

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

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ELECTRIC GENERATION AND TRANSMISSION SITING

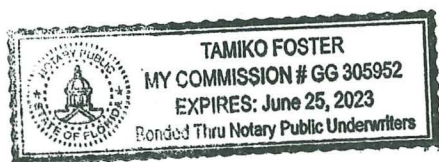
IN THE MATTER OF:

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.





Lina Jensen



NOTARY PUBLIC

Commission No.: GG#305952

Commission Expires: 6/25/2023

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 Meade County Planning Commission.

Response 6.

Please see attached.

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Kimberly L Millay Trust 3530 Guston Rd. Guston, KY 40142

2. ADDRESS OF PROPERTY

215 Joyce Ct.
Guston, KY 40142

3. NAME OF SUBDIVISION OR DEVELOPMENT

Valley View Est. Lot 17&18

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
 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

\$50
P&Z


Signature of Completing Official
Jess Mills-Board of Adjustment Chairman

 11/8/2021
Signature of Administrator Date

Meade County Zoning Board of Adjustments

Conditional Use Permit

Property Address: 215 Joyce Ct. Guston, KY 40142
PVA Identification: 079-00-00-026.11
Owner: Name: Kimberly L Millay Trust
Address: 3530 Guston Rd. Guston, KY 40142
Summary of Conditional Use: Applicant was approved to construct a 200-Megawatt Level III Solar Energy System with 70-Megawatts in Meade County.

Pursuant to Chapter 100 of the Kentucky Revised Statutes, the Meade County Board of Zoning Adjustments has, 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 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

Meade County Zoning Board of Adjustments

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

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 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.

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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 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 easements 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

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Joseph H JR Millay Trust & Kimber 3530 Guston 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):

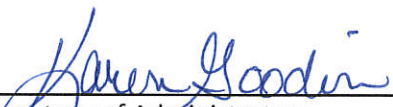
Zoning Map Amendment to _____ Zone Conditional Use Permit
 Development Plan Conditional Zoning Condition
 Unrecorded Subdivision Plat Other (Specify) _____
 Variance _____

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

\$150
P+Z


Signature of Completing Official
Jess Mills-Board of Adjustment Chairman

 11/8/2021
Signature of Administrator Date

Meade County Zoning Board of Adjustments

Conditional Use Permit

Property Address:	Guston Rd.	Guston, KY 40142
PVA Identification:	079-00-00-025.01	
Owner:	Name: Joseph H JR Millay Trust & Kimberly L Millay Trust	
	Address: 3530 Guston Rd. Guston, KY 40142	
Summary of Conditional Use:	Applicant was approved to construct a 200-Megawatt Level III Solar Energy System with 70-Megawatts in Meade County.	

Pursuant to Chapter 100 of the Kentucky Revised Statutes, the Meade County Board of Zoning Adjustments has, 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:

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Meade County Zoning Board of Adjustments

Conditional Use Permit

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Meade County Zoning Board of Adjustments

Conditional Use Permit

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Meade County Zoning Board of Adjustments

Conditional Use Permit

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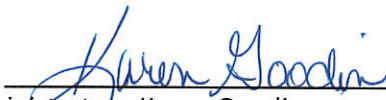
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Signature of Completing Official



Signature of Preparer:



Planning and Zoning Administrator - Karen Goodin

Date of Certificate:

11/8/2021

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Joseph H JR Millay Trust 3530 Guston Rd. Guston, KY 40142

2. ADDRESS OF PROPERTY

3530 Guston Rd.
Guston, KY 40142

3. NAME OF SUBDIVISION OR DEVELOPMENT

N/A

PVA# 080-00-00-009

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

\$50
PAZ



Signature of Completing Official
Jess Mills-Board of Adjustment Chairman



Signature of Administrator

11/8/2021

Date

Meade County Zoning Board of Adjustments

Conditional Use Permit

Property Address:	3530 Guston Rd.	Guston, KY 40142
PVA Identification:	080-00-00-009	
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Meade County Zoning Board of Adjustments

Conditional Use Permit

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Meade County Zoning Board of Adjustments

Conditional Use Permit

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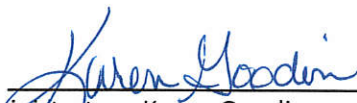
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Signature of Completing Official



Signature of Preparer:



Planning and Zoning Administrator - Karen Goodin

Date of Certificate:

11/8/2021

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Merino Solar, LLC
700 Universe Blvd. Juno Beach, FL 33408

2. ADDRESS OF PROPERTY

Hwy 79
Guston, KY 40142

3. NAME OF SUBDIVISION OR DEVELOPMENT

N/A
PVA# 080-00-00-018.10


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

Zoning Map Amendment to Zone
 Development Plan
 Unrecorded Subdivision Plat
 Variance
 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


Signature of Completing Official
Jess Mills-Board of Adjustment Chairman


Signature of Administrator
Date 11/8/2021

Meade County Zoning Board of Adjustments

Conditional Use Permit

Property Address:	Hwy 79	Guston, KY 40142
PVA Identification:	080-00-00-018.10	
Owner:	Name: Merino Solar, LLC	
	Address: 700 Universe Blvd. Juno Beach, FL 33408	
Summary of Conditional Use:	Applicant was approved to construct a 200-Megawatt Level III Solar Energy System with 70-Megawatts in Meade County.	

Pursuant to Chapter 100 of the Kentucky Revised Statutes, the Meade County Board of Zoning Adjustments has, 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.
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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 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

Meade County Zoning Board of Adjustments

Conditional Use Permit

- Condition 10: 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. 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

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 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

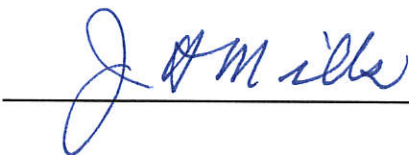
Conditional Use Permit

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 easements 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

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Irvington Gas Company P.O. Box 55 Irvington, KY 40146
C/O: LLK INC

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 apply):

Zoning Map Amendment to _____ Zone
 Development Plan
 Unrecorded Subdivision Plat
 Variance
 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

\$150
PAZ



Signature of Completing Official
Jess Mills-Board of Adjustment Chairman



Signature of Administrator

11/8/2021

Date

Meade County Zoning Board of Adjustments

Conditional Use Permit

Property Address: Hwy 79 Irvington, KY 40146
PVA Identification: 080-00-00-025.01
Owner: Name: Irvington Gas Company
Address: P.O. Box 55 Irvington, KY 40146
Summary of Conditional Use: Applicant was approved to construct a 200-Megawatt Level III Solar Energy System with 70-Megawatts in Meade County.

Pursuant to Chapter 100 of the Kentucky Revised Statutes, the Meade County Board of Zoning Adjustments has, 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:

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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 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.
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- 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

Meade County Zoning Board of Adjustments

Conditional Use Permit

- Condition 10: 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. 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.
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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.
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Meade County Zoning Board of Adjustments

Conditional Use Permit

the following:

- a. Defined conditions upon which the decommissioning will be initiated.
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- 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.

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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 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.

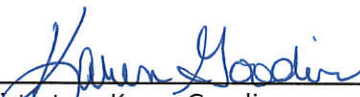
** Issuance of this Conditional Use does not constitute permit to deviate from existing restrictions or easements of record for the property.**

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

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Irvington Gas Company P.O. Box 55 Irvington, KY 40146
C/O: LLK INC

2. ADDRESS OF PROPERTY

Hwy 79
Irvington, KY 40146

3. NAME OF SUBDIVISION OR DEVELOPMENT

N/A
PVA# 080-00-00-025

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

Zoning Map Amendment to _____ Zone 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

*\$150
P&Z*

Jess Mills
Signature of Completing Official
Jess Mills-Board of Adjustment Chairman

Karen Goodin 11/8/2021
Signature of Administrator Date

Meade County Zoning Board of Adjustments

Conditional Use Permit

Property Address: Hwy 79 Irvington, KY 40146
PVA Identification: 080-00-00-025
Owner: Name: Irvington Gas Company
Address: P.O. Box 55 Irvington, KY 40146
Summary of Conditional Use: Applicant was approved to construct a 200-Megawatt Level III Solar Energy System with 70-Megawatts in Meade County.

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Meade County Zoning Board of Adjustments

Conditional Use Permit

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Meade County Zoning Board of Adjustments

Conditional Use Permit

the following:

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- l.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.
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- d. The time frame for completion of decommissioning activities.
- e. The party currently responsible for decommissioning.
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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 easements 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

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Alexander L Richardson _____ 280 Homer Richardson Rd. Brandenburg, KY 40108

2. ADDRESS OF PROPERTY

Hwy 79 _____
Guston, KY 40142 _____

3. NAME OF SUBDIVISION OR DEVELOPMENT

N/A _____
_____ PVA# 087-00-00-024.05 _____

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

Zoning Map Amendment to _____ Zone
 Development Plan
 Unrecorded Subdivision Plat
 Variance
 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 _____

\$50
P4Z

Signature of Completing Official
Jess Mills-Board of Adjustment Chairman

Signature of Administrator

11/8/2021

Date

Meade County Zoning Board of Adjustments

Conditional Use Permit

Property Address:	Hwy 79	Guston, KY 40142
PVA Identification:	087-00-00-024.05	
Owner:	Name: Alexander L Richardson	
	Address: 280 Homer Richardson Rd. Brandenburg, KY 40108	
Summary of Conditional Use:	Applicant was approved to construct a 200-Megawatt Level III Solar Energy System with 70-Megawatts in Meade County.	

Pursuant to Chapter 100 of the Kentucky Revised Statutes, the Meade County Board of Zoning Adjustments has, 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:

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Meade County Zoning Board of Adjustments

Conditional Use Permit

- Condition 10: 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. 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

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 scrap value of the components left on the property.

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Meade County Zoning Board of Adjustments

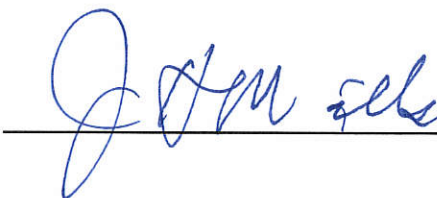
Conditional Use Permit

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 easements 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

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Stephen E Robbins 7470 Hwy 79 Guston, KY 40142

2. ADDRESS OF PROPERTY

7470 Hwy 79
Guston, KY 40142

3. NAME OF SUBDIVISION OR DEVELOPMENT

N/A

PVA# 087-00-00-024.10

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

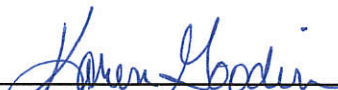
Zoning Map Amendment to _____ Zone
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 Conditional Zoning Condition
 Other (Specify) _____

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



Signature of Completing Official
Jess Mills-Board of Adjustment Chairman



Signature of Administrator

11/8/2021

Date

Meade County Zoning Board of Adjustments

Conditional Use Permit

Property Address:	7470 Hwy 79	Guston, KY 40142
PVA Identification:	087-00-00-024.10	
Owner:	Name: <u>Sephen E Robbins</u>	
	Address: <u>7470 Hwy 79 Guston, KY 40142</u>	
Summary of Conditional Use:	<u>Applicant was approved to construct a 200-Megawatt Level III Solar Energy System with 70-Megawatts in Meade County.</u>	

Pursuant to Chapter 100 of the Kentucky Revised Statutes, the Meade County Board of Zoning Adjustments has, 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:

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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 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.
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Meade County Zoning Board of Adjustments

Conditional Use Permit

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Meade County Zoning Board of Adjustments

Conditional Use Permit

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Meade County Zoning Board of Adjustments

Conditional Use Permit

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Signature of Completing Official



Signature of Preparer:



Planning and Zoning Administrator - Karen Goodin

Date of Certificate:

11/8/2021

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

7470 Hwy 79
Guston, KY 40142

3. NAME OF SUBDIVISION OR DEVELOPMENT

N/A

PVA# 087-00-00-024.15


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

Zoning Map Amendment to Zone
 Development Plan
 Unrecorded Subdivision Plat
 Variance


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



Signature of Completing Official
Jess Mills-Board of Adjustment Chairman



Signature of Administrator

11/8/2021
Date

\$50
P&Z

Meade County Zoning Board of Adjustments

Conditional Use Permit

Property Address:	7470 Hwy 79	Guston, KY 40142
PVA Identification:	087-00-00-024.15	
Owner:	Name: Alexander L & Sarah S Richardson	
	Address: 280 Homer Richardson Rd. Brandenburg, KY 40108	
Summary of Conditional Use:	Applicant was approved to construct a 200-Megawatt Level III Solar Energy System with 70-Megawatts in Meade County.	

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Meade County Zoning Board of Adjustments

Conditional Use Permit

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Meade County Zoning Board of Adjustments

Conditional Use Permit

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Meade County Zoning Board of Adjustments

Conditional Use Permit

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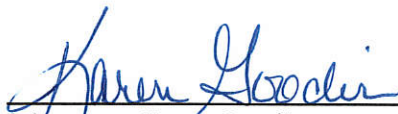
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Signature of Preparer:



Planning and Zoning Administrator - Karen Goodin

Date of Certificate:

11/8/2021

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Stephen E Robbins 7470 Hwy 79 Guston, KY 40142

2. ADDRESS OF PROPERTY

Hwy 79/Guston rd
Guston, KY 40142

3. NAME OF SUBDIVISION OR DEVELOPMENT

N/A

PVA# 087-00-00-024.50

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

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 Conditional Use Permit
 Conditional Zoning Condition
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Brandenburg, KY 40108



Signature of Completing Official
Jess Mills-Board of Adjustment Chairman



Signature of Administrator

11/8/2021

Date

\$50
A/C

Meade County Zoning Board of Adjustments

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	
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Meade County Zoning Board of Adjustments

Conditional Use Permit

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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.

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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

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 easements 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

Meade County Zoning Board of Adjustments

Conditional Use Permit

Property Address:	Dooley Rd	Guston, KY 40142
PVA Identification:	096-00-00-038	
Owner:	Name: Michael Meador & Judith Morrison	
	Address: 990 Dooley Rd. Guston, KY 40142	
Summary of Conditional Use:	Applicant was approved to construct a 200-Megawatt Level III Solar Energy System with 70-Megawatts in Meade County.	

Pursuant to Chapter 100 of the Kentucky Revised Statutes, the Meade County Board of Zoning Adjustments has, 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 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

Meade County Zoning Board of Adjustments

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

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 scrap value of the components left on the property.

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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

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.

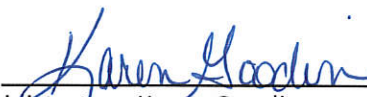
** Issuance of this Conditional Use does not constitute permit to deviate from existing restrictions or easements of record for the property.**

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

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Michael & Betty Meador 990 Dooley Rd. Guston, KY 40142

2. ADDRESS OF PROPERTY

990 Dooley Rd
Guston, KY 40142

3. NAME OF SUBDIVISION OR DEVELOPMENT

N/A

PVA# 096-00-00-039

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

Zoning Map Amendment to Zone
 Development Plan
 Unrecorded Subdivision Plat
 Variance

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

\$150
PdZ



Signature of Completing Official
Jess Mills-Board of Adjustment Chairman



Signature of Administrator

11/8/2021
Date

Meade County Zoning Board of Adjustments

Conditional Use Permit

Property Address:	990 Dooley Rd	Guston, KY 40142
PVA Identification:	096-00-00-039	
Owner:	Name: Michael & Betty Meador	
	Address: 990 Dooley Rd. Guston, KY 40142	
Summary of Conditional Use: Applicant was approved to construct a 200-Megawatt Level III Solar Energy System with 70-Megawatts in Meade County.		

Pursuant to Chapter 100 of the Kentucky Revised Statutes, the Meade County Board of Zoning Adjustments has, 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 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.
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- 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

Meade County Zoning Board of Adjustments

Conditional Use Permit

- Condition 10: 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. 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.
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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.
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- 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.
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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.

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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.

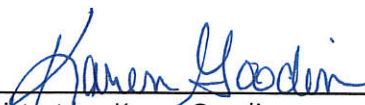
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This Permit expires on 40 years from completion of construction

Signature of Completing Official



Signature of Preparer:



Planning and Zoning Administrator - Karen Goodin

Date of Certificate:

11/8/2021

CERTIFICATE OF LAND USE RESTRICTION

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

Mt Merino Cemetery Ln
Irvington, KY 40146

3. NAME OF SUBDIVISION OR DEVELOPMENT

N/A

PVA# 122-18 (Carried to Breckinridge Co.)

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

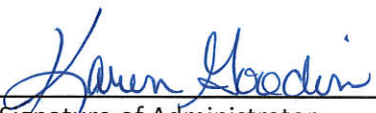
Zoning Map Amendment to Zone
 Development Plan
 Unrecorded Subdivision Plat
 Variance
 Conditional Use Permit
 Conditional Zoning Condition
 Other (Specify) _____

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



Signature of Completing Official
Jess Mills-Board of Adjustment Chairman



Signature of Administrator
Date 11/8/2021

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 Conditional Use:	Applicant was approved to construct a 200-Megawatt Level III Solar Energy System with 70-Megawatts in Meade County.	

Pursuant to Chapter 100 of the Kentucky Revised Statutes, the Meade County Board of Zoning Adjustments has, 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:

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Meade County Zoning Board of Adjustments

Conditional Use Permit

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Meade County Zoning Board of Adjustments

Conditional Use Permit

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Meade County Zoning Board of Adjustments


Conditional Use Permit

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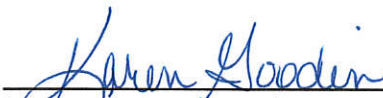
** Issuance of this Conditional Use does not constitute permit to deviate from existing restrictions or easements of record for the property.**

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

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Marino Property LLC

ATTN: Kevin & Kerry Kasey

P.O. Box 55 Irvington, KY 40146

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 to Zone

Development Plan

Unrecorded Subdivision Plat

Variance

Conditional Use Permit

Conditional Zoning Condition

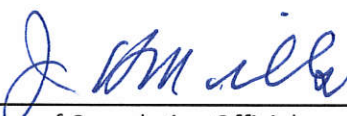
Other (Specify)

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



Signature of Completing Official

Jess Mills-Board of Adjustment Chairman



Signature of Administrator

11/8/2021

Date

Meade 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 Conditional Use:	Applicant was approved to construct a 200-Megawatt Level III Solar Energy System with 70-Megawatts in Meade County.	

Pursuant to Chapter 100 of the Kentucky Revised Statutes, the Meade County Board of Zoning Adjustments has, 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:

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- 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) 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

Meade County Zoning Board of Adjustments

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

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 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

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.

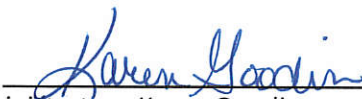
** Issuance of this Conditional Use does not constitute permit to deviate from existing restrictions or easements of record for the property.**

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

CERTIFICATE OF LAND USE RESTRICTION

1. NAME AND ADDRESS OF PROPERTY OWNER(S)

Marino Property LLC

P.O. Box 55 Irvington, KY 40146

2. ADDRESS OF PROPERTY

Mt Merino Cemetery Ln

Irvington, KY 40146

3. NAME OF SUBDIVISION OR DEVELOPMENT

Baldy Smith Farm

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

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



Signature of Completing Official

Jess Mills-Board of Adjustment Chairman



Signature of Administrator

11/8/2021

Date

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	
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