

Addendum to PC Packet 7-11-2023

Agenda Item #3

3. Correspondence – New Correspondence

1. Mary Gorman Email 7-8-23 re: Norwich Solar Technologies - Information from Citizens with Attachments:
 - a. Chronology of the Planning Commission Preferred Site Letter process
 - b. TRANSCRIPT Norwich Planning Commission Meeting July 13, 2021

2. Kris Clement Emails
 - a. 7-9-23 – Request for Official copy of the mapped “Ridgeline Protection Overlay Area”
 - b. 7-10-23 - Request for Official copy of the mapped “Ridgeline Protection Overlay Area” and or Inventory of Scenic Resources
 3. 7-10-23 – Reviewing and Addressing Visual Impact

3. PC 7-13-21 Packet Materials re: Norwich Technologies Upper Loveland RD Solar Installation

Pam Mullen

From: Mary Gorman <mcbgorman@gmail.com>
Sent: Saturday, July 8, 2023 7:22 PM
To: Vince Crow; Pam Mullen; Stuart Richards; Kris Clement; Jeff Goodrich; bob_pape@yahoo.com; Ernie Ciccotelli; Amy
Cc: Jay Benson; Jenn Goulet; Dan Goulet; Joy Kenseth; Stephen Gorman; Robert Holley; Lisa Holley; Larry Ufford
Subject: Fwd: Norwich Solar Technologies - Information from Citizens
Attachments: Chronology of Preferred Site Letter Process - Final.pdf; Norwich Planning Commission Meeting July 13 2021 - Transcript.pdf

PLEASE USE THIS VERSION WHICH INCLUDES THE MAP WITH THE VIEWSHED INFORMATION. THANK YOU.

Dear Members of the Planning Commission,

The question to the Norwich Planning Commission regarding the Upper Loveland Solar Project is simple:

The Planning Commission received information from Rod Francis, heard a presentation of the project by Troy McBride and voted to support the Preferred Site Letter at its July 13, 2021 meeting. The question is: Did you receive the correct information from Rod Francis and Troy McBride during your review? Were you asked to evaluate the actual plan (minus some expected iterations) as you considered whether to grant the Preferred Site Letter?

The Norwich Planning Commission -- the group that reviews and approves the plan -- was shown site plan below, the viewshed analysis. The site plan/viewshed plan below were ONLY versions that Rod Francis included in the Planning Commission packet. The site plan/viewshed plan below were the ONLY versions that Troy McBride presented to the Planning Commission during its July 13, 2021 meeting. This is the ONLY PLAN/VIEWSHED presented to and reviewed by the Planning Commission before the vote to approve the Preferred Site Letter on July 13, 2021. This conceptual plan that was the basis of all review and discussion is NOT the plan that Norwich Solar Technologies proposes to build on Upper Loveland Road. (Details provided in the attached *Chronology of Preferred Site Process Final.*)

Norwich Upper Loveland Solar Viewshed analysis

Array over the ridge behind these trees - near transmission line corridor



In addition to not reviewing relevant data, the Planning Commission members were instructed by Rod Francis to look at one issue and one issue only: was the site visible? The minutes do not show this limitation, but the transcript and video do.

We urge you:

- **Please review the transcript from the discussion and/or the Video of 7.13.21 Norwich Planning Commission Meeting and you will see that Norwich Solar Technology's representative shared only this site plan and its associated viewshed analysis. This site plan was the sole basis for the approval of the Preferred Site Letter. We have included a of the meeting for your convenience.**

Freedom of Information Act

We also want to share that our group has been working diligently as concerned citizens to ensure that this project is transparently reviewed and understood. To this end, we requested through the Freedom of Information Act all correspondence on the Upper Loveland Solar Project in early 2022. The Town's lawyer was involved and the request took weeks. We learned this week that **we did not receive all of the correspondence from Rod Francis** and perhaps others. In addition, an excessive amount of correspondence was redacted. We are dismayed and will follow up with the Town on this matter.

We ask that you rescind the approval of the project and invite Norwich Solar Technologies to return to discuss the project they intend to build and to assess it against the Town Plan.

Respectfully submitted,
Heather and Jay Benson
Mary and Steve Gorman
Jenn and Dan Goulet
Lisa and Bob Holley
Joy Kenseth
Larry Ufford

(1a)

Chronology of the Planning Commission Preferred Site Letter process

“Site Plan A “ Sent by NST in letter to neighbors May 6, 2021

This conceptual plan, as referenced by Troy McBride, appears on the second page of the letter and is referred to here as “Site Plan A.” It depicts the “Property boundary” as a large yellow dashed line, inside of which is a “Proposed Solar Area” outlined in blue, adjacent to a larger area outlined in a white dashed line, presumably for site clearing.

According to McBride the array will occupy approximately two to three acres The panels will be adjacent to the existing transmission line corridor and include some tree clearing to reduce shading.

As this plan shows, the project is a significant distance from the ridgeline. It does not impact the ridgeline or the steep slope descending from its eastern side.

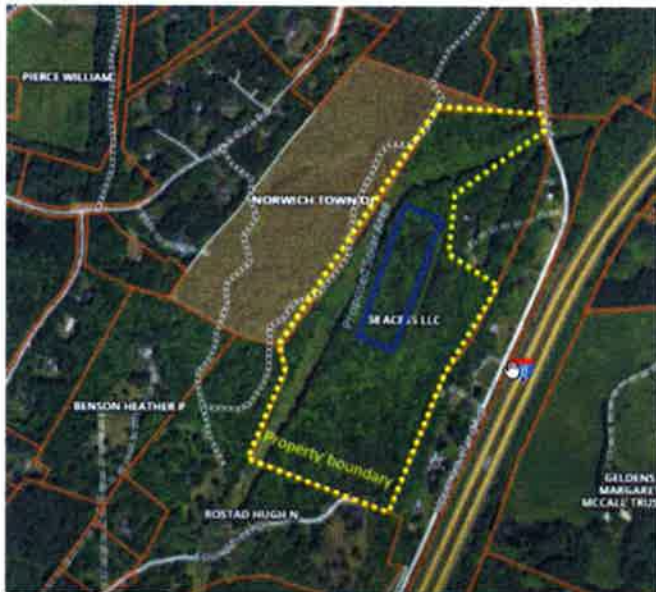


Site Plan A

General view of the site shown by McBride in his presentation to the Planning Commission, July 13, 2021 and included in the PC packet for July 13, 2021.

A **variant of Site Plan A**, it is labelled by McBride as “Parcel boundary (yellow) and approximate location of proposed solar project (blue).”

As with Site Plan A, the project is a significant distance from the ridgeline. It does not impact the ridgeline or the steep slope descending from its eastern side.



General view of site/variant of Site Plan A

“Site Plan B” Viewshed analysis presented by McBride to Planning Commission, July 13, 2021 and included in the PC packet for July 13, 2021 meeting.

Another closely related variant of Site Plan A, this plan was the focus of the Planning Commission discussion on July 13. Related materials (photographs and diagrams of views from points A,B, C and D) all state the following in their prominent page headers: “Array over the ridge behind these trees.” In other words, the project will be behind the trees along the ridgeline. It will not impact the ridgeline or the steep slope descending from it. And as indicated on this plan, there will be approximately 500 feet of screening between the array and the neighbors’ homes.

This is the plan, based on a close variant of Site Plan A, that was reviewed, discussed, and approved by the Planning Commission on July 13. At no time during this meeting was Site Plan C (the Preliminary draft sent in the Advance (45) Day notice) displayed, discussed, reviewed, or voted on. Confirmation of this fact can be found in the video recording of the meeting (see: <https://youtu.be/10ZLnHvi-bg>) and in the enclosed transcript of the meeting

Norwich Upper
Loveland Solar
Viewshed analysis



Site Plan B/Viewshed analysis

“Site Plan C” Preliminary draft (dated June 24, 2021) sent in Advanced (45) Day Notice, July 14, 2021

Site Plan C states that it was “Prepared on: 6/24/21 RD”, 19 days prior to McBride’s appearance at the Planning Commission meeting on July 13, 2021. But this plan was not included in the PC packet for July 13 and McBride did not include it in his presentation to the Planning commissioners. At no time was this plan displayed, reviewed, discussed, or approved/voted on by members of the Planning Commission. Why is this important? Because Site Plan C is significantly different from Site Plan A (and its variants) and Site Plan B. Here the array occupies 2.7 acres, and the limits of disturbance have increased to 9.6 acres, moving the eastern boundary of the project site approximately 95 feet east, over the ridgeline and part way down the adjacent steep slope. The ridgeline is now seriously impacted by the project. These significant changes do not comport with Land Use Policies 2.2c and 2.2e in the Norwich Town Plan. At the very least these issues should have been addressed and reviewed by the Planning commission but they could not be reviewed because this plan was not among the materials that were in the meeting packet or in McBride’s presentation. Moreover, such a discussion could have prompted numerous other questions regarding the consequences of clearcutting the ridgeline and part of the steep slope. So, even though this plan had been prepared well in advance of the PC meeting, McBride did not include or discuss it in his presentation to the Commission. And the very next day, July 14, the plan that was submitted with the Advance (45 day) notice was not Plan B, the Plan that had been approved by the Commission, but Site Plan C, a plan the Commissioners had not seen or reviewed or approved.



Site Plan C

“Site Plan D”

Site Plan D was created August 27, 2021, four (4) days after obtaining approval from the Regional Planning Commission with Site Plan C and a Preferred Site approval from the Town based upon Site Plan B. [The Selectboard, on August 11, also approved Site Plan B, having reviewed the same materials that McBride presented to the Planning commission. Even though Site Plan C was included in the packet of materials for the Selectboard meeting, it went unnoticed by members of the selectboard. More important, McBride, Rod Francis, and Roger Arnold all failed to draw attention to Site Plan C when they clearly had the opportunity to do so. So, like the Planning commission, the Selectboard based their approval of the project on Plan B].

Site Plan D, significantly moved the project site eastward again another 80 feet (for a total of 175 feet). This change of the eastern boundary requires clearcutting trees not just along the ridgeline but also about a third of the way down the eastern slope of the ridge. This is not a minor change. Once again it does not comport with land use policies 2.2c and 2.2.e as set forth in the Town Plan. Moreover, the changes in Site Plan D fundamentally alter the location of the array from “not visible” and “over the ridge behind these trees” to “limited visibility,” while the buffer trees, which now are encompassed in the 9.7 acre site clearing area, will be removed.



Site Plan D

Email from Troy McBride to Rod Francis, August 23, 2021.

In his August 23 email to Rod Francis, McBride includes two images:

- an environmental map from Arrowood Environment
- “a sketch showing the proposed ‘squishing’ of the solar array as presented at the Planning Commission (blue).”

The image of the “sketch” represents two plans, Site Plan D superimposed on Site Plan C.

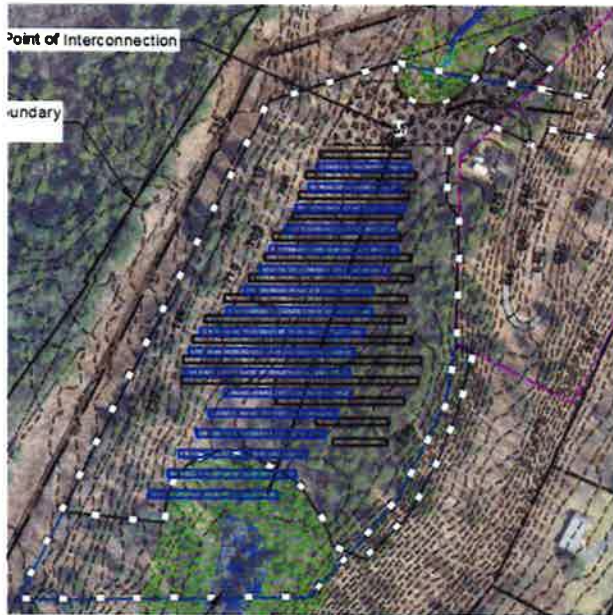
At the July 11, 2021 PC meeting, one of the commissioners asks about getting the opinion of a wetland scientist and how that would affect the view considerations. This email is McBride’s response to the commissioner’s query. The data from the wetland scientist (Arrowood) resulted in changing the limits of disturbance and the location of the solar array project. [See the two sets of dark lines with white dots indicating the limits of disturbance]. McBride’s statement that one of the images is “a sketch showing the proposed ‘squishing’ of the solar array as presented at the Planning Commission (blue)” is not true. [See caption beneath Arrowood environmental map] The “sketch” in blue is part of Site Plan C, the plan that was NOT presented at the Planning commission. So this “sketch” has nothing to do with what transpired at the July 13 PC meeting and it is misleading to say that it does. McBride’s

statement “We don’t see any impact on the visual analysis” is misleading given the fact that the visual analysis that the Planning Commission saw and reviewed on July 13 pertained to a variant of Site Plan A and had nothing to do with Site Plan C and its later iteration Site Plan D.

McBride’s email was included in the correspondence of the September 14, 2021 PC meeting. Rod Francis very briefly mentioned the email noting that there are only “minor adjustments to the scope of the project.” An adjustment that extends the limit of disturbance an additional 80’ down a steep slope is not minor. Francis echoes McBride’s statement “We don’t see any impact on the visual analysis” by saying that the adjustments “would not have an impact on visual analysis.” Like McBride’s statement, Francis’s remark is misleading given the fact that the visual analysis that the Planning Commission saw and reviewed on July 13 pertained to a variant of Site Plan A and had nothing to do with Site Plan C and its later iteration Site Plan D. See the video tape of this meeting, beginning at 59:18. Francis spends less than a minute discussing the memo. Aside from Jeff Goodrich’s brief observation about Arrowood, no other member of the Commission discusses or raises questions about the memo and the “sketch” which is dramatically different from what they had approved on July 13.



Above is the environmental map from Arrowood Environmental and below is a sketch showing the proposed "squishing" of the solar array (black) vs presented at the Planning Commission (blue).



Sketch from McBride email.

Finally, it is also a fact that McBride's presentation to the PC did not consider the visibility of the solar array from the Schmidt's Bog forested area. A town owned property meant for public use and used frequently by Norwich citizens as well as visitors to the area, it is adjacent to the western side of the proposed solar project site. From the trails and off trail locations on the east side of this forest, the solar array would be in full view. This was never considered because the materials presented by McBride were concerned with visibility of the project from roads. Francis likewise was concerned with visibility of the project from roads. In fact, he emphasized this point. But, as the Town Plan shows, issues of visibility are not restricted to "road users." Rather, Town Policy Land Use 2.2.c requires that issues of visibility be considered from "public vantage points." The trails and off-trail locations along the eastern side of the Schmidt's Bog forest area are such "public vantage points."

TRANSCRIPT

Norwich Planning Commission Meeting July 13, 2021

<https://youtu.be/1OZLnHvi-bg>

Jackie, Chair

In a small conference room with Lia, Jeff and Ernie.

Hybrid format

8:40

Jackie

We can move then to our next item on the agenda which is Norwich Technologies Upper Loveland Road Solar installation. I know this is an exercise that many, I think all of us might be familiar with by now, we've had different proposals over the years come to us on solar installations and our role as a planning commission is to review the request and make sure it conforms to our directions in the town plan, which is basically to make sure that the installation isn't impinging on any ridgeline scenic view. And Troy will provide a lot more background on that. The action we're looking for here tonight, we'll have a vote on a motion that this proposed project conforms to the preferred site standard as described in our 2020 town plan. So that's the action.... And you have the background materials in the packet that we provided last Thursday and Ernie, you have a question before we turn to Troy?

Ernie

Yes, I'm just curious why is this in front of the planning commission instead of the DRB?

Jackie

It's always come to the planning commission. It's always come to the planning commission and I think once again it's our role to decide if it's impinging on the ridgeline. I don't have any better explanation than that, and that it will also go to the select board as well. Rod, do you have any other clarification?

Rod

Yes, so the process that's laid out by the Public Utility Commission requires a signature of the chair of the planning commission and the chair of the select board, and the Public Utility Commission doesn't actually recognize local land use regulations such as zoning. So there is no mechanism for them to accept or review a decision made by the DRB. So, to be blunt about it, solar power installations such as this that are going to be grid tied for net metering purposes are outside the purview of the Development Review Board.

Jackie

Thanks. Lia, you had a question? Can everybody hear us okay in here? I'm assuming yes since no one has complained.

Rod.

We hear you fine.

Lia.

With what you and Road are mentioning are referring to page 21 in the packet 11 that needs signatures?

Jackie

Yes, that's correct. Jeff Goodrich, go ahead.

Jeff

Yes, as much as I want to support this personally I know the site fairly well and I don't see evidence that there's been a wetlands scientist up here and so until a wetlands scientist takes a look at the site I can't support (unclear) actions.

Jackie

I don't know if Troy can hear that when we have a question

Rod

I'm sorry, I couldn't tell what Jeff Goodrich just said, he said the word scientist but I didn't hear the word before scientist.

Jackie

Wetland. Wetland scientist.

Jeff

May I repeat myself? I know this site exceedingly well. I don't see any evidence of a certified wetlands scientist doing an analysis of this site and so until that's done I'm going to oppose. Even though I support what Troy's trying to do.

Troy

And I can talk to it as well, Jeff.

Jackie

Troy, do you want to provide any background or, we can all read the packet, I'm assuming we've all read the packet and Jeff Goodrich has raised one question. Maybe before you start, does anyone else on the planning commission have a question that Jeff could target his remarks, I mean Troy could target his remarks? Okay take it away Troy.

12:33

Troy

Great. And Jeff I will address that as we go forward here. That's a very good question. So but yeah thank you for the opportunity to present (unclear) solar project here in Norwich. I'm Troy McBride, I'm one of the owners of Norwich Technologies. We're about a 10 year old company. Also on the phone here is a Ryan Darlow, or on the zoom, is Ryan Darlow, development

engineer with many years of experience in permitting and designing solar projects. So he can answer some specific questions if you have them. I think I could answer most of them. So Norwich Technologies, just for background, I may have told you this before, we're headquartered in White River Junction, we're about 35 people and we are focused on community solar projects in Vermont, New Hampshire and Maine. And we provide sort of end to end services. We have sales, financing, engineers, design, permitting, project management and operations and maintenance.

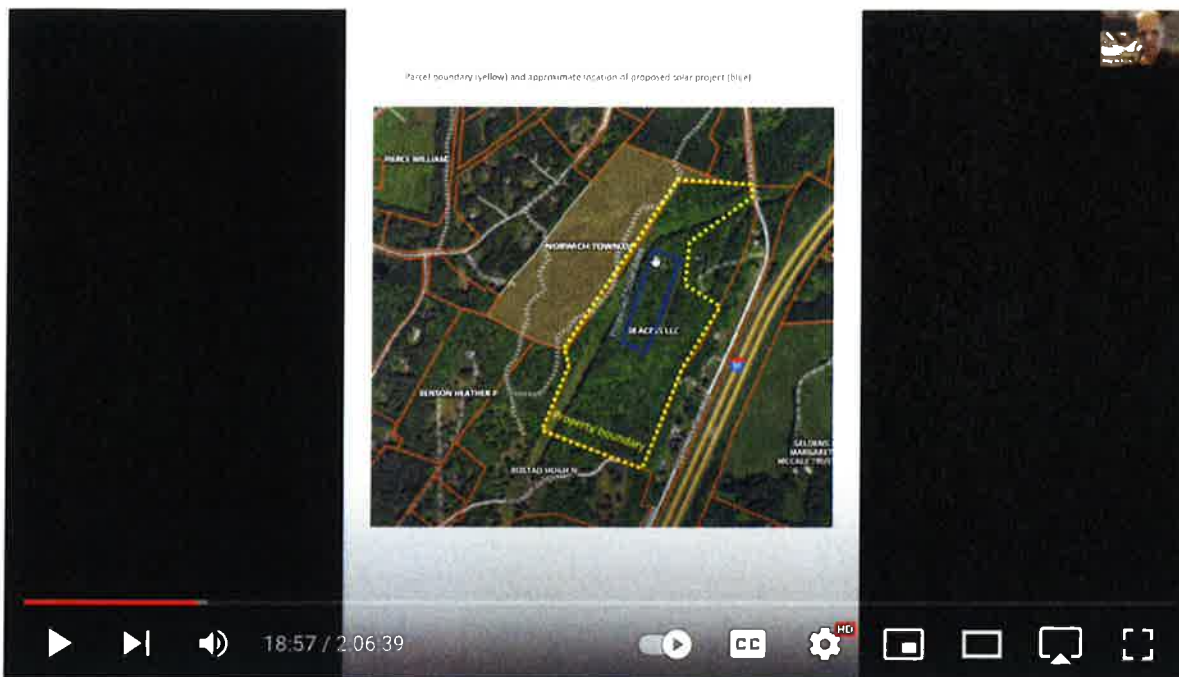
This particular project is proposed at about a 6 acre project on a 30 acre parcel up behind Upper Loveland near the transmission line and the cell tower. It would be about 3 acres of solar panels, 2 - 3 acres solar panels. One of the first steps as we talked about is coming before the planning commission and the select board to present the project. This is again the first step in the project and it's sort of a gating step going forward on the project is whether it is deemed as a preferred site or not determines whether we can do a project of this size in Vermont under the net-metering programs, the community solar net-metering programs.

There is beyond that, there's a full Act 248 process which would be a 45 day notice which we'll be sending out shortly that has much of the information that we're providing to you now for the Act 248 process that is provided in the 45 day notice. All the adjoining landowners and the planning commission, select board, state agencies are all stakeholders in that, so they all receive that, they all provide comments on that, and then we take those comments into effect and then after 45 days we put in a full application, that's around a 200 page application that has expert testimony from a number of areas including environmental, aesthetics, civil and historical and other areas.

So that's the background. I will pull up, just present, the slides that Rod shared just so we can have some things to look at when we talk about it. Specifically to the wetland scientist, we are having a wetland scientist look at the site. There are some areas there that we'll need to avoid and that is something we're fully committed to do and required to do and that is avoid all unmapped wetlands that our environmental scientist will locate and then we'll have full at least 50 foot buffer on any class two wetlands so that. **The layout of our solar array might change slightly depending on the review of the wetland scientist but it's a very, it will be very minor changes based on the location, and there's areas that we already are avoiding based on our understanding of this site.** So that's, that is coming and that is part of the process. The entire permitting process is about a year long and can be quite intensive.

17:23

I'll pull these documents up. You have them all except for the first one I'm gonna show is just a very high level picture to help you locate where this is. Shows image. I hope you're seeing this. Is that visible?



Audience:

Yep

Troy

Okay great. Just as reference here, this is Upper Loveland is parallels 91, about a mile north of the exit. There's a cell tower that is, and I don't know if you can see my pointer

Audience

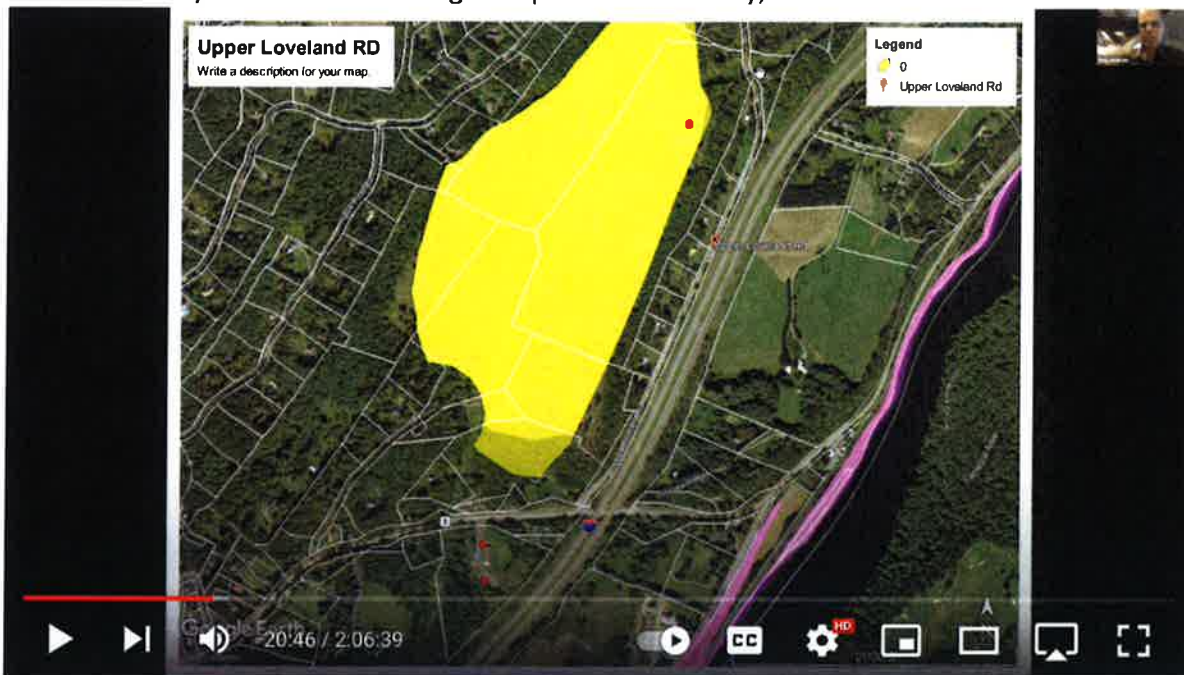
Yes we can

Troy

There's a cell tower right here. We would access the site by the existing cell tower road which actually comes along right here. And then we would come back into the site this way. Cell tower is here. This is the transmission line that goes through here. And then there's a little bit of a flat area in here and as Jeff is indicating, there's some wet areas right in this area (pointing to the northern area) that we'd be avoiding. And so the solar panels would be in this general area (pointing to blue outline in Site Plan B) using the west existing clearing from the transmission lines as the boundary on this side. And then this Hawk Pine neighborhood over here, some town land here. And so that's the general. And 4 wheel drive road comes up here. So that's the general location and proposed installation. This whole parcel is 38 acres. There's about 5 acres that are staying with the cell tower. And so the remaining 33 acres would come under our ownership, we would install the solar array in this area (pointing to blue outline) and leave the remaining property open for public use.

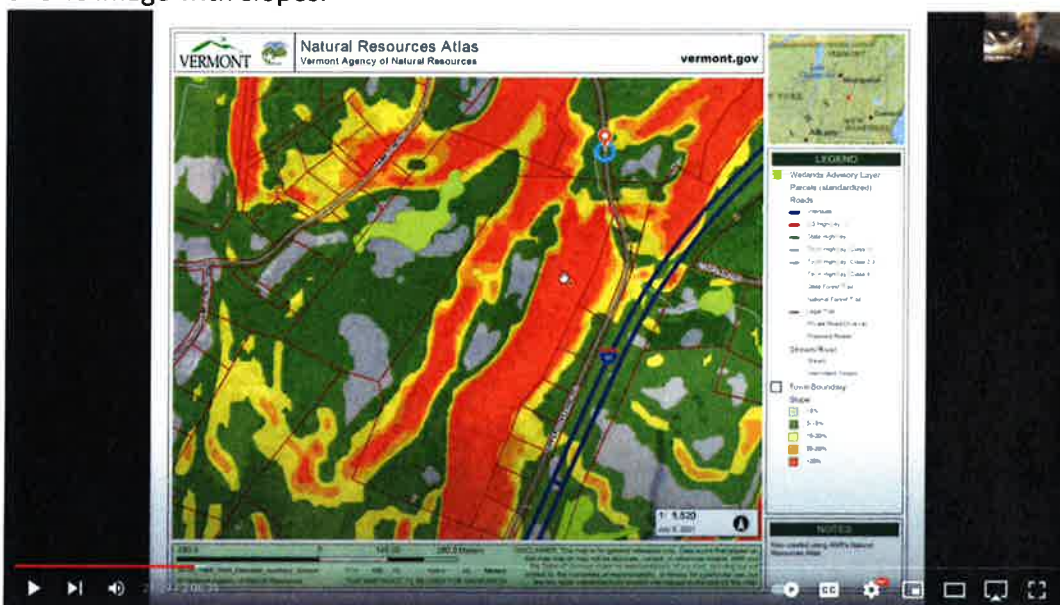
There are some trails on the Norwich town land (pointing to forest) here and it's in general a good location to maintain open to the public.

So the area falls within the ridgeline protection overlay (shows yellow image on site area) shown here in yellow and so the ridgeline protection overlay,



Rod call tell you more about but it's protect the views and the natural beauty of Norwich and so our design of the solar array is done in such a way that the array would not be visible from any public roads or houses so it's maintains the ridgeline protection viewshed.

Shows image with slopes.



Planning Commission Meeting July 13, 2021

34 views Jul 14, 2021 Regular Planning Commission Meeting ...more

0 Dislike Share + Save ...

This other information in your packet, skipping over to the images, this is just a, some visual work that Ryan Darlow, who's on the phone, put together. Though I took the photos. But he did all the analysis. So this is just showing how the array is very well screened, these points A, B, D, and C we chose as sort of the areas that to show visual analysis from as the most likely that you'd be able to see something, but in general all of the neighboring houses and roads have approximately 500 feet or more of screening and large 200 foot elevation change from the interstate and Upper Loveland to the proposed area. And there is the cell tower right here accessing through the existing cell tower road.

Shows photo



Planning Commission Meeting July 13, 2021

14 views Jul 14, 2021 Regular Planning Commission 0 Dislike Share Save ...

Again, this picture, photograph from A so you have the existing trees and slope here and then we're talking about behind that ridgeline is where we would locate the solar panels.

This is another view further up the interstate and again it's located behind those trees near the transmission line corridor.



This is just another view again behind this ridgeline is where we would be locating the solar array.



This is actually off of Upper Loveland Road, it turns and goes up and dead ends and then has a Class 4 road where it picks up on the other side. There's an opening where the transmission lines goes through and then from that opening the array is still not visible as it is up and around behind these trees up there is where the location is.

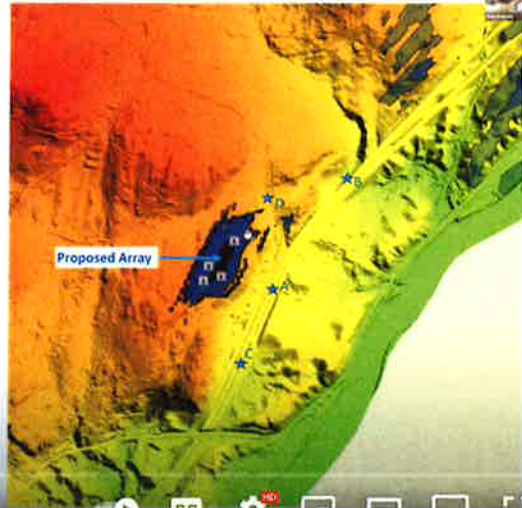


And then the cell tower access road is right here just off screen.

This is another analysis that Ryan put together as another way to look at it, he can, it takes into account the topography everywhere and then he puts points at the various corners of the array and then looks out to see where the views... this assumes there's vegetation here where we control it, but no vegetation anywhere else so it's an analysis showing this is not visible from any public roads or nearby houses and if you have questions on that, Ryan could provide more

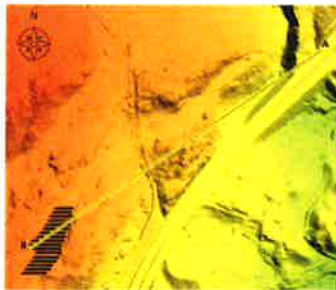
Viewshed Analysis for Norwich Upper Loveland Solar Proposed Project

- Viewshed analysis by Ryan Darlow
- Green/yellow/red colors are the digital elevation
- Blue colors are viewshed from the four corners of the solar project confirming that the viewshed area does not include any surrounding roads (or homes).
- Viewshed analysis includes existing vegetation that will be maintained around the project area
- Viewshed analysis does not include existing vegetation further from the project area (worst case scenario that others remove all other vegetation)



information.

Another way of looking at that is looking at elevation changes and from the various locations again this is from their Interstate location looking over and so you have a large elevation change and you have existing vegetation that makes it completely screened

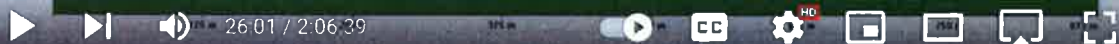


Interstate 91 South

Line of sight (yellow dashed line 6ft above ground level)
From point "A" on named road to point "B" on opposite end of the solar array conducted on bare earth

Existing vegetation and proposed solar array included to estimated vertical scale

Top view shows path of line of sight and the array overlaid on digital elevation model of surrounding area



This is just another point from the Interstate again showing how the solar array is screened by both vegetation and the landscape that the topography.

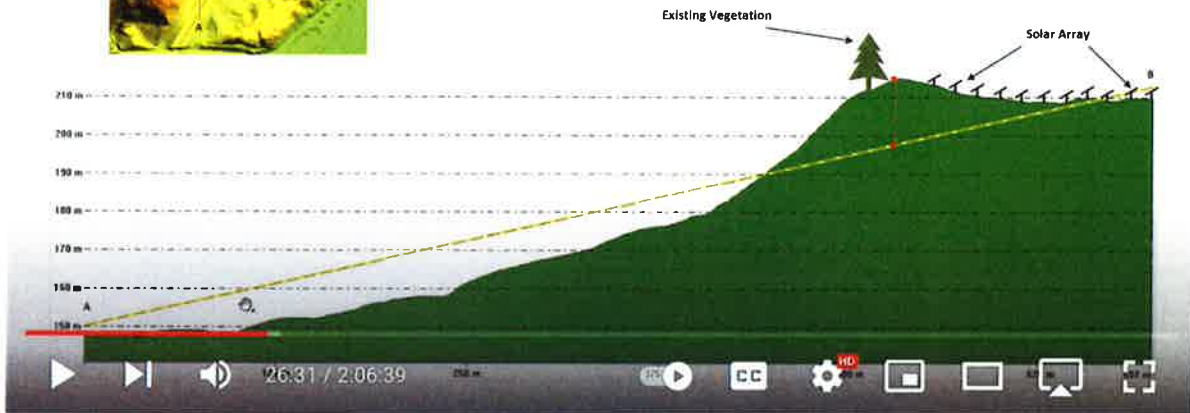


Interstate 91 North

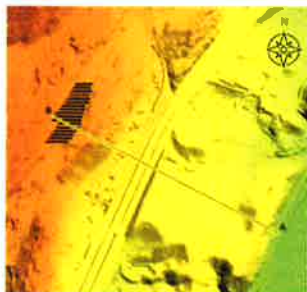
Line of sight (yellow dashed line 6ft above ground level)
From point "A" on named road to point "B" on opposite
end of the solar array conducted on bare earth

Existing vegetation and proposed solar array included
to estimated vertical scale

Top view shows path of line of sight and the array
overlaid on digital elevation model of surrounding area



Route 5 as well. There's large elevation changes as well as vegetation that screen the array.



Route 5

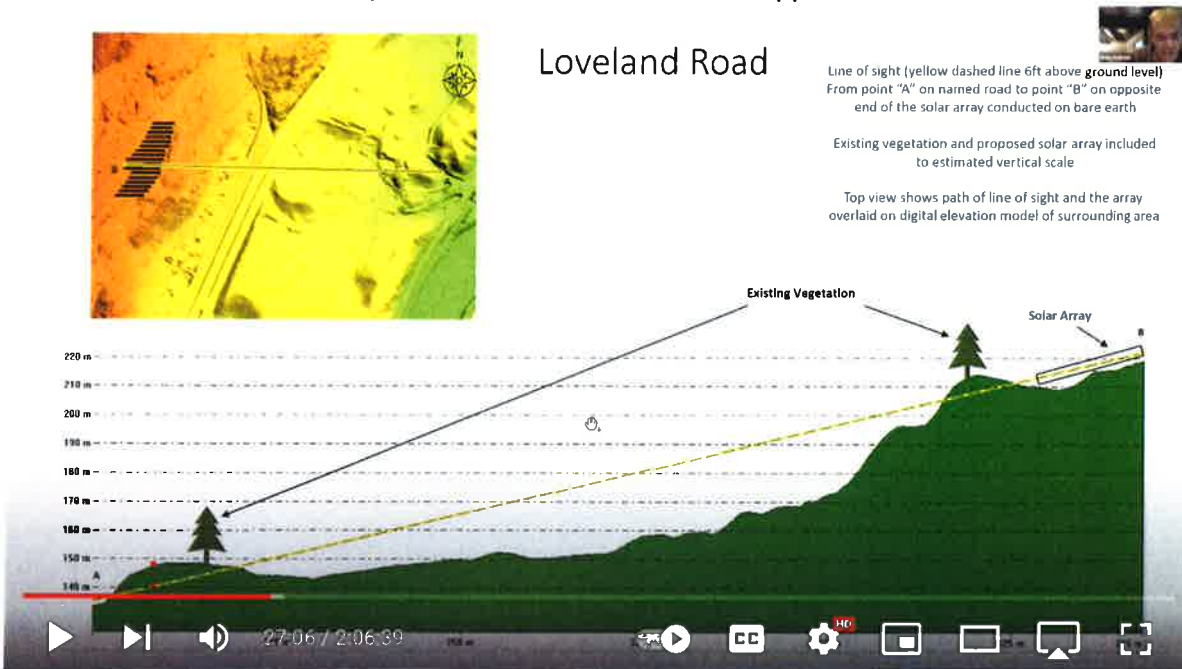
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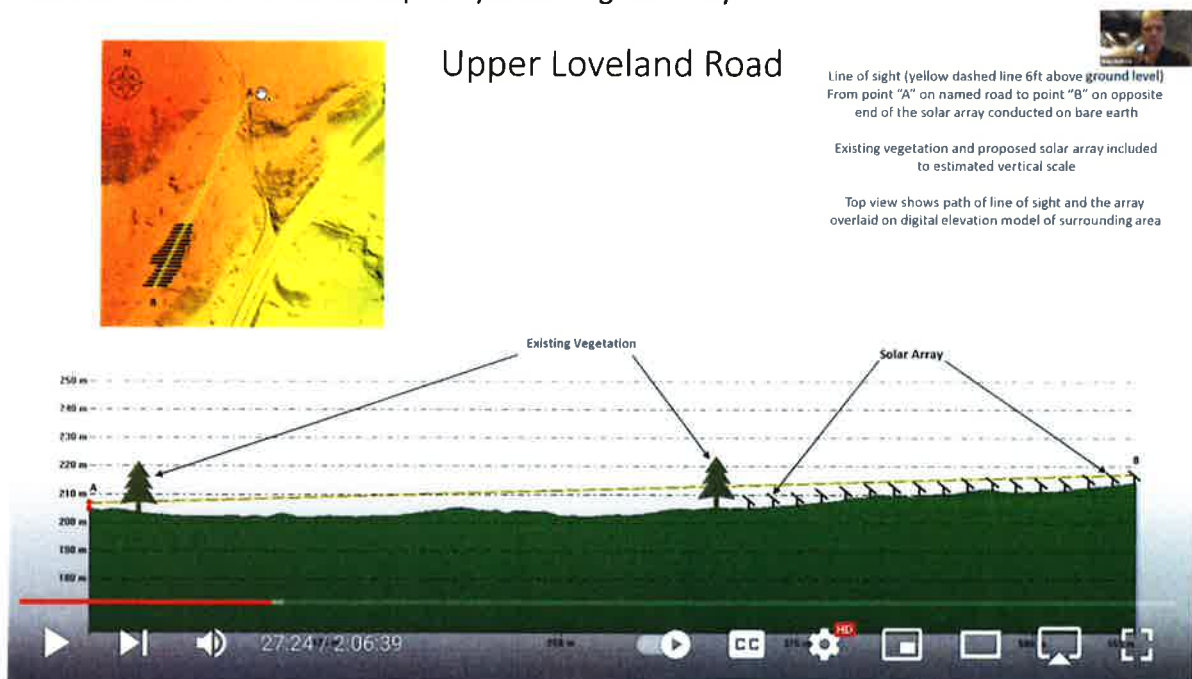
Top view shows path of line of sight and the array
overlaid on digital elevation model of surrounding area



And this is, uh, where is this from Ryan? Loveland Road, okay. Yeah Loveland Road. Which, before the Interstate would, you know, connect it over with Upper Loveland.



And then from Upper Loveland Road looking back along the transmission line, that's where you have the least topography change, but you do have vegetation, including vegetation that's under our control that this completely screening the array.



Jackie

Troy, this is Jackie. I have a question.

Troy

Yep

Jackie

Were you happy when you found this site?

Troy

Uh, I am happy with this site, yes, I uh the things I like about it is that it's near existing disturbance, so cell tower and transmission line, and so that makes it a very good site, it's a site where we buy the land, we can provide a benefit to not only the state and the community through solar but through leaving the land open to the public and it is also completely hidden from the public which I personally am not, I love the look of solar arrays and I love seeing them, but there is very strong opposition by a certain subset of people to visibility of solar projects so that this project very much meets the invisibility or well-screened requirement which I begrudgingly accept as a, as something that a subset of people really feel very strongly about. I do believe, yeah, there's places where solar arrays shouldn't be that would be obnoxious but being able to glimpse them or see them shouldn't be a requirement but in this case we achieve that so that is a positive.

Jackie

Let me just go around the table. Anything else that people want to hear about? Ernie?

Ernie

No I'm actually, I have, is it all right to say what I think? I mean I'm not super thrilled with opening, having, in general, pastures, fields, woods torn down, placing like that, it has nothing to do with appearances. I think I kind of agree with Troy in terms of the appearance of the things when they're in the right places but I think they belong on buildings, surfaces, brown fields, parking lots and places like that. I really don't think they belong in fields. That said, I do appreciate the fact that he's using something that's kind of close to a brown field. I mean I've been to that site and I had to deal, I approved, helped approve the cell tower there and all that sort of stuff because those are disturbed sites already. I would have to see them on fields that have been turned from let's say pasture or something. I'm, I'm comfortable with this.

Jackie.

Jeff Goodrich?

Jeff G.

Yeah, so I'm less than ambivalent about the ridgeline issue. I agree with Troy, let's see more solar arrays, so that's not an issue at all for me. This is a super tough site with a ton of ledge, it is along a power line, I've hiked and jogged this corridor a whole bunch of times, I remain concerned, I probably won't vote no but I won't vote for this either because the wetland issues,

the notion of national wetland inventory adoption by the Vermont Center for Geographic Information is absolutely meaningless especially with the state's requirement to get the district ecologist not take a look at things with respect to wetlands. And to me that could simply expand the scope of the project but until I understand better what those implications are, I'm going to have to abstain.

Jackie

Lia

Lia

Is there any more detail. I appreciate the presentation and the documents. Is there any more detail on what the anticipated timelines are for next steps.

Jackie

Did you hear that okay Troy?

Troy

Yes I did, the question is on time lines for next steps so the 45 day notice will be coming out shortly and you should see that as a group, Rod and Herb should be able to pass that, those, the 45 day notice along. That won't really contain much information you don't already have, but that is an opportunity to provide additional comments, but you can obviously give those comments now. At the end of the 45 day notice, that's when you'll see the big package and this is all assuming that you, that the select board and the planning commission vote to provide the letter. If you vote not to provide the letter, then that, the project sort of ends, so that's the, the other, other side but if you vote to provide the letter then in 45 day notice, 45 days, give or take a few more, we would be providing the full 200 page application and that would also be provided to the planning commission, select board, and that would have additional information and detail including all of the all of the inventories that Jeff is describing as well as others and that, as well, you provide comments provide, you can provide them directly to us but you can also provide them through the Public Utility Commission. You're a stakeholder in that. And then that, there's usually a number of back and forths in that process and then within six months to a year the project would receive a Certificate of Public Good, basically a permit, and that, so that would be sometime around this time next year and to the actual project itself would take place sometime between this time next year and this time in 2023.

Jackie

Okay. Thanks, Troy. All set Lia? Jeff (?) any comments or questions?

Jeff (?)

No, I saw Brian's hand was up

Jackie

I can't see hands, thank you for that. Brian, any comments or questions.

Brian

Yes, thanks Troy for the presentation and I just happened to be up there the other day on the trail that Jeff Goodrich mentioned connecting the top of 4 Wheel Drive and those trails into Hawk Pine. I wanted to hear a bit about your acquisition of this site, when it occurred, what the transaction was like, and what your plans are and what other opportunities there may be on the rest of the parcel which you said is another 33 acres.

Troy

Yeah, so it's another 27 acres, right. 33 total. And the solar will be at about, it'll be about 6 acres project, solar will be about 3, so 30 acres, right. Yeah, so it's only under contract so purchase and sale contract and we're only purchasing if we're able to move forward with the solar project, so that that is part of sort of the negotiation. So we're under purchase and sale contract to purchase it and we would purchase it at the time that we got a Certificate of Public Good, so next year around this time is when we would purchase it, but we would have it under contract during that time.

The, full disclosure, I live up there and use trails in that area extensively and so I, my plan for the remainder is to leave it open as for trail use and use by the public for other, other means so just similar to the town of Norwich land which is right there.

Brian

Sorry, I missed who owns the land now.

Troy

The land is owned, what's his, Josh Lewis? John Lewis? Rod?

Rod

It's John Lewis

Troy

It's owned by John Lewis. His family owned much of the land on both sides of the Interstate there and.

Brian

Timeline, history of you guys locating a parcel and getting under contract?

Troy

It's for sale, just for sale by owner, by a real estate broker and it was for sale for about, about a year, nobody purchased it, the price came down and we put an offer on.

Brian

Thanks

Jackie

Thanks Brian. Anything else we need to know before there's a re, have a motion? Okay. So the motion we're looking for here is to recommend to the select board a letter of support be provided Norwich Technologies for their proposed solar generation project on Upper Loveland Road? Would anyone like to make that motion?

Brian?

Jackie can I ask a couple more questions or do we need...?

Jackie

Yes, I just asked if anybody needed any more information so I didn't hear an answer so go ahead.

Brian

Jeff Goodrich, how would you feel about supporting a motion that's conditional in seeking and then seeking that additional scientific guidance and also another question to Troy, is... any more development opportunities on the land. I love trails also, that's why I was out there myself, but if you would be open to exploring any development on that parcel.

Troy

Yeah, so you asked one of me and one of Jeff so I'm happy to, Jeff, do you want to?

Rod

Actually, Jackie, can I cut across this for a moment?

Jackie

Yep

39:33

Rod Francis:

I want to be really clear that my memo made really clear that the scope of the planning commission's review is to do with whether you can reach a conclusion that the visual impact has been minimized from the vantage points of public state highways, the interstate and town highways. And so with regard to the question of wetlands, Troy has patiently explained that there is another step in the process for him, and that's to do with wetlands, but that's not germane to the planning commission's inquiry here. And so the memo makes that clear.

And that also goes to the question of what if any other uses would be proposed for the site, while that may be of interest to individual planning commission members, it's not germane to the review that you're undertaking here. So with regard to the memo and the suggested motion, the motion reflects the scope of the planning commission's review. And so to be clear, it's visual impact analysis that you're doing, and that was the majority of Troy's presentation, to do, addressing the potential for visual impact.

PC Member. Jeff Goodrich:

First, I appreciate Rod as Planning and Zoning Director indicating what he just said, trying to focus us. And I would certainly agree with what Rod said with respect to Brian's query, although I think it's a valid follow-up for discussion in this collegial setting. **My issue, although I'm not deeply concerned about ridgeline or visual impacts, my issue is, it's entirely possible that once the wetland issues are evaluated, this is gonna expand and it could affect visual impacts, which wouldn't affect my positive support for the project even so, but there's not enough information for me to address the actual topic on the table.**

Rod Francis:

In response to that, sorry Troy, I'll give you a shot, **if the characterization of the site of disturbance would change dramatically as a consequence of the wetland mapping, then the obligation would be on the applicant to come back before the planning commission and seek, and indicate that there's been a significant revision to the area of impact, and then obtain permission, you know, obtain the letter of support from the planning commission subsequent to the changes to the project. So, the assumption here is that the characterization of the project area is continuing, is moving forward. If that changes, then so also does the letter of support.**

PC member. Jeff Goodrich:

I actually have a question. So how would the, what's the process there, so if you know, what is the point of intervention, who decides, for example, if the changes that get made in response to a wetland, a scientist's assessment rises to the level of having it come back to the planning commission and seeking a new letter...

Troy McBride of Norwich Solar

That's a good question, Jeff. I guess I give two answers to that. One is a, **if you wanted to add a little language to the preferred siting letter, we've had other planning commissions do things like that, where they just add a sentence or something based on a specific request.** So that's an option. The other is, as a stakeholder in the, when the full application comes along, you could say as a group you could evaluate it and say this does not meet what we said was a preferred site, that they have changed the layout extensively based on something that they did not present to us. The PUC would take that extremely seriously if you were... obviously (laughs) I would, because our reputation is extremely important to us, plus we want to do the right thing, but if, if you saw that during that full application that you thought that we had changed the layout in a manner that changed the outcome, or would, was misrepresented over what was presented here, then that would be another opportunity to present that.

Jackie, Chair of Planning Commission

This is Jackie. If I could take a stab at this, okay? A motion that would read "the planning commission recommends to the select board a letter of support be provided to Norwich Technologies for the proposed solar generation project at Upper Loveland Road **subject to wetlands review that doesn't require movement of the project.** Is that?"

Rod Francis

No you can't do that because it's outside the scope of your review.

Jackie

Okay

Rod

Okay so I think Troy's tried to be helpful and say at the point where the Select Board drafts a letter, the letter could identify that some members of the commission and the select board had concerns with regard to the extent of what unmapped wetlands and what impact that may have on the final project and then as Troy pointed out with the 45 day notice there will be another opportunity to review the project and then the point where it goes before the Public Utility Commission which will be after the wetland scientist has characterized the site, **if the proposed area of impact is dramatically different from what we've been provided with, for review here, then I would flag that and draw that to your attention and I would draw it to Troy's attention and then the letter, the letter of support could either be withdrawn or modified to reflect the planning commission and the select board's concern with the changed nature of the project.**

Jackie

Okay so I misunderstood then, that this caveat, if you will, would appear in a cover letter, not in the motion.

Rod

Correct.

Jackie

All right, I misunderstood.

PC member Jeff Goodrich

So like Troy said I see caveats like this in motions in other places so I think we can do that.

Rod

He didn't say in motions, he said in the letter.

PC member Jeff

Jackie was making a motion I thought so if I may finish my statement before being interrupted, so sitting here I'm not advocating that we address the wetland question in a motion. Even though I abstain and others may vote for this, that's fine, but **I just want to state for the record that it's possible to include wetland considerations that may very well affect the things that are of concern.**

47:22

Ernie

I just have a question. I'm not clear on what happens if after the wetland scientist comes, let's pretend, just for the sake of discussion because I have no idea if this is gonna happen or not, **if they determine that the site as it's been presented to us today is not suitable, it has to be changed or something like that, what happens then if we, since we're voting today, what happens, what's the consequences for our vote?**

Rod

I think I've already tried to explain this a couple of different ways. So if the site, **if the area of impact for the proposed project changes dramatically as a consequences of the wetland scientist's input, then the applicant's obligated to come back to the planning commission and notify them of those changes.** If they don't, or if they overlook that, then we have the ability at the 45 day notice point to review the materials that they submit, and then we subsequently have the ability to review the material that they submit to the Public Utility Commission for Certificate of Public Good. So two, setting aside the good will of the applicant, we have two regulatory moments where we can voice our concern about what's being reviewed by the Public Utility Commission is not what we reviewed. And as Troy pointed out that would be taken very seriously.

48:58

Unknown PC

Would it be appropriate for us to ask Troy to let us know what happens when you get the opinion of the wetland scientist (unclear) after that affects the view considerations? Seems like a common courtesy rather than just having to sort of make an assumption about whether or not it's a big deal or not, if you'd just let us know that would at least trigger for us the opportunity to come and take another look at it in terms of you needed to move it (unclear).

49:26

Troy

So I'm very happy to come back and present and will send you the data through the, we can send the data directly to Rod when we have it. I do want to note that you will not see it in the 45 day notice, that will be coming out tomorrow, um, based on some, the timing of various PUC deadlines but you will see it in the full application and we will have it before we submit the full application and can send it to you before we submit the full application by sending it to Rod. And we're happy to come as well before the planning commission if you have the bandwidth.

50:42

Jackie

Thank you Troy. Any other comments or questions before a motion? So motion that we're looking for here is the planning commission recommends to the select board a letter of support be provided to Norwich Technologies for their proposed solar generation project on Upper

Loveland Road. Our responsibility here as has been described is that there is no ridgeline impact on this project. Do we have such a motion?

Melissa
I'll move

Ernie
Second

Jackie
Roll call. Melissa aye. Brian aye for me as well. Jeff LeBell aye. Lia? Aye. Jeff Goodrich. I abstain. Jackie is an aye. And Ernie is an aye. Thank you Ernie. So thank you Troy. Appreciate your time tonight and we can move on to our next item on the agenda. Okay?

Troy
Thank you very much.

Rod
Thanks Troy.

Jackie
Good luck.

Troy
Thank you.

Pam Mullen

From: Kris Clement <kclmwp6@gmail.com>
Sent: Sunday, July 9, 2023 9:10 AM
To: Amy; Pam Mullen; Jeff Goodrich; bob_pape@yahoo.com; Ernie Ciccotelli; Vincent Crow; Stuart Richards
Subject: Request for official copy of the mapped 'Ridgeline Protection Overlay Area'

Jaan, Pam, and members of the PC,

I am hoping that by Tuesday the members of the PC will have in front of us, or have access to, the official copy of the mapped 'Ridgeline Protection Overlay Area' as mentioned in the Town Plan:

"This plan calls upon the Public Utility Commission to issue Certificates of Public Good for projects between 15 kW and 500 kW based on the presumption that lands in Norwich meet the so-called 'preferred site criteria,' **except in areas already mapped as Ridgeline Protection Overlay Area, the Shoreline Protection Overlay Area, and the designated village center.**"

I have searched the Town website and have only been able to come across 'Zoning Map 5 - Ridgeline Overlay District Norwich Zoning Regulations 5-21-08 Draft. I am uncertain where Rod retrieved the information, but at the 7/13/21 PC meeting, he presented a photocopy of what appears to be a section of an official map of the Ridgeline Overlay District.

As a deliberative body I would hope that access to a map of this significance should be made available to us before and during review of solar installations. These are the kind of resources I would appreciate having in order to make informed decisions.

Thanks,
Kris

Please do not respond to this email to maintain compliance with the OML.

Pam Mullen

From: Kris Clement <kclemwp6@gmail.com>
Sent: Monday, July 10, 2023 6:39 AM
To: Amy; Pam Mullen; Jeff Goodrich; bob_pape@yahoo.com; Ernie Ciccotelli; Vincent Crow; Stuart Richards
Subject: Request for Official copy of the mapped "Scenic Resource Area" and or Inventory of Scenic Resources

Jaan, Pam, and members of the PC,

I am hoping that by Tuesday the members of the PC will have in front of us, or have access to, the official copy of the mapped "Scenic Resource Area" and, or the official document entitled Inventory of Scenic Resources, prepared by the Scenic Resources Committee.

I have searched the Town website and have only been able to come across 'Resource Map C - Scenic Resource Area Norwich Zoning Regulations 5-21-08 Draft. This map, as well as the other maps on the Town website do not identify road names, and it is unclear what the 'parcel' boundaries represent.

I am uncertain where Rod retrieved the information, but at the 7/13/21 PC meeting he writes:

"(3) Scenic Resources. Development shall be located and configured to avoid undue adverse impacts to scenic resources identified on maps created in conjunction with the document entitled Inventory of Scenic Resources, prepared by the Scenic Resources Committee of the Norwich Conservation Commission and dated January 2000. (See Map C). Development within view of scenic roads, as identified in the aforementioned planning documents, shall be designed to avoid undue adverse impact to the identified scenic resources. [emphasis added]

Attached is a map from the ANR Atlas for the subject site. The applicants have provided other materials for review addressing the possibility of visual impact.

Staff Findings:

1. Upper Loveland RD is not a designated 'scenic road'

As a deliberative body I would hope that access to all maps of this significance should be made available to us, and to the public, before and during review of solar installations, and development in general. These are the kind of resources I would appreciate having in order to make informed decisions.

Thanks,
Kris

Please do not respond to this email to maintain compliance with the OML.

Pam Mullen

From: Kris Clement <kclemwp6@gmail.com>
Sent: Monday, July 10, 2023 7:14 AM
To: Amy; Pam Mullen; Jeff Goodrich; bob_pape@yahoo.com; Vincent Crow; Stuart Richards; Ernie Ciccotelli
Subject: Reviewing and Addressing Visual Impact

Jaan, Pam, and members of the PC,

I have searched through the PC web page (zoning regs, subdivision, etc) and the Town Plan and have yet to find a 'criteria' list or specifications that address what is considered 'undue adverse visual impact,' for example is there an area that addresses the impact of seasonal views (ie: summer foliage vs. winter).

If available, I am hoping that a criteria list is available for review before our meeting on Tuesday.

"(3) Scenic Resources. Development shall be located and configured to avoid undue adverse impacts to scenic resources identified on maps created in conjunction with the document entitled Inventory of Scenic Resources, prepared by the Scenic Resources Committee of the Norwich Conservation Commission and dated January 2000. (See Map C). Development within view of scenic roads, as identified in the aforementioned planning documents, shall be designed to avoid undue adverse impact to the identified scenic resources. [emphasis added]

Attached is a map from the ANR Atlas for the subject site. The applicants have provided other materials for review addressing the possibility of visual impact.

Thanks,
Kris

Please do not respond to this email to maintain compliance with the OML.

Agenda Item 3
(3)

Town of Norwich | Planning Commission Agenda | July 13, 2021 | 6:30pm |

Physical Meeting Location Small Conference Room Tracy Hall. Limitations apply (see access instructions at the link below):
http://norwich.vt.us/wp-content/uploads/2021/06/COVID_Contingency_Emergency_PlansPublicReleaseNo8_1Jun2021.pdf

ZOOM access information:

<https://us02web.zoom.us/j/89339717735>
 888 475 4499 US Toll-free
 877 853 5257 US Toll-free
 Meeting ID: 893 3971 7735

Agenda Item	Action	Packet Materials	Estimated Start/End
1. Approve Agenda	Chair will ask Commission to add/remove/reorder agenda items.		6:30-6:35
2. Public Comment	Public invited to speak to any item not on the agenda		6:35-6:40
3. Norwich Technologies Upper Loveland Rd solar installation	Vote on a motion that the proposed project conforms to the 'preferred site' standard as described in 2020 Town Plan	Directors Memo Norwich Technologies submission	6:40-7:10
4. Announcements, Reports, Updates, and Correspondence	Discuss, comments and questions	Correspondence Director's Report Childcare Minutes 6/7/2021 Affordable Housing Sub-Committee Minutes 6/21/2021	7:10-7:30
5. Density Study draft RFQ	Comment on draft of RFQ	RFQ for Density Study draft and timeline	7:30-7:40
7. Planning Commissioner Code of Conduct	Update Planning Commission By-laws	Vision and Guiding Principles- Norwich Selectboard 5-24-17 Plus previously circulated materials in May and June packets	7:40-8:10
8. Approve Minutes of May June 8, 2021	Approve minutes. Motion required.	Minutes June 8, 2021	8:10-8:15
10. Other Business	Raise any other topics		8:15-8:20

11. Future Meeting Schedule and Agendas	Review schedule and provide input on upcoming agenda		8:20-8:25
12. Public Comment			8:25-8:30
13. Adjourn	Motion required.		

Future Meetings:

August 10, 2021

September 14, 2021

Encl: Correspondence

Draft Minutes, 6/8/2021

Director's memo re: Norwich Technologies request for consideration of preferred site status

Norwich Technologies submission for a Solar Generation project in the Ridgeline Protection Overlay District

Director's Report

Childcare Committee Minutes 6/7/2021

Affordable Housing Minutes 6/21/21

Draft RFQ for GIS analysis of rural settlement patterns

Selectboard Vision and Guiding Principles, 2017

Planning Commission Bylaws, including Open Meeting Law statute (previously circulated)

Selectboard Conflict of Interest Policy (previously circulated)

24 VSA §4325, Powers and duties of planning commissions (previously circulated)

TO: Planning Commission
FROM: Rod Francis, Planning Director
RE: Solar Generation Project "Preferred Site" Status review, Upper Loveland RD
DATE: July 3, 2021

Background

The 2020 Town Plan Energy Chapter contains Policy 3.2.h:

For solar generation projects sized from 15kW to 500kW the presumption is that all of Norwich meets the Public Utility Commission definition of 'preferred site', notwithstanding the existing areas of local concern including the Ridgeline Protection Overlay Area and the historic village district as identified in the Norwich Land Use Regulations

The subject site is located in the Ridgeline Protection Overlay Area, and therefore does not automatically qualify as a preferred site.

Process

Under such circumstances the following process is available to applicants:

1. Applicant presents materials for review to the Planning Commission requesting a "letter of support" for the project (effectively a conclusion that the project as described does not pose a material conflict with the purpose of the Ridgeline Protection Overlay District)
2. Planning Commission votes on a motion recommending the Selectboard provide a letter of support
3. Applicant presents to the Selectboard, which votes on a motion to provide a letter of support (drafted by the Planning Director)

Standard of Review:

The Ridgeline Protection Overlay (RPO) District Overlay is described on page 28 of the Norwich Zoning Regulations (NZR) as adopted July 1, 2009.

- (A) **Purpose.** The purpose of the Ridgeline Protection Overlay District is to protect Norwich's rural character and scenic landscape by ensuring that development is located and designed in a manner that protects the uninterrupted skyline and minimizes adverse visual impact on designated ridgelines and adjacent slopes as viewed from public roads (Class 1, 2 and 3 town highways, state highways and interstate highways within the town).

The NZR addresses natural and scenic features in Section 3.13 (page 43). The standard described is "minimize adverse impact of development on significant natural, scenic, and cultural resources" and more specifically:

- (3) **Scenic Resources.** Development shall be *located and configured to avoid undue adverse impacts to scenic resources* identified on maps created in conjunction with the document entitled Inventory of Scenic Resources, prepared by the Scenic Resources Committee of the Norwich Conservation Commission and dated January 2000. (See Map C).

Development within view of scenic roads, as identified in the aforementioned planning documents, shall be designed to avoid undue adverse impact to the identified scenic resources. [emphasis added]

Attached is a map from the ANR Atlas for the subject site. The applicants have provided other materials for review addressing the possibility of visual impact.

Staff Findings:

1. Upper Loveland RD is not a designated 'scenic road'
2. The subject parcel is developed with a telecommunications tower and a high voltage power transmission line
3. There are no mapped wetlands, or other key natural or cultural resources
4. The site has an existing service road for the telecommunications tower, which traverses steep slopes
5. The location for the solar generation project on the parcel is not subject to steep slopes
6. The solar generation project does not cause an undue adverse visual impact to travelers on town, state or interstate highways.

Recommendation



Staff offers the following in the form of a proposed motion:

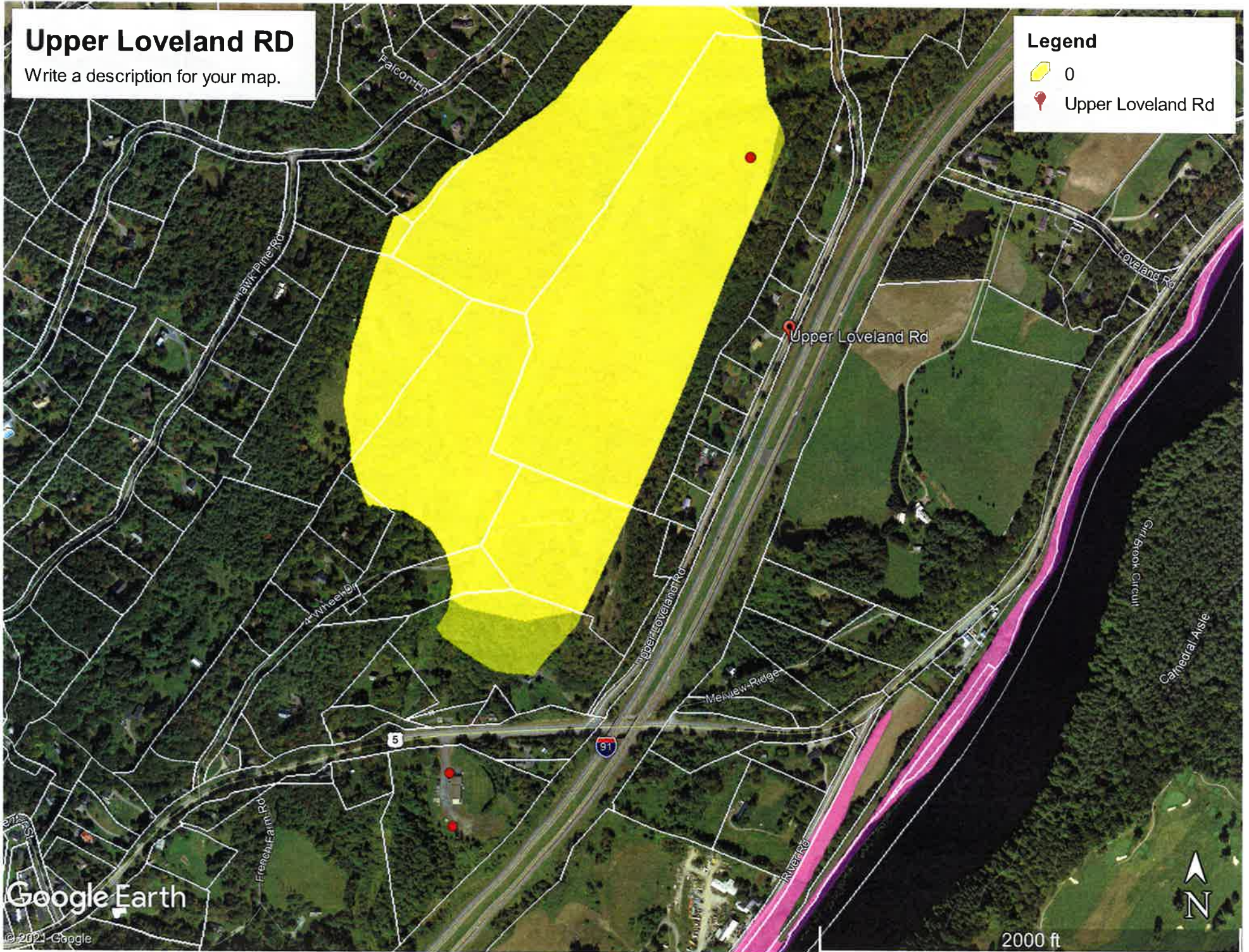
I move that the Planning Commission recommend to the Selectboard a letter of support be provided to Norwich Technologies for their proposed solar generation project on Upper Loveland Road.

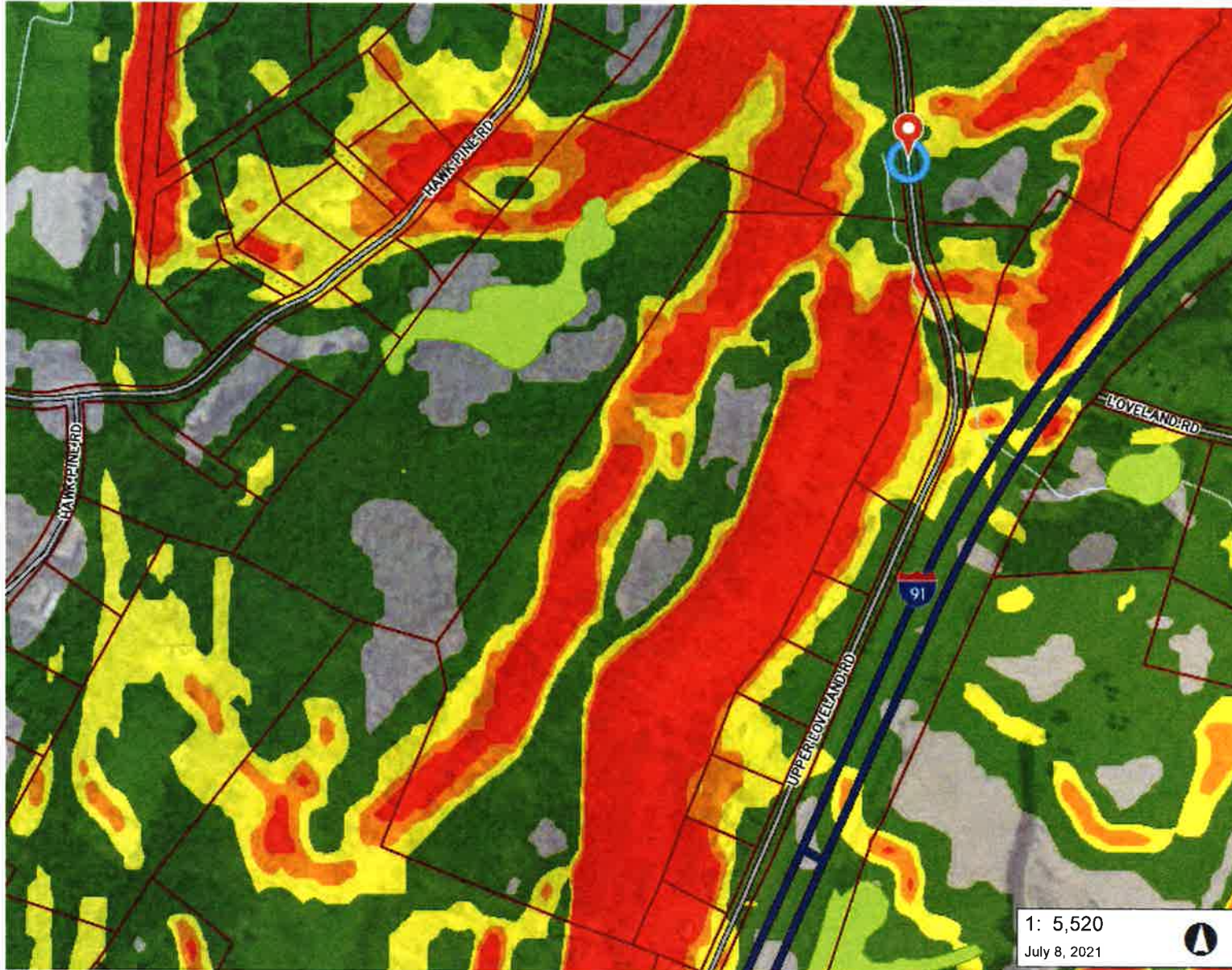
Upper Loveland RD

Write a description for your map.

Legend

-  0
-  Upper Loveland Rd





LEGEND

- Wetlands Advisory Layer
- Parcels (standardized)
- Roads**
 - Interstate
 - US Highway; 1
 - State Highway
 - Town Highway (Class 1)
 - Town Highway (Class 2,3)
 - Town Highway (Class 4)
 - State Forest Trail
 - National Forest Trail
 - Legal Trail
 - Private Road/Driveway
 - Proposed Roads
- Stream/River**
 - Stream
 - Intermittent Stream
- Town Boundary
- Slope**
 - <5%
 - 5-15%
 - 15-20%
 - 20-25%
 - >25%

1: 5,520
July 8, 2021



280.0 0 140.00 280.0 Meters
 WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 460 Ft 1cm = 55 Meters
 © Vermont Agency of Natural Resources THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

NOTES

Map created using ANR's Natural Resources Atlas

OVERVIEW OF PREFERRED SITING in VERMONT for SOLAR PROJECTS

CURRENT RULES

Starting in 2017, for proposed solar net metering sites in Vermont between 150 kW-AC and 500 kW-AC, the sites must be deemed "preferred" in order to participate in solar net metering. The 2017 Public Utilities Commission rules for net-meter projects are in part a response to public concerns about projects sited in opposition to town planning, so they include requirements for "preferred siting" to encourage projects that towns support, as well as solar projects on existing rooftops, parking lots, brownfields, gravel pits, and sites where 50% of the power is used onsite.

Please note that sites under 15 kW-AC (residential sized projects), the site does not need to be deemed preferred. For projects between 15 kW-AC and 150 kW-AC, projects may proceed without a preferred designation, but there is a steep financial dis-incentive. As such, any solar net metering projects between 15 kW-AC and 500 kW-AC, the site will need to be deemed "preferred" in order to participate in solar net metering.

500 kW-AC generates approximately enough energy to offset the electric bills of ~100 homes.

TOWN ROLE IN PREFERRED SITES

One category of preferred site is "A specific location designated in a duly adopted municipal plan... or identified in a joint letter of support from the municipal legislative body and municipal and regional planning commissions."

Well-sited solar projects in towns like Norwich, help the town achieve its goals for clean energy and contribute its proportionate share to statewide energy goals.

When willing landowners are ready to host such projects, with sites that work well on key factors, the Town will typically support the development.

Public Utilities Commission Rules on Preferred Sites for Net-Metered Solar Arrays

http://puc.vermont.gov/sites/psbnew/files/doc_library/5100-PUC-nm-effective-07-01-2017_0.pdf
http://puc.vermont.gov/sites/psbnew/files/doc_library/5100-PUC-nm-effective-07-01-2017_0.pdf

Rule 5.100 = Public Utilities Commission rule pertaining to construction and operation of net-metering systems

Section 5.103 = Definitions section of Rule 5.100

“Preferred Site” means one of the following:

- (1) A new or existing structure whose primary use is not the generation of electricity or providing support for the placement of equipment that generates electricity;
- (2) A parking lot canopy over a paved parking lot, provided that the location remains in use as a parking lot;
- (3) A tract previously developed for a use other than siting a plant on which a structure or impervious surface was lawfully in existence and use prior to July 1 of the year preceding the year in which an application for a certificate of public good under this Rule is filed. To qualify under this subdivision (3), the limits of disturbance of a proposed net-metering system must include either the existing structure or impervious surface and may not include any headwaters, streams, shorelines, floodways, rare and irreplaceable natural areas, necessary wildlife habitat, wetlands, endangered species, productive forestlands, or primary agricultural soils, all of which are as defined in 10 V.S.A. chapter 151;
- (4) Land certified by the Secretary of Natural Resources to be a brownfield site as defined under 10 V.S.A. § 6642;
- (5) A sanitary landfill as defined in 10 V.S.A. § 6602, provided that the Secretary of Natural Resources certifies that the land constitutes such a landfill and is suitable for the development of the plant;
- (6) The disturbed portion of a gravel pit, quarry, or similar site for the extraction of a mineral resource that was in lawful operation on January 1, 2017, provided that all activities pertaining to site reclamation required by applicable law or permit condition are completed prior to the installation of the plant;
- (7) A specific location designated in a duly adopted municipal plan under 24 V.S.A. FINAL PROPOSED RULE Vermont Rule 5.100 16P-062 Public Service Board Page 10 of 58 January 20, 2017 chapter 117 for the siting of a renewable energy plant or specific type or size of renewable energy plant, provided that the plant meets the siting criteria recommended in the plan for the location; or a specific location that is identified in a joint letter of support from the municipal legislative body and municipal and regional planning commissions in the community where the net-metering system will be located.
- (8) A site listed on the National Priorities List (NPL) established under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. chapter 103, if the U.S. Environmental Protection Agency or the Agency of Natural Resources confirms each of the following that the site is listed on the NPL;
- (9) On the same parcel as, or directly adjacent to, a customer that has been allocated more than 50 percent of the net-metering system’s electrical output. The allocation to the host customer may not be less than 50 percent during each of the first 10 years of the net-metering system’s operation.

Norwich Upper Loveland Solar Viewshed analysis

Array over the ridge behind these trees – near transmission line corridor



Norwich Upper Loveland Solar Viewshed analysis

Array over the ridge behind these trees – near transmission line corridor



Google

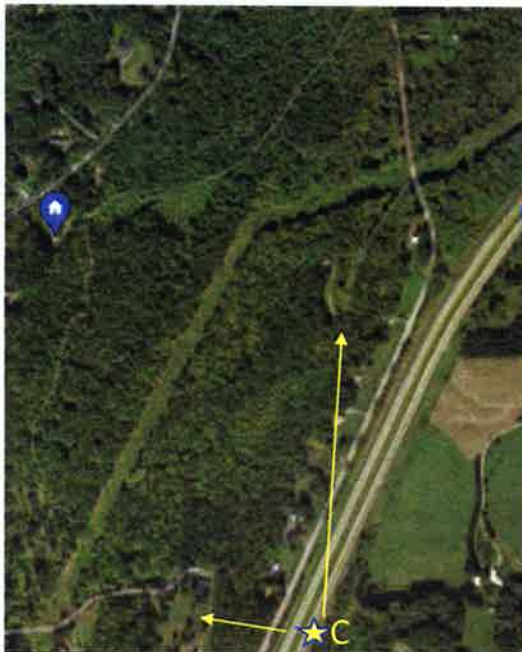
Norwich Upper Loveland Solar Viewshed analysis

Array over the ridge behind these trees – near transmission line corridor



Norwich Upper Loveland Solar Viewshed analysis

Array over the ridge behind these trees – near transmission line corridor



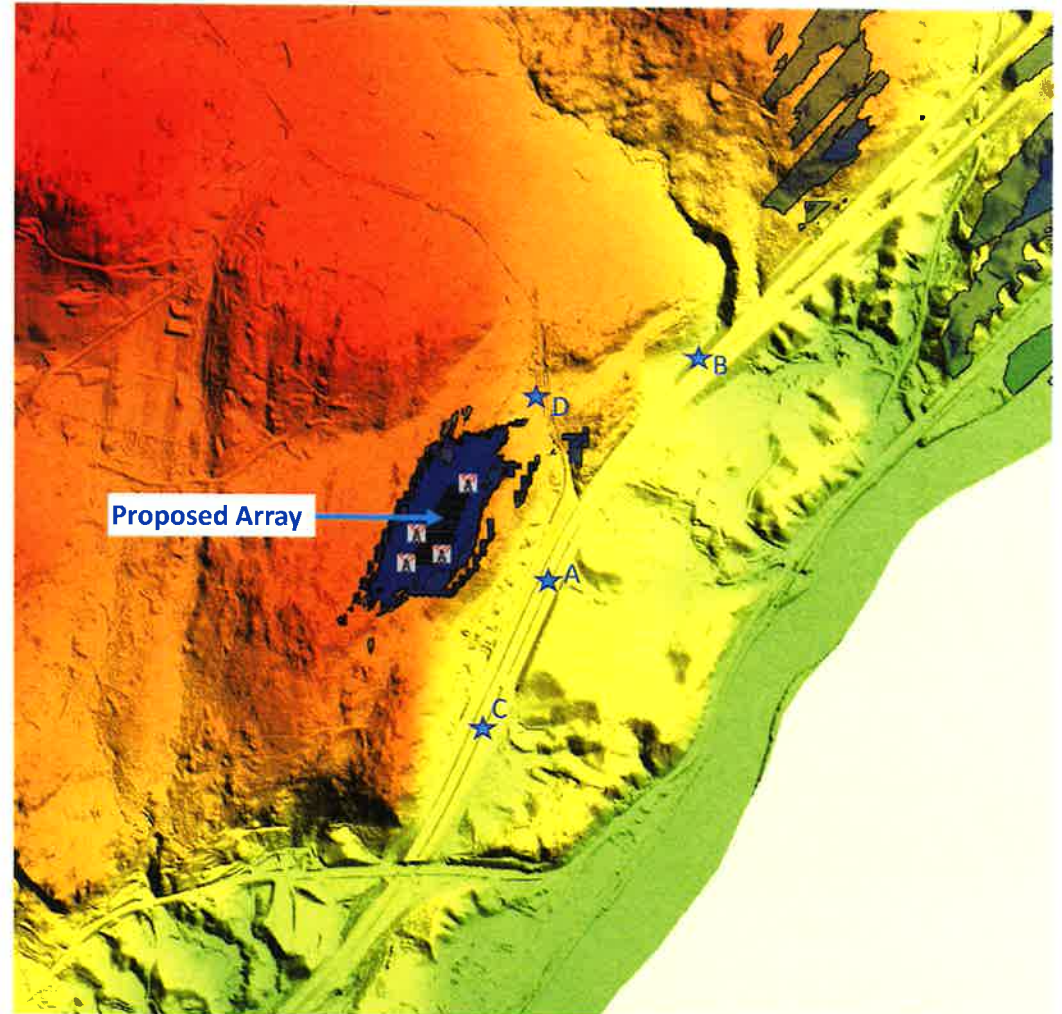
Norwich Upper Loveland Solar Viewshed analysis

Array over the ridge behind these trees – left of transmission line corridor

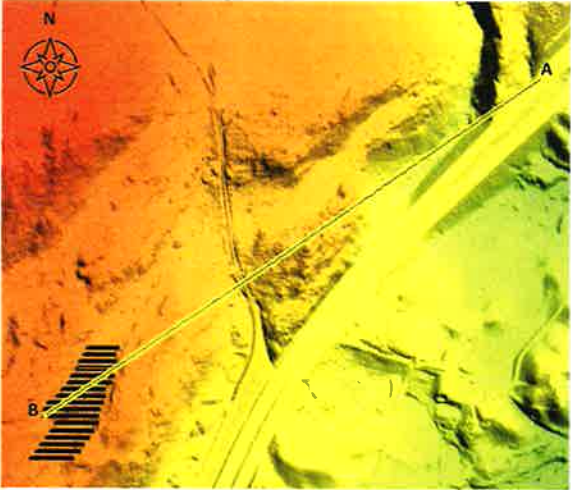


Viewshed Analysis for Norwich Upper Loveland Solar Proposed Project

- Viewshed analysis by Ryan Darlow
- Green/yellow/red colors are the digital elevation
- Blue colors are viewshed from the four corners of the solar project confirming that the viewshed area does not include any surrounding roads (or homes).
- Viewshed analysis includes existing vegetation that will be maintained around the project area
- Viewshed analysis does not include existing vegetation further from the project area (worst case scenario that others remove all other vegetation)



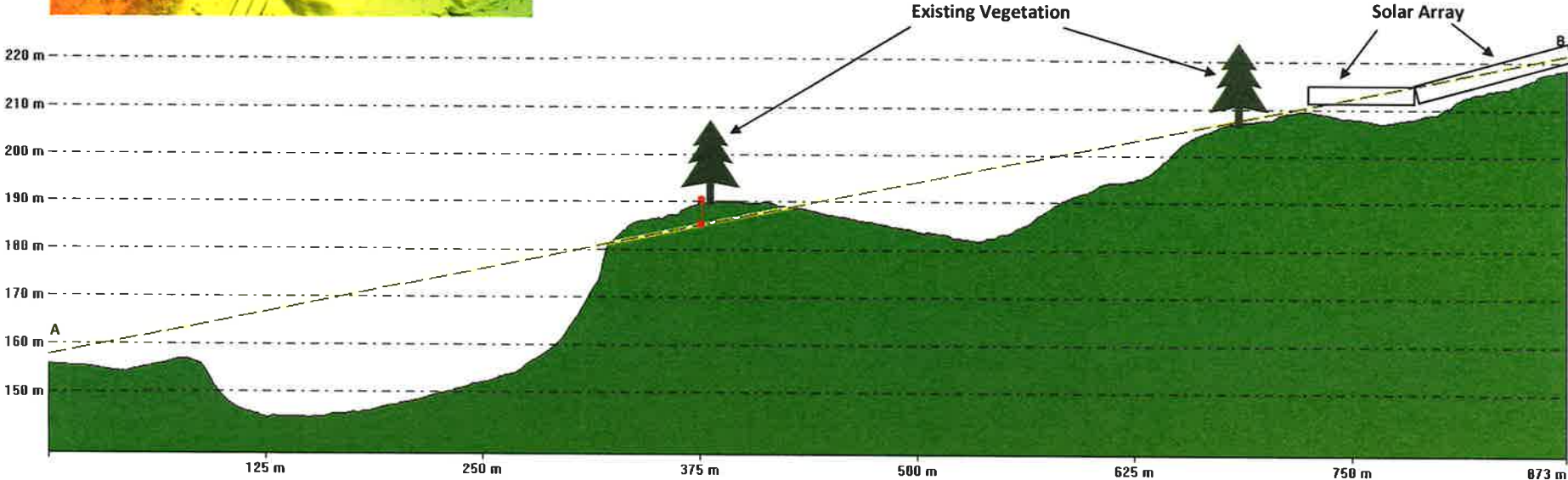
Interstate 91 South



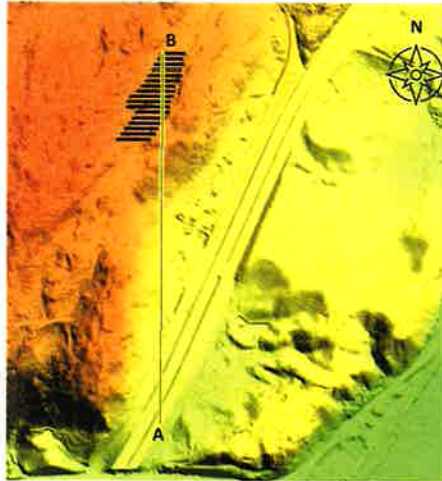
Line of sight (yellow dashed line 6ft above ground level)
From point "A" on named road to point "B" on opposite
end of the solar array conducted on bare earth

Existing vegetation and proposed solar array included
to estimated vertical scale

Top view shows path of line of sight and the array
overlaid on digital elevation model of surrounding area



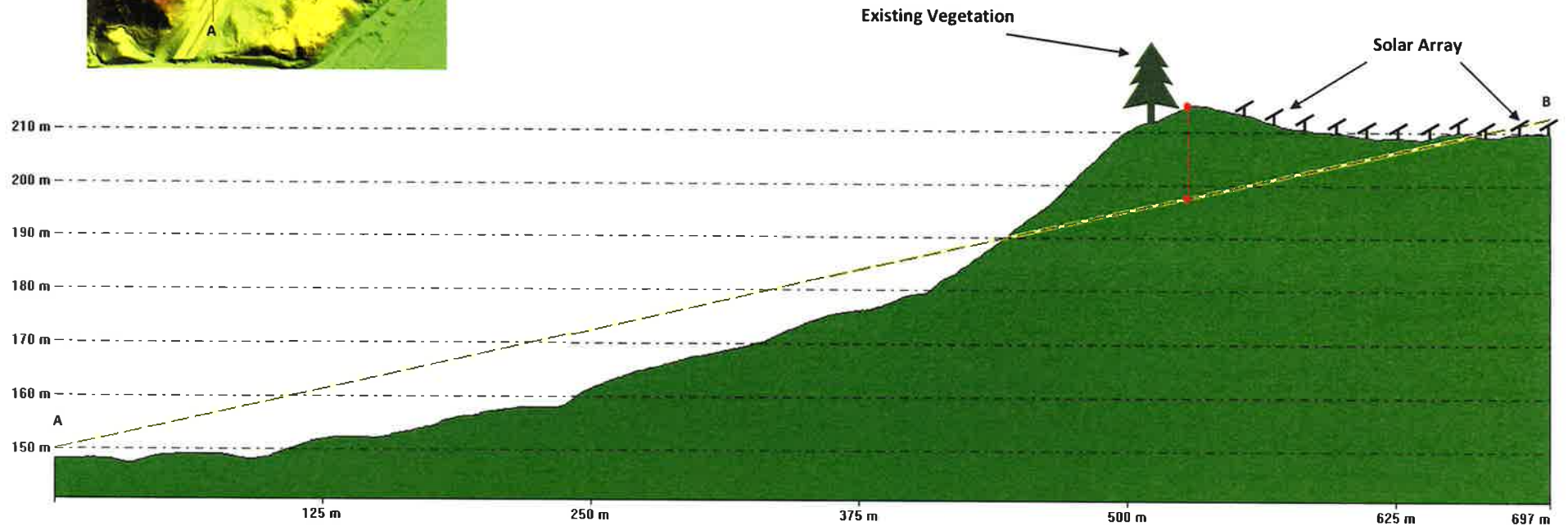
Interstate 91 North



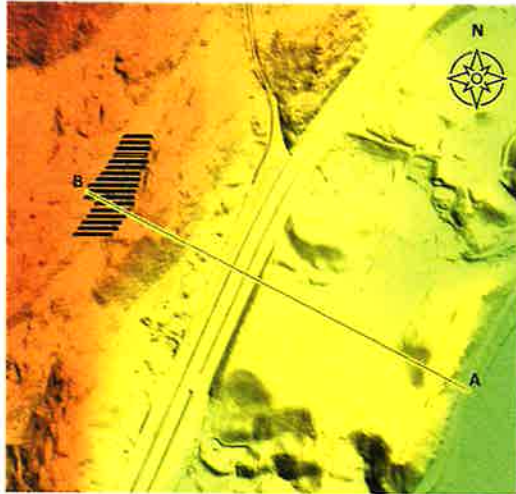
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Existing vegetation and proposed solar array included
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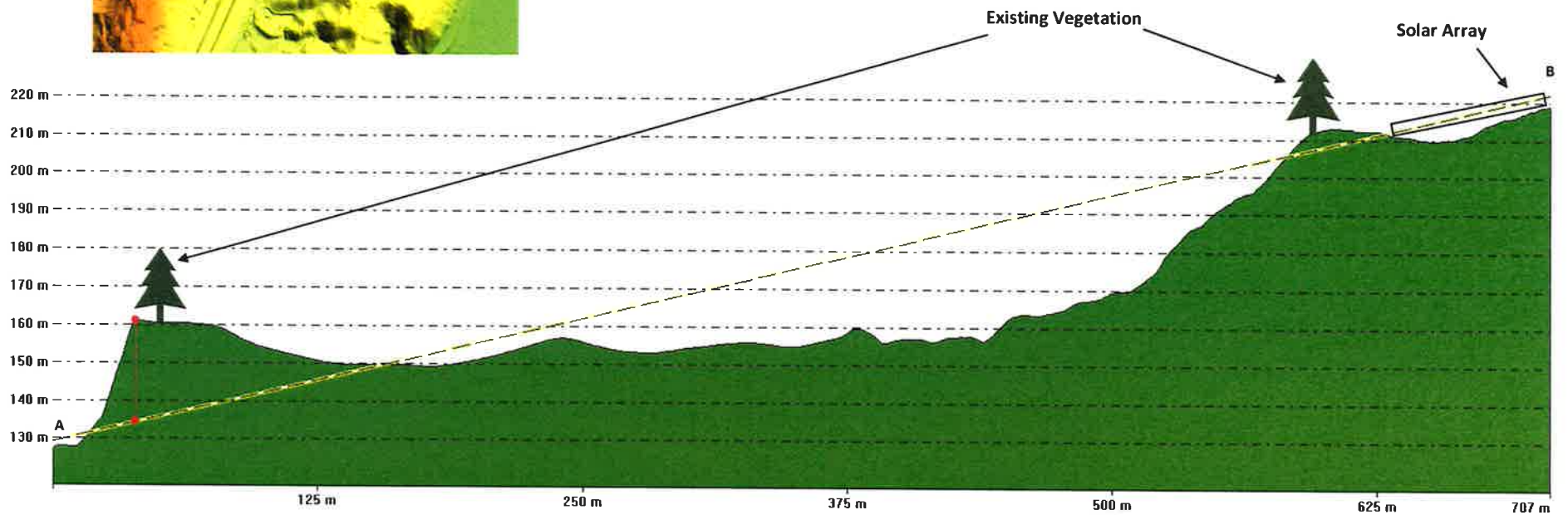
Route 5



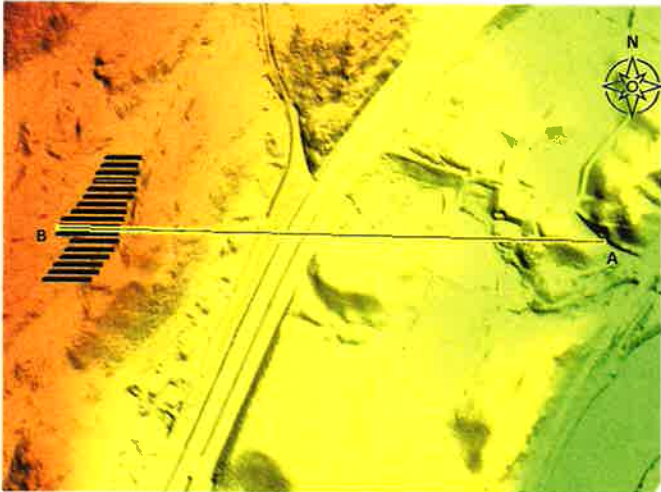
Line of sight (yellow dashed line 6ft above ground level)
From point "A" on named road to point "B" on opposite
end of the solar array conducted on bare earth

Existing vegetation and proposed solar array included
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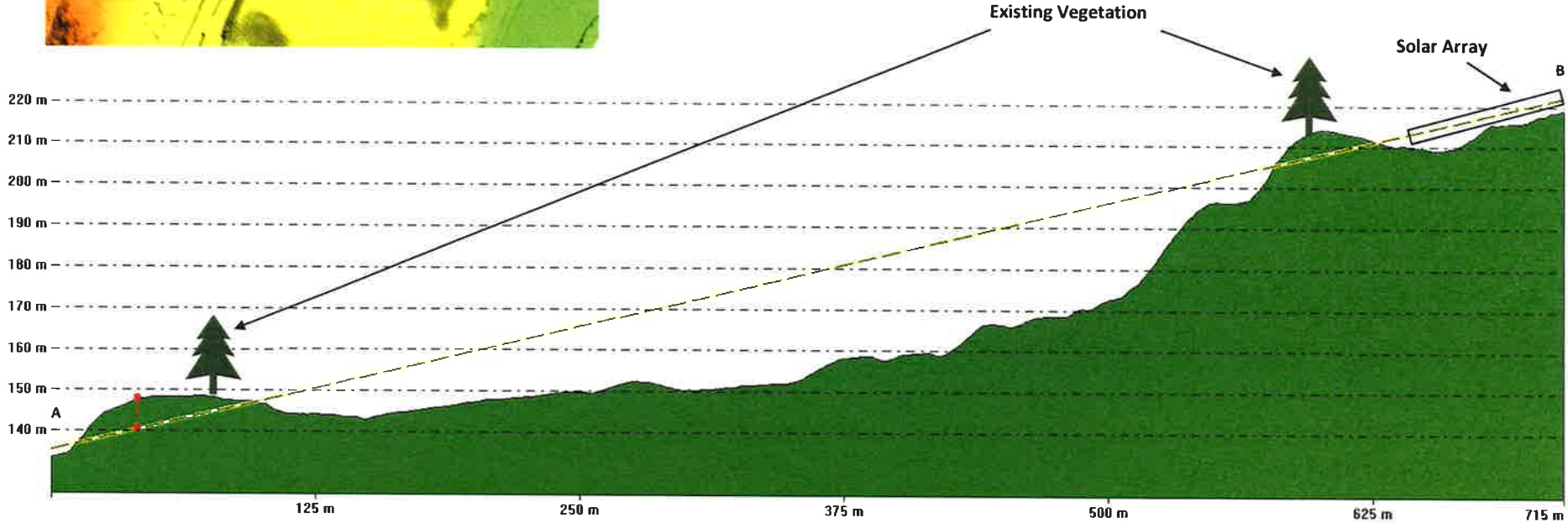
Loveland Road



Line of sight (yellow dashed line 6ft above ground level)
From point "A" on named road to point "B" on opposite
end of the solar array conducted on bare earth

Existing vegetation and proposed solar array included
to estimated vertical scale

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overlaid on digital elevation model of surrounding area



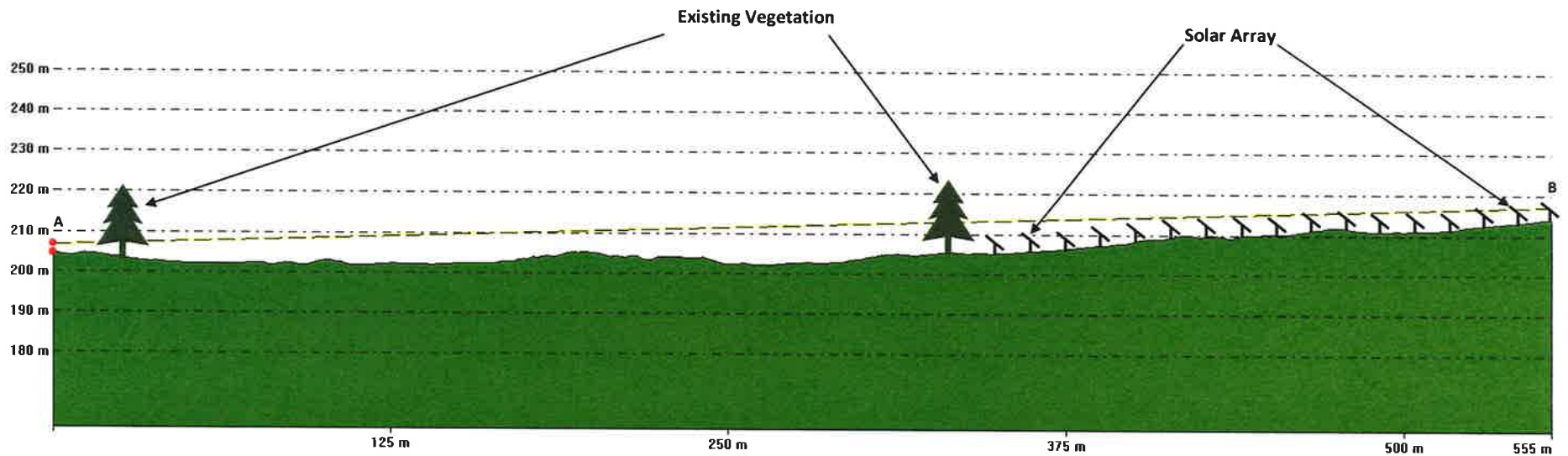
Upper Loveland Road



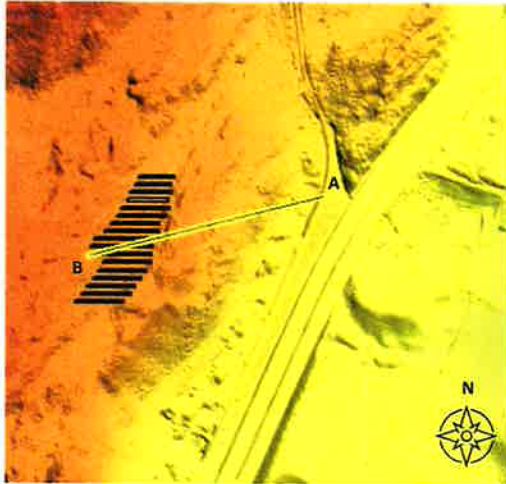
Line of sight (yellow dashed line 6ft above ground level)
From point "A" on named road to point "B" on opposite
end of the solar array conducted on bare earth

Existing vegetation and proposed solar array included
to estimated vertical scale

Top view shows path of line of sight and the array
overlaid on digital elevation model of surrounding area



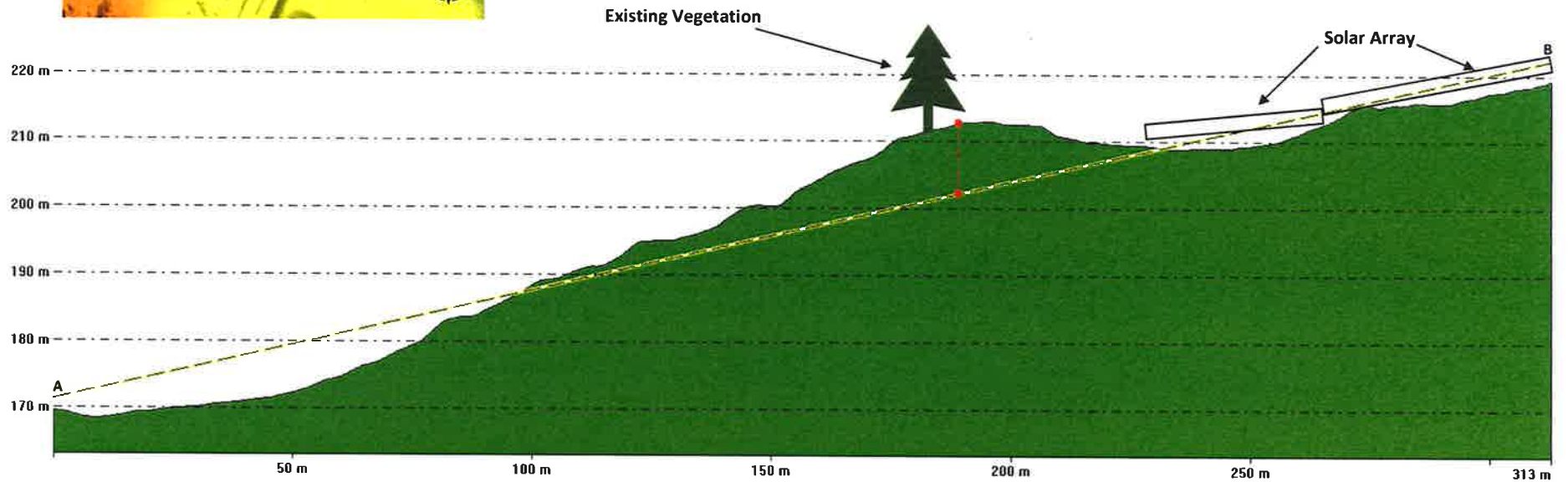
Upper Loveland Road



Line of sight (yellow dashed line 6ft above ground level)
From point "A" on named road to point "B" on opposite
end of the solar array conducted on bare earth

Existing vegetation and proposed solar array included
to estimated vertical scale

Top view shows path of line of sight and the array
overlaid on digital elevation model of surrounding area



[LETTERHEAD]

BY MAIL

[DATE]

Public Service Board of Vermont
112 State Street
Montpelier, VT 05620-2701
Ms. Judith Whitney, Clerk

Re: Preferred Siting Designation under Rule 5.100

Dear Ms. Whitney,

We refer to the application for a Certificate of Public Good (the "Application") to be filed by Norwich Upper Loveland Solar LLC, in respect of the 500 kW-AC solar electricity generation project (the "Project") proposed to be sited at the parcel located at 201 Upper Loveland Rd, Norwich, VT 05055, approximate latitude and longitude of 43.723836, -72.292770 (the "Location"). Having made our review, we wish to support the Project and declare our desire to have the Location designated as a "Preferred Site" under Section 5.103 of your Rule 5.100.

We note that we take no position on the Project's compliance with any requirement of Rule 5.100 or of other applicable provisions of Vermont law. This letter is solely for the purpose of providing support for the Project under Section 5.103.

Sincerely,

Town of Norwich
Planning Commission

Town of Norwich
Selectboard

Two Rivers-Ottauquechee
Regional Commission

Name:

Title:

Signature:
