



Forsyth County Department of Planning & Community Development

November 27, 2024

Clean Eagle RNG, LLC
201 Helios Way, Floor 6
Houston, TX 77079

RE: ZA4191
Tax map/parcel 001-004

To Whom It May Concern:

As a result of the meeting held on November 19, 2024, the Forsyth County Planning Commission voted with four members in favor (Shawkat, Flack, Dineen and Schmidt) and one member opposed (Guy) to recommend approval of **ZA4191 – Clean Eagle RNG, LLC** to rezone from Mining Operations District (MINE) to Agricultural District (A1) on 32.16 acres with a Conditional Use Permit (CUP) to build an 880 sq. ft. methane to energy conversion facility and associated utility substation located adjacent to or contiguous with a MSW waste reclamation facility with 5 parking spaces with the following variances and conditions:

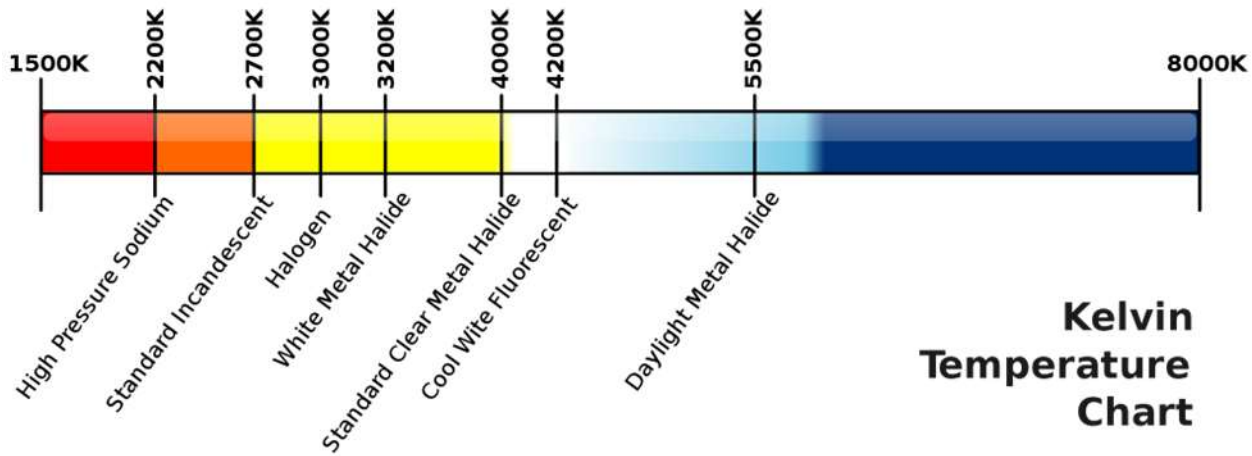
Variances:

1. Eliminate the 5,000 ft. sewer distance requirement to facilitate the use of an on-site septic disposal system (UDC 18-5.18).
2. Increase the maximum building height for the thermal oxidizer and flare only from 30 ft. to 65 ft. (UDC Table 15.2).

Conditions:

1. Any improvements to the water or sewer systems required to meet fire flow or other requirements shall be done at developer's expense.
2. There shall be a 10-foot minimum setback from all Utility Easements to any building, unless otherwise approved by Forsyth County W&S.
3. There shall be no trees planted within the right of way or in utility easements.

4. Clean Eagle RNG, LLC must submit a minor modification request to Solid Waste Management Program with a description and an update to the landfill's Design and Operation.
5. Applicant must apply for and receive an air quality permit from the state prior to any certificate of occupancy.
6. The Applicant/Developer shall not disturb the area between the Old Federal Road right of way and the "proposed 69' buffer from pole easement boundary" as delineated on the site plan; unless required by state or local authorities.
7. Tree removal on the site plan shall be restricted to the minimum necessary for the construction of the buildings and associated infrastructure.
8. Clean Eagle RNG, LLC shall implement any written recommendation by the Forsyth County Fire Department with respect to emergency preparedness or disaster mitigation and such recommendations shall be incorporated into these conditions.
9. Prior to receiving a certificate of occupancy, Clean Eagle shall prepare and submit to the Forsyth County Fire Department, a copy of its final Emergency Action Plan (EAP).
10. The final plant design for the Clean Eagle facility shall be substantially similar to the plant design, on the site plan.
11. Clean Eagle shall install backup generators to allow a safe and well-ordered shutdown of the process in the event of a loss of main line power.
12. The Clean Eagle facility shall be secured via locked perimeter fencing as set forth in the site plan.
13. No waste hauling truck traffic shall enter the gated area of the Clean Eagle facility, except to provide waste removal services to the Clean Eagle facility.
14. Any regulatory compliance documentation required to be issued to the State of Georgia shall be made available to Forsyth County, upon written request of the County.
15. All exterior lighting shall be furnished with shields, louvers and/or lenses to ensure that exterior lighting is directed downward, the light lamp is not visible from nearby properties, and that light spillage is otherwise kept to a minimum.
16. All lighting shall emit a low color temperature light having a Kelvin temperature of no more than three-thousand (3,000). Thereby, light emitted from any source on site will be in the "warm" spectrum and light with a bluish color, sometimes referred to as "daylight" lights, which are in the "cool" spectrum are prohibited. See the chart below for guidance.



17. A video surveillance system shall be installed, maintained, and recording at all times. The video cameras shall be of a sufficient number to capture video of the entire perimeter and/or interior of the site. All video cameras shall be capable of capturing video images in darkness, commonly referred to as “night vision” video, with low lux capabilities. The video surveillance system shall record and store all video from all cameras for not less than thirty (30) days. Upon request from Law Enforcement, including, but not limited to, Code Compliance, recordings shall be preserved for not less than thirty (30) days, as measured from the date of request, to allow time for legal authorization to obtain said recordings. Cameras shall be positioned, or the system shall be programmed so that video or images of privately-owned external properties is not recorded in order to avoid any invasion of neighbor’s privacy. There shall be cameras positioned to capture the license plate of all vehicles entering and exiting the premises.
18. Upon commencement of operations, the grounds of the plant facility shall at all times be kept in an orderly and tidy manner with no outside storage of supplies, except during normal maintenance and shutdown operations; no trash or debris unsecured inside the gated area; and with all non-brick exterior finishes painted, rust-free, and otherwise in good condition.
19. Truck traffic shall only use the existing entrance into the landfill and shall be prohibited from accessing Old Federal from the subject property.
20. All portions of structures visible from the right-of-way shall be painted earth tone green and/or brown.
21. Any trucks carrying a gas cargo shall only travel on Old Federal Road, Highway 369, Highway 306, Highway 53, or Georgia Highway 400 while within the boundaries of Forsyth County.

Sincerely,

Secretary, Forsyth County Planning Commission



Forsyth County Department of Planning & Community Development

Margaret Ann Pryor, Planner II

January 10, 2025

Clean Eagle RNG, LLC
201 Helios Way, Floor 6
Houston, TX 77079

RE: ZA4191
Tax map/parcel 001-004

To Whom It May Concern:

This is to confirm that at their regular meeting on December 19, 2024, the Forsyth County Board of Commissioners approved the request to rezone from Mining Operations District (MINE) to Agricultural District (A1) on 32.16 acres with a Conditional Use Permit (CUP) to build an 880 sq. ft. methane to energy conversion facility and associated utility substation located adjacent to or contiguous with a MSW waste reclamation facility with the following variances and conditions:

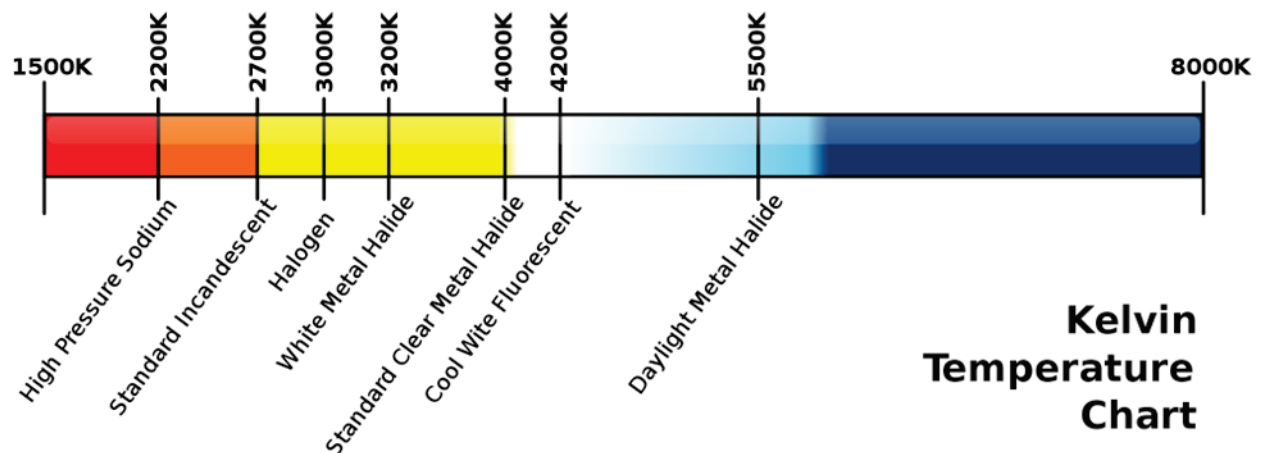
VARIANCES:

1. Eliminate the 5,000 ft. sewer distance requirement to facilitate the use of an on-site septic disposal system (UDC 18-5.18).
2. Increase the maximum building height for the thermal oxidizer and flare only from 30 ft. to 65 ft. (UDC Table 15.2).

CONDITIONS:

1. Any improvements to the water or sewer systems required to meet fire flow or other requirements shall be done at developer's expense.
2. There shall be a 10-foot minimum setback from all Utility Easements to any building, unless otherwise approved by Forsyth County Department of Water and Sewer.
3. There shall be no trees planted within the right of way or in Utility Easements.
4. Clean Eagle RNG, LLC must submit a minor modification request to Solid Waste Management Program with a description and an update to the landfill's Design and Operation.

5. Applicant must apply for and receive an Air Quality Permit from the State prior to any Certificate of Occupancy.
6. The Applicant/developer shall not disturb the area between the Old Federal Road right of way and the “proposed 69’ buffer from pole easement boundary” as delineated on the Site Plan; unless required by State or local authorities.
7. Tree removal on the Site Plan shall be restricted to the minimum necessary for the construction of the buildings and associated infrastructure.
8. Clean Eagle RNG, LLC shall implement any written recommendation by the Forsyth County Fire Department with respect to emergency preparedness or disaster mitigation and such recommendations shall be incorporated into these conditions.
9. The final plant design for the Clean Eagle facility shall be substantially similar to the plant design, on the Site Plan.
10. Clean Eagle shall install backup generators to allow a safe and well-ordered shutdown of the process in the event of a loss of main line power.
11. The Clean Eagle facility shall be secured via locked perimeter fencing as set forth in the Site Plan.
12. No waste hauling truck traffic shall enter the gated area of the Clean Eagle facility, except to provide waste removal services to the Clean Eagle facility.
13. Any regulatory compliance documentation required to be issued to the State of Georgia shall be made available to Forsyth County, upon written request of the County.
14. All exterior lighting shall be furnished with shields, louvers, and/or lenses to ensure that exterior lighting is directed downward, the light lamp is not visible from nearby properties, and that light spillage is otherwise kept to a minimum.
15. All lighting shall emit a low color temperature light having a Kelvin temperature of no more than three-thousand (3,000). Thereby, light emitted from any source on site will be in the “warm” spectrum and light with a bluish color, sometimes referred to as “daylight” lights, which are in the “cool” spectrum are prohibited. See the chart below for guidance.



16. A video surveillance system shall be installed, maintained, and recording at all times. The video cameras shall be of a sufficient number to capture video of the entire perimeter of the site and

shall have at least five (5) video cameras for the interior of the site. All video cameras shall be capable of capturing video images in darkness, commonly referred to as “night vision” video, with low lux capabilities. The video surveillance system shall record and store all footage that contains detection of people or vehicles from all cameras for not less than thirty (30) days. Upon request from Law Enforcement, including, but not limited to, Code Compliance, recordings shall be preserved for not less than thirty (30) days, as measured from the date of request, to allow time for legal authorization to obtain said recordings. Cameras shall be positioned, or the system shall be programmed so that video or images of privately-owned external properties is not recorded in order to avoid any invasion of neighbor’s privacy. There shall be cameras positioned to capture the license plate of all vehicles entering and exiting the premises.

17. Upon commencement of operations, the grounds of the plant facility shall at all times be kept in an orderly and tidy manner with no outside storage of supplies, except during normal maintenance and shutdown operations; no trash or debris unsecured inside the gated area; and, with all non-brick exterior finishes painted, rust-free, and otherwise in good condition.
18. Prior to receiving a Certificate of Occupancy, Clean Eagle shall prepare and submit to the Forsyth County Fire Department, a copy of its final Emergency Action Plan (EAP).
19. Truck traffic shall only use the existing entrance into the landfill and shall be prohibited from accessing Old Federal from the subject property.
20. All portions of structures visible from the right-of-way shall be painted earth tone green and/or brown.
21. Any trucks carrying a gas cargo shall only travel on Old Federal Road, Highway 369, Highway 306, Highway 53, or Georgia Highway 400 while within the boundaries of Forsyth County during normal operations. Trucks may be rerouted onto approved hazmat routes during abnormal operating conditions caused by natural disasters, weather, construction, or other incidents that cause the approved trucking route to be impassable.
22. A traffic signal/roundabout warrant study of the intersection of Old Federal Road and Highway 369 shall be completed and submitted to Forsyth County before any Land Disturbance (LDP) Permits are issued. Provided that the warrant study indicates the need for improvements at the said intersection, prior to issuance of an LDP, developer shall also contribute \$20,000.00 to Forsyth County towards the engineering design of road improvements at the intersection, which funds shall be placed in escrow. It is understood that authority to construct and design the improvements rests with the Georgia Department of Transportation (GDOT). If said engineering design is not completed by GDOT within five (5) years of the date of payment, developer shall have no further obligation pursuant to this condition and the escrowed funds will be released to the developer.

Please be advised that if a complete application for a land disturbance permit is not submitted within eighteen (18) months of the date of zoning approval referenced in this letter, the property *may* be placed on a Board of Commissioners agenda for consideration of a county-initiated rezoning to a constitutional zoning designation for the property pursuant to the Forsyth County Unified Development Code (UDC) § 8-5.5(l).

Please be advised that subsequent amendments to the UDC following this zoning approval *may* include modifications to permitted uses and development standards within some or all zoning categories. It is possible in certain instances that these amendments may substantially affect the development and use of the property as originally approved through the zoning process. Additional applications and public hearings may be necessary in some cases.

Please contact the Planning & Community Development Department directly with questions or for more information.

Sincerely,

A handwritten signature in blue ink that reads "Margaret Ann Pryor".

Margaret Ann Pryor
Planner II