and certified by a licensed engineer, that | |
| | is in compliance with the zoning ordinance and the soil erosion plan, | |
| | shall be required and submitted prior to the issuance of the building | |
| Condition 4: | permit. | |
| Condition 4: | All components of the SES shall be at least fifty (50) feet from the | |
| | perimeter property lines of the project area and at least two hundred | |
| | fifty (250) feet from any residential structure, nursing home, church, or school. (Interconnection facilities may be located within the setback | |
| | lines.) No interior property line setbacks shall be required if the project | |
| | spans multiple contiguous properties. | |
| Condition 5: | The height of any ground mounted SES shall not exceed twenty-five (25) | |
| condition 5. | feet as measured from the highest natural grade below each solar panel. | |
| | (Excludes utility poles, substations and antennas constructed for the | |
| | project). | |
| Condition 6: | There shall be no signs permitted except those displaying emergency | |
| | information, owner contact information, warning or safety instructions or | |
| | signs that are required by federal, state or local agencies. Such signs shall | |
| | not exceed five (5) square feet in area. | |
| Condition 7: | Excessive lighting shall be prohibited except that is required by federal | |
| n - Calendra e Bronne a Bronne | or state regulations. | |
| Condition 8: | All proposed and existing driveway entrances, and installations of | |
| | overhead or underground utilities within any road right-of-way, must | |
| | receive all necessary encroachment permits from the Meade County Road | |
| | Department and/or the Kentucky Transportation Cabinet. | |
| Condition 9: | A performance bond, letter of credit, or other approvable surety in the | |
| | amount of \$1,000,000 (one million dollars), as determined by the KY | |
| | Transportation Cabinet, must be in place through the end of construction | |
| | to cover the cost of reconstruction or repair of damage to Hwy 79 (Route | |
| | 1 | |

| | Conditional Use Permit |
|---------------|---|
| | 79), Haysville Rd (Route 2727), Dooley Rd (Route 1726) & Guston Rd |
| | (Route 428) caused by the construction of the SES. The roads will be |
| | evaluated by an agreed upon third party at the end of construction to |
| | determine the necessary repairs prior to release of the financial security. |
| Condition 10: | The proposed SES shall be screened with a seven (7) foot tall fence and to |
| | the extent reasonably practicable, a visual buffer that provides reasonable |
| | screening to reduce the view of the SES from residential dwelling units |
| | on adjacent lots (including those lots located across a public right-of-way). |
| | The existing natural tree growth and natural land forms along the SES |
| | perimeter may create a sufficient buffer and shall be preserved when |
| | reasonably practicable. When no alternative vegetation screening plan is |
| | approved by the Meade County Planning Commission, a double row of |
| | staggered evergreen trees will be planted 15 feet on center from |
| | adjacent non participating residential dwellings including the out-door |
| | living space immediately near residential dwellings. The proposed |
| | evergreen trees shall be placed on the exterior of the security fencing. |
| | Parcel boundaries with no proximity to residential dwelling shall not |
| | require screening. The use of sharp pointed fences shall be prohibited in |
| | or along any boundary adjoining residential properties. Prior to |
| | construction, a vegetation screening plan to reduce the view of the SES |
| | from residential dwelling units on adjacent lots will be submitted for |
| | approval of the Meade County Planning Commission. |
| Condition 11: | Grass or similar vegetative groundcover shall be planted and established |
| | across the project site, and maintained in good order over the life of the |
| | project. Prior to the initial planting, the Applicant shall confer with the |
| | Meade County Extension Office with regard to the type and amount of |
| | grass to be planted as well as the timing of the planting. No less than |
| | every five (5) years during the life of the project, the Applicant shall |
| | confer with the Meade County Extension Office with regard to the |
| | fertilization and other steps required to maintain the groundcover in |
| | good order. |
| Condition 12: | Prior to construction, a maintenance plan shall be submitted to the |
| | Meade County Planning Commission, which shall outline steps to be |
| | taken to keep all landscaping, fencing, and driveway entrances in good |
| | repair, keep all stormwater infrastructure in working order, and conduct |
| | all mowing within the facility and all leased property frequently enough |
| | to maintain a clean appearance. Any dead trees screening the facility |
| | must be replanted within 90 days of notice by the Meade County |
| | Planning Commission. |
| Condition 13: | Prior to construction, consultation and compliance with the Meade |
| | County Conservation District is required. |
| Condition 14: | A decommissioning plan shall be submitted at the time of application by |
| | the developer responsible for the decommissioning and must include |
| | 2 |
| | |

| | Meade County Zoning Board of Adjustments |
|--|---|
| | Conditional Use Permit |
| | the following: |
| | a. Defined conditions upon which the decommissioning will be initiated. |
| | I.e. there has been no power production for twelve (12) months, the |
| | land lease has ended, or succession of use of abandoned facility. |
| | b. Removal of all non-utility owned equipment, conduit, structures, |
| | fencing, roads, and foundations to the depth of three (3) feet. |
| | c. Restoration of the property to substantially similar physical condition |
| | that existed immediately prior to construction of the SES. |
| | d. The time frame for completion of decommissioning activities. |
| | e. The party currently responsible for decommissioning. |
| | f. Plans for updating the decommissioning plan. |
| Condition 15: | Prior to construction, a Surety Bond or other form of security acceptable to |
| | the County shall be posted in an amount sufficient for the |
| | decommissioning of the SES and restoration of the project site, in case of |
| | abandonment of the site and/or in the event the commission must |
| | remove the facility. Abandonment shall be when the SES ceases to |
| | transfer energy on a continuous basis for twelve (12) months. The Surety |
| | Bond or other form of security shall be one hundred (100) percent of a |
| | reasonable estimate submitted for the decommissioning of the project, |
| | to be re-calculated every five (5) years during the life of the project. The |
| | cost of the decommissioning will include a reasonable reduction for the |
| Condition 1C | scrap value of the components left on the property. |
| Condition 16: | Prior to construction, material storage and parking areas for use during |
| | construction must be designated on the approved plans and must be |
| | screened from view of adjoining homes and road right-of-ways when feasible. |
| Condition 17: | |
| Condition 17: | All cables outside of fenced area need to be buried underground when feasible. |
| Condition 18. | Prior to construction, any proposed energy storage systems and battery |
| | storage facilities must be designated on the approved plans and comply with applicable setbacks. |
| Condition 19: | Prior to construction, Erosion and Sediment Control Plans must be |
| condition 15. | submitted and comply with all applicable local, state and federal |
| | guidelines. |
| Condition 20: | Prior to construction, Stormwater Drainage plans must be submitted |
| condition 20. | regarding stormwater management and maintenance. |
| Condition 21: | Environmental Protection measures to ensure compliance with all local, |
| condition 21. | state and federal regulations with regard to the protection of soil, |
| | sinkholes, wetlands, streams, and floodplains are required. |
| Condition 22: | Approval from the Kentucky Public Service Commission shall be |
| | required, and will become part of the Commission record or file. |
| Condition 23: | An Emergency Response Plan coordinated with Meade County |
| nen un sette einen mennen han state state (1993 bestattet i 1993 bestattet i 1993 bestattet i 1993 bestattet i | Emergency Management and local Fire Department shall be required. |
| | |
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| Meade County Zoning Board of Adjustments | |
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| Conditional Use Permit | |
| Condition 24: This CUP is good for 40 years and shall require an Amended or Renewed CUP with any lease extension beyond 40 years. With transfer of ownership of the SES, the new owner shall sign off on the CUP conditions. The Meade County Planning Commission shall be notified of any transfer of ownership of the SES, and the new owner shall file with the Planning Commission all required surety or bond documentation and agree to comply with the conditions of this CUP. | |
| ** Issuance of this Conditional Use does not constitute permit to deviate from | |
| existing restrictions or easments of record for the property.** | |
| This Permit expires on 40 years from completion of construction | |
| Signature of Completing Official | |
| Signature of Preparer: <u>Haun Joodin</u> Planning and Zoning Administrator - Karen Goodin Date of Certificate: 11/8/2021 | |

| 1. NAME AND ADDRESS OF PROPERTY OWNER(S) Joseph H JR Millay Trust & Kimber 3530 Gus | ton Rd. Guston, KY 40142 |
|---|---|
| 2. ADDRESS OF PROPERTY Guston Rd. Guston, KY 40142 | 3. NAME OF SUBDIVISION OR DEVELOPMENT N/A |
| | PVA# 079-00-00-025.01 |
| 4. TYPE OF RESTRICTION (s) (Check all that apply) Zoning Map Amendment toZone Development Plan Unrecorded Subdivision Plat Variance | : <u>XXX</u> Conditional Use Permit Conditional Zoning Condition Other (Specify) |

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION Meade County Planning Commission

516 Hillcrest Dr., Ste #13 Brandenburg, KY 40108

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Signature of Completing Official Jess Mills-Board of Adjustment Chairman

Signature of Administrator

11/8/2021

| M | eade County Zoning Board of Adjustments | |
|------------------------|--|--|
| Conditional Use Permit | | |
| Property Address: | Guston Rd. Guston, KY 40142 | |
| PVA Identification: | 079-00-025.01 | |
| Owner: | Name: Joseph H JR Millay Trust & Kimberly L Millay Trust | |
| | Address: 3530 Guston Rd. Guston, KY 40142 | |
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| | Meade County Zoning Board of Adjustments |
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| | Conditional Use Permit |
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| | d. The time frame for completion of decommissioning activities. |
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| Meade County Zoning Board of Adjustments |
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| Conditional Use Permit |
| Condition 24: This CUP is good for 40 years and shall require an Amended or Renewed CUP with any lease extension beyond 40 years. With transfer of ownership of the SES, the new owner shall sign off on the CUP conditions. The Meade County Planning Commission shall be notified of any transfer of ownership of the SES, and the new owner shall file with the Planning Commission all required surety or bond documentation and agree to comply with the conditions of this CUP. |
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| This Permit expires on 40 years from completion of construction |
| Signature of Completing Official |
| Signature of Preparer: Planning and Zoning Administrator - Karen Goodin Date of Certificate: 11/8/2021 |
| |

| loseph H JR Millay Trust 3530 | Guston Rd. Guston, KY 40142 |
|---|---------------------------------------|
| 2. ADDRESS OF PROPERTY | 3. NAME OF SUBDIVISION OR DEVELOPMENT |
| 3530 Guston Rd Guston, KY 40142 | N/A |
| | PVA# 080-00-009 |
| 4. TYPE OF RESTRICTION (s) (Check all that ap | ply): |
| Zoning Map Amendment toZone | XXX Conditional Use Permit |
| Development Plan | Conditional Zoning Condition |
| Unrecorded Subdivision Plat | Other (Specify) |
| Variance | |

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION Meade County Planning Commission 516 Hillcrest Dr., Ste #13

Brandenburg, KY 40108

\$50 P42

mills

Signature of Completing Official Jess Mills-Board of Adjustment Chairman

Signature of Administrator

11/8/2021

| Гг | Meade County Zoning Board of Adjustments |
|-----------------------|---|
| | Conditional Use Permit |
| Property Address: | 3530 Guston Rd. Guston, KY 40142 |
| PVA Identification: | 080-00-009 |
| Owner: | Name: Joseph H JR Millay Trust |
| | Address: 3530 Guston Rd. Guston, KY 40142 |
| Summary of Cond | itional Use: Applicant was approved to construct a 200-Megawatt Level III |
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| | amount of \$1,000,000 (one million dollars), as determined by the KY |
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| | screening to reduce the view of the SES from residential dwelling units |
| | on adjacent lots (including those lots located across a public right-of-way). |
| | The existing natural tree growth and natural land forms along the SES |
| | perimeter may create a sufficient buffer and shall be preserved when |
| | reasonably practicable. When no alternative vegetation screening plan is |
| | approved by the Meade County Planning Commission, a double row of |
| | |
| | staggered evergreen trees will be planted 15 feet on center from |
| | adjacent non participating residential dwellings including the out-door |
| | living space immediately near residential dwellings. The proposed |
| | evergreen trees shall be placed on the exterior of the security fencing. |
| | Parcel boundaries with no proximity to residential dwelling shall not |
| | require screening. The use of sharp pointed fences shall be prohibited in |
| | or along any boundary adjoining residential properties. Prior to |
| | construction, a vegetation screening plan to reduce the view of the SES |
| | from residential dwelling units on adjacent lots will be submitted for |
| | approval of the Meade County Planning Commission. |
| Condition 11: | Grass or similar vegetative groundcover shall be planted and established |
| | across the project site, and maintained in good order over the life of the |
| | project. Prior to the initial planting, the Applicant shall confer with the |
| | Meade County Extension Office with regard to the type and amount of |
| | grass to be planted as well as the timing of the planting. No less than |
| | every five (5) years during the life of the project, the Applicant shall |
| | confer with the Meade County Extension Office with regard to the |
| | fertilization and other steps required to maintain the groundcover in |
| | good order. |
| Condition 12: | Prior to construction, a maintenance plan shall be submitted to the |
| | Meade County Planning Commission, which shall outline steps to be |
| | taken to keep all landscaping, fencing, and driveway entrances in good |
| | repair, keep all stormwater infrastructure in working order, and conduct |
| | all mowing within the facility and all leased property frequently enough |
| | to maintain a clean appearance. Any dead trees screening the facility |
| | must be replanted within 90 days of notice by the Meade County |
| | Planning Commission. |
| Condition 13: | Prior to construction, consultation and compliance with the Meade |
| | County Conservation District is required. |
| Condition 14: | A decommissioning plan shall be submitted at the time of application by |
| | the developer responsible for the decommissioning and must include |
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| | Meade County Zoning Board of Adjustments |
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| | Conditional Use Permit |
| | the following: |
| | a. Defined conditions upon which the decommissioning will be initiated. |
| | I.e. there has been no power production for twelve (12) months, the |
| | land lease has ended, or succession of use of abandoned facility. |
| | b. Removal of all non-utility owned equipment, conduit, structures, |
| | fencing, roads, and foundations to the depth of three (3) feet. |
| | c. Restoration of the property to substantially similar physical condition |
| | that existed immediately prior to construction of the SES. |
| | d. The time frame for completion of decommissioning activities. |
| | e. The party currently responsible for decommissioning. |
| | f. Plans for updating the decommissioning plan. |
| Condition 15: | Prior to construction, a Surety Bond or other form of security acceptable to |
| | the County shall be posted in an amount sufficient for the |
| | decommissioning of the SES and restoration of the project site, in case of |
| | abandonment of the site and/or in the event the commission must |
| | remove the facility. Abandonment shall be when the SES ceases to |
| | transfer energy on a continuous basis for twelve (12) months. The Surety |
| | Bond or other form of security shall be one hundred (100) percent of a |
| | reasonable estimate submitted for the decommissioning of the project, |
| | to be re-calculated every five (5) years during the life of the project. The |
| 21 21 | cost of the decommissioning will include a reasonable reduction for the |
| | scrap value of the components left on the property. |
| Condition 16: | Prior to construction, material storage and parking areas for use during |
| | construction must be designated on the approved plans and must be |
| | screened from view of adjoining homes and road right-of-ways when |
| | feasible. |
| Condition 17: | All cables outside of fenced area need to be buried underground when feasible. |
| Condition 18: | Prior to construction, any proposed energy storage systems and battery |
| | storage facilities must be designated on the approved plans and comply |
| | with applicable setbacks. |
| Condition 19: | Prior to construction, Erosion and Sediment Control Plans must be |
| | submitted and comply with all applicable local, state and federal |
| 50-1 | guidelines. |
| Condition 20: | Prior to construction, Stormwater Drainage plans must be submitted |
| | regarding stormwater management and maintenance. |
| Condition 21: | Environmental Protection measures to ensure compliance with all local, |
| | state and federal regulations with regard to the protection of soil, |
| | sinkholes, wetlands, streams, and floodplains are required. |
| Condition 22: | Approval from the Kentucky Public Service Commission shall be |
| o 101 o - | required, and will become part of the Commission record or file. |
| Condition 23: | An Emergency Response Plan coordinated with Meade County |
| | Emergency Management and local Fire Department shall be required. |
| | |
| | 3 |

| Meade County Zoning Board of Adjustments |
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| Conditional Use Permit |
| Condition 24: This CUP is good for 40 years and shall require an Amended or Renewed CUP with any lease extension beyond 40 years. With transfer of ownership of the SES, the new owner shall sign off on the CUP conditions. The Meade County Planning Commission shall be notified of any transfer of ownership of the SES, and the new owner shall file with the Planning Commission all required surety or bond documentation and agree to comply with the conditions of this CUP. |
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| ** Issuance of this Conditional Use does not constitute permit to deviate from existing restrictions or easments of record for the property.** |
| This Permit expires on 40 years from completion of construction |
| Signature of Completing Official |
| Signature of Preparer: Planning and Zoning Administrator - Karen Goodin Date of Certificate: 11/8/2021 |
| |

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

| Aerino Solar, LLC 700 Univer | rse Blvd. Juno Beach, FL 33408 |
|--|---|
| | |
| 2. ADDRESS OF PROPERTY | 3. NAME OF SUBDIVISION OR DEVELOPMENT |
| Hwy 79 Guston, KY 40142 | N/A |
| | PVA# 080-00-00-018.10 |
| 4. TYPE OF RESTRICTION (s) (Check all that apply): | |
| Zoning Map Amendment to Zone Development Plan | XXX Conditional Use Permit |
| Unrecorded Subdivision Plat Variance | Conditional Zoning Condition Other (Specify) |

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

Meade County Planning Commission

516 Hillcrest Dr., Ste #13

Brandenburg, KY 40108

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Signature of Completing Official Jess Mills-Board of Adjustment Chairman

Signature of Administrato

11/8/2021

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| | Conditional Use Permit |
| Property Address: | Hwy 79 Guston, KY 40142 |
| PVA Identification: | 080-00-018.10 |
| Owner: | Name: Merino Solar, LLC |
| | Address: 700 Universe Blvd. Juno Beach, FL 33408 |
| Summary of Condi | |
| | ith 70-Megawatts in Meade County. |
| | 00 of the Kentucky Revised Statutes, the Meade County Board of |
| | as, based on the results of an open hearing conducted on November 8, 2021, |
| | ed above of the subject property subject to the following conditions: |
| Condition 1: | This Conditional Use Permit (CUP) will allow for a Utility Scale Level III |
| | Solar Energy System (SES) as outlined in MCO 920.00 Section 4.3.7. |
| Condition 2: | This CUP applies to the 584-acre site consisting of 23 tracts, designated in |
| | the approved site plan. Any expansion of the site shall require any |
| | necessary zone change, an amended CUP, and an amended development |
| | plan. |
| Condition 3: | A development plan, prepared and certified by a licensed engineer, that |
| | is in compliance with the zoning ordinance and the soil erosion plan, |
| | shall be required and submitted prior to the issuance of the building |
| Condition 4. | permit. |
| Condition 4: | All components of the SES shall be at least fifty (50) feet from the |
| | perimeter property lines of the project area and at least two hundred |
| | fifty (250) feet from any residential structure, nursing home, church, or school. (Interconnection facilities may be located within the setback |
| | lines.) No interior property line setbacks shall be required if the project |
| | spans multiple contiguous properties. |
| Condition 5: | The height of any ground mounted SES shall not exceed twenty-five (25) |
| | feet as measured from the highest natural grade below each solar panel. |
| | (Excludes utility poles, substations and antennas constructed for the |
| | project). |
| Condition 6: | There shall be no signs permitted except those displaying emergency |
| | information, owner contact information, warning or safety instructions or |
| | signs that are required by federal, state or local agencies. Such signs shall |
| | not exceed five (5) square feet in area. |
| Condition 7: | Excessive lighting shall be prohibited except that is required by federal |
| | or state regulations. |
| Condition 8: | All proposed and existing driveway entrances, and installations of |
| | overhead or underground utilities within any road right-of-way, must |
| | receive all necessary encroachment permits from the Meade County Road |
| | Department and/or the Kentucky Transportation Cabinet. |
| Condition 9: | A performance bond, letter of credit, or other approvable surety in the |
| | amount of \$1,000,000 (one million dollars), as determined by the KY |
| | Transportation Cabinet, must be in place through the end of construction |
| | to cover the cost of reconstruction or repair of damage to Hwy 79 (Route |
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| | 79), Haysville Rd (Route 2727), Dooley Rd (Route 1726) & Guston Rd |
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| | (Route 428) caused by the construction of the SES. The roads will be |
| | evaluated by an agreed upon third party at the end of construction to |
| | determine the necessary repairs prior to release of the financial security. |
| Condition 10: | The proposed SES shall be screened with a seven (7) foot tall fence and to |
| | the extent reasonably practicable, a visual buffer that provides reasonable |
| | screening to reduce the view of the SES from residential dwelling units |
| | on adjacent lots (including those lots located across a public right-of-way). |
| | The existing natural tree growth and natural land forms along the SES |
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| Condition 11: | Grass or similar vegetative groundcover shall be planted and established |
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| | fertilization and other steps required to maintain the groundcover in |
| | good order. |
| Condition 12: | Prior to construction, a maintenance plan shall be submitted to the |
| | Meade County Planning Commission, which shall outline steps to be |
| | taken to keep all landscaping, fencing, and driveway entrances in good |
| | repair, keep all stormwater infrastructure in working order, and conduct |
| | all mowing within the facility and all leased property frequently enough |
| | to maintain a clean appearance. Any dead trees screening the facility |
| | must be replanted within 90 days of notice by the Meade County |
| | Planning Commission. |
| Condition 13: | Prior to construction, consultation and compliance with the Meade |
| | County Conservation District is required. |
| Condition 14: | A decommissioning plan shall be submitted at the time of application by |
| | the developer responsible for the decommissioning and must include |
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| | Meade County Zoning Board of Adjustments |
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| | Conditional Use Permit |
| | the following: a. Defined conditions upon which the decommissioning will be initiated. I.e. there has been no power production for twelve (12) months, the |
| | land lease has ended, or succession of use of abandoned facility. b. Removal of all non-utility owned equipment, conduit, structures, fencing, roads, and foundations to the depth of three (3) feet. c. Restoration of the property to substantially similar physical condition that existed immediately prior to construction of the SES. |
| | d. The time frame for completion of decommissioning activities. e. The party currently responsible for decommissioning. f. Plans for updating the decommissioning plan. |
| Condition 15: | Prior to construction, a Surety Bond or other form of security acceptable to the County shall be posted in an amount sufficient for the decommissioning of the SES and restoration of the project site, in case of |
| | abandonment of the site and/or in the event the commission must remove the facility. Abandonment shall be when the SES ceases to transfer energy on a continuous basis for twelve (12) months. The Surety Bond or other form of security shall be one hundred (100) percent of a reasonable estimate submitted for the decommissioning of the project, to be re-calculated every five (5) years during the life of the project. The cost of the decommissioning will include a reasonable reduction for the |
| Condition 16: | scrap value of the components left on the property. Prior to construction, material storage and parking areas for use during construction must be designated on the approved plans and must be screened from view of adjoining homes and road right-of-ways when feasible. |
| Condition 17: | All cables outside of fenced area need to be buried underground when feasible. |
| Condition 18: | Prior to construction, any proposed energy storage systems and battery storage facilities must be designated on the approved plans and comply with applicable setbacks. |
| Condition 19: | Prior to construction, Erosion and Sediment Control Plans must be submitted and comply with all applicable local, state and federal guidelines. |
| Condition 20: | Prior to construction, Stormwater Drainage plans must be submitted regarding stormwater management and maintenance. |
| Condition 21: | Environmental Protection measures to ensure compliance with all local, state and federal regulations with regard to the protection of soil, sinkholes, wetlands, streams, and floodplains are required. |
| Condition 22: | Approval from the Kentucky Public Service Commission shall be required, and will become part of the Commission record or file. |
| Condition 23: | An Emergency Response Plan coordinated with Meade County Emergency Management and local Fire Department shall be required. |

| rvington Gas Company P.O. Bo | ox 55 Irvington, KY 40146 |
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| 2. ADDRESS OF PROPERTY Hwy 79 Irvington, KY 40146 | 3. NAME OF SUBDIVISION OR DEVELOPMENT N/A |
| | PVA# 080-00-00-025.01 |
| 4. TYPE OF RESTRICTION (s) (Check all that app Zoning Map Amendment toZone Development Plan Unrecorded Subdivision Plat Variance | oly): <u>XXX</u> Conditional Use Permit <u>Conditional Zoning Condition</u> Other (Specify) |

 5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION Meade County Planning Commission
 516 Hillcrest Dr., Ste #13
 Brandenburg, KY 40108

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Signature of Completing Official Jess Mills-Board of Adjustment Chairman

11/8/2021

Signature of Administrator

| M | eade County Zoning Board of Adjustments |
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| | Conditional Use Permit |
| Property Address: | Hwy 79 Irvington, KY 40146 |
| PVA Identification: | 080-00-025.01 |
| Owner: | Name: Irvington Gas Company |
| | Address: P.O. Box 55 Irvington, KY 40146 |
| Summary of Condition | onal Use: Applicant was approved to construct a 200-Megawatt Level III |
| Solar Energy System wit | h 70-Megawatts in Meade County. |
| Pursuant to Chapter 100 | of the Kentucky Revised Statutes, the Meade County Board of |
| | , based on the results of an open hearing conducted on November 8, 2021, |
| approved use as defined | above of the subject property subject to the following conditions: |
| Condition 1: | This Conditional Use Permit (CUP) will allow for a Utility Scale Level III |
| | Solar Energy System (SES) as outlined in MCO 920.00 Section 4.3.7. |
| Condition 2: | This CUP applies to the 584-acre site consisting of 23 tracts, designated in |
| | the approved site plan. Any expansion of the site shall require any |
| | necessary zone change, an amended CUP, and an amended development |
| | plan. |
| Condition 3: | A development plan, prepared and certified by a licensed engineer, that |
| | is in compliance with the zoning ordinance and the soil erosion plan, |
| | shall be required and submitted prior to the issuance of the building |
| Condition 4: | permit. |
| Condition 4: | All components of the SES shall be at least fifty (50) feet from the |
| | perimeter property lines of the project area and at least two hundred |
| | fifty (250) feet from any residential structure, nursing home, church, or school. (Interconnection facilities may be located within the setback |
| | lines.) No interior property line setbacks shall be required if the project |
| | spans multiple contiguous properties. |
| Condition 5: | The height of any ground mounted SES shall not exceed twenty-five (25) |
| condition 5. | feet as measured from the highest natural grade below each solar panel. |
| | (Excludes utility poles, substations and antennas constructed for the |
| | project). |
| Condition 6: | There shall be no signs permitted except those displaying emergency |
| and the set of the set | information, owner contact information, warning or safety instructions or |
| | signs that are required by federal, state or local agencies. Such signs shall |
| | not exceed five (5) square feet in area. |
| Condition 7: | Excessive lighting shall be prohibited except that is required by federal |
| | or state regulations. |
| Condition 8: | All proposed and existing driveway entrances, and installations of |
| | overhead or underground utilities within any road right-of-way, must |
| | receive all necessary encroachment permits from the Meade County Road |
| ~ | Department and/or the Kentucky Transportation Cabinet. |
| Condition 9: | A performance bond, letter of credit, or other approvable surety in the |
| | amount of \$1,000,000 (one million dollars), as determined by the KY |
| | Transportation Cabinet, must be in place through the end of construction |
| | to cover the cost of reconstruction or repair of damage to Hwy 79 (Route |
| | 1 |

| | Conditional Use Permit |
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| | 79), Haysville Rd (Route 2727), Dooley Rd (Route 1726) & Guston Rd |
| | (Route 428) caused by the construction of the SES. The roads will be |
| | evaluated by an agreed upon third party at the end of construction to |
| | determine the necessary repairs prior to release of the financial security. |
| Condition 10: | The proposed SES shall be screened with a seven (7) foot tall fence and to |
| | the extent reasonably practicable, a visual buffer that provides reasonable |
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| | on adjacent lots (including those lots located across a public right-of-way). |
| | The existing natural tree growth and natural land forms along the SES |
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| | Meade County Zoning Board of Adjustments |
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| | Conditional Use Permit |
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| | b. Removal of all non-utility owned equipment, conduit, structures, |
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| | required, and will become part of the Commission record or file. |
| Condition 23: | An Emergency Response Plan coordinated with Meade County |
| | Emergency Management and local Fire Department shall be required. |
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| Moode County Zoning Poord of Adjustments |
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| Meade County Zoning Board of Adjustments |
| Conditional Use Permit Condition 24: This CUP is good for 40 years and shall require an Amended or Renewed CUP with any lease extension beyond 40 years. With transfer of ownership of the SES, the new owner shall sign off on the CUP conditions. The Meade County Planning Commission shall be notified of any transfer of ownership of the SES, and the new owner shall file with the Planning Commission all required surety or bond documentation and agree to comply with the conditions of this CUP. |
| , ** Issuance of this Conditional Use does not constitute permit to deviate from existing restrictions or easments of record for the property.** |
| This Permit expires on 40 years from completion of construction |
| |
| Signature of Completing Official |
| Signature of Preparer: <u>How Hoodin</u> Planning and Zoning Administrator - Karen Goodin Date of Certificate: 11/8/2021 |
| |

| rvington Gas Company F C/O: LLK INC | P.O. Box 55 Irvington, KY 40146 |
|--|--|
| 2. ADDRESS OF PROPERTY Hwy 79 | 3. NAME OF SUBDIVISION OR DEVELOPMENT N/A |
| Irvington, KY 40146 | |
| | PVA# 080-00-025 |
| 4. TYPE OF RESTRICTION (s) (Check all th | at apply): |
| Zoning Map Amendment toZone | XXX Conditional Use Permit |
| Development Plan | Conditional Zoning Condition |
| Unrecorded Subdivision Plat Variance | Other (Specify) |

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION Meade County Planning Commission

516 Hillcrest Dr., Ste #13 Brandenburg, KY 40108

Par

Signature of Completing Official Jess Mills-Board of Adjustment Chairman

1 11/8/2021

Signature of Administrator

| M | eade County Zoning Board of Adjustments |
|-------------------------|--|
| | Conditional Use Permit |
| Property Address: | Hwy 79 Irvington, KY 40146 |
| PVA Identification: | 080-00-025 |
| Owner: | Name: Irvington Gas Company |
| | Address: P.O. Box 55 Irvington, KY 40146 |
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| | to cover the cost of reconstruction or repair of damage to Hwy 79 (Route |
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| | Conditional Use Permit |
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| | 79), Haysville Rd (Route 2727), Dooley Rd (Route 1726) & Guston Rd |
| | (Route 428) caused by the construction of the SES. The roads will be |
| | evaluated by an agreed upon third party at the end of construction to |
| | determine the necessary repairs prior to release of the financial security. |
| Condition 10: | The proposed SES shall be screened with a seven (7) foot tall fence and to |
| | the extent reasonably practicable, a visual buffer that provides reasonable |
| | screening to reduce the view of the SES from residential dwelling units |
| | on adjacent lots (including those lots located across a public right-of-way). |
| | The existing natural tree growth and natural land forms along the SES |
| | perimeter may create a sufficient buffer and shall be preserved when |
| | reasonably practicable. When no alternative vegetation screening plan is |
| | approved by the Meade County Planning Commission, a double row of |
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| | staggered evergreen trees will be planted 15 feet on center from |
| | adjacent non participating residential dwellings including the out-door |
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| Condition 11: | Grass or similar vegetative groundcover shall be planted and established |
| | across the project site, and maintained in good order over the life of the |
| | project. Prior to the initial planting, the Applicant shall confer with the |
| | Meade County Extension Office with regard to the type and amount of |
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| | every five (5) years during the life of the project, the Applicant shall |
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| | good order. |
| Condition 12: | Prior to construction, a maintenance plan shall be submitted to the |
| | Meade County Planning Commission, which shall outline steps to be |
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| | all mowing within the facility and all leased property frequently enough |
| | to maintain a clean appearance. Any dead trees screening the facility |
| | must be replanted within 90 days of notice by the Meade County |
| | Planning Commission. |
| Condition 13: | Prior to construction, consultation and compliance with the Meade |
| | County Conservation District is required. |
| Condition 14: | A decommissioning plan shall be submitted at the time of application by |
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| | Meade County Zoning Board of Adjustments |
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| | Conditional Use Permit |
| | the following: a. Defined conditions upon which the decommissioning will be initiated. I.e. there has been no power production for twelve (12) months, the |
| | land lease has ended, or succession of use of abandoned facility. b. Removal of all non-utility owned equipment, conduit, structures, fencing, roads, and foundations to the depth of three (3) feet. c. Restoration of the property to substantially similar physical condition that existed immediately prior to construction of the SES. |
| | d. The time frame for completion of decommissioning activities. e. The party currently responsible for decommissioning. f. Plans for updating the decommissioning plan. |
| Condition 15: | Prior to construction, a Surety Bond or other form of security acceptable to the County shall be posted in an amount sufficient for the decommissioning of the SES and restoration of the project site, in case of abandonment of the site and/or in the event the commission must |
| | remove the facility. Abandonment shall be when the SES ceases to transfer energy on a continuous basis for twelve (12) months. The Surety Bond or other form of security shall be one hundred (100) percent of a reasonable estimate submitted for the decommissioning of the project, to be re-calculated every five (5) years during the life of the project. The cost of the decommissioning will include a reasonable reduction for the scrap value of the components left on the property. |
| Condition 16: | Prior to construction, material storage and parking areas for use during construction must be designated on the approved plans and must be screened from view of adjoining homes and road right-of-ways when feasible. |
| Condition 17: | All cables outside of fenced area need to be buried underground when feasible. |
| Condition 18: | Prior to construction, any proposed energy storage systems and battery storage facilities must be designated on the approved plans and comply with applicable setbacks. |
| Condition 19: | Prior to construction, Erosion and Sediment Control Plans must be submitted and comply with all applicable local, state and federal guidelines. |
| Condition 20: | Prior to construction, Stormwater Drainage plans must be submitted regarding stormwater management and maintenance. |
| Condition 21: | Environmental Protection measures to ensure compliance with all local, state and federal regulations with regard to the protection of soil, sinkholes, wetlands, streams, and floodplains are required. |
| Condition 22: | Approval from the Kentucky Public Service Commission shall be required, and will become part of the Commission record or file. |
| Condition 23: | An Emergency Response Plan coordinated with Meade County Emergency Management and local Fire Department shall be required. |

| Meade County Zoning Board of Adjustments |
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| Conditional Use Permit |
| Condition 24: This CUP is good for 40 years and shall require an Amended or Renewed CUP with any lease extension beyond 40 years. With transfer of ownership of the SES, the new owner shall sign off on the CUP conditions. The Meade County Planning Commission shall be notified of any transfer of ownership of the SES, and the new owner shall file with the Planning Commission all required surety or bond documentation and agree to comply with the conditions of this CUP. |
| |
| |
| ** Issuance of this Conditional Use does not constitute permit to deviate from existing restrictions or easments of record for the property.** |
| This Permit expires on 40 years from completion of construction |
| Signature of Completing Official |
| Signature of Preparer: Planning and Zoning Administrator - Karen Goodin Date of Certificate: 11/8/2021 |

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1. NAME AND ADDRESS OF PROPERTY OWNER(S)

| Alexander L Richardson 2 | 80 Homer Richardson Rd. Brandenburg, KY 40108 |
|---|---|
| 2. ADDRESS OF PROPERTY Hwy 79 | 3. NAME OF SUBDIVISION OR DEVELOPMENT N/A |
| Guston, KY 40142 | PVA# 087-00-00-024.05 |
| 4. TYPE OF RESTRICTION (s) (Check all the Zoning Map Amendment toZone Development Plan Unrecorded Subdivision Plat Variance | at apply): <u>XXX</u> Conditional Use Permit Conditional Zoning Condition Other <u>(Specify)</u> |

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

Meade County Planning Commission 516 Hillcrest Dr., Ste #13 Brandenburg, KY 40108

\$750 \$750

Wills

Signature of Completing Official Jess Mills-Board of Adjustment Chairman

11/8/2021

Signature of Administrato

| | Acade County Zoning Doord of Adiant |
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| | Aeade County Zoning Board of Adjustments Conditional Use Permit |
| Property Address: | |
| PVA Identification: | Hwy 79 Guston, KY 40142 087-00-00-024.05 |
| Owner: | Name: Alexander L Richardson |
| Owner. | Address: 280 Homer Richardson Rd. Brandenburg, KY 40108 |
| Summary of Condi | |
| | /ith 70-Megawatts in Meade County. |
| | 00 of the Kentucky Revised Statutes, the Meade County Board of |
| | as, based on the results of an open hearing conducted on November 8, 2021, |
| 1000 D | ed above of the subject property subject to the following conditions: |
| Condition 1: | This Conditional Use Permit (CUP) will allow for a Utility Scale Level III |
| | Solar Energy System (SES) as outlined in MCO 920.00 Section 4.3.7. |
| Condition 2: | This CUP applies to the 584-acre site consisting of 23 tracts, designated in |
| | the approved site plan. Any expansion of the site shall require any |
| | necessary zone change, an amended CUP, and an amended development |
| | plan. |
| Condition 3: | A development plan, prepared and certified by a licensed engineer, that |
| | is in compliance with the zoning ordinance and the soil erosion plan, |
| | shall be required and submitted prior to the issuance of the building |
| | permit. |
| Condition 4: | All components of the SES shall be at least fifty (50) feet from the |
| | perimeter property lines of the project area and at least two hundred |
| | fifty (250) feet from any residential structure, nursing home, church, or |
| | school. (Interconnection facilities may be located within the setback |
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| | spans multiple contiguous properties. |
| Condition 5: | The height of any ground mounted SES shall not exceed twenty-five (25) |
| | feet as measured from the highest natural grade below each solar panel. |
| | (Excludes utility poles, substations and antennas constructed for the |
| | project). |
| Condition 6: | There shall be no signs permitted except those displaying emergency |
| | information, owner contact information, warning or safety instructions or |
| | signs that are required by federal, state or local agencies. Such signs shall |
| o | not exceed five (5) square feet in area. |
| Condition 7: | Excessive lighting shall be prohibited except that is required by federal |
| | or state regulations. |
| Condition 8: | All proposed and existing driveway entrances, and installations of |
| | overhead or underground utilities within any road right-of-way, must |
| | receive all necessary encroachment permits from the Meade County Road |
| Condition 9: | Department and/or the Kentucky Transportation Cabinet. |
| condition 9. | A performance bond, letter of credit, or other approvable surety in the |
| | amount of \$1,000,000 (one million dollars), as determined by the KY |
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| Condition 12: | Prior to construction, a maintenance plan shall be submitted to the |
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| an man a standard and a standard a standard a standard | ۷. |
| | Meade County Zoning Board of Adjustments |
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| | Conditional Use Permit |
| | the following: |
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| | I.e. there has been no power production for twelve (12) months, the |
| | land lease has ended, or succession of use of abandoned facility. |
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| | fencing, roads, and foundations to the depth of three (3) feet. |
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| Meade County Zoning Board of Adjustments |
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| Conditional Use Permit |
| Condition 24: This CUP is good for 40 years and shall require an Amended or Renewed CUP with any lease extension beyond 40 years. With transfer of ownership of the SES, the new owner shall sign off on the CUP conditions. The Meade County Planning Commission shall be notified of any transfer of ownership of the SES, and the new owner shall file with the Planning Commission all required surety or bond documentation and agree to comply with the conditions of this CUP. |
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| 'his Permit expires on 40 years from completion of construction |
| ignature of Completing Official |
| ignature of Preparer: <u>Hulun Hoodun</u> Ianning and Zoning Administrator - Karen Goodin Date of Certificate: 11/8/2021 |
| |

| 1. NAME AND ADDRESS OF PROPERTY OWNER(S)Sephen E Robbins7470 Hw | vy 79 Guston, KY 40142 |
|---|---|
| | |
| 2. ADDRESS OF PROPERTY 7470 Hwy 79 | 3. NAME OF SUBDIVISION OR DEVELOPMENT N/A |
| Guston, KY 40142 | |
| | PVA# 087-00-00-024.10 |
| 4. TYPE OF RESTRICTION (s) (Check all that apply Zoning Map Amendment to Zone Development Plan Unrecorded Subdivision Plat | /): <u>XXX</u> Conditional Use Permit Conditional Zoning Condition Other (Specify) |
| Variance | |
| 5. NAME AND ADDRESS OF PLANNING COMMISSION, E | BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR |

FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

Meade County Planning Commission

516 Hillcrest Dr., Ste #13

Brandenburg, KY 40108

Wills

Signature of Completing Official Jess Mills-Board of Adjustment Chairman

11/8/2021

Signature of Administrator

| D.A. | and County Zaning Doord of Adjustments |
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| IVI | eade County Zoning Board of Adjustments |
| Dronoutiv Adduces | Conditional Use Permit |
| Property Address: PVA Identification: | 7470 Hwy 79 Guston, KY 40142 |
| | 087-00-024.10 |
| Owner: | Name: Sephen E Robbins |
| Summary of Condition | Address: 7470 Hwy 79 Guston, KY 40142 |
| the second se | onal Use: Applicant was approved to construct a 200-Megawatt Level III h 70-Megawatts in Meade County. |
| | of the Kentucky Revised Statutes, the Meade County Board of |
| 300 | based on the results of an open hearing conducted on November 8, 2021, |
| 2240 XX 2240 XX | above of the subject property subject to the following conditions: |
| Condition 1: | This Conditional Use Permit (CUP) will allow for a Utility Scale Level III |
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| Condition 3: | A development plan, prepared and certified by a licensed engineer, that |
| | is in compliance with the zoning ordinance and the soil erosion plan, |
| | shall be required and submitted prior to the issuance of the building |
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| Condition 4: | All components of the SES shall be at least fifty (50) feet from the |
| | perimeter property lines of the project area and at least two hundred |
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| Condition 5: | The height of any ground mounted SES shall not exceed twenty-five (25) |
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| | Department and/or the Kentucky Transportation Cabinet. |
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| | Meade County Zoning Board of Adjustments |
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| | fencing, roads, and foundations to the depth of three (3) feet. |
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| Meade County Zoning Board of Adjustments |
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| ** Issuance of this Conditional Use does not constitute permit to deviate from existing restrictions or easments of record for the property.** |
| This Permit expires on |
| Signature of Completing Official |
| Signature of Preparer: <u>Huren Haoolin</u> Planning and Zoning Administrator - Karen Goodin Date of Certificate: 11/8/2021 |

Case No. 2020-00387 Green River Solar, LLC Staff PHDR-1 - Supp. Attach. 6 Page 41 of 75

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

| Alexander L & Sarah S Richardson | 280 Homer Richardson Rd. Brandenburg, KY 40108 |
|---------------------------------------|--|
| | |
| 2. ADDRESS OF PROPERTY | 3. NAME OF SUBDIVISION OR DEVELOPMENT |
| 7470 Hwy 79 | N/A |
| Guston, KY 40142 | |
| | PVA# 087-00-024.15 |
| | |
| 4. TYPE OF RESTRICTION (s) (Check all | that apply): |
| Zoning Map Amendment toZone | XXX Conditional Use Permit |
| Development Plan | Conditional Zoning Condition |
| Unrecorded Subdivision Plat | Other (Specify) |
| Variance | |
| | |

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION Meade County Planning Commission

516 Hillcrest Dr., Ste #13 Brandenburg, KY 40108

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Signature of Completing Official Jess Mills-Board of Adjustment Chairman

11/8/2021

Signature of Administrator

| D/I | eade County Zoning Board of Adjustments |
|-------------------------|---|
| | Conditional Use Permit |
| Property Address: | |
| PVA Identification: | 7470 Hwy 79 Guston, KY 40142 087-00-00-024.15 — |
| Owner: | Name: Alexander L & Sarah S Richardson |
| | Address: 280 Homer Richardson Rd. Brandenburg, KY 40108 |
| Summary of Condition | |
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| approved use as defined | above of the subject property subject to the following conditions: |
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| | Solar Energy System (SES) as outlined in MCO 920.00 Section 4.3.7. |
| Condition 2: | This CUP applies to the 584-acre site consisting of 23 tracts, designated in |
| | the approved site plan. Any expansion of the site shall require any |
| | necessary zone change, an amended CUP, and an amended development |
| | plan. |
| Condition 3: | A development plan, prepared and certified by a licensed engineer, that |
| | is in compliance with the zoning ordinance and the soil erosion plan, |
| | shall be required and submitted prior to the issuance of the building |
| | permit. |
| Condition 4: | All components of the SES shall be at least fifty (50) feet from the |
| | perimeter property lines of the project area and at least two hundred |
| | fifty (250) feet from any residential structure, nursing home, church, or |
| | school. (Interconnection facilities may be located within the setback |
| | lines.) No interior property line setbacks shall be required if the project spans multiple contiguous properties. |
| Condition 5: | The height of any ground mounted SES shall not exceed twenty-five (25) |
| condition 5. | feet as measured from the highest natural grade below each solar panel. |
| | (Excludes utility poles, substations and antennas constructed for the |
| | project). |
| Condition 6: | There shall be no signs permitted except those displaying emergency |
| | information, owner contact information, warning or safety instructions or |
| | signs that are required by federal, state or local agencies. Such signs shall |
| | not exceed five (5) square feet in area. |
| Condition 7: | Excessive lighting shall be prohibited except that is required by federal |
| | or state regulations. |
| Condition 8: | All proposed and existing driveway entrances, and installations of |
| | overhead or underground utilities within any road right-of-way, must |
| | receive all necessary encroachment permits from the Meade County Road |
| | Department and/or the Kentucky Transportation Cabinet. |
| Condition 9: | A performance bond, letter of credit, or other approvable surety in the |
| | amount of \$1,000,000 (one million dollars), as determined by the KY |
| | Transportation Cabinet, must be in place through the end of construction |
| | to cover the cost of reconstruction or repair of damage to Hwy 79 (Route |
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| 79), Haysville Rd (Route 2727), Dooley Rd (Route 1726 | 5) & Guston Rd |
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| | |
| (Route 428) caused by the construction of the SES. The | e roads will be |
| evaluated by an agreed upon third party at the end of | construction to |
| determine the necessary repairs prior to release of the | e financial security. |
| Condition 10: The proposed SES shall be screened with a seven (7) for | pot tall fence and to |
| the extent reasonably practicable, a visual buffer that | provides reasonable |
| screening to reduce the view of the SES from residenti | ial dwelling units |
| on adjacent lots (including those lots located across a | public right-of-way). |
| The existing natural tree growth and natural land form | ns along the SES |
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| reasonably practicable. When no alternative vegetatio | on screening plan is |
| approved by the Meade County Planning Commission, | a double row of |
| staggered evergreen trees will be planted 15 feet on c | enter from |
| adjacent non participating residential dwellings includi | ing the out-door |
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| evergreen trees shall be placed on the exterior of the | security fencing. |
| Parcel boundaries with no proximity to residential dwe | elling shall not |
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| or along any boundary adjoining residential properties | . Prior to |
| construction, a vegetation screening plan to reduce th | e view of the SES |
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| approval of the Meade County Planning Commission. | |
| Condition 11: Grass or similar vegetative groundcover shall be planted | ed and established |
| across the project site, and maintained in good order of | over the life of the |
| project. Prior to the initial planting, the Applicant shal | l confer with the |
| Meade County Extension Office with regard to the typ | e and amount of |
| grass to be planted as well as the timing of the plantin | g. No less than |
| every five (5) years during the life of the project, the A | pplicant shall |
| confer with the Meade County Extension Office with re | egard to the |
| fertilization and other steps required to maintain the g | groundcover in |
| good order. | |
| Condition 12: Prior to construction, a maintenance plan shall be sub- | mitted to the |
| Meade County Planning Commission, which shall outli | ne steps to be |
| taken to keep all landscaping, fencing, and driveway e | ntrances in good |
| repair, keep all stormwater infrastructure in working o | order, and conduct |
| all mowing within the facility and all leased property fr | requently enough |
| to maintain a clean appearance. Any dead trees screer | ning the facility |
| must be replanted within 90 days of notice by the Mea | ade County |
| Planning Commission. | |
| Condition 13: Prior to construction, consultation and compliance wit | th the Meade |
| County Conservation District is required. | |
| Condition 14: A decommissioning plan shall be submitted at the time | e of application by |
| the developer responsible for the decommissioning an | nd must include |
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| | Meade County Zoning Board of Adjustments |
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| | Conditional Use Permit |
| | the following: |
| | a. Defined conditions upon which the decommissioning will be initiated. |
| | I.e. there has been no power production for twelve (12) months, the |
| | land lease has ended, or succession of use of abandoned facility. |
| | Removal of all non-utility owned equipment, conduit, structures, |
| | fencing, roads, and foundations to the depth of three (3) feet. |
| | c. Restoration of the property to substantially similar physical condition |
| | that existed immediately prior to construction of the SES. |
| | d. The time frame for completion of decommissioning activities. |
| | e. The party currently responsible for decommissioning. |
| | f. Plans for updating the decommissioning plan. |
| Condition 15: | Prior to construction, a Surety Bond or other form of security acceptable to |
| | the County shall be posted in an amount sufficient for the |
| | decommissioning of the SES and restoration of the project site, in case of |
| | abandonment of the site and/or in the event the commission must |
| | remove the facility. Abandonment shall be when the SES ceases to |
| | transfer energy on a continuous basis for twelve (12) months. The Surety |
| | Bond or other form of security shall be one hundred (100) percent of a |
| | reasonable estimate submitted for the decommissioning of the project, |
| | to be re-calculated every five (5) years during the life of the project. The |
| | cost of the decommissioning will include a reasonable reduction for the |
| | scrap value of the components left on the property. |
| Condition 16: | Prior to construction, material storage and parking areas for use during |
| | construction must be designated on the approved plans and must be |
| | screened from view of adjoining homes and road right-of-ways when |
| | feasible. |
| Condition 17: | All cables outside of fenced area need to be buried underground when feasible |
| Condition 18: | Prior to construction, any proposed energy storage systems and battery |
| | storage facilities must be designated on the approved plans and comply |
| | with applicable setbacks. |
| Condition 19: | Prior to construction, Erosion and Sediment Control Plans must be |
| | submitted and comply with all applicable local, state and federal |
| | guidelines. |
| Condition 20: | Prior to construction, Stormwater Drainage plans must be submitted |
| | regarding stormwater management and maintenance. |
| Condition 21: | Environmental Protection measures to ensure compliance with all local, |
| | state and federal regulations with regard to the protection of soil, |
| | sinkholes, wetlands, streams, and floodplains are required. |
| Condition 22: | Approval from the Kentucky Public Service Commission shall be |
| | required, and will become part of the Commission record or file. |
| Condition 23: | An Emergency Response Plan coordinated with Meade County |
| | Emergency Management and local Fire Department shall be required. |
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| Meade County Zoning Board of Adjustments |
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| Conditional Use Permit |
| Condition 24: This CUP is good for 40 years and shall require an Amended or Renewed CUP with any lease extension beyond 40 years. With transfer of ownership of the SES, the new owner shall sign off on the CUP conditions. The Meade County Planning Commission shall be notified of any transfer of ownership of the SES, and the new owner shall file with the Planning Commission all required surety or bond documentation and agree to comply with the conditions of this CUP. |
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| |
| ** Issuance of this Conditional Use does not constitute permit to deviate from |
| existing restrictions or easments of record for the property.** |
| This Permit expires on 40 years from completion of construction |
| Signature of Completing Official |
| Signature of Preparer: Haven Hooclin Planning and Zoning Administrator - Karen Goodin Date of Certificate: 11/8/2021 |
| |

| Stephen E Robbins 7470 |) Hwy 79 Guston, KY 40142 |
|---|---|
| 2. ADDRESS OF PROPERTY | 3. NAME OF SUBDIVISION OR DEVELOPMENT |
| Hwy 79/Guston rd Guston, KY 40142 | N/A |
| Guston, KT 40142 | PVA# 087-00-00-024.50 |
| 4. TYPE OF RESTRICTION (s) (Check all that a | |
| Zoning Map Amendment to Zone | XXX Conditional Use Permit |
| Development Plan Unrecorded Subdivision Plat | Conditional Zoning Condition Other (Specify) |
| Variance | |

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION Meade County Planning Commission

516 Hillcrest Dr., Ste #13 Brandenburg, KY 40108

Millo

Signature of Completing Official Jess Mills-Board of Adjustment Chairman

Signature of Administrator

11/8/2021 Date

| M | eade County Zoning Board of Adjustments |
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| | Conditional Use Permit |
| Property Address: | Hwy 79/Guston rd Guston, KY 40142 |
| PVA Identification: | 087-00-00-024.50 |
| Owner: | Name: Stephen E Robbins |
| | Address: 7470 Hwy 79 Guston, KY 40142 |
| Summary of Condition | |
| a second s | th 70-Megawatts in Meade County. |
| | O of the Kentucky Revised Statutes, the Meade County Board of |
| and the second se | , based on the results of an open hearing conducted on November 8, 2021, |
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| | Meade County Zoning Board of Adjustments |
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| | Conditional Use Permit |
| | the following: |
| | a. Defined conditions upon which the decommissioning will be initiated. |
| | I.e. there has been no power production for twelve (12) months, the |
| | land lease has ended, or succession of use of abandoned facility. |
| | b. Removal of all non-utility owned equipment, conduit, structures, |
| | fencing, roads, and foundations to the depth of three (3) feet. |
| | c. Restoration of the property to substantially similar physical condition |
| | that existed immediately prior to construction of the SES. |
| | d. The time frame for completion of decommissioning activities. |
| | e. The party currently responsible for decommissioning. |
| | f. Plans for updating the decommissioning plan. |
| Condition 15: | Prior to construction, a Surety Bond or other form of security acceptable to |
| | the County shall be posted in an amount sufficient for the |
| | decommissioning of the SES and restoration of the project site, in case of |
| | abandonment of the site and/or in the event the commission must |
| | remove the facility. Abandonment shall be when the SES ceases to transfer energy on a continuous basis for twelve (12) months. The Surety |
| | Bond or other form of security shall be one hundred (100) percent of a |
| | reasonable estimate submitted for the decommissioning of the project, |
| | to be re-calculated every five (5) years during the life of the project. The |
| | cost of the decommissioning will include a reasonable reduction for the |
| | scrap value of the components left on the property. |
| Condition 16: | Prior to construction, material storage and parking areas for use during |
| | construction must be designated on the approved plans and must be |
| | screened from view of adjoining homes and road right-of-ways when |
| | feasible. |
| Condition 17: | All cables outside of fenced area need to be buried underground when feasible. |
| Condition 18: | Prior to construction, any proposed energy storage systems and battery |
| | storage facilities must be designated on the approved plans and comply |
| | with applicable setbacks. |
| Condition 19: | Prior to construction, Erosion and Sediment Control Plans must be |
| | submitted and comply with all applicable local, state and federal |
| | guidelines. |
| Condition 20: | Prior to construction, Stormwater Drainage plans must be submitted |
| | regarding stormwater management and maintenance. |
| Condition 21: | Environmental Protection measures to ensure compliance with all local, |
| | state and federal regulations with regard to the protection of soil, |
| C | sinkholes, wetlands, streams, and floodplains are required. |
| Condition 22: | Approval from the Kentucky Public Service Commission shall be |
| Condition 22. | required, and will become part of the Commission record or file. |
| Condition 23: | An Emergency Response Plan coordinated with Meade County |
| | Emergency Management and local Fire Department shall be required. |
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| Meade County Zoning Board of Adjustments |
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| Conditional Use Permit |
| Condition 24: This CUP is good for 40 years and shall require an Amended or Renewed CUP with any lease extension beyond 40 years. With transfer of ownership of the SES, the new owner shall sign off on the CUP conditions. The Meade County Planning Commission shall be notified of any transfer of ownership of the SES, and the new owner shall file with the Planning Commission all required surety or bond documentation and agree to comply with the conditions of this CUP. |
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| ** Issuance of this Conditional Use does not constitute permit to deviate from existing restrictions or easments of record for the property.** |
| This Permit expires on 40 years from completion of construction |
| Signature of Completing Official |
| Signature of Preparer: Planning and Zoning Administrator - Karen Goodin Date of Certificate: 11/8/2021 |
| |

| 1. NAME AND ADDRESS OF PROPERTY OWNER(S) Michael Meador & Judith Morriso 990 Doole | y Rd. Guston, KY 40142 |
|--|--|
| · | |
| 2. ADDRESS OF PROPERTY Dooley Rd | 3. NAME OF SUBDIVISION OR DEVELOPMENT N/A |
| Guston, KY 40142 | PVA# 096-00-038 |
| 4. TYPE OF RESTRICTION (s) (Check all that apply): Zoning Map Amendment toZone Development Plan Unrecorded Subdivision Plat Variance | |

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION Meade County Planning Commission

516 Hillcrest Dr., Ste #13

Brandenburg, KY 40108

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Signature of Completing Official Jess Mills-Board of Adjustment Chairman

11/8/2021

Signature of Administrator

| M | leade County Zoning Board of Adjustments |
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| | Conditional Use Permit |
| Property Address: | Dooley Rd Guston, KY 40142 |
| PVA Identification: | 096-00-038 |
| Owner: | Name: Michael Meador & Judith Morrison |
| | Address: 990 Dooley Rd. Guston, KY 40142 |
| Summary of Condit | ional Use: Applicant was approved to construct a 200-Megawatt Level III |
| | th 70-Megawatts in Meade County. |
| 0.24 | 0 of the Kentucky Revised Statutes, the Meade County Board of |
| | s, based on the results of an open hearing conducted on November 8, 2021, |
| | d above of the subject property subject to the following conditions: |
| Condition 1: | This Conditional Use Permit (CUP) will allow for a Utility Scale Level III |
| | Solar Energy System (SES) as outlined in MCO 920.00 Section 4.3.7. |
| Condition 2: | This CUP applies to the 584-acre site consisting of 23 tracts, designated in |
| | the approved site plan. Any expansion of the site shall require any |
| | necessary zone change, an amended CUP, and an amended development |
| Condition 3: | plan. A development plan, propared and cartified by a licensed engineer, that |
| condition 5. | A development plan, prepared and certified by a licensed engineer, that is in compliance with the zoning ordinance and the soil erosion plan, |
| | shall be required and submitted prior to the issuance of the building |
| | permit. |
| Condition 4: | All components of the SES shall be at least fifty (50) feet from the |
| | perimeter property lines of the project area and at least two hundred |
| | fifty (250) feet from any residential structure, nursing home, church, or |
| | school. (Interconnection facilities may be located within the setback |
| | lines.) No interior property line setbacks shall be required if the project |
| | spans multiple contiguous properties. |
| Condition 5: | The height of any ground mounted SES shall not exceed twenty-five (25) |
| | feet as measured from the highest natural grade below each solar panel. |
| | (Excludes utility poles, substations and antennas constructed for the |
| | project). |
| Condition 6: | There shall be no signs permitted except those displaying emergency |
| | information, owner contact information, warning or safety instructions or |
| | signs that are required by federal, state or local agencies. Such signs shall |
| o | not exceed five (5) square feet in area. |
| Condition 7: | Excessive lighting shall be prohibited except that is required by federal |
| Canditian O. | or state regulations. |
| Condition 8: | All proposed and existing driveway entrances, and installations of |
| | overhead or underground utilities within any road right-of-way, must |
| | receive all necessary encroachment permits from the Meade County Road Department and/or the Kentucky Transportation Cabinet. |
| Condition 9: | A performance bond, letter of credit, or other approvable surety in the |
| condition 5. | amount of \$1,000,000 (one million dollars), as determined by the KY |
| | Transportation Cabinet, must be in place through the end of construction |
| | to cover the cost of reconstruction or repair of damage to Hwy 79 (Route |
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| | Conditional Use Permit |
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| | 79), Haysville Rd (Route 2727), Dooley Rd (Route 1726) & Guston Rd |
| | (Route 428) caused by the construction of the SES. The roads will be |
| | evaluated by an agreed upon third party at the end of construction to |
| | determine the necessary repairs prior to release of the financial security. |
| Condition 10: | The proposed SES shall be screened with a seven (7) foot tall fence and to |
| | the extent reasonably practicable, a visual buffer that provides reasonable |
| | screening to reduce the view of the SES from residential dwelling units |
| | on adjacent lots (including those lots located across a public right-of-way). |
| | The existing natural tree growth and natural land forms along the SES |
| | perimeter may create a sufficient buffer and shall be preserved when |
| | reasonably practicable. When no alternative vegetation screening plan is |
| | approved by the Meade County Planning Commission, a double row of |
| | staggered evergreen trees will be planted 15 feet on center from |
| | adjacent non participating residential dwellings including the out-door |
| | living space immediately near residential dwellings. The proposed |
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| | construction, a vegetation screening plan to reduce the view of the SES |
| | from residential dwelling units on adjacent lots will be submitted for |
| Condition 11 | approval of the Meade County Planning Commission. |
| Condition 11: | Grass or similar vegetative groundcover shall be planted and established |
| | across the project site, and maintained in good order over the life of the |
| | project. Prior to the initial planting, the Applicant shall confer with the |
| | Meade County Extension Office with regard to the type and amount of |
| | grass to be planted as well as the timing of the planting. No less than |
| | every five (5) years during the life of the project, the Applicant shall |
| | confer with the Meade County Extension Office with regard to the |
| | fertilization and other steps required to maintain the groundcover in |
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| Condition 12: | Prior to construction, a maintenance plan shall be submitted to the |
| | Meade County Planning Commission, which shall outline steps to be |
| | taken to keep all landscaping, fencing, and driveway entrances in good |
| | repair, keep all stormwater infrastructure in working order, and conduct |
| | all mowing within the facility and all leased property frequently enough |
| | to maintain a clean appearance. Any dead trees screening the facility |
| | must be replanted within 90 days of notice by the Meade County |
| | Planning Commission. |
| Condition 13: | Prior to construction, consultation and compliance with the Meade |
| | County Conservation District is required. |
| Condition 14: | A decommissioning plan shall be submitted at the time of application by |
| | the developer responsible for the decommissioning and must include |
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| | Meade County Zoning Board of Adjustments |
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| | Conditional Use Permit |
| | the following: |
| | a. Defined conditions upon which the decommissioning will be initiated. |
| | I.e. there has been no power production for twelve (12) months, the |
| | land lease has ended, or succession of use of abandoned facility. |
| | Removal of all non-utility owned equipment, conduit, structures, |
| | fencing, roads, and foundations to the depth of three (3) feet. |
| | c. Restoration of the property to substantially similar physical condition |
| | that existed immediately prior to construction of the SES. |
| | d. The time frame for completion of decommissioning activities. |
| | e. The party currently responsible for decommissioning. |
| | f. Plans for updating the decommissioning plan. |
| Condition 15: | Prior to construction, a Surety Bond or other form of security acceptable to |
| | the County shall be posted in an amount sufficient for the |
| | decommissioning of the SES and restoration of the project site, in case of |
| | abandonment of the site and/or in the event the commission must |
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| Condition 16: | Prior to construction, material storage and parking areas for use during |
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| | feasible. |
| Condition 17: | All cables outside of fenced area need to be buried underground when feasible. |
| Condition 18: | Prior to construction, any proposed energy storage systems and battery |
| | storage facilities must be designated on the approved plans and comply |
| | with applicable setbacks. |
| Condition 19: | Prior to construction, Erosion and Sediment Control Plans must be |
| | submitted and comply with all applicable local, state and federal |
| | guidelines. |
| Condition 20: | Prior to construction, Stormwater Drainage plans must be submitted |
| | regarding stormwater management and maintenance. |
| Condition 21: | Environmental Protection measures to ensure compliance with all local, |
| | state and federal regulations with regard to the protection of soil, |
| | sinkholes, wetlands, streams, and floodplains are required. |
| Condition 22: | Approval from the Kentucky Public Service Commission shall be |
| | required, and will become part of the Commission record or file. |
| Condition 23: | An Emergency Response Plan coordinated with Meade County |
| | Emergency Management and local Fire Department shall be required. |
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| Meade County Zoning Board of Adjustments Conditional Use Permit |
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| Conditional Use Permit Condition 24: This CUP is good for 40 years and shall require an Amended or Renewed CUP with any lease extension beyond 40 years. With transfer of ownership of the SES, the new owner shall sign off on the CUP conditions. The Meade County Planning Commission shall be notified of any transfer of ownership of the SES, and the new owner shall file with the Planning Commission all required surety or bond documentation and agree to comply with the conditions of this CUP. |
| ** Issuance of this Conditional Use does not constitute permit to deviate from existing restrictions or easments of record for the property.** |
| This Permit expires on 40 years from completion of construction |
| Signature of Completing Official |
| Signature of Preparer: <u>Hurn Hoodin</u> Planning and Zoning Administrator - Karen Goodin Date of Certificate: 11/8/2021 |

| Michael & Betty Meador 990 Do | ooley Rd. Guston, KY 40142 |
|--|--|
| 2. ADDRESS OF PROPERTY 990 Dooley Rd | 3. NAME OF SUBDIVISION OR DEVELOPMENT N/A |
| Guston, KY 40142 | PVA# 096-00-039 |
| 4. TYPE OF RESTRICTION (s) (Check all that app | |
| Zoning Map Amendment toZone | XXX Conditional Use Permit |
| Development Plan | Conditional Zoning Condition |
| Unrecorded Subdivision Plat Variance | Other (Specify) |

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION Meade County Planning Commission

516 Hillcrest Dr., Ste #13 Brandenburg, KY 40108

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Signature of Completing Official Jess Mills-Board of Adjustment Chairman

11/8/2021

Signature of Administrator

| M | eade County Zoning Board of Adjustments |
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| Summary of Condition | |
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| Zoning Adjustments has | , based on the results of an open hearing conducted on November 8, 2021, |
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| | Meade County Zoning Board of Adjustments |
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| Meade County Zoning Board of Adjustments |
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| Meade County Zoning Board of Adjustments Conditional Use Permit |
| Condition 24: This CUP is good for 40 years and shall require an Amended or Renewed CUP with any lease extension beyond 40 years. With transfer of ownership of the SES, the new owner shall sign off on the CUP conditions. The Meade County Planning Commission shall be notified of any transfer of ownership of the SES, and the new owner shall file with the Planning Commission all required surety or bond documentation and agree to comply with the conditions of this CUP. |
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| Signature of Completing Official |
| Signature of Preparer: <u>Hum Hoodin</u> Planning and Zoning Administrator - Karen Goodin Date of Certificate: 11/8/2021 |

| 1. NAME AND ADDRESS OF PROPERTY OWNER(S) | | |
|---|---|--|
| Marino Property LLC P.O. Box 55 Irvington, KY 40146 | | |
| ATTN: Kevin & Kerry Kasey | | |
| | | |
| | | |
| 2. ADDRESS OF PROPERTY | 3. NAME OF SUBDIVISION OR DEVELOPMENT | |
| Mt Merino Cemetery Ln | N/A | |
| Irvington, KY 40146 | | |
| | PVA# 122-18 (Carried to Breckinridge Co.) | |
| | | |
| 4. TYPE OF RESTRICTION (s) (Check all that apply): | | |
| Zoning Map Amendment to Zone | XXX Conditional Use Permit | |
| Development Plan | Conditional Zoning Condition | |
| Unrecorded Subdivision Plat | Other (Specify) | |
| Variance | | |
| | | |
| | | |

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

Meade County Planning Commission

516 Hillcrest Dr., Ste #13

Brandenburg, KY 40108

to ile

Signature of Completing Official Jess Mills-Board of Adjustment Chairman

11/8/2021

Signature of Administrator

| n. | Acada County Zoning Poard of Adjustments | |
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| Meade County Zoning Board of Adjustments Conditional Use Permit | | |
| Property Address: | Mt Merino Cemetery Ln Irvington, KY 40146 | |
| PVA Identification: | 122-18 (Carried to Breckinridge Co.) | |
| Owner: | Name: Marino Property LLC | |
| | Address: P.O. Box 55 Irvington, KY 40146 | |
| Summary of Condition | onal Use: Applicant was approved to construct a 200-Megawatt Level III | |
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| | Meade County Zoning Board of Adjustments |
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| Condition 19: | Prior to construction, Erosion and Sediment Control Plans must be |
| | submitted and comply with all applicable local, state and federal |
| | guidelines. |
| Condition 20: | Prior to construction, Stormwater Drainage plans must be submitted |
| | regarding stormwater management and maintenance. |
| Condition 21: | Environmental Protection measures to ensure compliance with all local, |
| | state and federal regulations with regard to the protection of soil, |
| | sinkholes, wetlands, streams, and floodplains are required. |
| Condition 22: | Approval from the Kentucky Public Service Commission shall be |
| | required, and will become part of the Commission record or file. |
| Condition 23: | An Emergency Response Plan coordinated with Meade County |
| | Emergency Management and local Fire Department shall be required. |
| | |

| Meade County Zoning Board of Adjustments | | | |
|---|---|--|-----------------------------|
| | Conditional Us | 1991 - Carl Carl Carl Carl Carl Carl Carl Carl | |
| Condition 24: | CUP with any lease extension I ownership of the SES, the new conditions. The Meade County any transfer of ownership of the | and shall require an Amended or F beyond 40 years. With transfer o owner shall sign off on the CUP y Planning Commission shall be no ne SES, and the new owner shall f equired surety or bond document itions of this CUP. | f otified of ile with |
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| | | | |
| | of this Conditional Use does n sting restrictions or easments o | ot constitute permit to deviate fr of record for the property.** | rom |
| This Permit expires on | 40 years from comple | tion of construction | |
| Signature of Completing (| Official | nills | |
| Signature of Preparer: Planning and Zoning Adm | Harry Loodin | Date of Certificate: | 11/8/2021 |
| | | Date of Certificate. | 11/0/2021 |

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Case No. 2020-00387 Green River Solar, LLC Staff PHDR-1 - Supp. Attach. 6 Page 66 of 75

CERTIFICATE OF LAND USE RESTRICTION

| L. NAME AND ADDRESS OF PROPERTY OWNER(S) Marino Property LLC P.O. Box 55 Irvington, KY 40146 ATTN: Kevin & Kerry Kasey | | |
|--|---|--|
| 2. ADDRESS OF PROPERTY Mt Merino Cemetery Ln Irvington, KY 40146 | 3. NAME OF SUBDIVISION OR DEVELOPMENT N/A | |
| | PVA# 122-19 (Carried to Breckinridge Co.) | |
| 4. TYPE OF RESTRICTION (s) (Check all that apply Zoning Map Amendment toZone Development Plan Unrecorded Subdivision Plat Variance | <u>XXX</u> Conditional Use Permit <u>Conditional Zoning Condition</u> Other (Specify) | |

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

Meade County Planning Commission

516 Hillcrest Dr., Ste #13

Brandenburg, KY 40108

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Signature of Completing Official Jess Mills-Board of Adjustment Chairman

11/8/2021

Signature of Administrator

| | Aeade County Zoning Board of Adjustments |
|---|---|
| | Conditional Use Permit |
| Property Address: | Mt Merino Cemetery Ln Irvington, KY 40146 |
| PVA Identification: | 122-19 (Carried to Breckinridge Co.) |
| Owner: | Name: Marino Property LLC |
| | Address: P.O. Box 55 Irvington, KY 40146 |
| Summary of Condition | onal Use: Applicant was approved to construct a 200-Megawatt Level III |
| Solar Energy System wit | h 70-Megawatts in Meade County. |
| | of the Kentucky Revised Statutes, the Meade County Board of |
| | based on the results of an open hearing conducted on November 8, 2021, |
| 11100 http://www.com/com/com/com/com/com/com/com/com/com/ | above of the subject property subject to the following conditions: |
| Condition 1: | This Conditional Use Permit (CUP) will allow for a Utility Scale Level III |
| | Solar Energy System (SES) as outlined in MCO 920.00 Section 4.3.7. |
| Condition 2: | This CUP applies to the 584-acre site consisting of 23 tracts, designated in |
| | the approved site plan. Any expansion of the site shall require any |
| | necessary zone change, an amended CUP, and an amended development |
| | plan. |
| Condition 3: | A development plan, prepared and certified by a licensed engineer, that |
| | is in compliance with the zoning ordinance and the soil erosion plan, |
| | shall be required and submitted prior to the issuance of the building |
| | permit. |
| Condition 4: | All components of the SES shall be at least fifty (50) feet from the |
| | perimeter property lines of the project area and at least two hundred |
| | fifty (250) feet from any residential structure, nursing home, church, or |
| | school. (Interconnection facilities may be located within the setback |
| | lines.) No interior property line setbacks shall be required if the project |
| Condition 5: | spans multiple contiguous properties. |
| Condition 5. | The height of any ground mounted SES shall not exceed twenty-five (25) |
| | feet as measured from the highest natural grade below each solar panel. |
| | (Excludes utility poles, substations and antennas constructed for the project). |
| Condition 6: | There shall be no signs permitted except those displaying emergency |
| condition 0. | information, owner contact information, warning or safety instructions or |
| | signs that are required by federal, state or local agencies. Such signs shall |
| | not exceed five (5) square feet in area. |
| Condition 7: | Excessive lighting shall be prohibited except that is required by federal |
| | or state regulations. |
| Condition 8: | All proposed and existing driveway entrances, and installations of |
| | overhead or underground utilities within any road right-of-way, must |
| | receive all necessary encroachment permits from the Meade County Road |
| | Department and/or the Kentucky Transportation Cabinet. |
| Condition 9: | A performance bond, letter of credit, or other approvable surety in the |
| | amount of \$1,000,000 (one million dollars), as determined by the KY |
| | Transportation Cabinet, must be in place through the end of construction |
| | to cover the cost of reconstruction or repair of damage to Hwy 79 (Route |
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| | Conditional Use Permit |
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| | 79), Haysville Rd (Route 2727), Dooley Rd (Route 1726) & Guston Rd |
| | (Route 428) caused by the construction of the SES. The roads will be |
| | evaluated by an agreed upon third party at the end of construction to |
| | determine the necessary repairs prior to release of the financial security. |
| Condition 10: | The proposed SES shall be screened with a seven (7) foot tall fence and to |
| | the extent reasonably practicable, a visual buffer that provides reasonable |
| | screening to reduce the view of the SES from residential dwelling units |
| | on adjacent lots (including those lots located across a public right-of-way). |
| | The existing natural tree growth and natural land forms along the SES |
| | perimeter may create a sufficient buffer and shall be preserved when |
| | reasonably practicable. When no alternative vegetation screening plan is |
| | approved by the Meade County Planning Commission, a double row of |
| | staggered evergreen trees will be planted 15 feet on center from |
| | adjacent non participating residential dwellings including the out-door |
| | living space immediately near residential dwellings. The proposed |
| | evergreen trees shall be placed on the exterior of the security fencing. |
| | Parcel boundaries with no proximity to residential dwelling shall not |
| | require screening. The use of sharp pointed fences shall be prohibited in |
| | or along any boundary adjoining residential properties. Prior to |
| | construction, a vegetation screening plan to reduce the view of the SES |
| | from residential dwelling units on adjacent lots will be submitted for |
| | approval of the Meade County Planning Commission. |
| Condition 11: | Grass or similar vegetative groundcover shall be planted and established |
| | across the project site, and maintained in good order over the life of the |
| | project. Prior to the initial planting, the Applicant shall confer with the |
| | Meade County Extension Office with regard to the type and amount of |
| | grass to be planted as well as the timing of the planting. No less than |
| | every five (5) years during the life of the project, the Applicant shall |
| | confer with the Meade County Extension Office with regard to the |
| | fertilization and other steps required to maintain the groundcover in |
| | good order. |
| Condition 12: | Prior to construction, a maintenance plan shall be submitted to the |
| n nya manana minananana minana min Minana minana m | Meade County Planning Commission, which shall outline steps to be |
| | taken to keep all landscaping, fencing, and driveway entrances in good |
| | repair, keep all stormwater infrastructure in working order, and conduct |
| | all mowing within the facility and all leased property frequently enough |
| | to maintain a clean appearance. Any dead trees screening the facility |
| | must be replanted within 90 days of notice by the Meade County |
| | Planning Commission. |
| Condition 13: | Prior to construction, consultation and compliance with the Meade |
| | County Conservation District is required. |
| Condition 14: | A decommissioning plan shall be submitted at the time of application by |
| condition 14. | the developer responsible for the decommissioning and must include |
| | |
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| | Meade County Zoning Board of Adjustments |
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| | Conditional Use Permit |
| | the following: |
| | a. Defined conditions upon which the decommissioning will be initiated. |
| | I.e. there has been no power production for twelve (12) months, the |
| | land lease has ended, or succession of use of abandoned facility. |
| | Removal of all non-utility owned equipment, conduit, structures, |
| | fencing, roads, and foundations to the depth of three (3) feet. |
| | c. Restoration of the property to substantially similar physical condition |
| | that existed immediately prior to construction of the SES. |
| | d. The time frame for completion of decommissioning activities. |
| | e. The party currently responsible for decommissioning. |
| | f. Plans for updating the decommissioning plan. |
| Condition 15: | Prior to construction, a Surety Bond or other form of security acceptable to |
| | the County shall be posted in an amount sufficient for the |
| | decommissioning of the SES and restoration of the project site, in case of |
| | abandonment of the site and/or in the event the commission must |
| | remove the facility. Abandonment shall be when the SES ceases to |
| | transfer energy on a continuous basis for twelve (12) months. The Surety |
| | Bond or other form of security shall be one hundred (100) percent of a |
| | reasonable estimate submitted for the decommissioning of the project, |
| | to be re-calculated every five (5) years during the life of the project. The |
| | cost of the decommissioning will include a reasonable reduction for the |
| | scrap value of the components left on the property. |
| Condition 16: | Prior to construction, material storage and parking areas for use during |
| | construction must be designated on the approved plans and must be |
| | screened from view of adjoining homes and road right-of-ways when |
| | feasible. |
| Condition 17: | All cables outside of fenced area need to be buried underground when feasible |
| Condition 18: | Prior to construction, any proposed energy storage systems and battery |
| | storage facilities must be designated on the approved plans and comply |
| | with applicable setbacks. |
| Condition 19: | Prior to construction, Erosion and Sediment Control Plans must be |
| | submitted and comply with all applicable local, state and federal |
| | guidelines. |
| Condition 20: | Prior to construction, Stormwater Drainage plans must be submitted |
| | regarding stormwater management and maintenance. |
| Condition 21: | Environmental Protection measures to ensure compliance with all local, |
| | state and federal regulations with regard to the protection of soil, |
| | sinkholes, wetlands, streams, and floodplains are required. |
| Condition 22: | Approval from the Kentucky Public Service Commission shall be |
| | required, and will become part of the Commission record or file. |
| Condition 23: | An Emergency Response Plan coordinated with Meade County |
| | Emergency Management and local Fire Department shall be required. |
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| Meade County Z | oning Board of Adjustments |
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| | nditional Use Permit |
| CUP with any lease ownership of the SI conditions. The Me any transfer of own the Planning Comm | r 40 years and shall require an Amended or Renewed extension beyond 40 years. With transfer of ES, the new owner shall sign off on the CUP eade County Planning Commission shall be notified of ership of the SES, and the new owner shall file with ission all required surety or bond documentation and th the conditions of this CUP. |
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| | |
| | Use does not constitute permit to deviate from easments of record for the property.** |
| This Permit expires on 40 years from | om completion of construction |
| Signature of Completing Official | JAmile |
| Signature of Preparer: Planning and Zoning Administrator - Karen Go | bodin Date of Certificate: 11/8/2021 |

Case No. 2020-00387 Green River Solar, LLC Staff PHDR-1 - Supp. Attach. 6 Page 71 of 75

CERTIFICATE OF LAND USE RESTRICTION

| 1. NAME AND ADDRESS OF PROPERTY OWNER(S) Marino Property LLC P.O. Box 5. | R(S) P.O. Box 55 Irvington, KY 40146 | |
|---|---|--|
| | | |
| 2. ADDRESS OF PROPERTY Mt Merino Cemetery Ln | 3. NAME OF SUBDIVISION OR DEVELOPMENT Baldy Smith Farm | |
| Irvington, KY 40146 | | |
| | PVA# 133A-1A (Carried to Breckinridge Co.) | |
| 4. TYPE OF RESTRICTION (s) (Check all that apply): Zoning Map Amendment to Zone Development Plan Unrecorded Subdivision Plat Variance | XXX Conditional Use Permit Conditional Zoning Condition Other (Specify) | |

5. NAME AND ADDRESS OF PLANNING COMMISSION, BOARD OF ADJUSTMENT, LEGISLATIVE BODY OR FISCAL COURT WHICH MAINTAINS THE ORIGINAL RECORDS CONTAINING THE RESTRICTION

Meade County Planning Commission

516 Hillcrest Dr., Ste #13

Brandenburg, KY 40108

Wille

Signature of Completing Official Jess Mills-Board of Adjustment Chairman

Signature of Administrator

11/8/2021

| Meade County Zoning Board of Adjustments | | |
|--|---|--|
| Conditional Use Permit | | |
| Property Address: | Mt Merino Cemetery Ln Irvington, KY 40146 | |
| PVA Identification: | 133A-1A (Carried to Breckinridge Co.) | |
| Owner: | Name: Marino Property LLC | |
| | Address: P.O. Box 55 Irvington, KY 40146 | |
| Summary of Condition | onal Use: Applicant was approved to construct a 200-Megawatt Level III | |
| Solar Energy System wit | h 70-Megawatts in Meade County. | |
| The second s | of the Kentucky Revised Statutes, the Meade County Board of | |
| | based on the results of an open hearing conducted on November 8, 2021, | |
| | above of the subject property subject to the following conditions: | |
| Condition 1: | This Conditional Use Permit (CUP) will allow for a Utility Scale Level III | |
| | Solar Energy System (SES) as outlined in MCO 920.00 Section 4.3.7. | |
| Condition 2: | This CUP applies to the 584-acre site consisting of 23 tracts, designated in | |
| | the approved site plan. Any expansion of the site shall require any | |
| | necessary zone change, an amended CUP, and an amended development | |
| | plan. | |
| Condition 3: | A development plan, prepared and certified by a licensed engineer, that | |
| | is in compliance with the zoning ordinance and the soil erosion plan, | |
| | shall be required and submitted prior to the issuance of the building | |
| Canditian A. | permit. | |
| Condition 4: | All components of the SES shall be at least fifty (50) feet from the | |
| | perimeter property lines of the project area and at least two hundred | |
| | fifty (250) feet from any residential structure, nursing home, church, or | |
| | school. (Interconnection facilities may be located within the setback | |
| | lines.) No interior property line setbacks shall be required if the project spans multiple contiguous properties. | |
| Condition 5: | The height of any ground mounted SES shall not exceed twenty-five (25) | |
| condition 5. | feet as measured from the highest natural grade below each solar panel. | |
| | (Excludes utility poles, substations and antennas constructed for the | |
| | project). | |
| Condition 6: | There shall be no signs permitted except those displaying emergency | |
| | information, owner contact information, warning or safety instructions or | |
| | signs that are required by federal, state or local agencies. Such signs shall | |
| | not exceed five (5) square feet in area. | |
| Condition 7: | Excessive lighting shall be prohibited except that is required by federal | |
| | or state regulations. | |
| Condition 8: | All proposed and existing driveway entrances, and installations of | |
| | overhead or underground utilities within any road right-of-way, must | |
| | receive all necessary encroachment permits from the Meade County Road | |
| | Department and/or the Kentucky Transportation Cabinet. | |
| Condition 9: | A performance bond, letter of credit, or other approvable surety in the | |
| | amount of \$1,000,000 (one million dollars), as determined by the KY | |
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| | Conditional Ose Permit |
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| | 79), Haysville Rd (Route 2727), Dooley Rd (Route 1726) & Guston Rd |
| | (Route 428) caused by the construction of the SES. The roads will be |
| | evaluated by an agreed upon third party at the end of construction to |
| | determine the necessary repairs prior to release of the financial security. |
| Condition 10: | The proposed SES shall be screened with a seven (7) foot tall fence and to |
| | the extent reasonably practicable, a visual buffer that provides reasonable |
| | screening to reduce the view of the SES from residential dwelling units |
| | on adjacent lots (including those lots located across a public right-of-way). |
| | The existing natural tree growth and natural land forms along the SES |
| | perimeter may create a sufficient buffer and shall be preserved when |
| | reasonably practicable. When no alternative vegetation screening plan is |
| | approved by the Meade County Planning Commission, a double row of |
| | staggered evergreen trees will be planted 15 feet on center from |
| | adjacent non participating residential dwellings including the out-door |
| | living space immediately near residential dwellings. The proposed |
| | evergreen trees shall be placed on the exterior of the security fencing. |
| | Parcel boundaries with no proximity to residential dwelling shall not |
| | require screening. The use of sharp pointed fences shall be prohibited in |
| | or along any boundary adjoining residential properties. Prior to |
| | construction, a vegetation screening plan to reduce the view of the SES |
| | from residential dwelling units on adjacent lots will be submitted for |
| | approval of the Meade County Planning Commission. |
| Condition 11: | Grass or similar vegetative groundcover shall be planted and established |
| | across the project site, and maintained in good order over the life of the |
| | project. Prior to the initial planting, the Applicant shall confer with the |
| | Meade County Extension Office with regard to the type and amount of |
| | grass to be planted as well as the timing of the planting. No less than |
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| | fertilization and other steps required to maintain the groundcover in |
| | good order. |
| Condition 12: | Prior to construction, a maintenance plan shall be submitted to the |
| | Meade County Planning Commission, which shall outline steps to be |
| | taken to keep all landscaping, fencing, and driveway entrances in good |
| | repair, keep all stormwater infrastructure in working order, and conduct |
| | all mowing within the facility and all leased property frequently enough |
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| Condition 13: | Prior to construction, consultation and compliance with the Meade |
| | County Conservation District is required. |
| Condition 14: | A decommissioning plan shall be submitted at the time of application by |
| Contraction in the second s | the developer responsible for the decommissioning and must include |
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| Meade County Zoning Board of Adjustments | | |
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| | Conditional Use Permit | |
| | the following: | |
| | a. Defined conditions upon which the decommissioning will be initiated. | |
| | I.e. there has been no power production for twelve (12) months, the | |
| | land lease has ended, or succession of use of abandoned facility. | |
| | b. Removal of all non-utility owned equipment, conduit, structures, | |
| | fencing, roads, and foundations to the depth of three (3) feet. | |
| | c. Restoration of the property to substantially similar physical condition | |
| | that existed immediately prior to construction of the SES. | |
| | d. The time frame for completion of decommissioning activities. | |
| | e. The party currently responsible for decommissioning. | |
| Condition 15: | f. Plans for updating the decommissioning plan. | |
| Condition 15: | Prior to construction, a Surety Bond or other form of security acceptable to the County shall be posted in an amount sufficient for the | |
| | decommissioning of the SES and restoration of the project site, in case of | |
| | abandonment of the site and/or in the event the commission must | |
| | remove the facility. Abandonment shall be when the SES ceases to | |
| | transfer energy on a continuous basis for twelve (12) months. The Surety | |
| | Bond or other form of security shall be one hundred (100) percent of a | |
| | reasonable estimate submitted for the decommissioning of the project, | |
| | to be re-calculated every five (5) years during the life of the project. The | |
| | cost of the decommissioning will include a reasonable reduction for the | |
| | scrap value of the components left on the property. | |
| Condition 16: | Prior to construction, material storage and parking areas for use during | |
| | construction must be designated on the approved plans and must be | |
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| Condition 17: | All cables outside of fenced area need to be buried underground when feasible. | |
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| | storage facilities must be designated on the approved plans and comply | |
| | with applicable setbacks. | |
| Condition 19: | Prior to construction, Erosion and Sediment Control Plans must be | |
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| Condition 21: | Environmental Protection measures to ensure compliance with all local, | |
| condition 21. | state and federal regulations with regard to the protection of soil, | |
| | sinkholes, wetlands, streams, and floodplains are required. | |
| Condition 22: | Approval from the Kentucky Public Service Commission shall be | |
| | required, and will become part of the Commission record or file. | |
| Condition 23: | An Emergency Response Plan coordinated with Meade County | |
| | Emergency Management and local Fire Department shall be required. | |
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