



## PROJECT REVIEW COMMITTEE

February 25, 2021 4:00 – 5:15 pm

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### PAGE

### AGENDA

**4:00<sup>1</sup> Adjustments to the Agenda**

#### **Public Comments**

**4:05 Act 250 / Section 248 Applications & Projects of Substantial Regional Impact<sup>2</sup>**

**2** a) Preferred Site Request by Alex Bravakis/NOVUS, Two (2) 500 KW Solar Installations located at Bridge Street and Allen Street, Barre Town.

**15** b) Review *Project Review Summary Sheet*

**19 5:00 Meeting Minutes<sup>3</sup>**

Approve January 21, 2021 meeting minutes

**5:15 Adjournment**

**- Next Meeting: Thursday, March 25, 2021 -**

*Persons with disabilities who require assistance or special arrangements to participate are encouraged to contact Nancy Chartrand at 802-229-0389 or [chartrand@cvregion.com](mailto:chartrand@cvregion.com) at least 3 business days prior to the meeting for which services are requested.*

<sup>1</sup> Times are approximate unless otherwise advertised.

<sup>2</sup> Possible action item

<sup>3</sup> Possible action item



## MEMO

Date: February 22, 2021

To: Project Review Committee

From: Zachary Maia, Assistant Planner

Re: Staff Review of Section 248 Barre Town NOVUS Bridge and Allen 500kW Applications (20-3748-AN, 20-3749-AN)

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✉ **ACTION REQUESTED:** Respond to the Preferred Site Designation Request, and provide any comments on the proposed applications ahead of the filing of the formal petitions.

On December 11, 2020, NOVUS filed two 45-day Advance Notices through the Public Utility Commission for two 500 kW solar arrays located in Barre Town. These two facilities are located on Bridge Street and Allen Street. The full Advance Notice documents can be found in the packet for the [January 2021 Project Review Committee meeting HERE](#).

On January 21, 2021, the applicant and landowner attended the Project Review Committee meeting and presented both projects in brief, and answered committee member questions regarding local process. Since the previous meeting, the Barre Town Planning Commission and Selectboard have signed a Preferred Site Letter for the Bridge Street project, and the Planning Commission has signed a preferred site letter for the Allen Street project. **The Allen Street project has been revised, and the site plan is attached to this packet.** This project is awaiting Selectboard approval, which the applicant says may occur at the 2/23/2021 or 3/2/2021 meetings.

The applicant now comes before the CVRPC Project Review Committee to request preferred site designation for both of these 500 kW solar projects.

### STAFF REVIEW

To aid in the Committee's review and anticipated action item for a Preferred Site Designation request staff recommends the Committee consider:

- a) The sites' relationship to its Land Use Planning Area as defined in the Regional Plan;
- b) Direction provided in the Energy Element and incorporated Regional Energy Plan; and

- c) The development's known impacts related to other goals and policies of the Regional Plan.

**a) Land Use Planning Area**

The two sites are located within the Rural Future Land Use Area – See attached Regional Plan Future Land Use Map. The Regional Plan (on page 2-27) describes Rural Areas as: *the majority of the Region's land area and are generally rural in character. Much of the Region's residential development in recent decades has occurred in these areas in a low-density pattern along transportation routes. These areas encompass much of the Region's large forest blocks, sand/gravel/mineral deposits, and prime agricultural soils that, when in productive use, contribute to the working landscape and have significant economic value. Rural areas also include residential, small-scale commercial and industrial, and recreational uses.*

Policies related to the Rural planning areas include:

- Minimize impact to the viability of agricultural operations and forest fragmentation.
- Encourage location of development outside of farms and along the edges of forests, preferably with buffers between such development and the ag/forest resource.
- Support enabling owners of farm and forestland to bear the financial responsibility of resource protection.
- Provide direction on development principles to be used related to:
  - vehicular and pedestrian movement,
  - compact development as it related to power and transportation infrastructure,
  - maintaining traditional density and settlement patterns as development occurs,
  - protecting wildlife corridors from fragmentation,
  - limiting the number and size of non-residential uses,
  - enabling home occupations, and
  - enabling expansion and development of outdoor recreation areas.

The Rural Land Use Planning Area description references “residential, small-scale commercial and industrial, and recreational uses.” It should be noted that commercial and industrial land uses generally refer to those common uses which are defined by local zoning. Commercial and industrial uses and activities generally include activities involving the sale of goods or services carried out for profit; or uses which are engaged in manufacturing, packaging, storage and distribution of products. Commercial and industrial uses generally require a permanent structure or building with associated parking areas and infrastructure. The impacts of commercial and industrial land uses generally include regular traffic, stormwater runoff, noise, and odor.

The Bridge Street location is proposed to have a capacity of 500 kW and utilize 2.6 acres of land. The Allen Street location is also proposed to have a capacity of 500 kW and utilize 3.5 acres of land. Some clearing is proposed in the Allen Street Location.

Commercial scale renewable energy generation systems do not always equate to commercial land use planning areas. Commercial scale renewable energy generation systems range from

15kw to <1 MW is size. A 500 kW system is considered a medium to large scale commercial system. Systems over 500 kW do not qualify for preferred site incentives. NOVUS proposes two 500kW projects.

A commercial scale solar energy project would not generate the same level of impacts (traffic, stormwater runoff, noise and odor) of a commercial or industrial land use.

- **Staff Suggestion: The Committee should make a determination of whether the proposed project is in conformance with the Rural Land Use Area.**

#### **b) Energy Element and Regional Energy Plan**

Both the Energy Element and the Energy Plan (as contained within the Regional Plan appendix) state that it is the responsibility of the local municipality to determine a Preferred Site. The Energy Element states on page 3-7:

*Siting of all renewable energy generation facilities will take careful planning to ensure infrastructure (including three phase power), land use regulations (including zoning if applicable), and community support exists before the development can occur. In this regard the Central Vermont Regional Energy Plan does not specify locations beyond what has been identified by the state as preferred locations for renewable energy generation. This will provide opportunities for each municipality to identify locations that are preferred or restricted based on local insights and interests.*

The Chapter also includes the following Goal and Policy:

*GOAL: Renewable energy generation is sited to maximize potential while minimizing locally identified impacts.*

*Policy: Evaluate generation from potential renewable energy generation by municipality including the identification of constraints, resource areas, and existing infrastructure by energy type.*

As contained within the Regional Energy Plan (see Appendix of Regional Plan, page 35)

*The Regional Energy Committee further concluded that the final determination and identification of suitable sites would be left to the individual municipalities as they develop and evaluate their needs, development patterns, and future land use goals....Finally, the Central Vermont Regional Energy Plan supports the development of renewable energy generation technology that will not result in an undue adverse impact on the built or natural environment or conflict with identified regional policies.*

#### **Energy Plan Maps -**

- Known Constraints Map (see attached): Bridge and Allen Street Projects – appears no Known Constraints identified.



- Possible Constraints Map (see attached): Bridge and Allen Street Projects - appears there maybe presence of Possible Constraints on a portion of the Bridge Street site (Agricultural Soils).
- Solar Source Resource Map (see attached): Bridge and Allen Street Projects – appears to be a Secondary site with some primary generation. Properties may contain possible constraints, and also have generation potential.

Appendix A of the Regional Plan contains “Known & Possible Constraint Definitions & Descriptions” Appendix B contains the “Regional Resource Maps.” Attached to this staff review are the above-mentioned maps with the project locations circled in RED.

As defined in the Regional Plan, “Agricultural Soils” are:

*Soil map units with the best combination of physical and chemical characteristics that have a potential for growing food, feed, and forage crops, have sufficient moisture and drainage, plant nutrients or responsiveness to fertilizers, few limitations for cultivation or limitations which may be easily overcome, and an average slope that does not exceed 15 percent. Present uses may be cropland, pasture, regenerating forests, forestland, or other agricultural or silvicultural uses.*

*The soils must be of a size and location, relative to adjoining land uses, so that those soils will be capable, following removal of any identified limitations, of supporting or contributing to an economic or commercial agricultural operation. Unless contradicted by the qualifications stated above, primary agricultural soils include important farmland soils map units with a rating of prime, statewide, or local importance as defined by the Natural Resources Conservation Service of the United States Department of Agriculture.*

The Soils present on these sites are classified as “Statewide”, meaning that they are classes 4-7 and have more limited agricultural value due to slope, excessive wetness or shallow depth to bedrock. Please see the attached print-map from the Agency of Natural Resources Atlas. Relevant goals, policies, and strategies in the Regional Plan include:

- *“CVRPC supports and encourages the protection and continued productivity of viable primary agricultural soils, productive forest land, and mineral resources. Sound land use planning, including flexible development options, fair government pricing taxation and subsidy programs, agricultural diversity, and promotion of value-added products and industries are viewed as means to this end.” (Land Use, 2-37)*

To review the sections of the Regional Plan which have been referenced within this memo visit: <https://centralvtplanning.org/wp-content/uploads/2020/11/2016-CVRPC-Regional-Plan-amended-2020.pdf>

- **Staff Suggestion: The Committee should make a determination of whether the proposed projects do minimize locally identified impacts as stated in the Goal above.**

#### **c) Other Goals and Policies of the Regional Plan**

Beyond Land Use Planning Areas, the Regional Plan uses its goals and policies to address other impacts and to direct development and conservation. However, nearly all policies in the Regional Plan use advisory language (should, encourage, discourage, where feasible). Advisory policies do not offer substantial guidance in development review because they can be interpreted in different ways for different developments and may be interpreted inconsistently. The following policies provide directive language that could be used effectively in Section 248 development review:

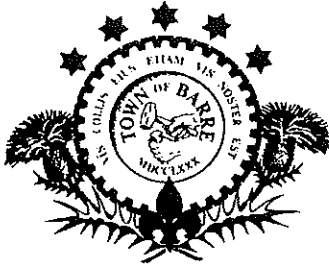
- Protect or maintain native vegetated buffer strips in riparian zones and shoreland areas using Best Management Practices
- Avoid or limit development and investment in identified flood hazard areas. Development in established economic and institutional centers shall adhere to strict floodplain management standards. [staff note: may be considered advisory]
- Fill and new structures within mapped floodways as identified on FEMA Flood Insurance Rate Maps shall be prohibited, except where a substantial public benefit is provided. [staff note: may be considered advisory]
- Specifically, development activities in designated WHPA's [wellhead protection areas] shall be carefully reviewed for groundwater impacts.
- Prevent the spread of terrestrial invasive species and forest pests.
- Light sources shall be shielded and not directly visible from public roads or adjacent residences.
- Utility infrastructure and corridors shall be sited so as to minimize aesthetic impacts, particularly in areas of local and regional scenic importance. [language in A, B, and C may negate the "shall"]
- Wherever practicable, utility lines will be installed underground or behind structures in downtowns and village centers
- The use of wood support structures, appropriate conductor colors for the background, and landscape compatibility techniques are encouraged.
- Municipalities, in their plans, should consider the visual impacts of the siting of utility poles.
- Traffic safety and water quality issues may also be pertinent in certain locations.
- Resource areas, as identified by this Plan, shall be avoided wherever possible, in the location or routing of new substation or transmission facilities. [wherever possible may negate the "shall"]
- CVRPC will track indicators that show impacts on aesthetic quality and natural beauty in Central Vermont.
- CVRPC will exercise its status as a statutory party in Act 250 whenever new development has the potential to impact the form and function of an interchange area or adjacent communities.
- New development that places a significant impact on local and regional educational systems must address and mitigate these impacts.

- **Staff Suggestion: The Committee should make a determination of whether the proposed projects are not in conformance with any of the identified regional policies.**

Attachments:

1. Barre Town Preferred Site Letter of Support for NOVUS Bridge LLC
2. NOVUS Allen, LLC Revised Site Plan
3. Project Locator Map: CVRPC Future Land Use Areas
4. Energy Map: Known Constraints
5. Energy Map: Possible Constraints
6. Energy Map: Solar Resource Map
7. Agency of Natural Resource Atlas Map: Agricultural Soils

For the full Advance Notices for both applications as filed by NOVUS, please see the January 2021 Project Review Committee packet: <https://centralvtplanning.org/wp-content/uploads/2021/01/21-01-21-PRC-Packet.pdf>

**TOWN OF BARRE, VERMONT**

OFFICE OF THE TOWN MANAGER  
WEBSTERVILLE, VT 05678-0116  
TELEPHONE: 802-479-9331  
FAX: 802-479-9332  
E-MAIL: [offices@barretown.org](mailto:offices@barretown.org)

TOWN MANAGER:  
Carl Rogers  
[crogers@barretown.org](mailto:crogers@barretown.org)

February 10, 2021

Ms. Judith Whitney, Clerk  
Vermont Public Utility Commission  
112 State Street  
Montpelier, VT 05620-2701

Re: Preferred siting Designation under Rule 5.100

Dear Ms. Whitney:

We refer to the application for a Certificate of Public Good that may be filed shortly by Novus Energy Development LLC. This is a 500 kW-AC solar electricity generation project proposed to be sited off Bridge Street in Barre Town on land currently owned by Merry Meadows LLC.

We write this letter to confirm our finding and to declare, with consideration to the stipulations below, that this site is a Preferred Site for this solar project. Our declaration is based on materials supplied, including a map, as part of the preapplication notice, 45-days in advance of a potential filing of a 248/8010 application. Any changes to this plan by more than 50' may alter our declaration and respectfully request notice if such a change occurs.

In coming to the above decision, we find the following additional measures should be taken:

1. Vegetated screening shall be planted along the North boundary (uphill) of the project to provide screening to the properties along Bridge Street. No screening is proposed in the current plan.
2. As discussed with the Developer, they will reach out to abutter Swift and Croteau before construction to discuss their concerns about vibration and how it might impact their water supplies.
3. The Decommissioning Plan should include language ensuring holes left from removal of posts will be filled and graded and fencing will be removed as well as screening if the landowner wishes it to be removed.

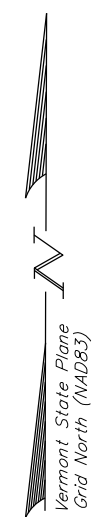
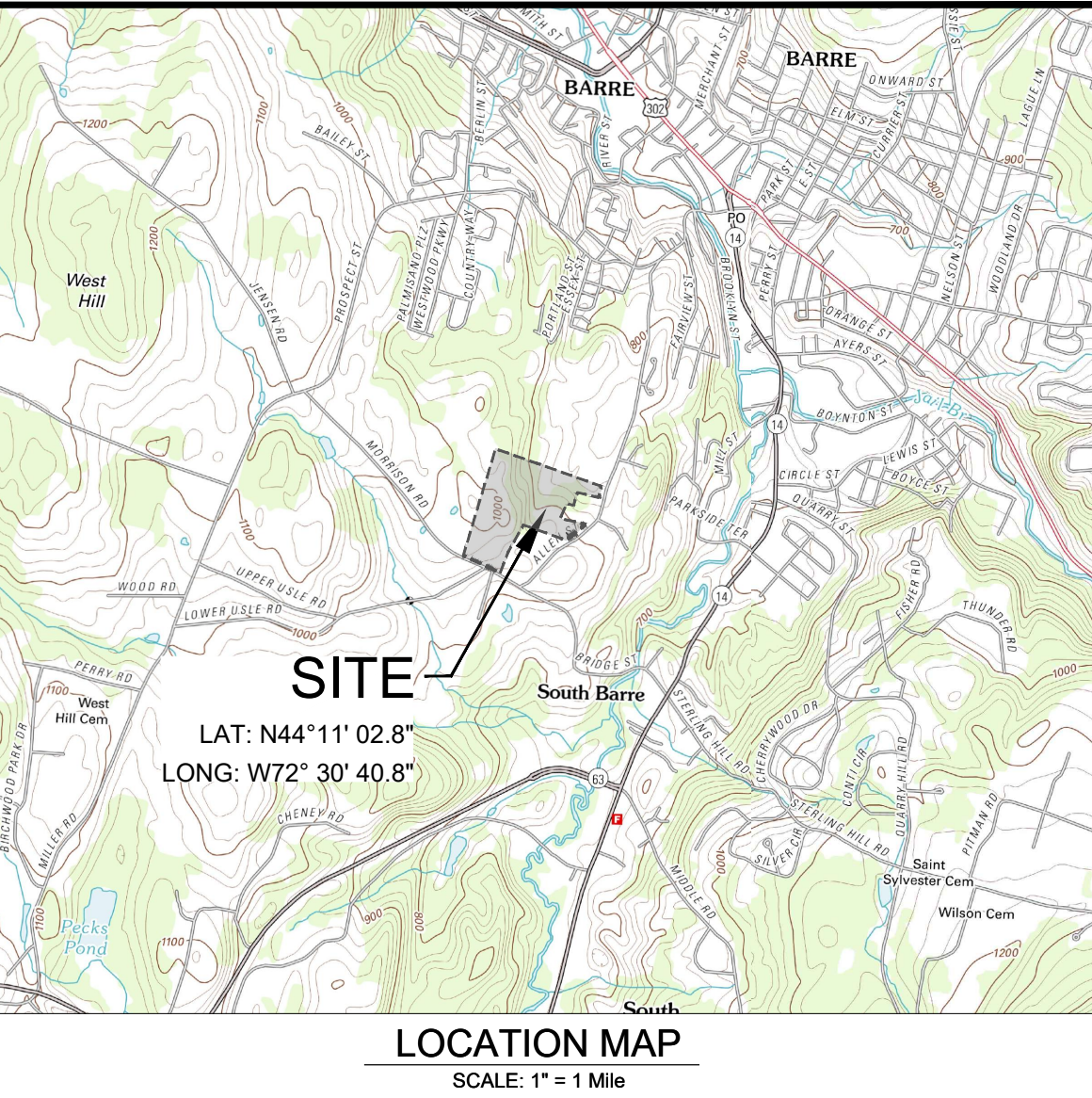
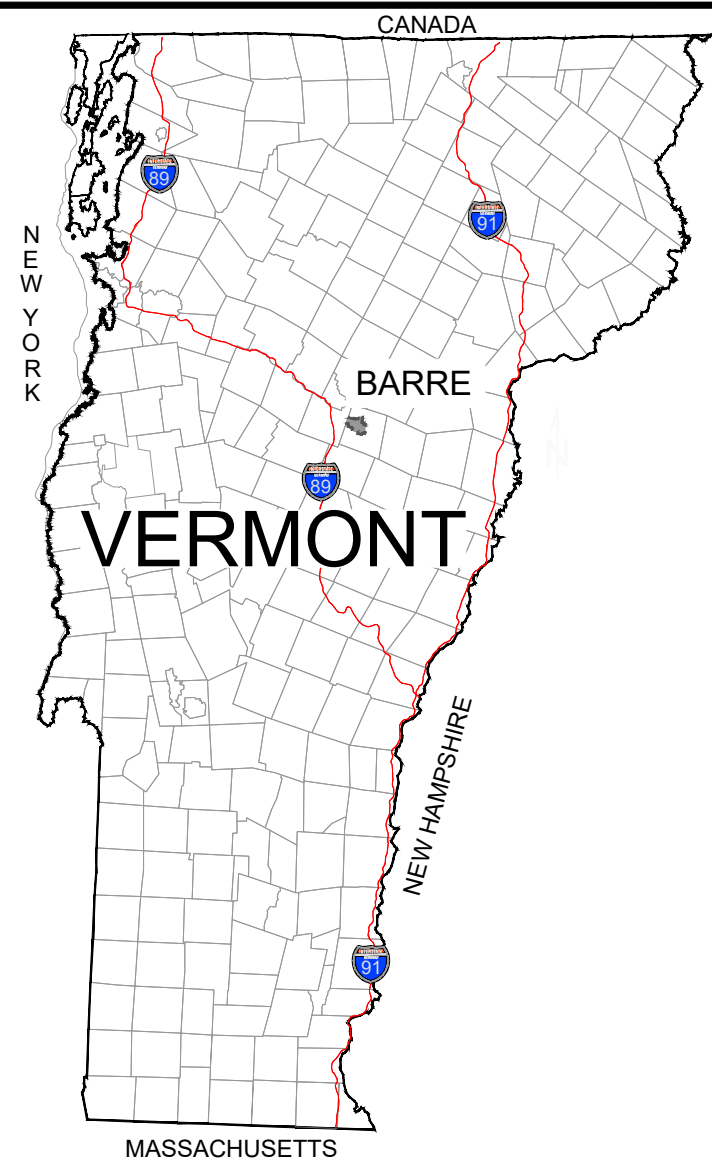
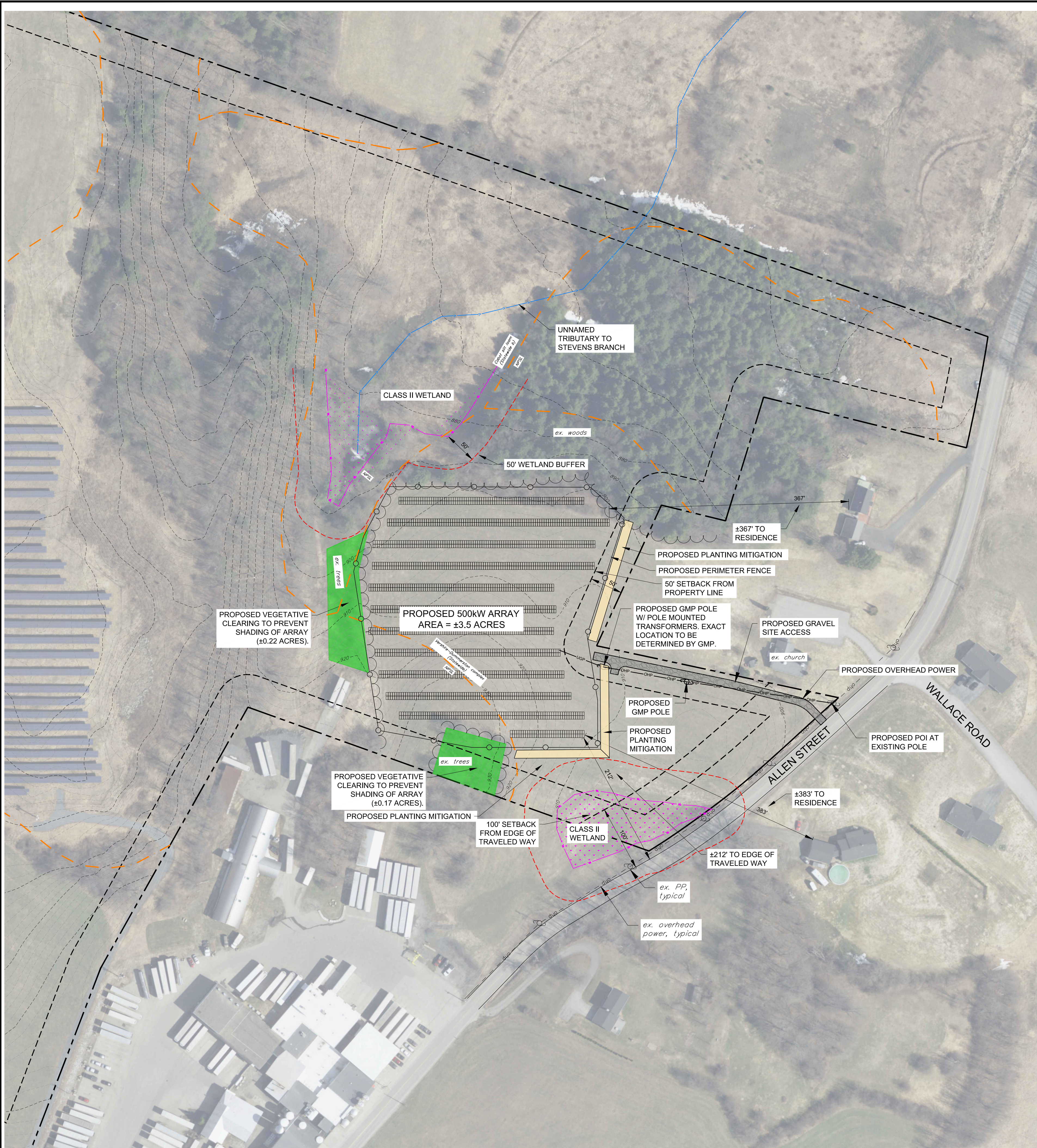
We note that we take no position on the project's compliance with any requirements of Rule 5.100 or of other applicable provisions of Vermont law. This letter is solely for the purpose of providing support for the project under Section 5.103. We reserve the right to comment further after the Certificate of Public Good request is filed.

Sincerely,

Cedric Sanborn  
Chair  
Barre Town Planning Commission

Paul White  
Chair  
Barre Town Selectboard



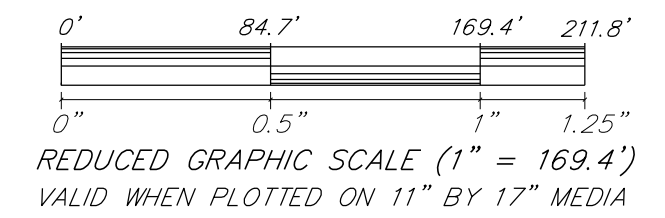
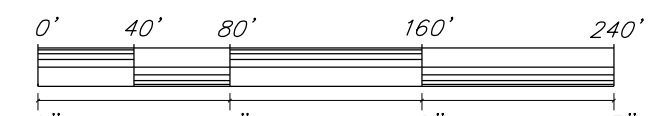


LEGEND

- EXISTING POWER POLE / PROPOSED POWER POLE
- APPROXIMATE PROPERTY LINES
- EXISTING OVERHEAD POWER
- EXISTING TREELINE
- EXISTING GRADE CONTOUR LINES (5-FOOT INTERVALS)
- EXISTING GRADE CONTOUR LINES (1-FOOT INTERVALS)
- CLASS II WETLAND
- PRIMARY AGRICULTURAL SOIL BOUNDARY
- STREAM CENTERLINE (VCGI)
- ENVIRONMENTAL BUFFER
- SOLAR SETBACKS
- PROPOSED OVERHEAD POWER LINES
- PROPOSED UNDERGROUND POWER LINES
- PROPOSED FIXED SOLAR PANEL RACKING
- PROPOSED VEGETATIVE CLEARING
- PROPOSED PERIMETER FENCE
- PROPOSED 12' GRAVEL ACCESS DRIVE
- PROPOSED PLANTING MITIGATION

NOTES:

- ASPECTS OF PLAN ARE APPROXIMATE AND DERIVED FROM AERIAL PHOTOGRAPHY.
- THE HORIZONTAL COORDINATE SYSTEM IS BASED ON NAD83 VERMONT STATE PLANE 4400 (US SURVEY FEET). ELEVATIONS ARE BASED ON THE NAVD88 (US SURVEY FEET).
- EXISTING GROUND CONTOUR ELEVATIONS ARE BASED ON LIDAR PROVIDED BY THE VERMONT CENTER FOR GEOGRAPHIC INFORMATION.
- UTILITIES ARE NOT WARRANTED TO BE COMPLETE OR ACCURATE. CONTRACTOR SHALL CONTACT DIG SAFE BEFORE BEGINNING ANY EXCAVATION.
- THIS IS IN NO WAY A BOUNDARY SURVEY. PROPERTY LINES FOR PROPERTY ARE FROM TAX MAP INFORMATION PROVIDED BY THE TOWN.
- THIS IS A PRELIMINARY DESIGN PLAN. FINAL DESIGN WILL BE MODIFIED TO MATCH EQUIPMENT PURCHASED AND POSSIBLE PERMIT CONSTRAINTS REVEALED DURING PROJECT'S REVIEW.



Proposed Solar Array

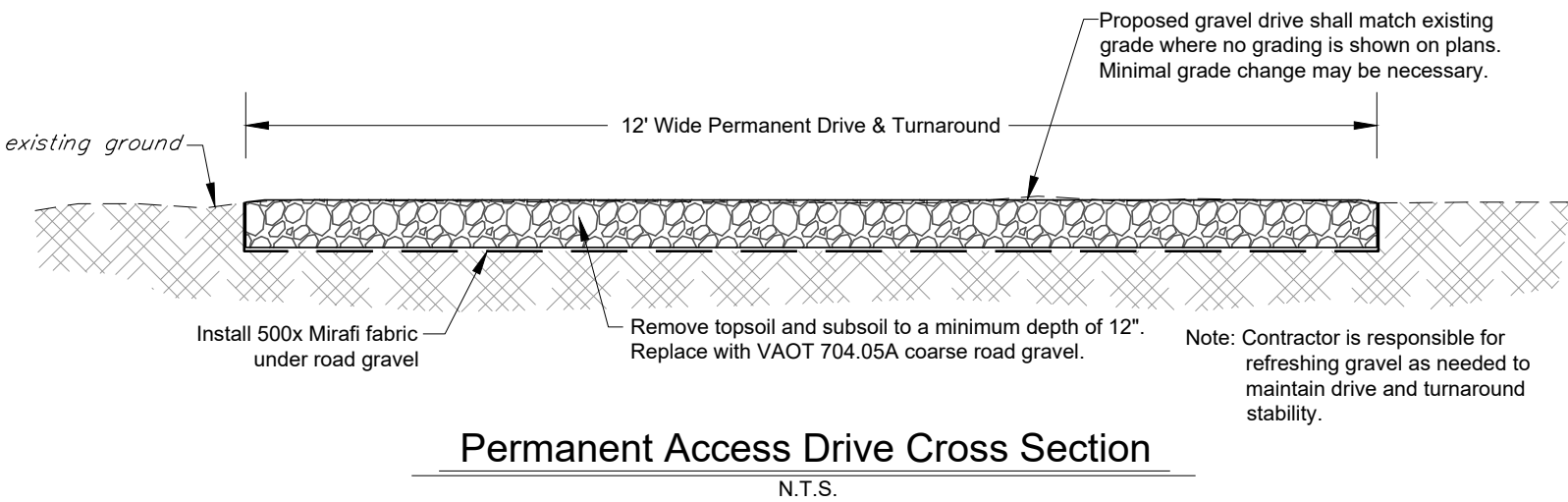
REV. NO.	REVISIONS/COMMENTS	DATE

Drawing Title:

SITE PLAN

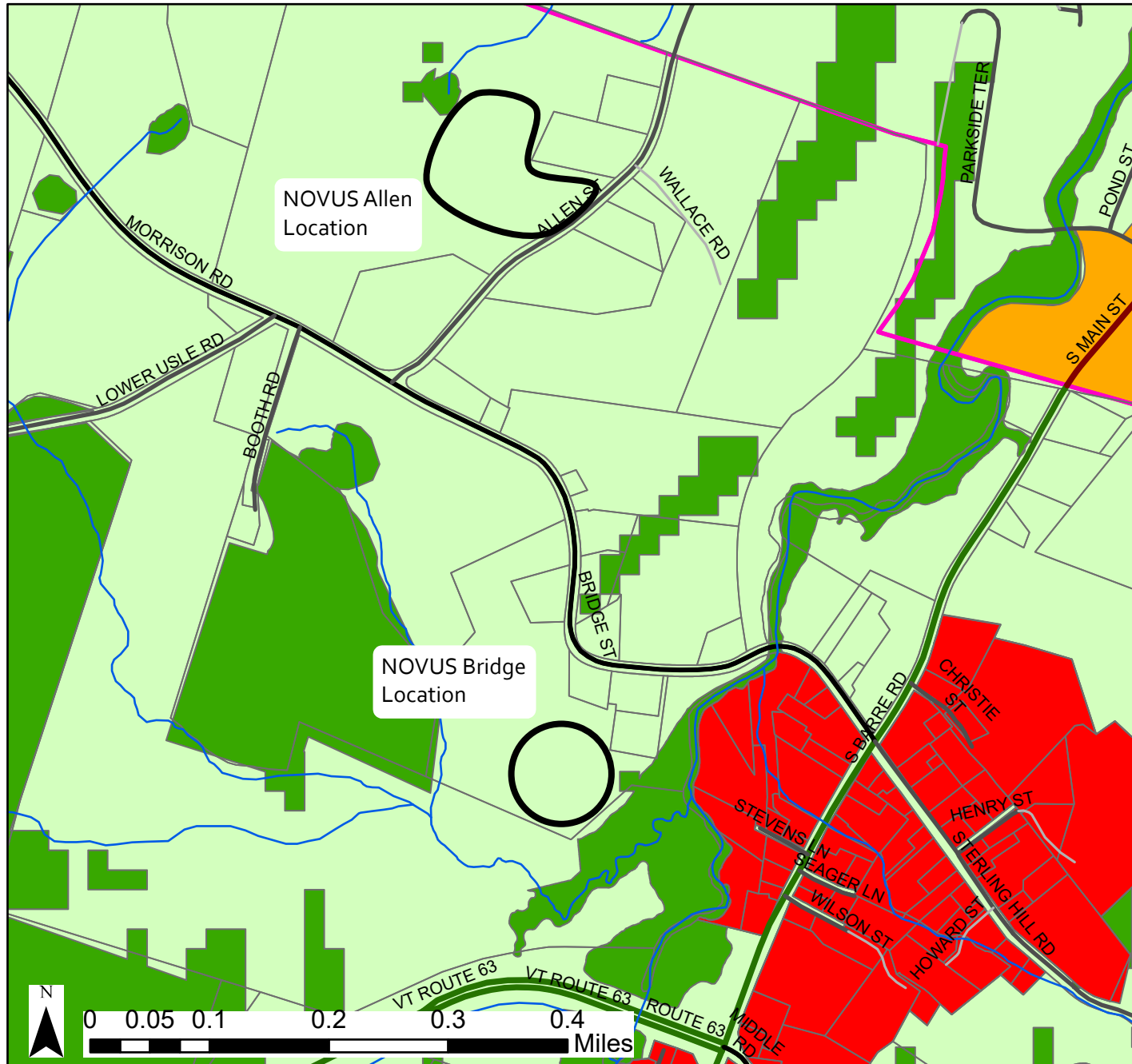
DATE of Issue: 02/15/21  
Drawn by: SDG  
Project No.: 20335  
Drawing No.:  
Checked by: GTD  
Scale: 1" = 80'  
Rev No.:

C-100

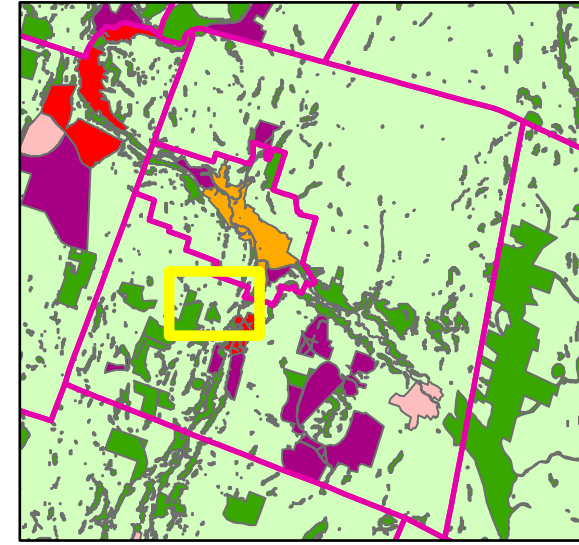




## Future Land Use Locator Map



### Project Location



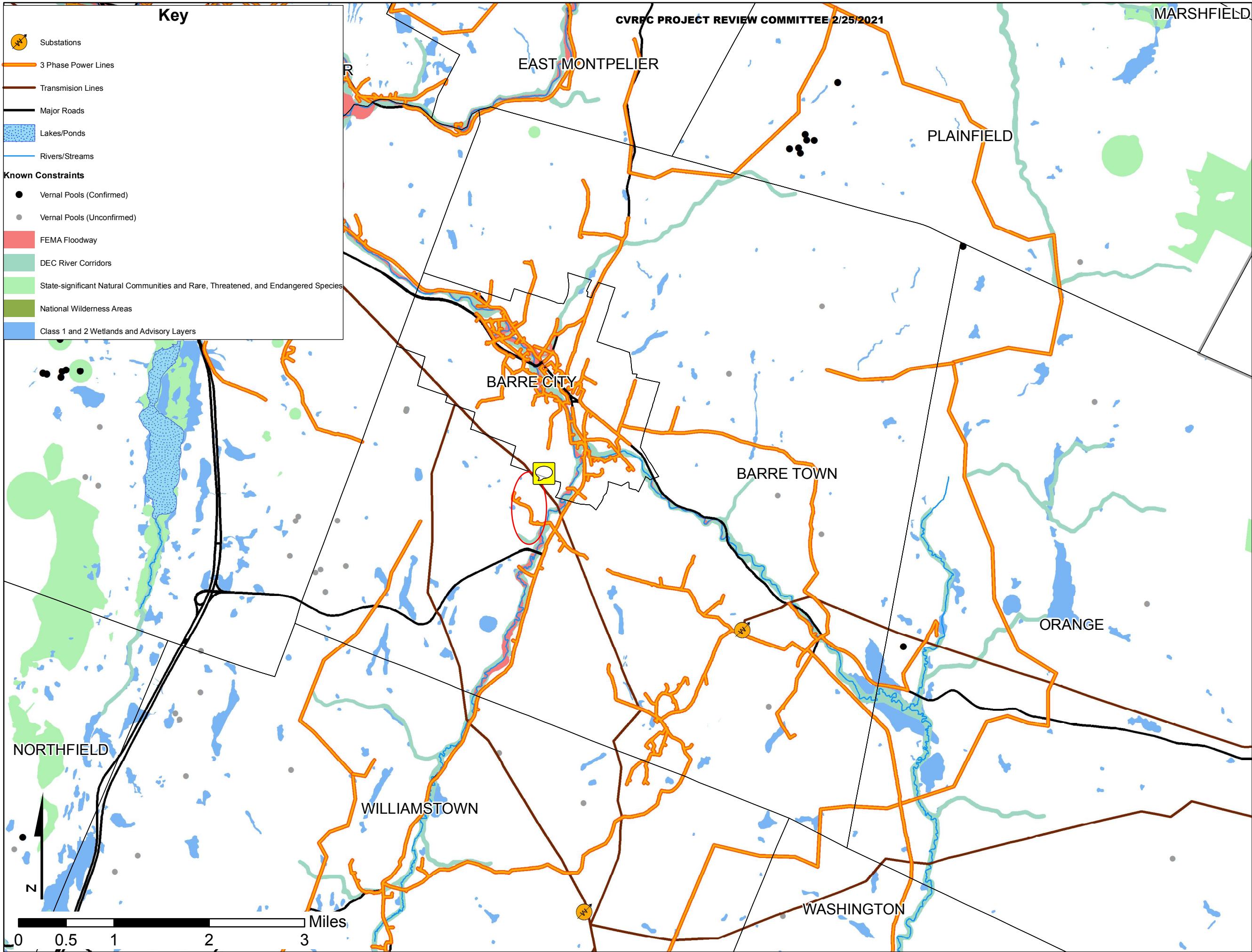
### Legend

Future Land Use Area	Roads
<span style="display:inline-block; width:15px; height:15px; background-color:purple; border:1px solid black;"></span> Industrial	<span style="display:inline-block; width:15px; height:15px; background-color:green; border:1px solid black;"></span> State Highway
<span style="display:inline-block; width:15px; height:15px; background-color:red; border:1px solid black;"></span> Mixed-Use Commercial	<span style="display:inline-block; width:15px; height:15px; background-color:red; border:1px solid black;"></span> Class 1
<span style="display:inline-block; width:15px; height:15px; background-color:orange; border:1px solid black;"></span> Regional Center	<span style="display:inline-block; width:15px; height:15px; background-color:black; border:1px solid black;"></span> Class 2
<span style="display:inline-block; width:15px; height:15px; background-color:green; border:1px solid black;"></span> Resource	<span style="display:inline-block; width:15px; height:15px; background-color:grey; border:1px solid black;"></span> Class 3
<span style="display:inline-block; width:15px; height:15px; background-color:lightgreen; border:1px solid black;"></span> Rural	<span style="display:inline-block; width:15px; height:15px; background-color:grey; border:1px solid black;"></span> Private
<span style="display:inline-block; width:15px; height:15px; background-color:pink; border:1px solid black;"></span> Town Center	<span style="display:inline-block; width:15px; height:15px; background-color:blue; border:1px solid black;"></span> Streams
<span style="display:inline-block; width:15px; height:15px; border:2px solid magenta;"></span> Town Boundaries	<span style="display:inline-block; width:15px; height:15px; border:1px solid black;"></span> Parcels (2007)

Map created on 1/14/2021 for CVRPC Project Review Committee.

Sources: CVRPC Future Land Use, 2019 VTrans Roads, 2008 Streams, 2007 Barre Town Parcels

This map is for planning purposes only. Data is only as accurate as the original sources. This map may include errors and or omissions.



# BARRE TOWN

## Known Constraints Map

### Known Constraints

These constraints signal likely, though not absolute, unsuitability for development based on statewide or local regulation or designated critical resources.

Link to Data - <http://vcgi.vermont.gov/opendata/act174>

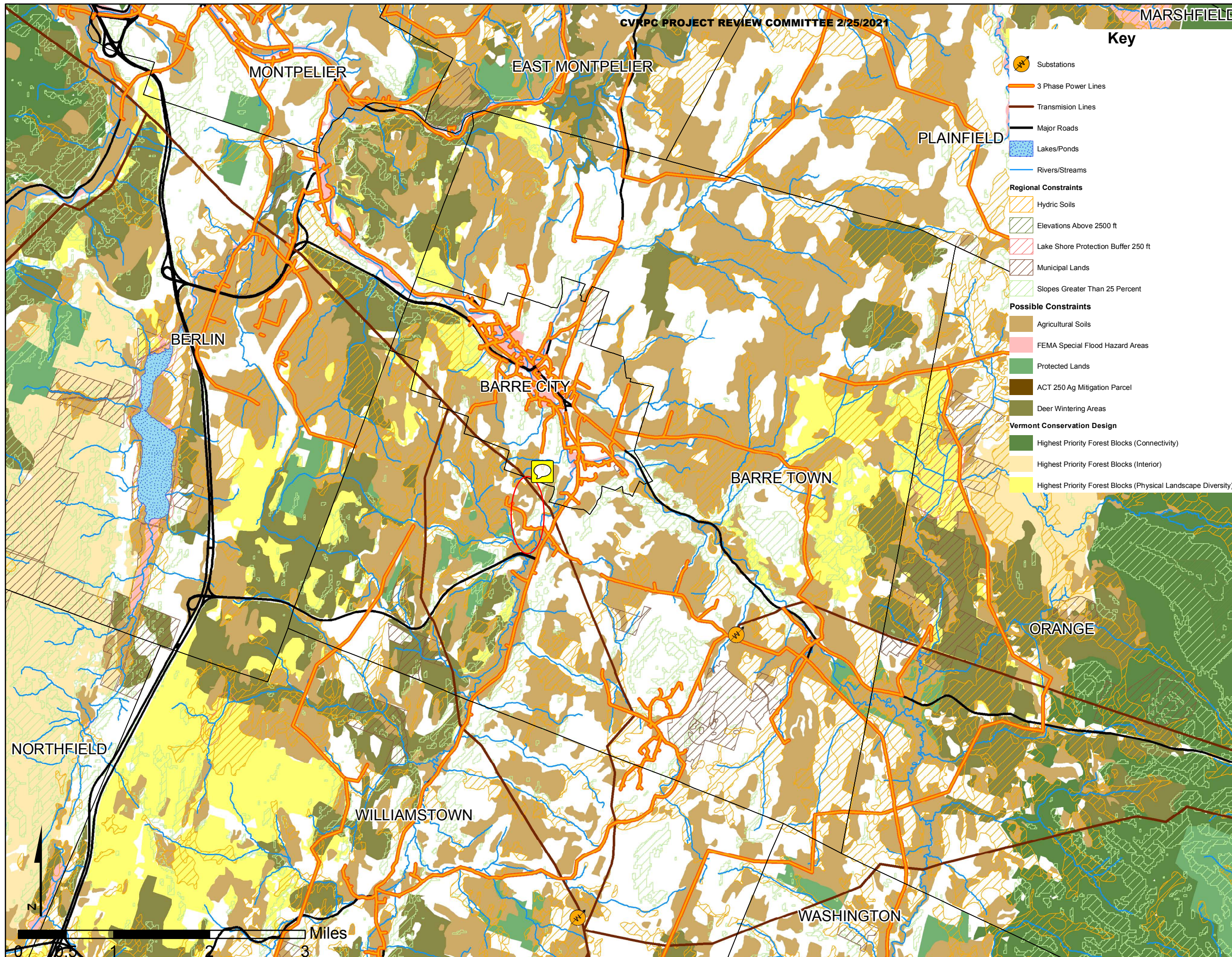
Known Constraints  
Vernal Pools including confirmed and unconfirmed - Vermont Fish and Wildlife  
DEC River Corridors - DEC WSMD Rivers Program 1/2/15  
FEMA Floodway included in Zones AE - FEMA Map Service Center  
State-significant Natural Communities and Rare, Threatened, and Endangered Species - Vermont Fish and Wildlife, Natural Heritage Inventory  
National Wilderness Areas - USDA Forest Service  
Class 1 and Class 2 Wetlands (VSWI) and Advisory Layers - VT Watershed Management Division

This map was created as part of a Regional Energy Planning Initiative being conducted by the Bennington County Regional Commission, and the Vermont Public Service Department.

Created: December 2016 by CVRPC GIS.







# BARRE TOWN<sup>12</sup>

## Possible Constraints Map

### Possible Constraints

These constraints signals conditions that would likely require mitigation, and which may prove a site unsuitable after site-specific study, based on statewide or regional/ local policies that are currently adopted or in effect.

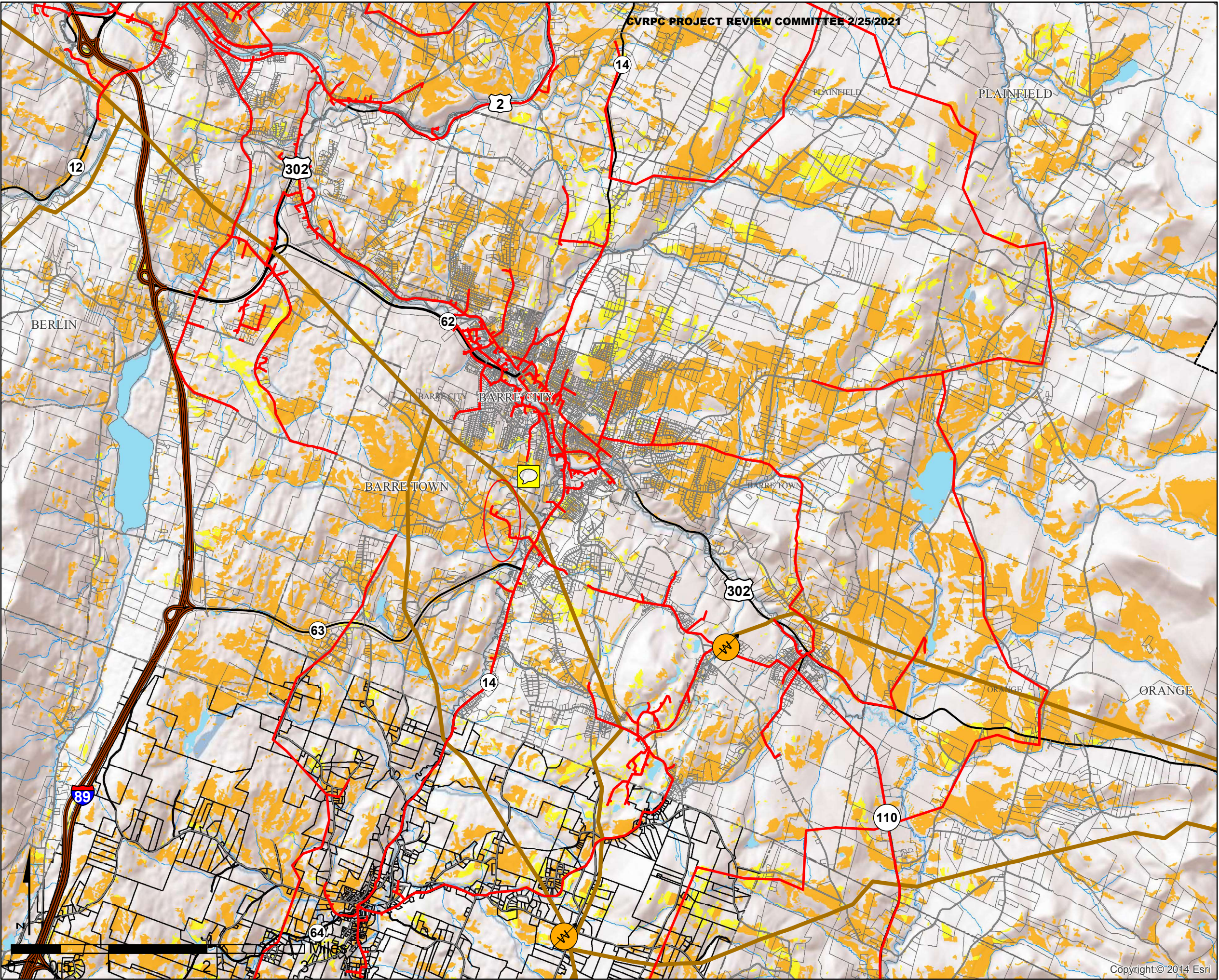
Link to Data - <http://vcgi.vermont.gov/opendata/act174>

**Possible Constraints Data Sources**  
Agricultural Soils include local, prime and statewide classifications - NRCS  
FEMA Special Flood Hazard Areas include Zones A and AE - FEMA  
Map Service Center  
Protected Lands - Include State fee lands and private conservation lands - VCGI  
Act 250 Ag Mitigation Parcels include parcel as of 2006 - VT Dept. of Ag  
Deer Wintering Areas - VT Fish and Wildlife  
Vermont Conservation Design include the following Highest Priority Forest Blocks: Connectivity, Interior, and Physical Landscape Diversity) - VT Fish and Wildlife  
Hydric Soils include soils that have hydric named components in the map unit - NRCS

This map was created as part of a Regional Energy Planning Initiative being conducted by the Bennington County Regional Commission, and the Vermont Public Service Department.

**Created:** December 2016 by CVRPC GIS.





Solar Resources Map

- Legend**
- Substations
  - 3 Phase Power Lines
  - Distribution Lines
  - Solar Potential**
  - Prime (No Constraint)
  - Secondary (Possible Constraint)
  - Parcels
  - Roads**
  - Interstate
  - US Highway
  - Vermont State Highway
  - Town Class 1-3
  - Known Constraints**
  - Areas not shown on map
  - Vernal Pools
  - River Corridors
  - FEMA Floodways
  - Natural Communities & Rare, Threatened and Endangered Species
  - National Wilderness Areas
  - Wetlands Class 1 and 2
  - Possible Constraints**
  - VT Agriculturally Important Soils
  - FEMA Special Flood Hazard Areas
  - Protected Lands
  - Act 250 Agricultural Soil Mitigation Areas
  - Deer Wintering Areas
  - Highest Priority Forest Blocks
  - Hydric Soils
  - Elevations Above 2500Ft
  - Lake Shore Protection Buffer 250 Ft
  - Municipal Lands
  - Slopes Greater Than 25 Percent

Created by: CVRPC GIS 4/4/2017  
N:\Region\Projects\2017\  
Act174\_Energy\Solar Resources 11X17

Data is only as accurate as the original source materials.  
This map is for planning purposes.  
This map may contain errors and omissions







# Ag Soils - Barre Town Solar 2021

Vermont Agency of Natural Resources

CVRPC PROJECT REVIEW COMMITTEE 2/25/2021

vermont.gov



## LEGEND

### Soils - Prime Agricultural

- Local
- Local (b)
- Not rated
- Prime
- Prime (b)
- Prime (f)
- Statewide
- Statewide (a)
- Statewide (b)
- Statewide (c)

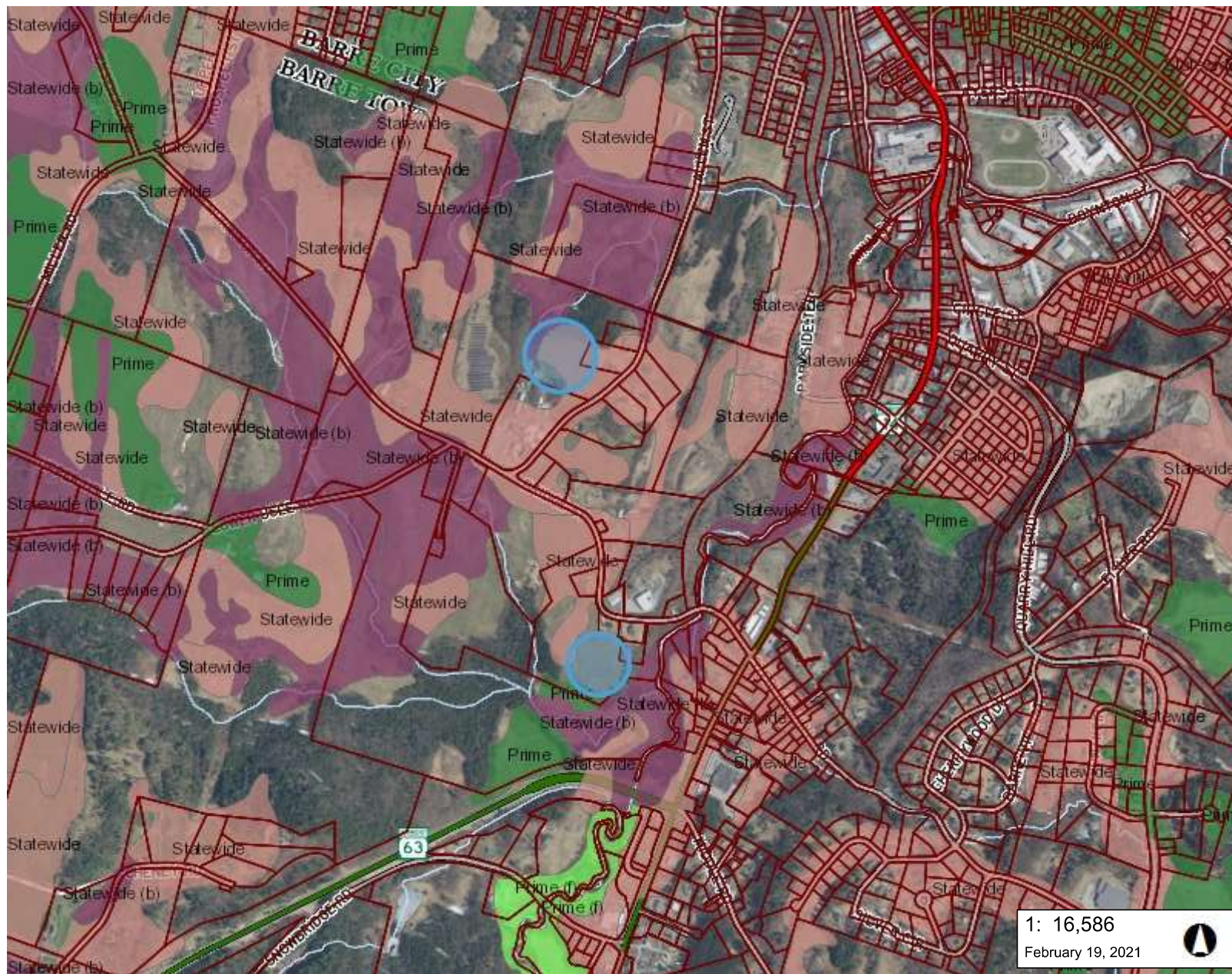
### Parcels (standardized)

### 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



843.0 0 422.00 843.0 Meters

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere

© Vermont Agency of Natural Resources

1" = 1382 Ft.

1cm = 166 Meters

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





## PROJECT REVIEW COMMITTEE

### SUMMARY SHEET

February 22, 2021

The following is a list of projects that have been received by staff since the last Project Review Committee meeting. Staff will provide a general overview of the projects if necessary to determine if additional discussion is warranted at a future meeting.

APPLICATION		APPLICANT	MUNICIPALITY	PROJECT SUMMARY
Act 250 Applications				
1	Act 250 – Minor Application 5W1045-45	Vermont Adaptive Ski and Sports	Fayston	Three story addition to the Sugarbush Mt. Ellen Ski Lodge. The 30' by 102' footprint will encompass and replace various existing structures, add an elevator and modern restrooms accessible from all floors of the existing lodge. <b>2/13/2021: Applicant submits changes to initial plans to accommodate concerns raised by ANR through the inclusion of the Waste Reduction Plan and the revision of the site plan to reduce impact to vegetated buffers by 50% from original design.</b>
2	Act 250 – 5W1374-4H Administrative Amendment	Waterbury Commons, LLC	Waterbury	Construction of homes on Lots 18 and 21 in South Waterbury. <b>Amendment issued 12/21/2020. 1/5/2020: Motion to Reconsider filed by adjoiner, with request to stay the administrative amendment. No formal decision issued by District Commission.</b>
3	Act 250 – 5W1565-F Administrative Amendment	Ian Rubiano & Mary Kavanaugh	Waterbury	Construction of a 3-bedroom single-family residence with a 1-bedroom accessory apartment on previously-approved ±3.3-acre Lot 5 (275 Moulton Farm Rd.). <b>Permit issued 2/3/2021.</b>
4	Act 250 - 5W0905-2D Administrative Amendment	Jon Lewis	Fayston	Redesign of the on-site wastewater and water supply systems for the construction of a 4-bedroom single-family residence on Lot 4, located on Beaver Pond Road in Fayston, Vermont. <b>Permit issued 2/3/2021.</b>

APPLICATION		APPLICANT	MUNICIPALITY	PROJECT SUMMARY
Sec. 248 Applications				
5	Sec. 248 – 20-3590-PET Petition	Agri-Mark, Inc/ Cabot Creamery	Cabot	Petition of Agri-Mark, Inc./Cabot Creamery for a certificate of public good, pursuant to 30 V.S.A. § 248(j), authorizing the installation and operation of a biodigester facility and related 250 kW electric generation facility in Cabot, Vermont. Petition Filed 11/24/2020. <b>2/4/2021: Applicant issues response to comments, noting comments from Dept. of Historic Preservation, Adjoining Landowner, Public Service Dept., and Agency of Natural Resources. ANR comments request that applicant obtain necessary permits or go through entire 248 process (rather than 248(j) limited size and scope). No further decision from PUC.</b>
6	Sec. 248 – 20-3911-NMP Petition	Blush Hill Meadows Ten, LLC	Waterbury	Petition of Blush Hill Meadows Ten, LLC for a major amendment to CPG No. 20-0081-NMP to add an additional 14 kW of capacity to the project, resulting in a proposed size of 149kW. <b>2/14/2021: Applicant responds to comments from GMP, ANR, and PSD. No objection to comments, including ANR's request for permanent demarcation of riparian area. No further updates from PUC.</b>
7	Sec. 248 – 20-3293-NMP Petition	Lawson's Finest Liquids, LLC	Waitsfield	Petition of Lawson's Finest Liquids, LLC for a certificate of public good, pursuant to 30 V.S.A. §§ 248, 8010, authorizing the installation and operation of a 150.0 kW AC solar electric generation system in of Waitsfield, Vermont. Filed 10/30/2020. <b>2/14/2021: GMP Fast Track analysis uploaded to ePUC by applicant, includes findings that will require a feasibility study to address. No further updates.</b>
8	Sec. 248 – 21-0116-PET Petition	City of Montpelier	Montpelier	Petition of City of Montpelier for a certificate of public good, pursuant to 30 V.S.A. § 248(j), authorizing the construction and operation of a 400 kW AC digester gas conditioning electrical generating facility in Montpelier, Vermont. <b>2/17/2021: Public Service Dept. files comments requesting (1) noise impact information, (2) CO2 emissions information, (3) voltage and transformer information, and (4) a decommissioning plan. PUC orders applicant to produce decommissioning plan. No further update at this time.</b>

APPLICATION		APPLICANT	MUNICIPALITY	PROJECT SUMMARY
9	Sec. 248 – 20-3748-AN Advance Notice	NOVUS Bridge, LLC	Barre Town	45-day notice of NOVUS Bridge, LLC prior to filing petition for the construction of a 500 kW group net metered solar facility on Bridge St. in Barre Town. <b>2/10/2021: Barre Town Selectboard and Planning Commission sign joint letter of support for preferred site status, with provisions requesting vegetated screening on the north side of the Project.</b>
10	Sec. 248 – 20-3747-AN Advance Notice	NOVUS Allen, LLC	Barre Town	45-day notice of NOVUS Allen, LLC prior to filing petition for the construction of a 500 kW group net metered solar facility on Allen St. in Barre Town. <b>2/17/2021: Barre Town Planning Commission votes to sign a letter of support for preferred site status, awaiting Selectboard decision.</b>
11	Sec. 248 – Advance Notice	rbTechnologies, LLC	East Montpelier	45-day notice of rbTechnologies, LLC prior to filing the petition for the construction of a 44.2 kW net metering ground-mounted solar facility at 1970 Route 14 South, East Montpelier, VT. <b>45-day notice period ends 3/8/2021.</b>
Active Applications with No Updates				
12	Act 250 – 5W0147-22F TBD	Mavis, LLC	Waitsfield	To finalize residential project located in Mad River Park that gained partial approval under 5W0147-22. The project site now has delineated environmental boundaries, and has been redesigned to a reduced total of 20 individual residences to be clustered on one lot. This is a reduction of 4 units. An amended WW permit has been concurrently applied for along with a Stormwater Discharge Permit & Construction General Permit. The existing constructed project access will be utilized, as well as the previously approved leachfield. Schedule G submitted 12/23/2020. <b>February 2021: No further update.</b>
13	Act 250 – 5W1206-5 Minor Application	John Mutchler	Waterbury	Construction of a 9 lot subdivision including 6 residential lots, one agricultural lot, one lot to be conveyed to an adjoiner, and one lot for common land to be controlled by the Homeowner's Association. Construction also includes upgrades to existing roads, and on-site stormwater management, septic and water supplies. VT Fish & Wildlife submits preliminary comments re: rare & irreplaceable natural area (Shutesville Hill Wildlife Corridor) impact of this application, and requests site visit in order to reduce impact of this development. November 2020: ANR requests second extension, granted to November 30,

APPLICATION		APPLICANT	MUNICIPALITY	PROJECT SUMMARY
				2020 in order to determine impacts under Criterion 8A and if a hearing shall be warranted. 11/25/2020: CVRPC submits letter finding SRI and nonconformance. <b>February 2021: No Update at this time.</b>
14	Act 250 – 5W1232-7-1 Minor Amendment	Jason & Alyssa Akers	Barre Town	Construction of a commercial garage across road (VT Rte 14) in South Barre to create more space for commercial auto repair operation currently operating on the west side of Rte 14. 12/30/2020: ANR files comments finding need for operational stormwater permit under 1(B), and change in site plan needed to satisfy riparian buffer of 50 ft under 1(E) prior to issuance of permit. <b>February 2021: No Update at this time.</b>
15	Act 250 – Minor Application 5W1111-4	Sugarbush Mountain Resort, Inc.	Warren	Replace and upgrade the existing snowmaking water withdrawal infrastructure on the Mad River adjacent to the snowmaking pond during the summer 2020 construction season. ANR submits comments on 6/22/2020. <b>February 2021: No further update.</b>
16	Act 250 – 5W0779-23 Minor Application	Ben & Jerry's Homemade	Waterbury	Construction of a truck access road from the existing main access to the loading dock area. Two new culverts will be constructed where the new road will cross an unnamed tributary to Thatcher Brook. Additionally, a trailer-drop lot and 3 gravel wetlands to treat stormwater runoff are being proposed. 8/4/2020: ANR submits comments on Criteria 1(B) Waste Disposal, 1(D) Floodways, 1(E) Streams, requesting inclusion of BMPs for Blasting in permit, revision of gravel wetland 1 location to conform to River Corridor, and request for amendment to Riparian Management Plan. <b>February 2021: No Further Update.</b>
17	Act 250 – 5W0431-12,5W1012-3 Minor Application	State of Vermont Building and General Services	Waterbury	The demolition of flood-damaged Stanley Hall and Wasson Hall at the Waterbury State Complex. The project involves the capping of utilities that serviced the buildings, and the construction of a sidewalk. New infrastructure will also be installed to improve drainage to existing catch basins. Once the demolition is completed, the area will be restored as an open grassed field. VT Dept for Historic Preservation files comments on 1/12/2021 finding no undue adverse impact to historic structures under Criterion 8. <b>February 2021: No Further Update.</b>

**CENTRAL VERMONT REGIONAL PLANNING COMMISSION****Project Review Committee****January 21, 2021 4:00 – 4:45 pm*****Remote Participation via GoToMeeting*****Draft Minutes****Project Review Committee Members**

x	Lee Cattaneo, Orange Commissioner	1
	John Brabant, Calais Commissioner	2
x	Jerry D'Amico, Roxbury Commissioner (Alternate Seat)	3
x	Peter Carbee, Washington Commissioner	4
x	Janet Shatney, Barre City Commissioner	5
x	Robert Wernecke, Berlin Commissioner	6

7

8 Staff: Clare Rock, Zach Maia

9 Guests: George Clain, Barre Town Planning Commissioner and Barre Town CVRPC Alternate; Alex

10 Bravakis, NOVUS; Val and Regen Howard, Barre Town landowners; Chris Violette, Barre Town Planning  
11 and Zoning Administrator

12

13 L. Cattaneo calls the meeting to order at 4:00pm.

14

15 **Adjustments to the Agenda**

16

17 G. Clain states he has extensive public comments on matters not on the agenda and is willing to defer  
18 until after other agenda items. L. Cattaneo moves public comment to the end of the agenda for this  
19 meeting.

20

21 **Public Comments**

22

23 Public Comments moved to the end of the agenda.

24

25 **Act 250 / Section 248 Applications & Projects of Substantial Regional Impact**

26

27 **a) Informational Presentation & Possible Preferred Site Request by Alex Bravakis/NOVUS, Two 500**  
28 **KW Solar Installations located at Bridge Street and Allen Street, Barre Town**

29

30 Z. Maia introduces the two projects and provides a brief overview of the applicant's process so far. A.  
31 Bravakis is then introduced. A. Bravakis introduces landowners, who have been working with NOVUS to  
32 plan for a way to bank land for the next few years. These projects are a way to preserve open space in  
33 solar use, rather than converting land to housing development.

34

35 A. Bravakis states that he met with Barre Town Planning Commission twice, Selectboard once, and  
36 provided opportunity for a site visit. The Planning Commission has voted to provide a preferred site  
37 letter to the Bridge Street project, and has tabled the decision regarding Allen Street until another site

1 visit can be scheduled to discuss screening. A. Bravakis states that NOVUS will not be filing entire  
2 petition until preferred site status can be attained by town and RPC.

3  
4 A. Bravakis elaborates on the details of the two projects. He states that the Bridge Street project is great  
5 spot for solar due to topography, and there is little visual impact. A stream is located nearby, and  
6 topography makes farming hard to occur. On the other hand, the Allen street project is more visible, so  
7 there may need to be some work in regard to screening.

8  
9 Upon the applicant finishing the preliminary overview, L. Cattaneo asks the Project Review Committee  
10 members if they have any questions.

11  
12 P. Carbee asked about Barre Town Planning Commission's decision the prior night. C. Violette  
13 mentioned that Bridge Street location was issued a letter with some stipulations regarding screening.  
14 Allen Street just needs more screening and thought, and was tabled until the February Planning  
15 Commission meeting. C. Violette thinks the Selectboard will follow suit.

16  
17 G. D'Amico asks about preferred site definition. Z. Maia provides a brief background on how preferred  
18 sites can be designated, when they are required, and the benefits of receiving this designation.

19  
20 P. Carbee asks if these are independent projects, to which A. Bravakis confirms.

21  
22 J. Shatney seeks to clarify the Project Review Committee's process and need to make decision. Z. Maia  
23 clarifies that this meeting was informational, as the RPC has not received a formal request for preferred  
24 site designation from the applicant. J. Shatney then asked about public engagement regarding neighbors  
25 at each location. C. Violette states that the Allen Street project did not bring out the public, despite  
26 being more visible. The Bridge Street project did have some interest from neighboring landowners.

27  
28 R. Wernecke asked Z. Maia about environmental impacts. A. Bravakis states that there are some  
29 wetland delineations, but no conflict. Identification of habitat for and presence of Rare, Threatened, or  
30 Endangered species will be done in the spring. The PUC's Certificate of Public Good would be dependent  
31 on findings in the spring. Z. Maia states that he has not conducted a full staff review but can say that  
32 these locations are in the RPC's Rural Future Land Use District.

33  
34 A. Bravakis asks a few administrative questions. He is going before the Selectboard during the last week  
35 of January, then before the Planning Commission in February. C. Violette clarifies that this is on February  
36 17. C. Rock states that the Project Review Committee will meet next on February 25, so his timeline  
37 should line up.

38  
39 A. Bravakis, V. Howard, R. Howard, and C. Violette leave the meeting.

40  
41 L. Cattaneo states that CVRPC should address the issue of storage. Electricity rates are raising, so there  
42 needs to be action as more distributed generation facilities are coming through.

43  
44 **b) Review Project Review Summary Sheet**

45  
46 Z. Maia provides a brief overview of recent permit activity and identifies the Schedule G in Waitsfield  
47 proposing the construction of 20 units of residential housing as a possible future review item for the  
48 committee.



**Approve meeting minutes**

*P. Carbee moves to approve the minutes from November 19, 2020, seconded by J. Shatney. All in favor. Motion carries.*

**Public Comment (re-scheduled)**

G. Clain recognizes his role on local and regional boards, but states that he is representing himself as a CVRPC region resident tonight. He states that Barre Town and CVRPC approved two solar facilities in Barre Town. After reviewing these projects after construction, he is finding that they are not constructed as they were proposed. They are out of the bounds of their original proposal, and he believes that because they have deviated more than 50 feet, the applicant should re-file the notice and CPG.

J. Shatney notes that few projects get this follow-up. She asks if G. Clain has filed any complaints. G. Clain states that the Town will be filing a letter. This is one of his first steps and advises the RPC to intervene and join the Town in this process.

G. D'Amico clarifies that CVRPC provided a preferred site letter. G. Clain states that if the construction is different than the plans, preferred site status should be lost. G. D'Amico responds that CVRPC is giving designation to land, not construction, and makes a comparison to local permitting process.

R. Wernecke adds that if this is a zoning question, zoning requires a certification of construction. This [solar development] is not subject to zoning, but to approval by the PUC. It may be possible for CVRPC to mention in letter that preferred site designation is valid per the plans, with no deviations allowed. G. Clain clarifies that if site deviates 50 ft, PUC rules state the applicant must refile and start over the process.

G. D'Amico poses the question of evidence. Without a survey, does the RPC have the authority to object? G. Clain recognizes that he hasn't measured with a tape-measure, but there are obvious deviations of hundreds of feet.

L. Cattaneo states that CVRPC would be concerned from a regional-level. Examples of purview are regional planning areas, environmental constraints, etc. If solar panels get turned around, or things look a bit different as built, CVRPC may not have standing since the regional plan doesn't have site design controls. This may be out of the RPC's purview; but if there were site constraints that might have been violated, then we may get involved.

P. Carbee agrees with the other committee members, as construction is not within RPC's purview. He states that the PUC looks at engineering so it is their jurisdiction. R. Wernecke acknowledges that without municipal jurisdiction in the process, this is the PUC's role, and it is our role to bring this info to them.

C. Rock clarifies that CVRPC's role was to provide a preferred site letter, which only let the applicant achieve financial benefits through credit sales. CVRPC can still provide review and comment separately – the preferred site letter is not RPC-support. If the project must be re-filed, the applicant would have to come back through the process with the RPC.

1 G. Clain thanks the Committee and appreciates their understanding and willingness to help him work  
2 through the process. J. Shatney asks to be kept informed, and the Committee agrees.

3  
4 **Adjournment**

5  
6 R. Wernecke moves to adjourn, G. D'Amico seconds. All in favor, motion carries. Meeting adjourned at  
7 4:45pm.

DRAFT