

Minutes:

Addison County Regional Planning Commission

Act 250/Section 248 Committee

4:30 pm July 7, 2016

1. The meeting was called to order at 4:30 by Chair Ellen Kurrelmeyer.

2. Section 248 Application reviews:

Meadow Glen Solar LLC application for a 500kw solar installation to be located off Meadow Glen Drive in Middlebury was reviewed. This project is located east of Creek Road in Middlebury on lands owned by Middle Road Ventures LLC. There appears to already be one solar installation located near or on the same property. The project will be most visible from Creek Road and 3 Mile Bridge Road and plantings are proposed which are unlikely to screen that view. ACRPC has heard nothing from the Town of Middlebury either in support of or opposed to this project. The committee decided to take no action at this time.

LK Holdings LLC's new 45 Day notice for its 500kw net metered solar facility off Sawyer Needham and Whiting Roads in the Town of Whiting was reviewed. Ellen explained to the committee that the town has been in contact with the developer and has requested an MOU be developed to memorialize promises made by the developer. To date they have not been able to confirm that commitment and several items are left to be decided. The committee instructed Tim to send another 45 Day letter to the developer repeating that which was sent following the original notice. He needs to include a copy of Whiting's requests following the initial notice and should send copies to the Public Service Board.

3. Other Section 248 updates:

A request to amend CPG #NM-1516 which permitted two wind turbines in the Town of Cornwall off Lemon Fair Road was reviewed and without information from the town indicating their position, the committee felt it would not be appropriate to weigh in on what could be a neighbor vs neighbor issue. The committee instructed Tim to request information from the town in relation to its position.

SunEdison Origination 1 LLC previously proposed a 347 kw group net metered solar array to be located at 690 Rte 73 in the Town of Orwell. This will be the second array located on this property and though it will be located further away and less visible than the first. Because there have been a few objections due to the cumulative impacts of the second project, the committee requested Tim to look into the implications of cumulative impact and pass along the info to the committee.

The Town of Pantton has come to agreement with GMP to accept the proposed solar array of Pantton Road in exchange for certain upgrades and benefits for the town. Among other items, GMP is proposing to provide energy efficiency assistance to all residents and to the town properties. The

committee understands that this may be a win-win for the town and chose to not propose any further action unless issues surface.

The committee recognizes that the Next Generation Soar project proposed for Field Days Road in New Haven continues to be contentious with the town and neighbors battling the project based on aesthetics, wildlife habitat and the town's town plan which recommends solar installations limited to 300kw or less. This project is proposed for 2.2 mw on 20 acres. Members of the committee have previously attended site visits and have agreed that the project will be visible from both Field Days Rd and Rte 17. The visibility can be lessened with appropriate screening and the committee supports sending a letter to the PSB in support of New Haven's position of 300kw or less as written in the town plan.

3. The committee was informed of the following:

Heffernan Brothers Aggregate LLC – Application was received on April 26th for expansion of a currently permitted sand, gravel, and quarrying operation off Hardscrabble Rd in Bristol. The applicant has provided additional information requested by the Act 250 coordinator on noise levels. The committee previously took no action on this application and continued that position.

David Hunt and Charlene Collins have been issued a Land Use Permit to construct an ancillary structure on their property to house a rug fabrication business. This project is located East of Rte #7 just south of the junction of 7 & 22A in Ferrisburgh.

The necessity of the expansion of the Middlebury Airport has come into question. It appears that there are no actual "safety requirements" that the runway be lengthened. Opponents are concerned about additional traffic and noise as well as an increased potential for contamination of the aquifer located under the property. The committee chose not to take any action but that staff should continue to monitor the proceedings.

4. S260 was passed during the legislature's veto session as a modification to the original S230. It allows for increased input by towns and regional commissions provided that they have plans which have been accepted by either the region or the Public Service Dept. The standards for these acceptable plans will be made available prior to the end of 2016. Tim was asked to put the adopted S260 language up on the website and send a letter to all our towns informing them of the Act and its changes and that once more information is available, the commission will keep our towns informed.

5. The newly proposed PSB rules were discussed and what their impacts may be to existing and planned solar facilities. ACORN has abandoned its planned array in light of the proposed rules. Among other things, new standards have been proposed that would give substantial preference to arrays providing electricity to customers on site and that no new projects will be allowed within GMP's "Red Zone". Tim was asked to send a copy of the proposed rules to committee members from both the Act 250 committee and the energy committee.

6. Adjourn: 5:30

DRAFT