

***Amended**
Norwich PC Solar Siting Subcommittee Regular Meeting
***Planning Commission Special Meeting**

Tuesday, April 16, 2024 6:30pm

To be held via Zoom only:

Topic: Solar Siting Subcommittee

Time: Tuesday, April 16, 2024, 6:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/84630975380>

Meeting ID: 846 3097 5380

888 475 4499 US Toll-free

1. Approve Agenda
2. Public comments for Items not on the Agenda
3. Correspondence:

24 V.S.A. chptr 4385 Adoption and amendment of plans; hearing by legislative body. <https://legislature.vermont.gov/statutes/section/24/117/04385>

24 V.S.A. chpt 4382 - The plan for a municipality. <https://legislature.vermont.gov/statutes/section/24/117/04382>

Vermont Legislative Act 59: An Act relating to community resilience and biodiversity protection. <https://legislature.vermont.gov/Documents/2024/Docs/ACTS/ACT059/ACT059%20As%20Enacted.pdf>

Norwich Solar and wind maps

4. Discuss proposed changes and procedures for amending the Town Plan. Guest speaker Annette Smith, Executive Director of Vermonters for a Clean Environment, will join our discussions regarding Town Plan language as it relates to solar siting and Act 248.
 - Update the Town Plan to be current with state regulations
 - Remove default preferred siting language
 - Add sufficient language, specificity, and guidance to the Town Plan to meet the Standards of The Quechee Test - ‘clear written community standards’
5. Review the Preferred Site Letter process - how to evaluate preferred site letter requests. Case studies: Lamperti and Upper Loveland

6. Approval of 3/26/2023 minutes

7. Adjourn

The Vermont Statutes Online

The Vermont Statutes Online have been updated to include the actions of the 2023 session of the General Assembly.

NOTE: The Vermont Statutes Online is an unofficial copy of the Vermont Statutes Annotated that is provided as a convenience.

Title 24 : Municipal and County Government

Chapter 117 : Municipal and Regional Planning and Development

Subchapter 005 : Municipal Development Plan

(Cite as: **24 V.S.A. § 4385**)

§ 4385. Adoption and amendment of plans; hearing by legislative body

(a) Not less than 30 nor more than 120 days after a proposed plan or amendment is submitted to the legislative body of a municipality under section 4384 of this title, the legislative body of a municipality with a population of 2,500 persons or less shall hold the first of one or more public hearings, after public notice, on the proposed plan or amendment, and shall make copies of the proposal and any written report by the planning commission available to the public on request. A municipality with a population of more than 2,500 persons shall hold two or more such hearings. Failure to hold a hearing within the 120 days shall not invalidate the adoption of the plan or amendment.

(b)(1) The legislative body may change the proposed plan or amendment, but shall not do so less than 15 days prior to the final public hearing. If the legislative body at any time makes substantial changes in the concept, meaning, or extent of the proposed plan or amendment, it shall warn a new public hearing or hearings under subsection (a) of this section.

(2) If any part of the proposal is changed, the legislative body, at least 15 days prior to the hearing, shall file a copy of the changed proposal with the clerk of the municipality, with any individual or organization requesting a copy in writing, and with the planning commission. The planning commission shall submit to the legislative body at or prior to the public hearing a report that analyzes the extent to which the changed proposal, when taken together with the rest of the plan, is consistent with the legislative goals established in section 4302 of this title.

(c) A plan of a municipality or an amendment thereof shall be adopted by a majority of the members of its legislative body at a meeting which is held after the final public hearing. If, however, at a regular or special meeting of the voters duly warned and held as provided

in 17 V.S.A. chapter 55, a municipality elects to adopt or amend municipal plans by Australian ballot, that procedure shall then apply unless rescinded by the voters at a regular or special meeting similarly warned and held. If the proposed plan or amendment is not adopted so as to take effect within one year after the date of the final hearing of the planning commission, it shall be considered rejected by the municipality. Plans and amendments shall be effective upon adoption. Copies of newly adopted plans and amendments shall be provided to the regional planning commission and to the Commissioner of Housing and Community Development within 30 days after adoption, which may be done electronically, provided the sender has proof of receipt. If a municipality wishes its plan or plan amendment to be eligible for approval under the provisions of section 4350 of this title, it shall request approval. The request for approval may be before or after adoption of the plan by the municipality, at the option of the municipality.

(d) Plans may be reviewed from time to time and may be amended in the light of new developments and changed conditions affecting the municipality. An amendment to a plan does not affect or extend the plan's expiration date. (Added 1967, No. 334 (Adj. Sess.), § 1, eff. March 23, 1968; amended 1981, No. 132 (Adj. Sess.), § 10; 1987, No. 200 (Adj. Sess.), §§ 12, 13, eff. July 1, 1989; 1989, No. 280 (Adj. Sess.), § 9; 2015, No. 90 (Adj. Sess.), § 2; 2017, No. 197 (Adj. Sess.), § 15; 2023, No. 6, § 259, eff. July 1, 2023.)

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Title 24 : Municipal and County Government

Chapter 117 : Municipal and Regional Planning and Development

Subchapter 005 : Municipal Development Plan

(Cite as: 24 V.S.A. § 4382)

§ 4382. The plan for a municipality

(a) A plan for a municipality shall be consistent with the goals established in section 4302 of this title and compatible with approved plans of other municipalities in the region and with the regional plan and shall include the following:

(1) A statement of objectives, policies, and programs of the municipality to guide the future growth and development of land, public services, and facilities, and to protect the environment.

(2) A land use plan, which shall consist of a map and statement of present and prospective land uses, that:

(A) Indicates those areas proposed for forests, recreation, agriculture (using the agricultural lands identification process established in 6 V.S.A. § 8), residence, commerce, industry, public and semi-public uses, and open spaces, areas reserved for flood plain, and areas identified by the State, the regional planning commission, or the municipality that require special consideration for aquifer protection; for wetland protection; for the maintenance of forest blocks, wildlife habitat, and habitat connectors; or for other conservation purposes.

(B) Sets forth the present and prospective location, amount, intensity, and character of such land uses and the appropriate timing or sequence of land development activities in relation to the provision of necessary community facilities and service.

(C) Identifies those areas, if any, proposed for designation under chapter 76A of this title, together with, for each area proposed for designation, an explanation of how the designation would further the plan's goals and the goals of section 4302 of this title, and how the area meets the requirements for the type of designation to be sought.

(D) Indicates those areas that are important as forest blocks and habitat connectors and plans for land development in those areas to minimize forest fragmentation and promote the health, viability, and ecological function of forests. A plan may include specific policies to encourage the active management of those areas for wildlife habitat, water quality, timber production, recreation, or other values or functions identified by the municipality.

(3) A transportation plan, consisting of a map and statement of present and prospective transportation and circulation facilities showing existing and proposed highways and streets by type and character of improvement, and where pertinent, parking facilities, transit routes, terminals, bicycle paths and trails, scenic roads, airports, railroads, and port facilities, and other similar facilities or uses, with indications of priority of need.

(4) A utility and facility plan, consisting of a map and statement of present and prospective community facilities and public utilities showing existing and proposed educational, recreational and other public sites, buildings and facilities, including hospitals, libraries, power generating plants and transmission lines, water supply, sewage disposal, refuse disposal, storm drainage, and other similar facilities and activities, and recommendations to meet future needs for community facilities and services, with indications of priority of need, costs, and method of financing.

(5) A statement of policies on the preservation of rare and irreplaceable natural areas, scenic and historic features, and resources.

(6) An educational facilities plan consisting of a map and statement of present and projected uses and the local public school system.

(7) A recommended program for the implementation of the objectives of the development plan.

(8) A statement indicating how the plan relates to development trends and plans for adjacent municipalities, areas, and the region developed under this title.

(9) An energy plan, including an analysis of energy resources, needs, scarcities, costs and problems within the municipality, a statement of policy on the conservation of energy, including programs, such as thermal integrity standards for buildings, to implement that policy, a statement of policy on the development of renewable energy resources, a statement of policy on patterns and densities of land use likely to result in conservation of energy.

(10) A housing element that shall include a recommended program for public and private actions to address housing needs as identified by the regional planning commission pursuant to subdivision 4348a(a)(9) of this title. The program should use data on year-round and seasonal dwellings and include specific actions to address the housing needs of persons with low income and persons with moderate income and account for permitted residential development as described in section 4412 of this title.

(11) An economic development element that describes present economic conditions and the location, type, and scale of desired economic development, and identifies policies, projects, and programs necessary to foster economic growth.

(12)(A) A flood resilience plan that:

(i) identifies flood hazard and fluvial erosion hazard areas, based on river corridor maps provided by the Secretary of Natural Resources pursuant to 10 V.S.A. § 1428(a) or maps recommended by the Secretary, and designates those areas to be protected, including floodplains, river corridors, land adjacent to streams, wetlands, and upland forests, to reduce the risk of flood damage to infrastructure and improved property; and

(ii) recommends policies and strategies to protect the areas identified and designated under subdivision (12)(A)(i) of this subsection and to mitigate risks to public safety, critical infrastructure, historic structures, and municipal investments.

(B) A flood resilience plan may reference an existing local hazard mitigation plan approved under 44 C.F.R. § 201.6.

(b) The maps called for by this section may be incorporated on one or more maps and may be referred to in each separate statement called for by this section.

(c) Where appropriate, and to further the purposes of subsection 4302(b) of this title, a municipal plan shall be based upon inventories, studies, and analyses of current trends and shall consider the probable social and economic consequences of the proposed plan. Such studies may consider or contain, but not be limited to:

(1) population characteristics and distribution, including income and employment;

(2) the existing and projected housing needs by amount, type, and location for all economic groups within the municipality and the region;

(3) existing and estimated patterns and rates of growth in the various land use classifications, and desired patterns and rates of growth in terms of the community's ability to finance and provide public facilities and services.

(d) Where appropriate, a municipal plan may provide for the use of "transit passes" or other evidence of reduced demand for parking spaces in lieu of parking spaces. (Added 1967, No. 334 (Adj. Sess.), § 1, eff. March 23, 1968; amended 1971, No. 257 (Adj. Sess.), § 7, eff. April 11, 1972; 1975, No. 236 (Adj. Sess.), § 2; 1979, No. 174 (Adj. Sess.), § 8; 1985, No. 188 (Adj. Sess.), § 10; 1987, No. 200 (Adj. Sess.), §§ 8, 10, eff. July 1, 1989; 1989, No. 280 (Adj. Sess.), § 7; 1991, No. 130 (Adj. Sess.), § 2; 1995, No. 122 (Adj. Sess.), § 2, eff. Apr. 25, 1996; 2003, No. 115 (Adj. Sess.), § 89; 2011, No. 52, § 33, eff. July 1, 2012; 2013, No. 16, § 4, eff. July 1, 2014; 2013, No. 146 (Adj. Sess.), § 6, eff. May 27, 2014; 2015, No. 171 (Adj. Sess.), § 17, eff. Jan. 1, 2018; 2023, No. 47, § 12, eff. July 1, 2023.)

No. 59. An act relating to community resilience and biodiversity protection.

(H.126)

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. SHORT TITLE

This act may be cited as the “Community Resilience and Biodiversity Protection Act” or “CRBPA.”

Sec. 2. FINDINGS

The General Assembly finds:

(1) Nature is facing a catastrophic loss of biodiversity, both globally and locally.

(2) In addition to its intrinsic value, biodiversity is essential to human survival.

(3) According to the United Nations:

(A) one million species of plants and animals are threatened with extinction;

(B) human activity has altered almost 75 percent of the Earth’s surface, squeezing wildlife and nature into ever-smaller natural areas of the planet;

(C) the health of ecosystems on which humans and all other species depend is deteriorating more rapidly than ever, affecting the very foundations of economies, livelihoods, food security, health, and quality of life worldwide;
and

(D) the causes of the drivers of changes in nature rank as follows:

(i) changes in land, water, and sea use;

(ii) direct exploitation of organisms;

(iii) climate change;

(iv) pollution; and

(v) invasive species.

(4) The 2017 Vermont Forest Action Plan found that fragmentation and parcelization represent major threats to forest health and productivity and exacerbate the impacts of climate change.

(5) In 2022 Acts and Resolves No. 183, the Department of Forests, Parks and Recreation was tasked with developing the Vermont Forest Future Strategic Roadmap to strengthen, modernize, promote, and protect the forest products sector and the greater forest economy and promote the importance of healthy, resilient, and sustainably managed working forests that provide a diverse array of high-quality products now and in the future.

(6) The 2021 Vermont Climate Assessment highlights an increase in extreme weather events such as droughts and floods as a significant impact of climate change in Vermont and recommends nature-based solutions as a proven, low-cost strategy for climate adaptation and resilience.

(7) The initial Vermont Climate Action Plan calls for investing in strategic conservation to increase the pace of permanent conservation towards

30 by 30 targets, with Vermont Conservation Design guiding prioritization of efforts.

(8) Freshwater vertebrate populations have declined by 84 percent globally since 1970, twice the rate of decline of biodiversity in terrestrial and marine biomes. Almost one in three freshwater species are threatened with extinction.

(9) Approximately 75 percent of all river miles assessed in Vermont are disconnected from their floodplains, indicating degradation and exacerbating flood-related damages.

(10) The Nature Conservancy has developed the Resilient and Connected Landscapes project and found that Vermont plays a key role in the conservation of biodiversity regionally.

(11) The Staying Connected Initiative is an international partnership of public and private organizations. Its goal is to maintain, enhance, and restore landscape connectivity for wide-ranging mammals across the Northern Appalachians-Acadian region, from the Adirondack Mountains to the Maritime Provinces. The Staying Connected Initiative has identified nine linkages across this vast region that are extremely important to wildlife. Six of these linkages lie within Vermont.

(12) The Vermont Department of Fish and Wildlife, working within the Agency of Natural Resources and with Vermont conservation organizations,

has developed Vermont Conservation Design, a framework to sustain the State's ecologically functional landscape into the future.

(13) Intact and connected ecosystems support Vermont's biodiversity, reduce flood risks, mitigate drought, and sequester and store carbon.

(14) Vermont's most effective and efficient contribution to conserving biological diversity and maintaining a landscape resilient to climate change is to conserve an intact and connected landscape.

(15) In order to maintain ecological functions in intact and connected ecosystems, the full range of conservation approaches is needed, including supporting private landowner education, technical assistance, and programs; conservation easements that promote sustainable forest management; and conservation easements and fee acquisitions focused on passive management.

(16) The Vermont Housing Finance Agency's 2020 Housing Needs Assessment projected an urgent pre-pandemic need for new housing. Strategic investment in conservation is consistent with construction of housing in Vermont's villages and town centers.

(17) The land and waters, forests and farms, and ecosystems and natural communities in Vermont are the traditional and unceded home of the Abenaki people. Access to land and land-based enterprises has excluded Black, Indigenous, and Persons of Color (BIPOC) Vermonters and others from historically marginalized and disadvantaged communities in the centuries of European settlement. Efforts to increase land conservation must also include

opportunities to increase access to land and land-based enterprise for Indigenous People and all who come from historically marginalized and disadvantaged communities.

Sec. 3. 10 V.S.A. chapter 89 is added to read:

CHAPTER 89. COMMUNITY RESILIENCY AND BIODIVERSITY
PROTECTION

§ 2801. DEFINITIONS

As used in this section:

(1) “Ecological reserve area” means an area having permanent protection from conversion and that is managed to maintain a natural state within which natural ecological processes and disturbance events are allowed to proceed with minimal interference.

(2) “Biodiversity conservation area” means an area having permanent protection from conversion for the majority of the area and that is managed for the primary goal of sustaining species or habitats. These areas may include regular, active interventions to address the needs of particular species or to maintain or restore habitats.

(3) “Natural resource management area” means an area having permanent protection from conversion for the majority of the area but that is subject to long-term, sustainable land management.

(4) “Conversion” means a fundamental change in natural ecosystem type or habitat, natural or undeveloped land cover type, or natural form and function of aquatic systems.

(5) “Sustainable land management” means the stewardship and use of forests and forestlands, grasslands, wetlands, riparian areas, and other lands, including the types of agricultural lands that support biodiversity, in a way, and at a rate, that maintains or restores their biodiversity, productivity, regeneration capacity, vitality, and their potential to fulfill, now and in the future, relevant ecological, economic, and social functions at local, State, and regional levels, and that does not degrade ecosystem function.

(6) “Conserved” means permanently protected and meeting the definition of ecological reserve area, biodiversity conservation area, or natural resource management area as defined in this section for purposes of meeting the 30 percent goal in subsection 2802(b) of this title. For purposes of meeting the 50 percent goal of subsection 2802(b) of this title, “conserved” primarily means permanently protected and meeting the definition of ecological reserve area, biodiversity conservation area, or natural resource management area as defined in this section, although other long-term land protection mechanisms and measures that achieve the goals of Vermont Conservation Design that are enforceable and accountable and that support an ecologically functional and connected landscape may be considered.

§ 2802. CONSERVATION VISION AND GOALS

(a) The vision of the State of Vermont is to maintain an ecologically functional landscape that sustains biodiversity, maintains landscape connectivity, supports watershed health, promotes climate resilience, supports working farms and forests, provides opportunities for recreation and appreciation of the natural world, and supports the historic settlement pattern of compact villages surrounded by rural lands and natural areas.

(b) It is the goal of the State that 30 percent of Vermont's total land area shall be conserved by 2030, and 50 percent of the State's total land area shall be conserved by 2050. The Secretary of Natural Resources shall lead the effort in achieving these goals. The land conserved shall include State, federal, municipal, and private land.

(c) Reaching 30 percent by 2030 and 50 percent by 2050 shall include a mix of ecological reserve areas, biodiversity conservation areas, and natural resource management areas. In order to support an ecologically functional and connected landscape with sustainable production of natural resources and recreational opportunities, the approximate percentages of each type of conservation category shall be guided by the principles of conservation science and the conservation targets within Vermont Conservation Design, prioritizing ecological reserve areas to protect highest priority natural communities and maintain or restore old forests.

§ 2803. CONSERVED LAND INVENTORY

(a) On or before July 1, 2024, the Vermont Housing and Conservation Board, in consultation with the Secretary, shall create an inventory of Vermont's conserved land and conservation policies to serve as the basis of meeting the conservation goals of Vermont Conservation Design and to meet the goals established in section 2802 of this title. The inventory shall be submitted for review to the House Committees on Environment and Energy and on Agriculture, Food Resiliency, and Forestry and the Senate Committee on Natural Resources and Energy.

(b) The inventory shall include:

(1) A review of the three conservation categories defined in section 2801 of this title and suggestions for developing any modifications or additions to these categories that maintain or complement the core concepts of ecological reserve areas, biodiversity conservation areas, and natural resource management areas in order to complete the conserved land inventory and inform the comprehensive strategy in the conservation plan. As part of this review, criteria shall be developed to determine the types of agricultural lands that will qualify as supporting and restoring biodiversity and therefore count towards the natural resource management area category.

(2) The amount of conserved land in Vermont that fits into each of the three conservation categories defined in section 2801 of this title, including public and private land. The inventory shall also include other lands

permanently protected from development by fee ownership or subject to conservation easements.

(3) A summary of the totality of conservation practices, both permanent and intermediate, available for reaching the goals of this chapter, including what they are, what they do, how they contribute, and what metrics are available to quantify them.

(4) An assessment of how State lands will be used to increase conserved ecological reserve areas.

(5) The implementation methods that could be utilized for achieving the goals of this chapter using Vermont Conservation Design as a guide.

(6) A review of how aquatic systems are currently conserved or otherwise protected in the State, including a description of the benefits land conservation provides for aquatic systems, whether this is sufficient to maintain aquatic system functions and services, and how the implementation methods for achieving the goals of this chapter using Vermont Conservation Design as a guide would include specific strategies for protecting aquatic system health.

(7) How existing programs will be used to meet the conservation goals of this chapter and recommendations for new programs, if any, that will be needed to meet the goals.

(8) An assessment of existing funding and recommendations for new funding sources that will be needed for acquisition of land, purchase or

donation of conservation easements, staffing capacity, and long-term stewardship to meet the goals.

(9) An equity assessment of existing land protection and conservation strategies and programs.

(10) An evaluation of the opportunities related to intergenerational land transfer trends and how the State could proactively direct resources to achieve conservation at the time of transfer.

§ 2804. CONSERVATION PLAN

(a) On or before December 31, 2025, the Vermont Housing and Conservation Board, in consultation with the Secretary, shall develop a plan to implement the conservation goals of Vermont Conservation Design and to meet the vision and goals established in section 2802 of this title. The plan shall be submitted for review to the House Committees on Environment and Energy and on Agriculture, Food Resiliency, and Forestry and the Senate Committee on Natural Resources and Energy.

(b) The plan shall include:

(1) a comprehensive strategy for achieving the vision and goals of section 2802 of this title while continuing to conserve and protect Vermont's agricultural land, working forests, historic properties, recreational lands, and surface waters;

(2) the implementation methods for achieving the vision and goals of this chapter using Vermont Conservation Design as a guide;

(3) recommendations to provide and increase equitable access to protected and conserved lands and land-based enterprises, including recreational access to and use of conserved lands; and

(4) recommendations to implement the vision and goals of this chapter while also enhancing the State of Vermont's current investments and commitments to working lands enterprises, rural landowners, and the broad conservation mission implemented by the Secretary and VHCB, including conservation of agricultural land, working forests, historic properties, recreational lands, and surface waters.

(c) In developing the plan, the Vermont Housing and Conservation Board, in consultation with the Secretary, shall hold 12 or more public meetings on the plan between July 1, 2023 and December 31, 2025 to solicit input from stakeholders. Stakeholders shall include private owners of forestlands and agricultural lands, land trusts, conservation organizations, environmental organizations, working lands enterprises, outdoor recreation groups and businesses, Indigenous groups and representatives from historically marginalized and disadvantaged communities, watershed groups, municipalities, regional planning commissions, conservation commissions, and relevant State and federal agencies. At least three of the meetings shall be designed to solicit comments from the general public.

(d) The conserved land inventory established in 2803 of this title shall be updated biennially to track progress toward meeting the vision and goals of

this chapter, which shall be publicly available, and the Secretary shall submit a report to the relevant committees on or before January 15 following each update.

Sec. 4. APPROPRIATIONS

(a) The sum of \$75,000.00 is appropriated from the General Fund to the Vermont Housing and Conservation Board in fiscal year 2024 to support public education and outreach to inform the development of the statewide conservation plan.

(b) The sum of \$150,000.00 is appropriated from the General Fund to the Agency of Natural Resources in fiscal year 2024 to hire a limited-service position to support the development of the statewide conservation plan.

Sec. 5. EFFECTIVE DATE

This act shall take effect on July 1, 2023.

Date on which Governor allowed bill to become law without his signature:

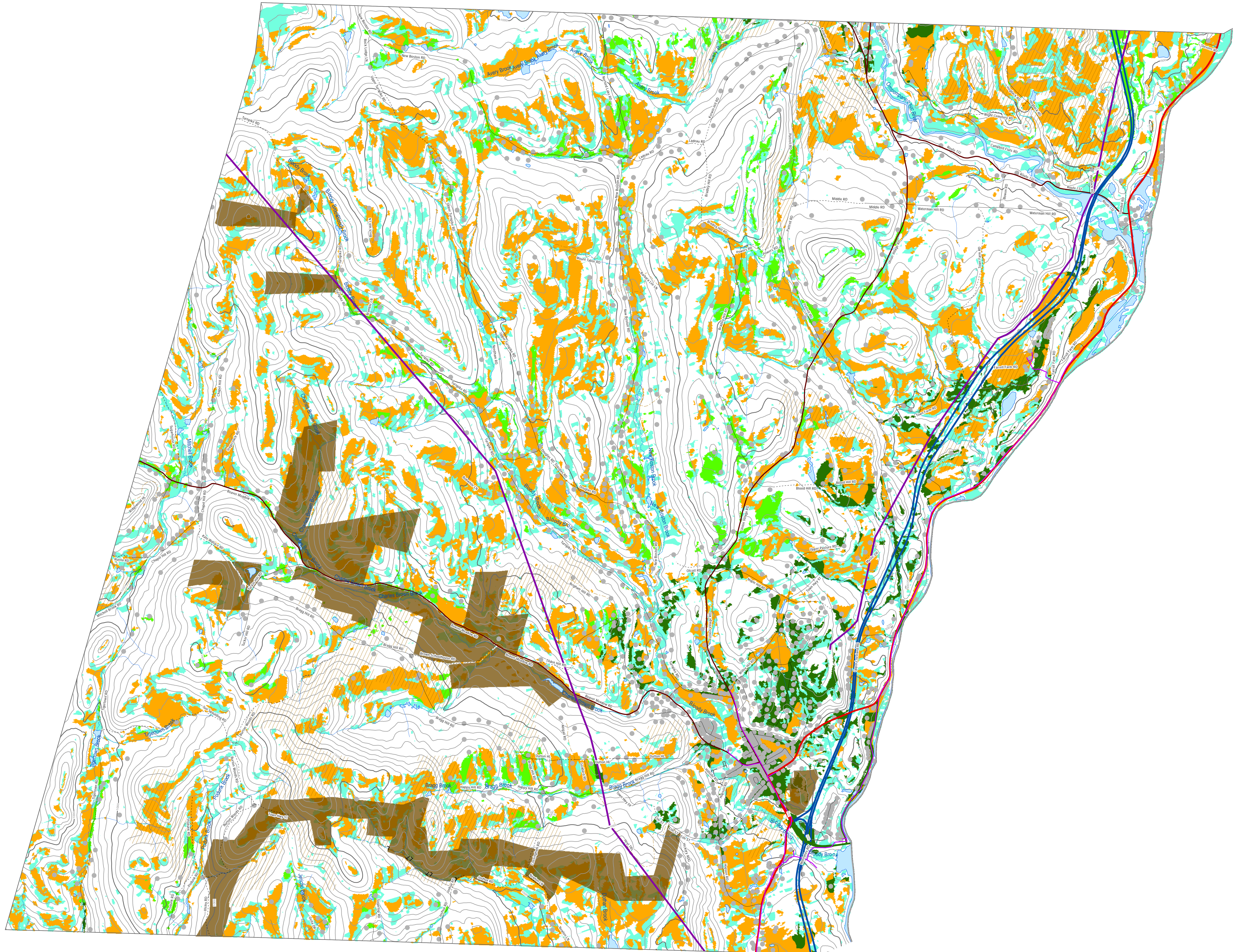
June 12, 2023

Solar Energy Potential

NORWICH

This map was created as part of a Regional Energy Planning Initiative.
Created: 2017

<ul style="list-style-type: none"> Substations 3 Phase Power Lines Transmission Lines Structures w/1ac buffer 	<p>SOLAR POTENTIAL</p> <p>Suitability</p> <ul style="list-style-type: none"> Prime Constraints Prime 1m 3phase RAW solar
<p>Conserved</p> <ul style="list-style-type: none"> Public Cons Private Cons 	



Solar

This map shows areas of potential electricity generation from solar energy. It includes areas with good access to solar radiation and also considers other conditions that may limit the feasibility of solar energy development. These limiting factors are referred to as constraints. Areas of prime solar potential exist where the natural conditions make development feasible and no constraints are present.

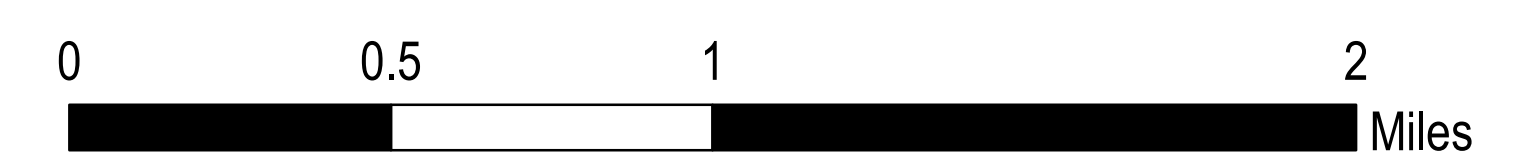
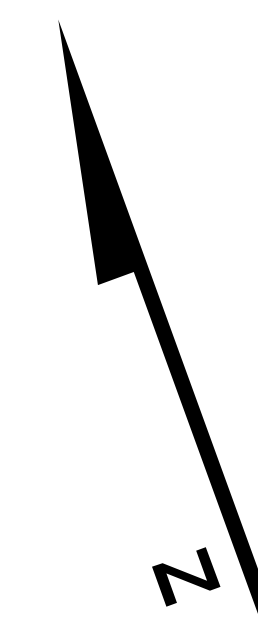
These maps are designed to initially identify areas and follow-up on-site work is required to verify the areas are feasible for projects. They are subject to revision and are NOT intended to green-light or fast-track projects.

DARK GREEN Prime: No Constraints within 1 mile 3 phase power
GREEN Prime: No Constraints no known or possible constraints present
ORANGE Constraints: no known but at least one or more possible constraints
BLUE GREEN Raw potential with constraints

Known Constraints
 Vernal Pools (confirmed and unconfirmed layers)
 DEC River Corridors
 FEMA Floodways
 State-significant Natural Communities and Rare, Threatened, and Endangered Species
 Wilderness Areas, including National Wilderness Areas
 Class 1 and Class 2 Wetlands (VSWI and advisory layers)

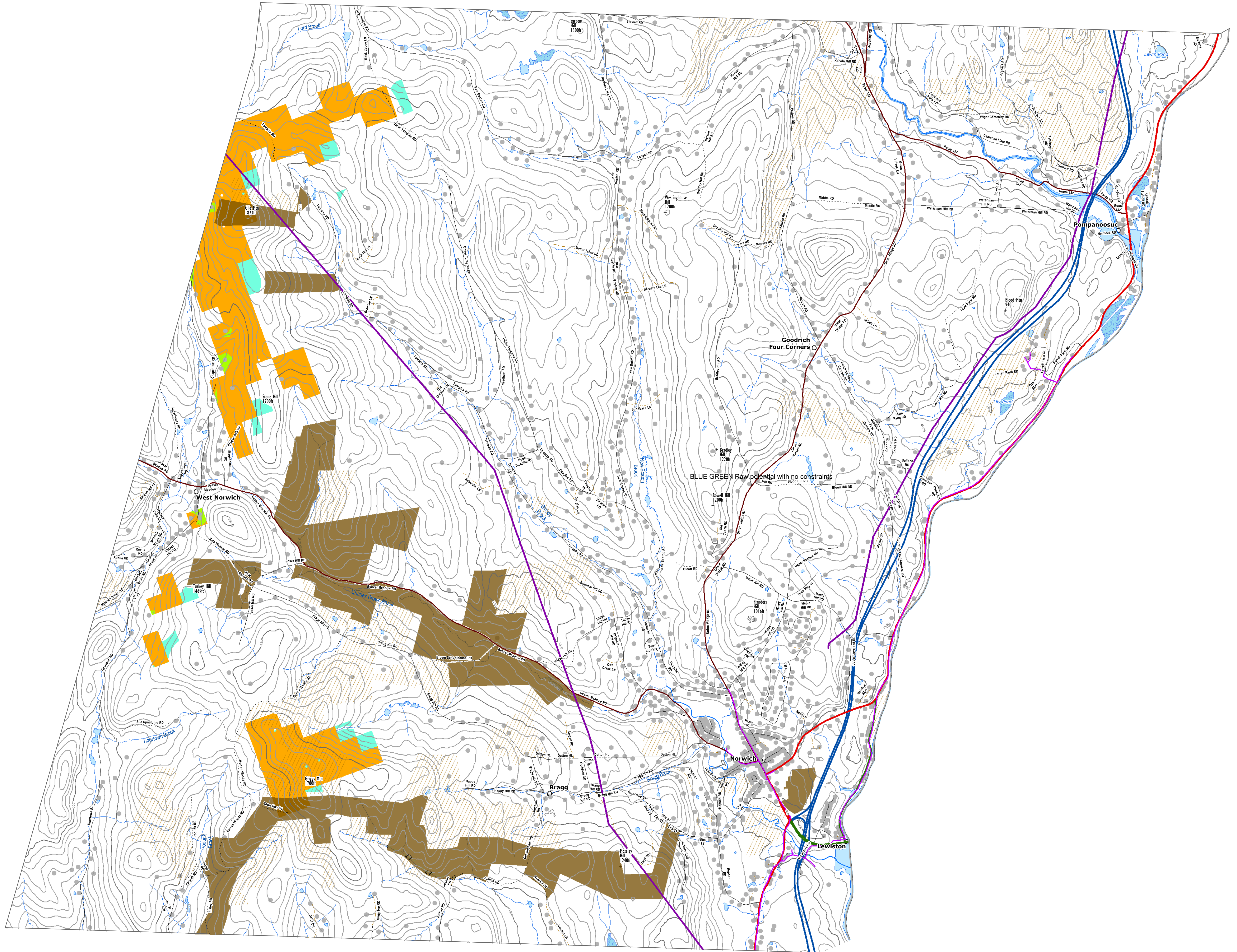
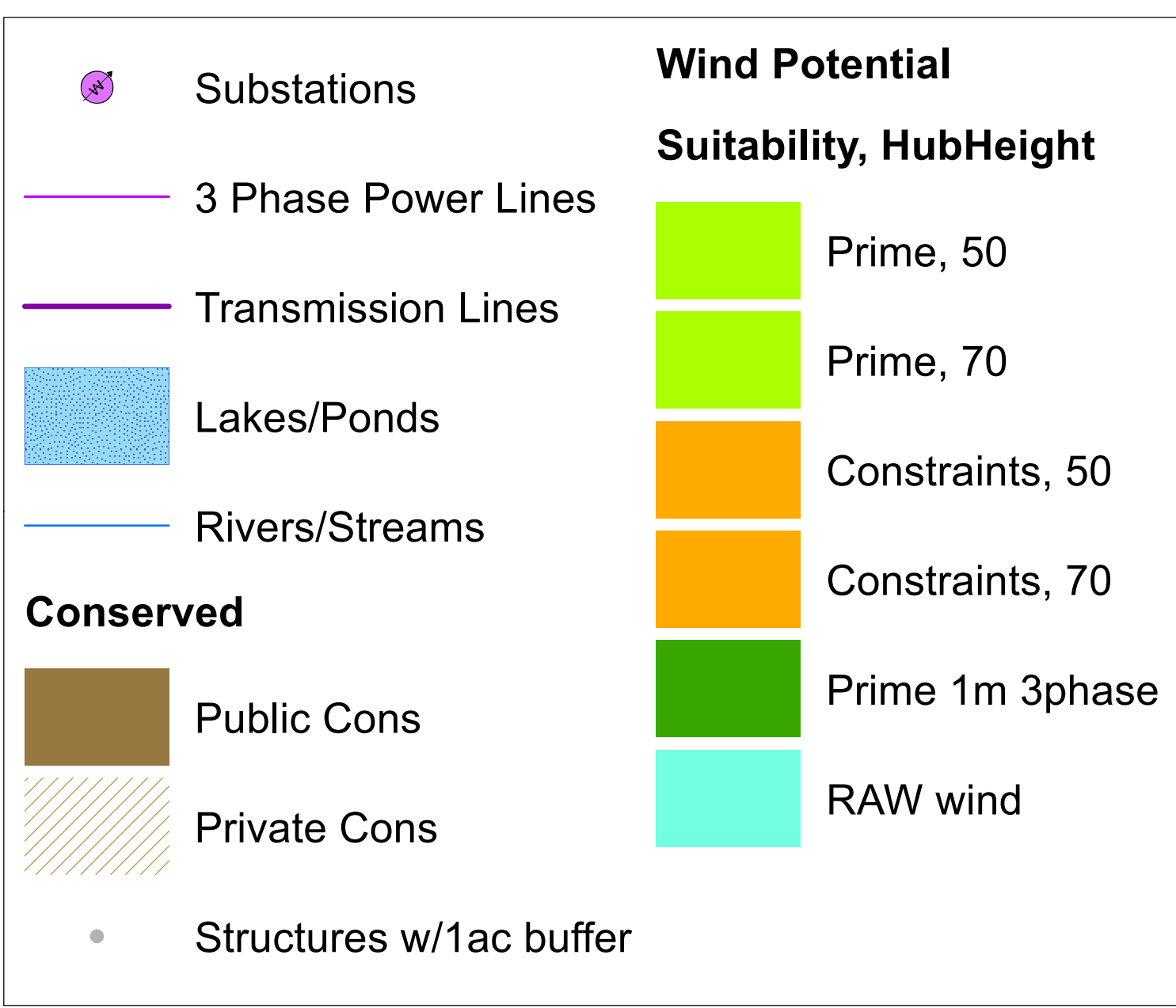
Possible Constraints
 Agricultural Soils (VT Agriculturally Important Soil Units)
 FEMA Special Flood Hazard Areas
 Protected Lands (Updated 07/26/2016.)
 Act 250 Agricultural Soil Mitigation areas
 Deer Wintering Areas
 ANR's Vermont Conservation Design Highest Priority Forest Block Datasets
 Forest Blocks - Connectivity
 Forest Blocks - Interior
 Forest Blocks - Physical Land Division
 Hydric Soils

TRORC Unsuitable areas (included in known constraints)
 FEMA Floodways
 Wilderness Areas, including National Wilderness Areas
 Class 1 Wetland



Wind Energy Potential NORWICH

This map was created as part of a Regional Energy Planning Initiative.
Created: 2017



Wind

This map shows areas of potential wind energy development. It includes areas with good access to wind resources and also considers other conditions that may limit the feasibility of wind energy development. These limiting factors are referred to as constraints. Areas of prime wind potential exist where the natural conditions make development feasible and no constraints are present.

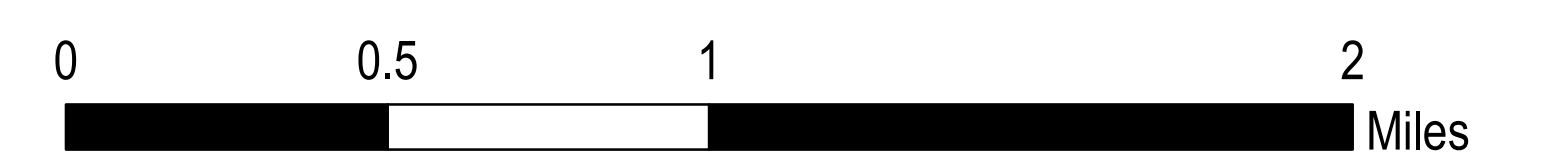
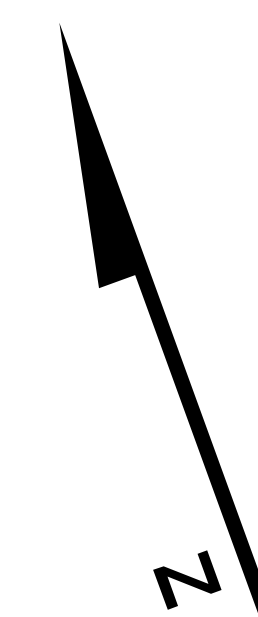
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BLUE GREEN Raw potential: with constraints

Known Constraints
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 FEMA Floodways
 Wilderness Areas, including National Wilderness Areas
 Class 1 Wetland



Norwich PC Solar Siting Subcommittee

March 26, 2024 Minutes

DRAFT

Subcommittee members present: Ernie Ciccotelli, Kris Clement, Jaan Laaspere

Participating: PC member Mary Gorman, Rob Gere, Kathleen Shepherd, Amy Stringer

Meeting started at 6:35

1. Approved Agenda

2. Public comment for items not on the agenda - none

3. Correspondence

TRORC letter denying Lamperti/Eanet preferred site letter

4. Net – Metering Rule 5.100

Related packet material

Katucki comment letter

5.100 rule with changes effective March 1, 2024

Our constructive discussion blended three closely related topics:

- The process for evaluating preferred site letter requests in the PC, SB & TRORC
- The PC's challenge of giving specific feedback while limited to interpreting how a PV project application compares with our current town plan.
- Which changes to the town plan are most important to propose in the short term to align with new state regulations and improve our siting review process?

TRORC sent a letter denying preferred site status to the Lamperti/Eanet PV project, saying that "...the project triggered several environmental criteria evaluated at the regional level." Specifically, the project is within a high priority forest block with deer yards and had an imprecise description of land clearing. This is important under the new 5.100 rules since projects involving over 3 acres of clearing do not qualify.

We wondered whether the PC should have evaluated these criteria or was it appropriate to do at the regional level? Three entities must independently approve preferred siting letter requests, each presumably using its own criteria. The municipal planning commission reviews consistency with its town plan. The regional commission has their list. We did not know the Selectboard's criteria.

Several challenges and contradictions exist for the PC, given our current town plan, combined with changes in state regulations.

We should review how applications comply with our town plan only, not zoning bylaws. However, our plan states the only exceptions to default preferred siting is

ridgelines, shoreline and historic districts. The specific description of these features exist only in the bylaws. For example, the ridgeline map is in the bylaws, not the town plan. Therefore, to evaluate a preferred site request we need to step outside of the plan, which confuses things.

Norwich's town plan is written as an aspirational document with the expectation it will guide creation of specific zoning by-laws and subdivision regs. However, zoning by-laws are excluded from consideration for net-metering projects under state rules. Act 248 requires "clear, written community standards" to guide evaluation of projects. The required level of specificity does not exist in our current plan.

The newly revised net-metering rules 5.100 give one definition of a preferred site as:
"A specific location determined by the governing municipal legislative body and the municipal and regional planning commissions as suitable for the development of a net-metering system consistent with applicable policies in their respective plans." [5.103 #7 Preferred Site definition]

To evaluate the aesthetics of a project the rules say to use the Quechee test:

"Determine whether the project would have an adverse impact on aesthetics and the scenic and natural beauty of an area because it would not be in harmony with its surroundings."

"Would the project violate a clear, written community standard intended to preserve the aesthetics or scenic, natural beauty of the area?" [5.112 C]

These rules define a clear, written community standard and relate them to "applicable policies in their plans." Again, we do not have the necessary level of clarity or specificity in our town plan.

The subcommittee recognizes that updates to our plan are essential to solve these contradictions and confusion.

- Update to be current with new state regulations
- Remove default preferred siting language
- Add sufficient specificity and guidance to the plan to not rely on zoning bylaws or maps

We realize that any substantial editing of the plan would be an extended project and the urgency of our predicament suggests we only propose the minimum changes.

We discussed how we could improve our process for reviewing preferred siting letters before any changes were made to the town plan. One suggestion was to ask for more information and project detail during initial review.

We agreed to have the Lamperti preferred siting letter TRORC refusal added to an upcoming Planning Commission agenda.

We need help crafting town plan language which can meet the standard of “clear, written community standard” and give clear guidance in evaluating PV projects. Annette Smith was suggested as a resource and Mary Gorman will reach out to see if she can attend our next meeting. Laaspere will reach out to TRORC for other resources and specific answers.

5. Enhanced Energy plan

Packet included draft of three-tiered siting criteria

Based on the discussion above, it is possible the minimum changes that make sense to do initially do not rise to the level of creating a fully qualified EEP and we may need to do this in a subsequent round. We will evaluate this as the conversation continues.

6. Approved minutes of February 26, 2023 - Unanimous

7. Adjourned at 8:40

Our next meeting will be April 16, 2024, assuming outside resources are available, to continue the discussion on these topics. We will report our plans to the Planning Commission on April 9th.

Minutes submitted by Jaan Laaspere