

**NOTICE
OF DECISION**

Date of Notice: 06-10-2009

Application Type: REZONING Case # REZ-2009-05

Site Location: 2637 OLD STATENVILLE HIGHWAY

Map and Parcel Number: 0164 025

Project Name: WIREGRASS POWER, LLC

The Lowndes County Board of Commissioners heard REZ-2009-05 on Tuesday, June 9, 2009, and **APPROVED** the request by a vote of three to zero (3-0) to rezone 22.1 acres from its current E-A (Estate Agricultural) zoning classification to I-S (Intensive Services) with the following **conditions**:

1. Only biomass fuel shall be used to generate electricity at the plant site, except for start-up operations which may require the use of natural gas or diesel fuel for a short period of time (not to exceed 3 calendar days) to stabilize boiler combustion. Eligible biomass fuel shall at no time during start-up or any other time of operation include any animal byproducts, animal waste, tires, coal, or any materials other than what has been presented in the letter of intent with the rezoning application submitted on May 5, 2009;
2. The use of the subject property shall only be a forty (40) megawatt biomass electric generating plant;
3. The proposed use for Wiregrass Power, LLC will be developed and constructed in substantial compliance with the site plan titled "Concept Layout for: Wiregrass Power, LLC" and submitted by the Valdosta-Lowndes County Industrial Authority to the Lowndes County Board of Commissioners with their rezoning application on May 5, 2009. Additionally, the buffer areas depicted on the site plan shall remain in place to include the maintenance of all proposed buffer areas as presented for the life of the project; and
4. There shall be no lighting impact on adjacent properties.

ADDITIONALLY, the TRC (Technical Review Committee) would like to make the applicant aware of the following items:

1. A minimum twenty (20') feet landscaped buffer with a 6'-8' opaque fence will be required on the northern, eastern and southern property lines. The landscaping will include three (3) shade trees and nineteen (19) shrubs per 100' linear feet (ULDC – 4.07.06);
2. Georgia D.O.T. permitting will be required for all proposed entrances along Inner Perimeter Road. Permitting requirements may include the installation of acceleration, deceleration and dedicated left turn lanes (ULDC – Chapter 6.01.02 (B));
3. Future driveway access shall conform to Georgia D.O.T. design standards;
4. Future parking areas are to be constructed with an approved permeable or pervious pavement material. Material shall be subject to approval by the County Engineer (ULDC – Section 6.01.03 (D), 1);