Central Vermont Regional Planning Commission

Project Review Committee

Thursday, July 28, 2022

Remote Participation via Zoom[1]

https://us02web.zoom.us/j/83967611345?pwd=Wk54cUtrNDk4eklQaTY2N0pQcHZlQT09

Via phone: +19294362866 or +13017158592 Meeting ID 839 6761 1345; Passcode 109386

Download the app at least 5 minutes prior to the meeting start: www.zoom.com

Persons with disabilities who require assistance or alternate arrangements to participate in programs or activities are encouraged to contact Nancy Chartrand at 802-229-0389 or chartrand@cvregion.com at least 3 business days prior to the meeting for which services are requested.

pg	AGENDA	
	4:00pm[2]	**Adjustments to the Agenda**
		Public Comment
2-27	**4:05pm**	**Act 250 / Section 248 Applications & Projects of Substantial Regional Impact** a) Presentation of proposed 2.2MW 14 acre solar project off Midway Ave in Berlin, VT by representatives of Midway Ave Solar LLC - Committee to consider significant regional impact and conformance with regional plan. b) Review *Project Review Summary* Sheet
28	**5:05 pm**	**Minutes** Approve February 10, 2022 meeting minutes
	5:15pm	**Adjourn**

****Next Meetings: August 25, 2022****

[1] Dial-in telephone numbers are "Toll" numbers. Fees may be charged to the person calling in dependent on their phone service.

[2] All times are approximate unless otherwise advertised

Central Vermont Regional Planning Commission

MEMO

Date: July 24, 2022
To: Project Review Committee
From: Clare Rock, Senior Planner
Re: Midway Solar Project

☒ **ACTION REQUESTED:** The committee is charged with determining whether the proposed project is:

☐ a project with Substantial Regional Impact (SRI);

And if so, determine if it is:

☐ in conformance with the Regional Plan.

Project Information

Midway Ave Solar has submitted a 45-Day Notice for a 2.2 MW Solar Project in Berlin, VT. The project is proposed to occupy 14.4-acres of a 93.7-acre property located on the hillside behind the Price Chopper/TJMaxx/Staples shopping plaza on the Barre-Montpelier Road/RT 302.

The 45-Day Notice was issued on June 23, 2022 and the 45-day Notice period will end on August 7, 2022. The RPC has the opportunity to provide comments to the applicant within the notice period prior to the applicant's submission of a formal Certificate of Public Good.

The 45-day Notice is attached to the memo and contains information about the project. A Midway Solar representative will be attending the upcoming meeting and will present the project.

Project Review

To aid the RPC review of the Project staff have prepared the following review. The review includes excerpts from the Regional Plan to help guide the Committee's task of determining if it a project with Substantial Regional Impact and weather the project is in conformance with the Regional Plan. If there are areas where the project is not in conformance with the Regional Plan, it would be beneficial for the Committee to identify these areas and make suggestions to the developer as to how the project might be modified to better conform to the Regional Plan goals and policies.

Substantial Regional Impact

Development projects of Substantial Regional Impact (SRI) are those that will have substantial and ongoing impact on two or more municipalities, including the host municipality. Based upon CVRPC's SRI

definition, staff has identified the following component to be most relevant to this proposal:

- Are likely to alter the cost of living, availability of choices, access to traditional way of life or resources widely used or appreciated by Regional residents.

Impacts may be positive or negative. Cost of living may include cost to heat and light residential and commercial structures; availability of choices may include resident's ability to choose from a variety of energy sources and providers.

The Regional Plan further expands upon the intersection of energy generation and land use:

> *The location, condition and availability of services and facilities can have a profound influence on growth and development in a region. Homes, businesses, and industry tend to concentrate where utilities and facilities are readily available, while areas remote from infrastructure and services are more costly and difficult to develop (they often contain important natural resources as well). Page 5-1*
>
> *As the Region grows, so does its demand for reliable and affordable electricity, but existing sources of electric power are limited and the costs of developing new ones are dear. Neither is electricity completely benign in its impacts. Its generation, transmission, and distribution raise issues of environmental protection, public health, land use and aesthetics. Fortunately, studies have shown that kilowatt- hours can be saved at an expenditure of far less than it takes to generate them; furthermore, conserving electricity creates jobs, conserves natural resources, curbs pollution, and expands opportunities for self-reliance too. Page 5-2*
>
> *CVRPC's desire to ensure that energy generation, distribution and transmission facilities are located, designed and sized to support the Region's economic and life- style demands with minimal adverse impact, supports, and is supported by, the concept of "least cost integrated planning" and its attendant objectives.*

As background, staff reviewed two similar-sized projects to help assess SRI:

- 5 MW, 40-acre solar development on McGlynn Road, Williamstown. In 2016 Project Review Committee determined that the above referenced project does not currently qualify as a project having Substantial Regional Impact.
- 2 MW, acreage unknown, solar development at I-89 Exit 5, Route 64, Williamstown. In 2010 CVRPC determined that the above referenced proposal is "of a magnitude and importance sufficient to be considered 'regionally significant'."

Staff identified the following potential resources which may be impacted by the proposal to include:

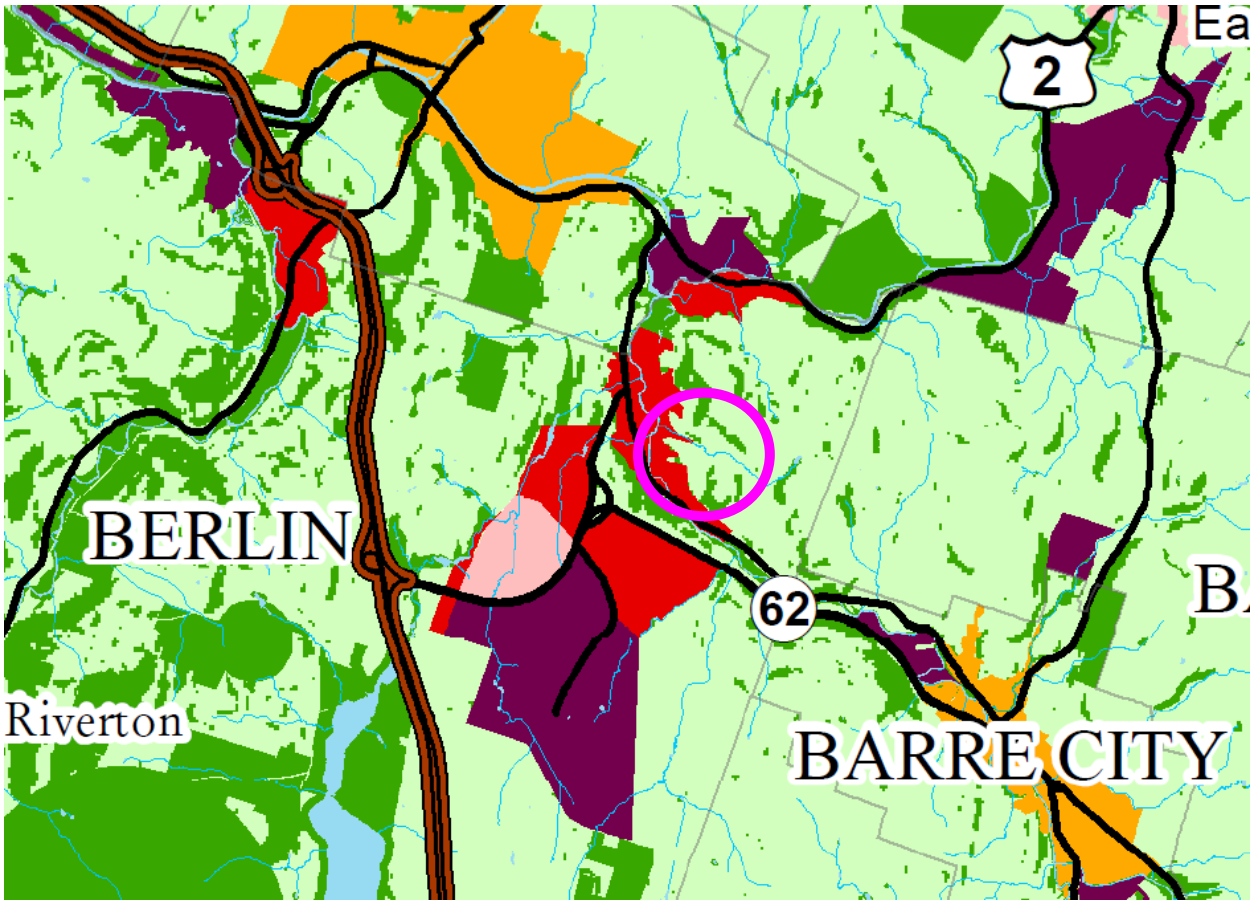
- ☐ Rural character and natural resources
- ☐ Utilities and facilities resources

➲ For Committee:
  - Does the Committee agree with this assessment?
  - Are there any other resources to consider?
  - Is it a Project of Substantial Regional Impact?

Conformance with the Regional Plan

Rural Character and Natural Resources

The proposed project is located within the Rural Land Use Planning Area. 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.



Regional Future Land Use Map: Map Excerpt above from the Regional Plan identifying the location of the project with the purple circle to be within the Rural Planning Area.

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:
    - 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.

And more specifically include the following Rural Land Use Policy:

> *7. Non-residential uses, including small service businesses, small professional offices and inns are acceptable land uses for Rural Areas provided that such uses are planned as relatively small in size or scale, are not primary or dominant uses in an area, do not unduly conflict with existing or planned residential, forestry or agricultural uses, and* ***do not unduly affect rural character.***

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 permeant 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. 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 however the proposed development would utilize 14.4 acres of previously cleared farmland. And a determination should be made as to whether this type of development would or would not "*unduly affect the rural character of the area."*

The proposed solar array would not conflict with existing forestry or agricultural uses. CVRPC staff reviewed the site on the State's Natural Resource Atlas and found that it is not located within a highest priority forest block, there are no wetlands, vernal pools, or Rare, Threatened or Endangered Species in the vicinity. The wooded area surrounding the open field where the project is proposed is mapped as Deer Wintering habitat and the field does contain agricultural soils. The site plan prepared by the applicant does indicate wetlands along the access road.

➲ For Committee:
- Does the Committee find the proposed project is in conflict with the Rural Land Use Area based upon its effect on the rural character?

Utilities and Facilities resources

In additional to the statements about energy generation located above in the SRI section, the Utilities and Facilities Chapter of the regional plan includes the following goal:

> *ELECTRIC POWER GOAL: Improvement, and expansion of electric power generation*

> *methods and infrastructure so as to provide adequate service, conserve energy, maximize benefits of public investment, minimize impacts on aesthetic, ecological and recreational resources, and protect public health.*

Both the Regional Plan's Energy Element and Energy Plan (as contained within the Regional Plan appendix) support the State Comprehensive goal of 90% renewables by 2050. The following renewable energy generation targets (established in 2017) are referenced within the Plan:

- Berlin target: 11,837 MW of new generation
- Regional Target: 418,530 MW of new generation

This project would make progress toward meeting these targets. And as contained within the Regional Energy Plan:

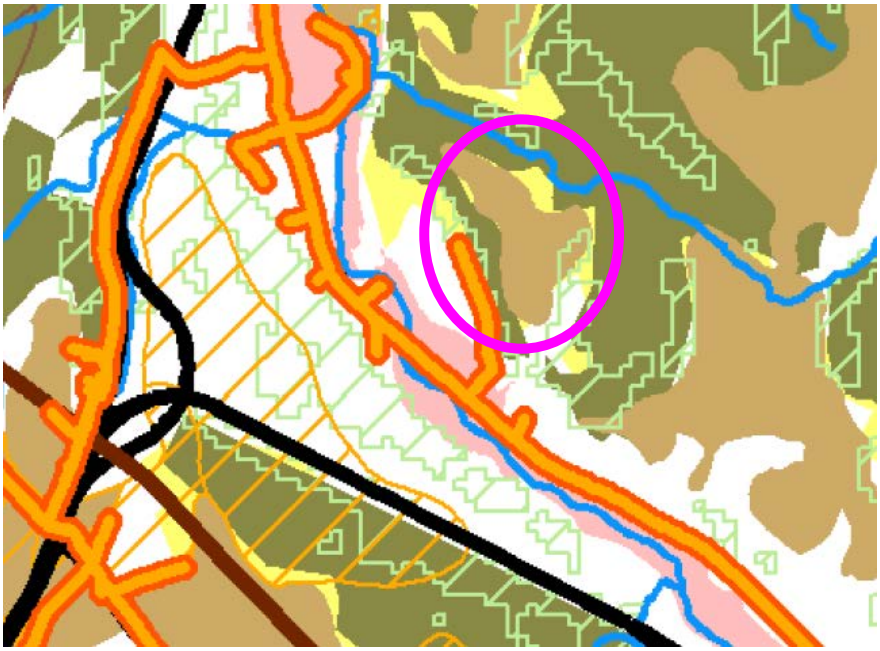
> *…the Central Vermont Regional Energy Plan supports the development of renewable energy generation technology that will not result in an undue adverse impact on the built or natural environment or conflict with identified regional policies. (*Page 35, Appendix of Regional Plan)

The Chapter also includes the following Goal:

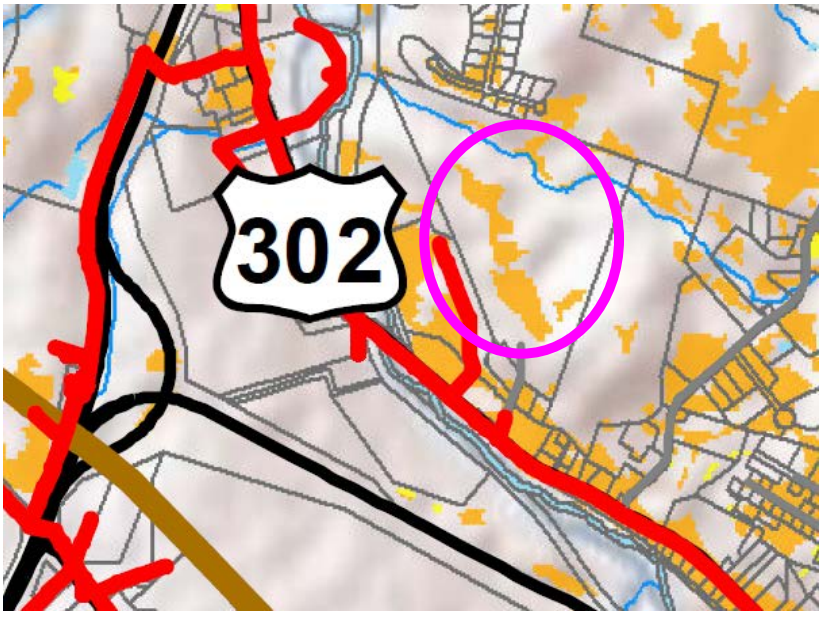
> *GOAL: Renewable energy generation is sited to maximize potential while minimizing locally identified impacts.*

Constraints: Based upon the regional energy maps there are no Known Constraints at the site. (Known Constraints are defined as those areas where development of a renewable resources is very limited and therefore not likely to occur and include vernal pools, River Corridors, Floodways, State-significant Natural Communities and Rare, Threatened, and Endangered Species, National Wilderness Areas, Class I and II Wetlands.)

Regional analysis does identify some Possible Constraints at the site. (Possible Constraints are identified as an areas where additional analysis will need to occur in order to determine if development of renewable resources is appropriate. Possible Constraints include: Agricultural Soils, FEMA flood hazard areas, Protected Lands' Act 250 Ag Mitigation Parcels, Deer Wintering Areas, Vermont Conservation Design include the following Highest Priority Forest Blocks: Connectivity, Interior, and Physical Landscape Diversity Hydric Soils. Regional Considerations are also identified and are to be considered as additional possible constraints, they include: Elevations above 2500 feet, 250 Lake Shore Protection Buffers, Slopes Greater than 25%, Municipal Lands.)



Possible Constraints Map: Map Excerpt above from the Berlin Possible Constraints Map (to view entire map with key, see attachments.) Possible Constraints include Agricultural Soils. Steep slopes and Deer Wintering Areas are located on the property but at the periphery of the project site.



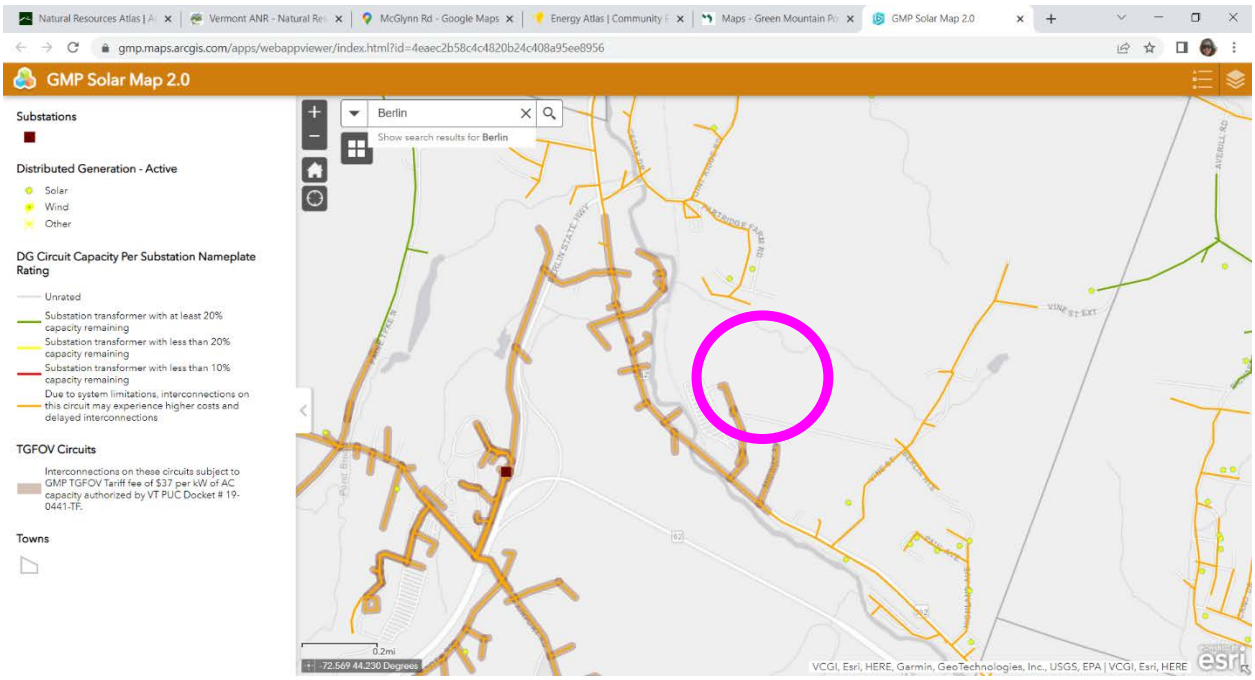
Secondary Solar Site: Above an excerpt of the Berlin Solar Resources Map (to view entire map with key, see attachments.) The Regional Plan identifies Prime and Secondary Solar sites. This information includes specific data related to prime (and secondary) resource areas for solar which is an indication of where the conditions are most ideal for generation of the specific resource. Also included with this data is information regarding constraints to be considered when evaluating areas for renewable energy development. The site is identified as a Secondary Solar site based upon the presents of some possible

constraints and is in proximity to existing Distributions Lines (red lines on map)

In addition to the siting discussion, transmission infrastructure is another consideration. The regional plan states:

> *A discussion of electric sector conversions and efficiencies should include information related to the ability to generate electricity through renewable means, but also to have a grid that can support the distribution of that electricity. An analysis of existing land and renewable resource potential will help determine what the capacity of the region is to generate and distribute local renewable energy. (Energy Plan appendix, Page 12)*

Recent studies and presentations by VELCO have identified grid constraints and the State Comprehensive Energy Plan directs the State and Regions to start integrating this facet into regional energy plan updates. One available resource is the Green Mountain Power (GMP) Solar Map.



Screen Shot of GMP Solar Map (to view the map visit: https://gmp.maps.arcgis.com/apps/webappviewer/index.html?id=4eaec2b58c4c4820b24c408a95ee8956) The proposed project appears to be in an area in which "this circuit may experience higher costs and delayed interconnections." And that "Interconnections on these circuits subject to GMP TGFOV Tariff fee of $37 per kW of AC capacity authorized by VT PUC Docket # 19-0441-TF."

- For Committee:
  - Consider asking the applicant about the implications of the GMP Solar map, what effect would this have on rate payers? Were other location considered which would not "experience higher costs" or be subjected to the tariff? Consider this information is regard to "*maximize benefits of public investment"* as stated in the bullet item below.
  - Does the Committee find the proposed project works toward the Electric Power Goal as stated above by "*maximize benefits of public investment, minimize impacts on aesthetic, ecological and recreational resources, and protect public health"?*

- Does the Committee find the project *"is sited to maximize potential while minimizing locally identified impacts"*?

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:

- 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
- 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"]

- For Committee:
  - Determine is any of the bullet items above are relative to the proposed project.

Staff recommends that based upon additional information gathered at the meeting the Committee the committee weigh potential impacts on rural character with the stated energy goals.

Midway Ave Solar LLC
170 Bonnet Street
Manchester Center, VT 05255

June 23, 2022

Via First-Class Mail and Email

Town of Berlin Selectboard
108 Shed Road
Berlin, VT 05602

Town of Berlin Planning Commission
108 Shed Road
Berlin, VT 05602

Central Vermont Regional Planning Commission
29 Main Street, Suite 4
Montpelier, Vermont 05602

RE: Midway Ave Solar LLC's Proposed 2.2 MW Standard Offer Solar Project in Berlin, VT 45-Day Notice of Petition to be filed with Vermont Public Utility Commission

Dear Selectboard Members and Commissioners,

Pursuant to 30 V.S.A. § 248 and Public Utility Commission Rule 5.402, Midway Ave Solar LLC ("MAS") is pleased to submit the following pre-petition notice concerning its proposed 2.2 megawatt (MW) "Standard Offer" solar project ("the Project"), to be sited on a parcel of land located off Midway Ave in Berlin, Vermont. MAS is owned by MHG Solar LLC, which has developed a number of projects in southwestern Vermont.

I. Introduction

MAS is preparing to file an application for a Certificate of Public Good ("CPG") with the Vermont Public Utility Commission ("PUC"), requesting approval to install and operate a 2.2 MW solar electric generation facility in Berlin, Vermont (the "Project"). The electricity from the Project will be sold to the standard offer program.

The remainder of this letter briefly describes: (1) MAS' plans for construction and operation of the Project, including how equipment and materials will be transported to the site; (2) the expected benefits of the Project; (3) the preliminary assessment of potential impacts; (4) the expected date a petition will be filed with the PUC; and (5) the rights of entities receiving this notice to comment on the Project in accordance with PUC Rule 5.402(A)

II. Project Description and Construction Plans

The 2.2 MW (alternating current, or "AC") solar electric generation facility will occupy 14.4 (±) acres on a parcel of land which totals 93.7 acres (±), located off Midway Ave in Berlin, Vermont. *See* Location Map/Site Plan and Preliminary Aesthetics Analysis – *Attachments A and B.*

The Project will consist of solar modules mounted on metal racks, string inverters, electrical collector system components consisting of above ground and below ground conduit and wire, AC combiner panel, and AC disconnects. The interconnection equipment will include a pad-mounted three-phase transformer to step up the voltage to interconnect with the existing GMP distribution line that runs along the southern side of the Project site.

A preliminary Site Plan is included in *Attachment A*. It illustrates the anticipated location of the Project's components in relation to the surrounding area. MAS chose the proposed location for this solar array based upon its solar exposure, accessibility to existing roads and distribution lines, its limited visibility, and minimal impacts on natural resources and the character of the area.

While the attached site plan represents the current preferred layout, the layout that will be contained in the final application may vary somewhat based upon further engineering, environmental, or other siting considerations. The final layout will be within the overall site area where environmental and other impacts have been evaluated for the purposes of this 45-day notice. The basic parameters of the site plan include the following working assumptions:

- Access to the solar site will make use of the existing roads within the area, including Vine Street and Route 302 and an existing farm road on the Project parcel that will have a new 12' wide extension running 740 (±) in length within the proposed solar array, terminating at the proposed equipment area and turn around.

- Construction will be performed in accordance with the Vermont Standards & Specifications for Erosion Prevention and Sediment Control (February 2020).

- Year-round daily access to the array is not required. Therefore, no on-site septic or water supply systems will be constructed. The solar project's energy production will be monitored remotely and, if any abnormal conditions are detected, technicians will be dispatched as required.

- The solar array for the Project will be enclosed by a perimeter fence that will meet applicable electric safety code standards.

Site Access & Equipment Delivery

Standardized trucking methods will be used to transport the panels and other project components to the site. Typical tractor-trailer and box truck vehicles will be used to transport materials to the site for construction. The Project will not require any oversized loads. The existing access road coming off of Vine Street will be top-dressed as needed, and used for bringing in all construction-related equipment and machinery. Construction equipment will likely include a light duty crane or similar equipment to lift the transformer in place, trucks to move racking around the site, and a small trencher to install underground electrical wiring.

Solar Panels and Electrical Collection System

The Project will utilize 5,460 (±), 650-watt solar panels, or the equivalent, mounted on single axis trackers oriented due south. The bottom of the solar panels will be at approximately three feet above existing grade and the top at approximately 12 feet above grade.

The panels will be arranged in rows running north-south and set out in arrays designed to minimize impacts to natural resources. The rows will be connected via a combination of underground and above ground electrical cable to string inverters, which convert the electricity from DC to AC. From the inverters, the electrical line will run underground to a three-phase transformer. GMP's existing distribution line on the southern side of the Project site will be tapped for the

interconnection, and a few new utility poles will be installed as necessary to safely connect to the grid. All system design and installation methods will be NEC compliant.

The final selection of all equipment will be made after a CPG is issued and contractors and vendors are selected.

III. Project Benefits

The Project is proceeding under Vermont's Standard Offer renewable energy program. The Standard Offer Program was enacted by the Vermont Legislature with the goal of promoting the development of in-state renewable energy sources. Standard Offer helps to ensure that the benefits of these new energy sources flow to the Vermont economy in general, and to the rate-paying citizens of the state in particular. The law provides the ratepaying public with affordable, stable energy prices by allowing renewable energy projects, such as this Project, to bid on "standard offer" contracts, which are awarded to the projects offering the lowest prices for power. Under the Standard Offer law, the power is sold to all of Vermont's electric distribution utilities (not just the interconnecting utility). The benefits that the Project will provide include, but may not be limited to:

- Payment of State educational and municipal property taxes.

- Purchasing project equipment from Vermont businesses, when commercially feasible.

- Employing Vermont businesses for pre-application, construction, and operation and maintenance work, when commercially feasible.

In addition to these economic benefits, the proposed solar electric facility will also result in important environmental benefits. The 2020 Vermont Comprehensive Energy Plan set a goal for the State to receive 90% of its energy from renewable resources by the year 2050, and solar power is needed to meet that goal. The solar energy produced by this Project will result in less electricity needed in the New England region from plants that likely use fossil fuel or nuclear energy. It will emit no air pollutants (including CO2) in generating electricity, and thus will help in a small but measurable way to address the State's climate change goals.

IV. Preliminary Impact Assessment

Based upon the initial review performed by MAS and its consultants, including review of the State's environmental databases, the siting of the Project will either entirely avoid, or not cause undue adverse impacts to, environmental resources. Nor will it create public health or safety concerns. Key elements of our assessment include the following:

- The Project will utilize an empty field, and has been sited to avoid and/or minimize impacts to wetlands, streams, and other sensitive resources.

- No rare/endangered plants, significant natural communities, or critical wildlife habitat are known to exist within the Project footprint.

- The Project will be designed to meet electric safety and utility interconnection standards for safe and reliable operation of solar electric facilities.

- The Project will require no new municipal services and will not pose undue burdens on town fire, police, or water/sewer services. The Project will not impact the ability of the town to provide educational services.

- A preliminary aesthetic review was performed by MAS's consultant, T.J. Boyle Associates. *See Attachment B.* As their assessment indicates, the Project site is in a relatively obscured location that is separated from development to the southeast by a vegetated hillside, and from other surrounding areas by vegetation and/or landform. See the site plan and photographs in *Attachment B.* Due to the low profile of proposed Project elements, and because the Project location is highly screened from Route 302 and other nearby areas, the Project is not expected to cause undue adverse impacts to the aesthetic and scenic and natural beauty of the area, and supplemental landscape mitigation is not necessary. T.J. Boyle Associates will complete a full aesthetic impact review for inclusion with the petition for a Certificate of Public Good.

V. Assessment of On-site Alternatives

The Standard Offer Program requires a renewable energy project to identify a specific location at the time it applies to participate in the program. MAS identified its site and was selected as a Program participant through a bid system administered by the PUC. Thus, there is no alternative site that MAS is entitled to develop under the Standard Offer Contract. Once the site was selected, MAS and its consultants reviewed various configurations within the parcels in order to avoid and/or minimize environmental, aesthetic, or other impacts while maximizing energy output. The result of that process is a proposed configuration that locates the solar array so as to avoid sensitive environmental resources.

VI. Expected Petition Filing Date with Vermont Public Utility Commission

MAS intends to file a Section 248 petition with the PUC after the 45-day notice period expires, likely in August 2022.

VII. Comments of the Municipal Bodies to the Public Utility Commission

Under 30 V.S.A. § 248(f), the Town and Regional Planning Commissions "shall make recommendations, if any, to the Public Utility Commission and to the petitioner at least 7 days prior to filing of the petition with the Public Utility Commission." PUC Rule 5.402(A). In addition, the Planning Commissions are entitled to provide revised recommendations "within 45 days of the date on which petitioner has filed a petition with the Commission if the petition contains new or more detailed information that was not previously included in the petitioner's filing with the municipal and regional planning commissions pursuant to Section 248(f)." PUC Rule 5.402(A)(2).

For additional information regarding this process, including your Planning Commission's right to participate in PUC proceedings, please refer to the PUC's website at https://puc.vermont.gov/public-participation.

We here at Midway Ave Solar hope that you will support this Project given the benefits it will provide to the town and the State, and given its extremely limited impacts. In the meantime, I

invite you to contact me with any questions or comments you have at the contact information below, as we welcome your input and suggestions to make this a successful project.

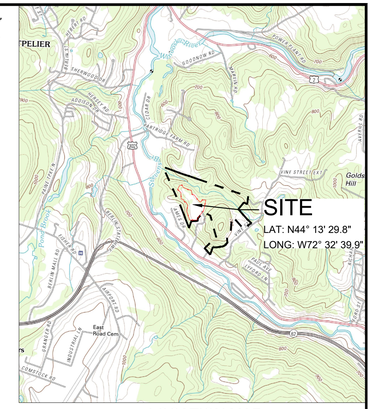
Sincerely,

Thomas Hand

Thomas Hand
Midway Ave Solar LLC
thomas@MHGsolar.com
802-688-3776

Enclosures:
Attachment A – Location Map and Site Plan
Attachment B – Preliminary Aesthetics Analysis

cc: Vermont Public Utility Commission (via ePUC)
Department of Public Service (courtesy copy via email)
Agency of Natural Resources (courtesy copy via email)
Division for Historic Preservation (courtesy copy via email)
Agency of Agriculture, Food & Markets (courtesy copy via email)



LOCATION MAP
SCALE: 1" = 1/2 Mile

Vermont State Plane Grid North (NAD83)

LEGEND

- EXISTING/PROPOSED POWER POLE
- APPROXIMATE PROPERTY LINES
- EXISTING TREELINE/VEGETATION
- PROJECT PARCEL PROPERTY LINE
- PRIMARY AGRICULTURAL SOIL BOUNDARY
- RIVER CORRIDOR BOUNDARY
- FEMA FLOOD HAZARD AREA
- STREAM CENTERLINE
- STREAM TOP OF BANK/TOP OF SLOPE
- OHP — EXISTING OVERHEAD POWER
- 460 — EXISTING GRADE CONTOUR LINES (10 FOOT INTERVALS)
- 462 — EXISTING GRADE CONTOUR LINES (2 FOOT INTERVALS)
- SOLAR SETBACKS
- WETLAND
- S1 PLANT
- ENVIRONMENTAL BUFFER
- EXISTING GRAVEL DRIVE
- UGP — UGP — PROPOSED UNDERGROUND POWER LINES
- PROPOSED PERIMETER FENCING
- PROPOSED FIXED SOLAR PANEL RACKING
- PROPOSED GRAVEL DRIVE
- PROPOSED VEGETATIVE MANAGEMENT AREA (NO STUMPING OR GRUBBING)

NOTES:

1. ASPECTS OF PLAN ARE APPROXIMATE AND DERIVED FROM AERIAL PHOTOGRAPHY.
2. THE HORIZONTAL COORDINATE SYSTEM IS BASED ON NAD83 VERMONT STATE PLANE 4400 (US SURVEY FEET). ELEVATIONS ARE BASED ON THE NAVD88 (US SURVEY FEET).
3. EXISTING GROUND CONTOUR ELEVATIONS ARE BASED ON A LIDAR DATA PROVIDED BY THE VERMONT CENTER FOR GEOGRAPHIC INFORMATION.
4. UTILITIES ARE NOT WARRANTED TO BE COMPLETE OR ACCURATE. CONTRACTOR SHALL CONTACT DIG SAFE BEFORE BEGINNING ANY EXCAVATION.
5. THIS IS IN NO WAY A BOUNDARY SURVEY. PROPERTY LINES FOR PROPERTY ARE FROM TAX MAP INFORMATION PROVIDED BY THE TOWN.
6. THIS IS A PRELIMINARY DESIGN PLAN. FINAL DESIGN WILL BE MODIFIED TO MATCH EQUIPMENT PURCHASED AND POSSIBLE PERMIT CONSTRAINTS REVEALED DURING PROJECT'S REVIEW.
7. PRIMARY AGRICULTURAL SOILS (PAS) ON THE PROJECT SITE SHALL BE PRESERVED IN A MANNER THAT ALLOWS FOR COMPLETE RESTORATION DURING PROJECT DECOMMISSIONING. CONTRACTOR STORE EXCAVATED PAS SOIL IN ACCORDANCE WITH AAFM GUIDELINES, "ACT 250 PROCEDURE: RECLAMATION OF VERMONT AGRICULTURAL SOILS". THERE ARE NO PROPOSED DISTURBANCES TO PAS SOILS.

MIDWAY AVE SOLAR PROJECT

Midway Ave
Berlin, Vermont

MIDWAY AVE SOLAR LLC
170 Bonnet Street
Manchester Center, VT 05255

KREBS & LANSING CONSULTING ENGINEERS
164 Main Street, Suite 201
Colchester, Vermont 05446
P: (802) 878-0375
www.krebsandlansing.com

ISSUED FOR PERMIT REVIEW
NOT FOR CONSTRUCTION

SOURCE DATA LEGEND

MAPPING SOURCE DATA USED FOR PLAN COMPILATION

Civil Engineering:

Krebs and Lansing Consulting Engineers, Inc.
164 Main Street, Suite 201
Colchester, Vermont 05446

Environmental:

Arrowwood Environmental
950 Bert White Road
Huntington, Vermont 05462

0' 60' 120' 240' 360'
0" 1" 2" 3"
STANDARD GRAPHIC SCALE (1" = 120')
VALID WHEN PLOTTED ON 24" BY 36" MEDIA

0' 87.3' 174.6'
0" 0.5" 1"
REDUCED GRAPHIC SCALE (1" = 174.6')
VALID WHEN PLOTTED ON 11" BY 17" MEDIA

Proposed Solar Array

REV. NO.	REVISIONS/COMMENTS	DATE

Drawing Title:

SITE PLAN

DATE of Issue: 06/17/22

Drawn by: SDG Checked by: GTD

Project No.: 22216 Scale: 1" = 120'

Drawing No.: C-100

Rev No.:

T.J. BOYLE ASSOCIATES
LANDSCAPE ARCHITECTURE & PLANNING

MEMORANDUM

To: Thomas Hand, Midway Ave Solar LLC

From: Jeremy B. Owens

Date: June 23, 2022

Re: Midway Solar Project – Preliminary Aesthetic Review

Per Midway Ave Solar LLC's request, T.J. Boyle Associates has conducted a preliminary review of potential aesthetic impacts as a result of the proposed Midway Ave Solar Project ("Project"), a 2.2 MW photovoltaic electric generation facility proposed in Berlin, Vermont. The Project site is located on an existing field approximately 900' northeast of Vermont Route 302. The Project will utilize approximately 5,460, 650-watt solar panels, or the equivalent, mounted on single-axis trackers. The bottom of the solar panels will be at approximately three feet above existing grade and the top at approximately 12 feet above grade. Vegetation clearing area is proposed to the west of the array. The Project will utilize an existing overhead power connection south of the site and a 12'-wide access road will lead east from the Project towards an existing farm road that accesses Vine Street to the southeast of the Project.

Our preliminary review revealed that the Project site is in a relatively obscured location that is separated from development to the southeast by a vegetated hillside, and from other surrounding areas by vegetation and/or landform (see Figure 1 for the preliminary Project layout and viewpoint locations). Photographs from nearby areas with the potential for visibility are provided below, and indicate the Project location within the view (see Viewpoints A through D).

Due to the low profile of proposed Project elements, and because the Project location is highly screened from view from Route 302 and other nearby areas, the need for supplemental landscape plantings for mitigation is not anticipated at this time. However, T.J. Boyle Associates will complete a full aesthetic impact review for inclusion with the petition for a Certificate of Public Good. Any impacts will be evaluated under the so-called Quechee Analysis and the need for potential mitigation will be further assessed. Our preliminary findings indicate that the Project will not result in undue adverse impacts to the aesthetic and scenic and natural beauty of the area.

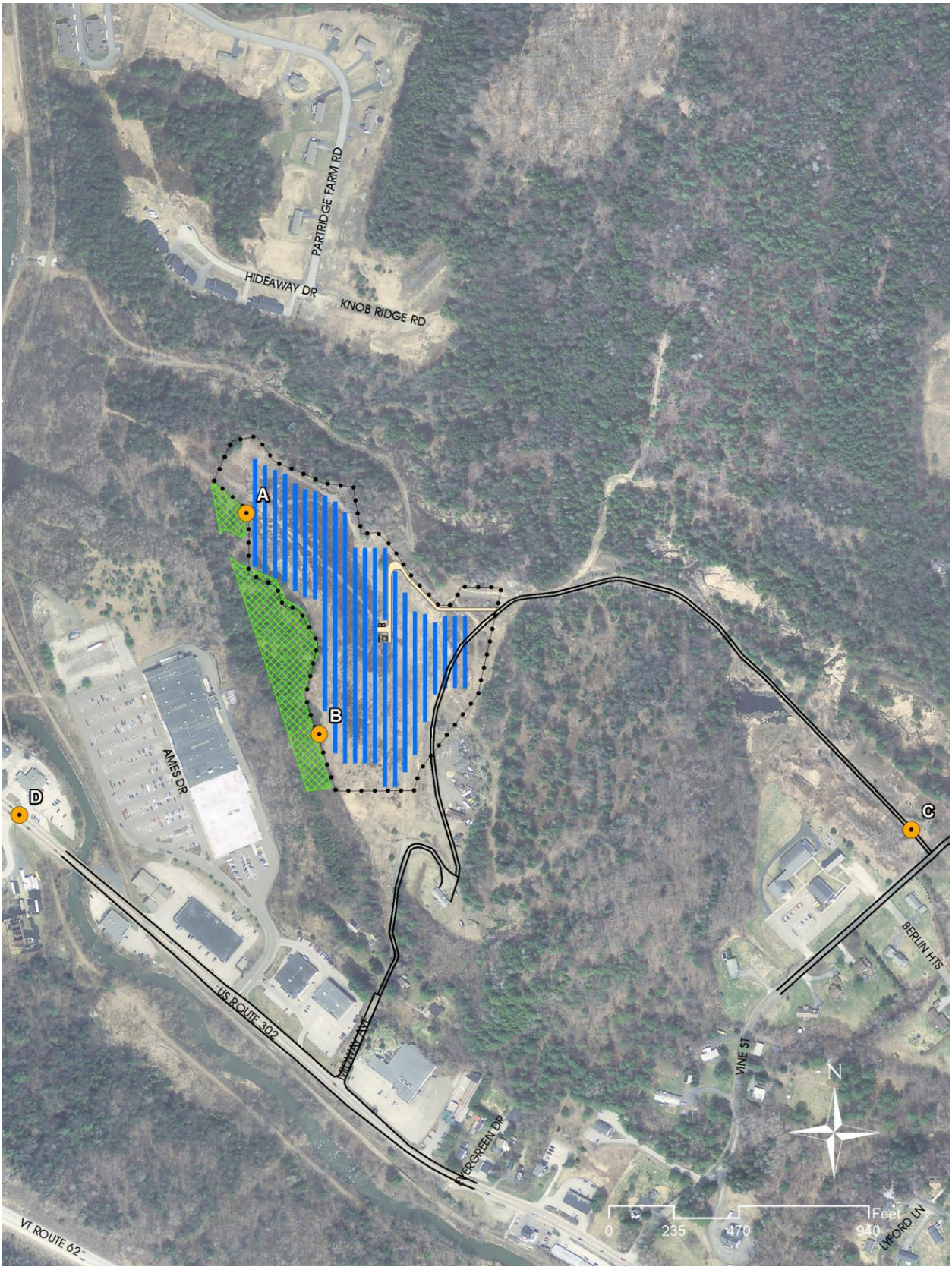


Figure 1: Preliminary map of the proposed Project and viewpoint locations

Viewpoint A: Approximately 180° view from the existing field, panning from north (left) to south (right).

Viewpoint B: View looking southeast from the existing field.

Viewpoint C: View from the existing farm road near the intersection with Vine Street

Viewpoint D: View from Vermont Route 302 looking northeast toward the Project location

T.J. BOYLE ASSOCIATES
LANDSCAPE ARCHITECTURE & PLANNING

MEMORANDUM

To: Thomas Hand, Midway Ave Solar LLC

From: Jeremy B. Owens

Date: June 23, 2022

Re: Midway Solar Project – Preliminary Aesthetic Review

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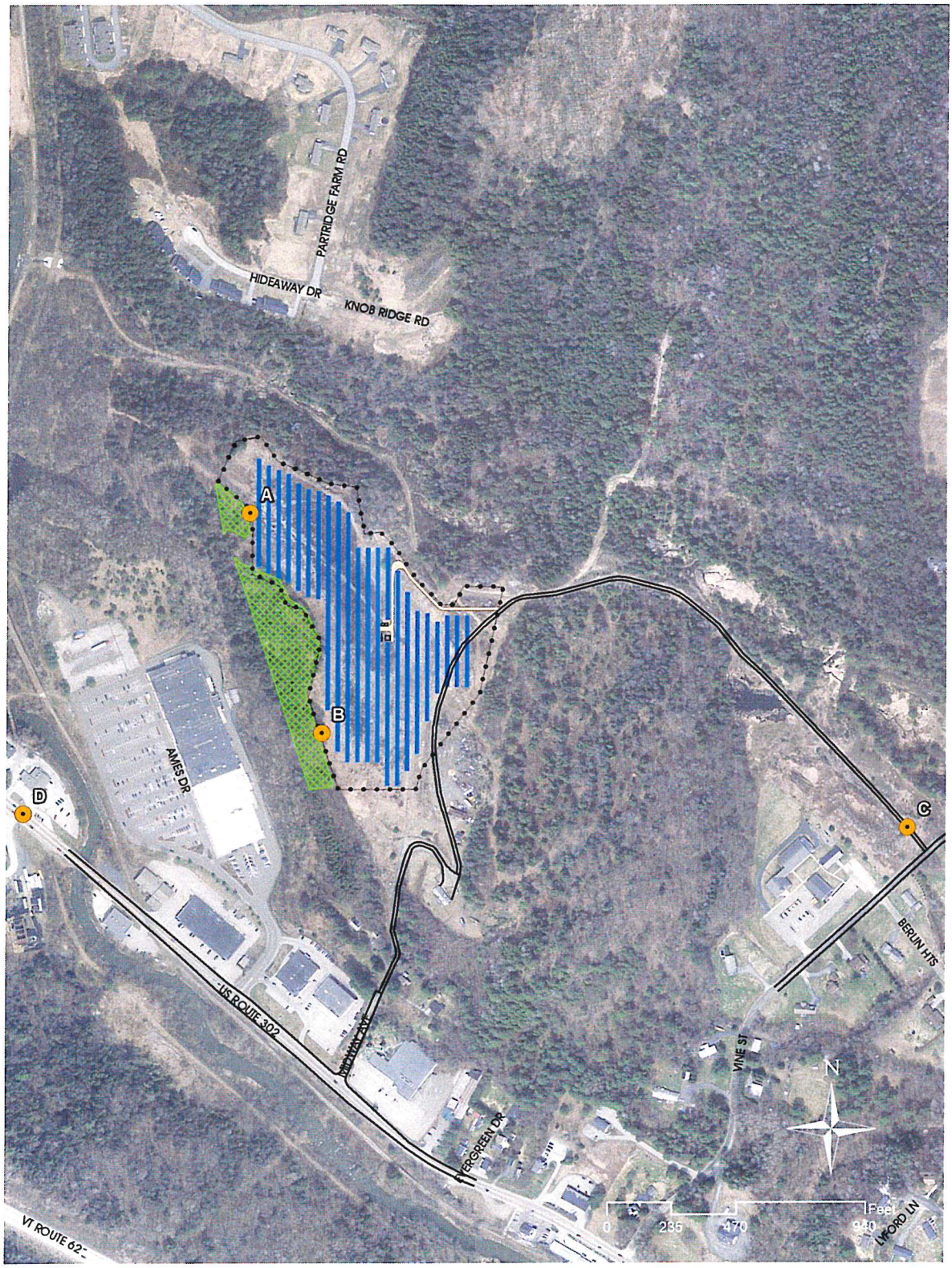

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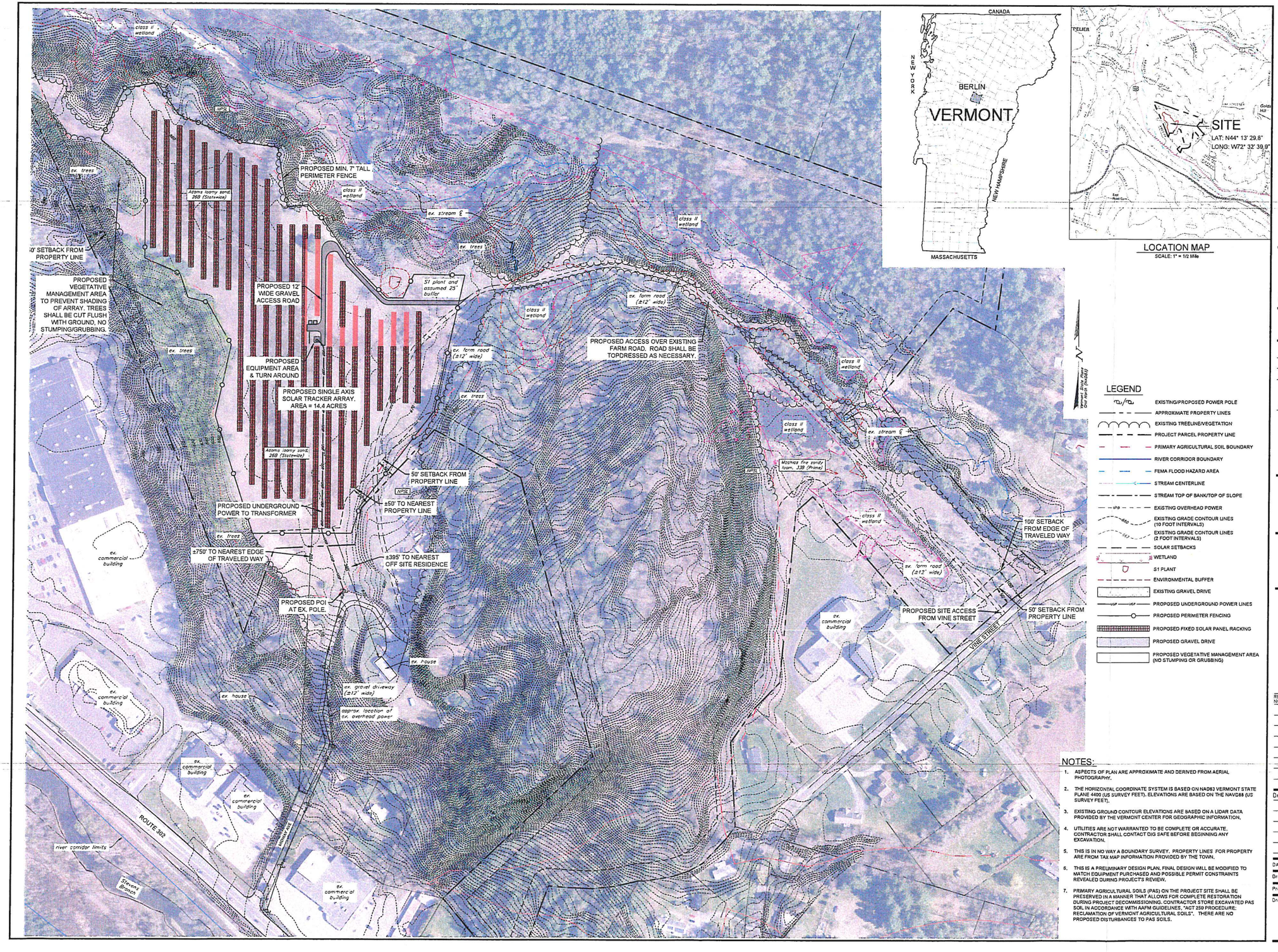


LEGEND

- EXISTING/PROPOSED POWER POLE
- APPROXIMATE PROPERTY LINES
- EXISTING TREELINE/VEGETATION
- PROJECT PARCEL PROPERTY LINE
- PRIMARY AGRICULTURAL SOIL BOUNDARY
- RIVER CORRIDOR BOUNDARY
- FEMA FLOOD HAZARD AREA
- STREAM CENTERLINE
- STREAM TOP OF BANK/TOP OF SLOPE
- OHP — OHP — EXISTING OVERHEAD POWER
- 880 — EXISTING GRADE CONTOUR LINES (10 FOOT INTERVALS)
- 883 — EXISTING GRADE CONTOUR LINES (2 FOOT INTERVALS)
- SOLAR SETBACKS
- WETLAND
- ST1 PLANT
- ENVIRONMENTAL BUFFER
- EXISTING GRAVEL DRIVE
- UGP — UGP — PROPOSED UNDERGROUND POWER LINES
- PROPOSED PERIMETER FENCING
- PROPOSED FIXED SOLAR PANEL RACKING
- PROPOSED GRAVEL DRIVE
- PROPOSED VEGETATIVE MANAGEMENT AREA (NO STUMPING OR GRUBBING)

NOTES:

1. ASPECTS OF PLAN ARE APPROXIMATE AND DERIVED FROM AERIAL PHOTOGRAPHY.
2. THE HORIZONTAL COORDINATE SYSTEM IS BASED ON NAD83 VERMONT STATE PLANE 4400 (US SURVEY FEET). ELEVATIONS ARE BASED ON THE NAVD88 (US SURVEY FEET).
3. EXISTING GROUND CONTOUR ELEVATIONS ARE BASED ON A LIDAR DATA PROVIDED BY THE VERMONT CENTER FOR GEOGRAPHIC INFORMATION.
4. UTILITIES ARE NOT WARRANTED TO BE COMPLETE OR ACCURATE. CONTRACTOR SHALL CONTACT DIG SAFE BEFORE BEGINNING ANY EXCAVATION.
5. THIS IS IN NO WAY A BOUNDARY SURVEY. PROPERTY LINES FOR PROPERTY ARE FROM TAX MAP INFORMATION PROVIDED BY THE TOWN.
6. THIS IS A PRELIMINARY DESIGN PLAN. FINAL DESIGN WILL BE MODIFIED TO MATCH EQUIPMENT PURCHASED AND POSSIBLE PERMIT CONSTRAINTS REVEALED DURING PROJECTS REVIEW.
7. PRIMARY AGRICULTURAL SOILS (PAS) ON THE PROJECT SITE SHALL BE PRESERVED IN A MANNER THAT ALLOWS FOR COMPLETE RESTORATION DURING PROJECT DECOMMISSIONING. CONTRACTOR STORE EXCAVATED PAS SOIL IN ACCORDANCE WITH AAPM GUIDELINES, "ACT 250 PROCEDURE: RECLAMATION OF VERMONT AGRICULTURAL SOILS". THERE ARE NO PROPOSED DISTURBANCES TO PAS SOILS.

MIDWAY AVE SOLAR PROJECT

Midway Ave
Berlin, Vermont

MIDWAY AVE SOLAR LLC
170 Bonnet Street
Manchester Center, VT 05255

KREBS & LANSING CONSULTING ENGINEERS
164 Main Street, Suite 201
Colchester, Vermont 05446
P: (802) 878-0375
www.krebsandlansing.com

ISSUED FOR PERMIT REVIEW
NOT FOR CONSTRUCTION

SOURCE DATA LEGEND

MAPPING SOURCE DATA USED FOR PLAN COMPILATION

Civil Engineering:
Krebs and Lansing Consulting Engineers, Inc.
164 Main Street, Suite 201
Colchester, Vermont 05446

Environmental:
Arrowwood Environmental
950 Bert White Road
Huntington, Vermont 05462

0' 60' 120' 240' 360'
0" 1" 2" 3"
STANDARD GRAPHIC SCALE (1" = 120')
VALID WHEN PLOTTED ON 24" BY 36" MEDIA

0' 87.3' 174.6'
0" 0.5" 1"
REDUCED GRAPHIC SCALE (1" = 174.6')
VALID WHEN PLOTTED ON 11" BY 17" MEDIA

Proposed Solar Array

REV NO.	REVISIONS/COMMENTS	DATE

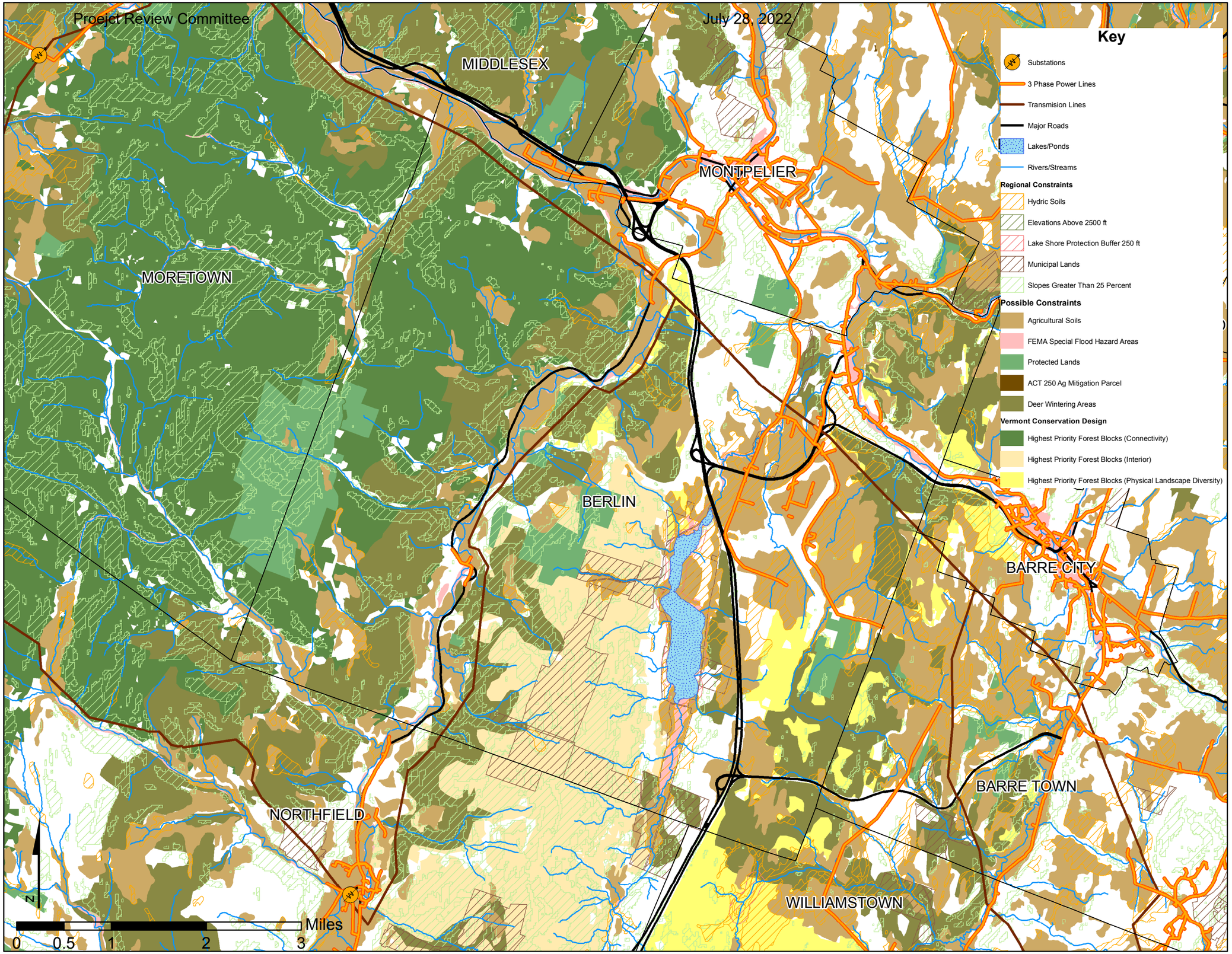
Drawing Title:

SITE PLAN

DATE of Issue: 06/17/22
Drawn by: SDG Checked by: GTD
Project No.: 22216 Scale: 1" = 120'
Drawing No.: C-100 Rev No.:

Proejct Review Committee

July 28, 2022



Key

- Substations
- 3 Phase Power Lines
- Transmision Lines
- Major Roads
- Lakes/Ponds
- Rivers/Streams

Regional Constraints

- Hydric Soils
- Elevations Above 2500 ft
- Lake Shore Protection Buffer 250 ft
- Municipal Lands
- Slopes Greater Than 25 Percent

Possible Constraints

- Agricultural Soils
- FEMA Special Flood Hazard Areas
- Protected Lands
- ACT 250 Ag Mitigation Parcel
- Deer Wintering Areas

Vermont Conservation Design

- Highest Priority Forest Blocks (Connectivity)
- Highest Priority Forest Blocks (Interior)
- Highest Priority Forest Blocks (Physical Landscape Diversity)

BERLIN

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.

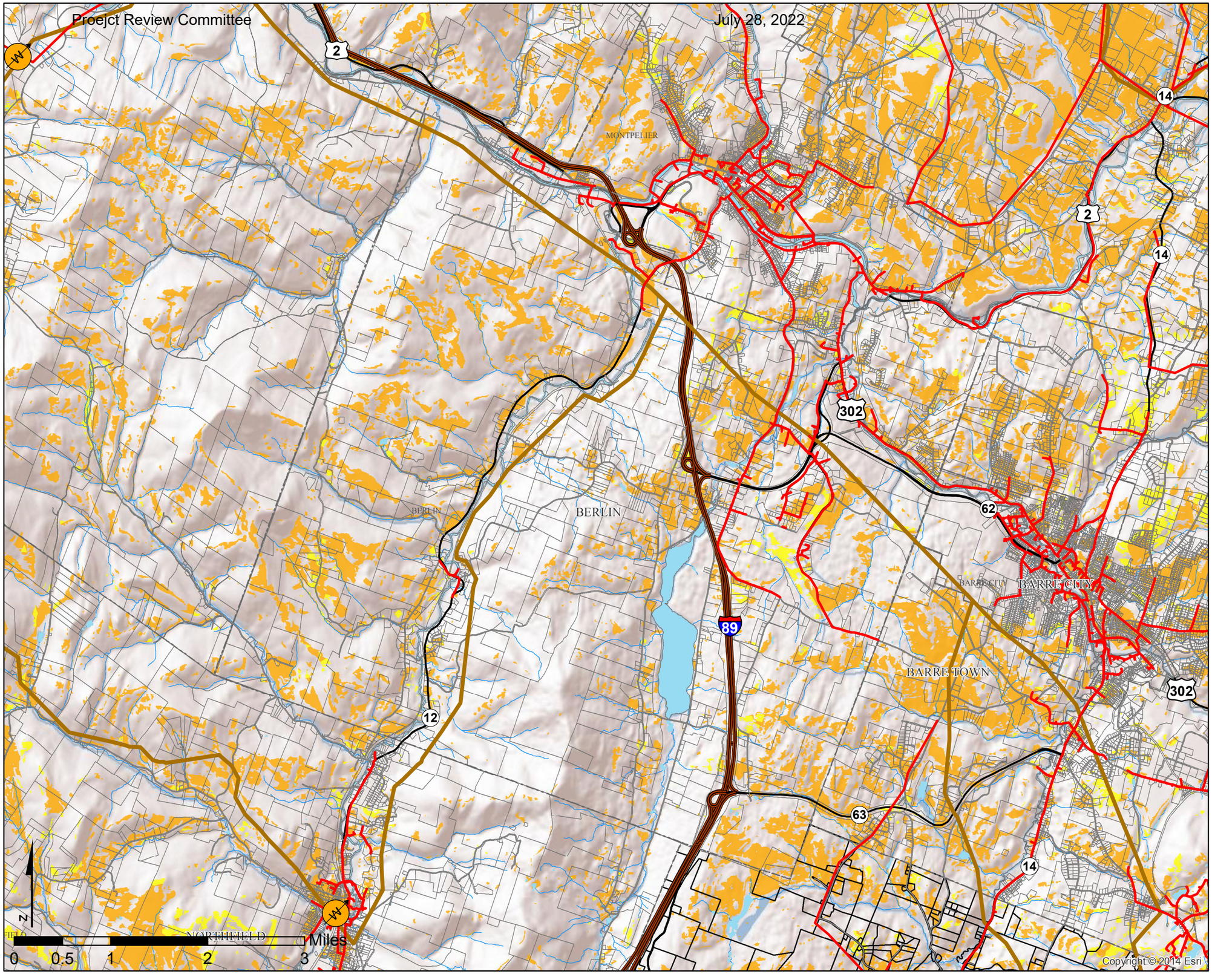
CVRPC
CENTRAL VERMONT REGIONAL PLANNING COMMISSION

Proejct Review Committee

July 28, 2022

BERLIN

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

CVRPC
CENTRAL VERMONT REGIONAL PLANNING COMMISSION

Central Vermont Regional Planning Commission

PROJECT REVIEW COMMITTEE

SUMMARY SHEET

July, 2022

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				
1	Act 250 – 5W0836-6	RHTL Partners, LLC	Berlin	Removal of existing residential houses at 12 Marvin and 40 Goodnow Rds and construction of new 22,500 sf facility to serve as Volkswagon/Mazda car dealership with remote vehicle inventory parking lots at this location to support the new dealership. **Proposed Permit: 6/22/2022, Entry of Appearance VTRANS 7/11/2022 & ANR 07/13/2022**
2	Act 250 - 5W1045-47	Sugarbush Mountain Resort Inc.	Warren	Realignment of the existing Reverse Traverse ski trail to provide a more convenient guest experience by providing a consistently down-sloped trail with snowmaking coverage. **Schedule G Submitted 6/24/2022, Incomplete Letter received 07/18/2022**
3	Act 250 – 5W1609-A	Norwich University	Northfield	Reduction in size of the previously permitted addition on the west side of the building, and related changes to the interior and exterior renovations to the "Commandant/Garrison House", a two-story wood frame single family residence on 1.5 acres owned by the University and located at 456 Central Street in Northfield. **Draft Permit issues 7/18/2022, Comments due by 8/4/2022**
4	Act 250 – 5W1612	Copley Health Systems Inc. & Waterbury	Waterbury	To subdivide the existing 53+/- acre Sayah parcel on the West side of Route 100 to create Lot 1 of 5.1+/- acres for a new Waterbury Ambulance Service facility & Lot 2 of 18.9+/- acres for a

APPLICATION		APPLICANT	MUNICIPALITY	PROJECT SUMMARY
		Ambulance Service Inc.		Copley medical office facility. Remaining lands of 33+/- acres will be retained by Sayah and not involved in the proposed development. **Schedule G 07/15/2022**
5	Act 250 – 5W0772-13	Kaitlyn Hoffman	Berlin	The Applicant requests payment of an off-site mitigation fee for the project's impacts to 0.8 acres of primary agriculture soils. **Draft Permit submitted 07/18/2022, Comment due by 08/08/2022**
6	Act 250 – 5R0891-23 Schedule G	Laurence Hebert	Williamstown	The creation of 41 new lots and the reconfiguration of two existing house lots. The two existing lots are connected to Williamstown municipal water and wastewater system. 4 of the new lots will be connected to the Williamstown municipal water and wastewater systems. **Schedule G Submitted 6/28/2022**
7	Act 250 – 5W1040-6 Minor Application	Jane Brodwyn	Fayston	Addition of one more acre to the authorized clearing envelope for Lot 2, now resulting in a total of 4 acres allowed for clearing. The 43.7 acres lot is located at Center Fayston Road in Fayston, Vermont**. Draft permit 6/14/2022, Entry of Appearance ANR 6/14/2022**
Act 248				
2	Act 248 – Advanced Notice	Midway Ave Solar LLC	Berlin	45 day notice for proposal requesting approval to install and operate a 2.2 MW "Standard Offer" solar project to be sited on a parcel of land located off Midway Ave in Berlin, Vermont. MAS is owned by MHG Solar LLC. **45 Day Deadline 8/7/2022**
3	Act 248 – Advanced Notice	Northfield BESS 1 LLC/ Delorean Power	Northfield	Proposed 3-megawatt battery electric storage project in Northfield, Vermont. **45 day deadline 8/15/2022**
On Going Projects				
1	Act 250 – 5W1611	O.M Fisher Home, Inc	Montpelier	The proposed project is the addition of a 15-unit (18 bedroom) 11,300 SF Memory Care addition to the existing 13-bedroom Gary Residence residential care facility located at 149 Main Street. The project will include improvements to parking and pedestrian access as well as associated

APPLICATION		APPLICANT	MUNICIPALITY	PROJECT SUMMARY
				utilities. The project is located at 149 Main Street in the town of Montpelier. **Entry of Appearance: ANR 6/3/2022, VDHP 06/03/2022, Finding of Fact 06/15/2022**

CENTRAL VERMONT REGIONAL PLANNING COMMISSION
Project Review Committee
February 10, 2022 4:00 – 5:00 pm
Remote Participation via Zoom

Draft Minutes

Project Review Committee Members

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

Staff: Clare Rock
Presenters (representing Wireless Industrial): Brian Sullivan, MSK; Eric Kallio, site acquisitions for Industrial; Lois Hodgetts, Dubois and King; Shayna Galinat, Industrial; Kevin Delaney, Industrial
Members of the Public: Rick Yeiser, Worcester resident; Peter Comart, Worcester resident; Philip and … (PE ipad) residents; Ted Lamb, Worcester SB Chair; Steve Barrows, Worcester resident; Roger Strobridge, Worcester SB; James Wood, Worcester resident and neighbor of site; Brook Dingledine, attorney representing abutting landowners; Toni Kaeding, Worcester PC; John Kaeding, SB member and neighbor; David Delcore, Times Argus; Will Baker?

L. Cattaneo called the meeting to order at 4:05pm. Introduction were made.

Adjustments to the Agenda
None

Public Comments
None

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

a) Presentation of proposed wireless telecommunications facility at 334 Norton Road, Worcester, VT by representatives of Industrial Wireless Technologies, Inc.

Brain Sullivan, MSK, gave an overview of the process. Industrial has provided the 60-Day Notice which is a notice of intent. In the process have agreed to extend the 60-day process and will not file before March 31, 2022. Between now and then hopes to have a constructive meeting with the town.

Industrial is a licensed entity that provides 2-way service for business customers. (need to fill in information up to 4:21 pm)

Referenced the Worcester telecom ordinance is outdated based upon the old technology and doesn't account for the new technology and referenced the 248a statute where an applicant doesn't have to seek a local permit for the project as it will be permitted by the PUC. B Sullivan noted CVRPC can be involved in the process as an intervener and recognizes that the CVRPC will be looking at SRI.

Louis Hodgetts, DuBois and King presented the visual simulation photos (presentation is on the CVRPC website.) Hodgetts described the methodology for creating the simulations. The green locations are locations where the balloons were visible. This is also similar to the visual analysis model which is depicted on the second page of the presentation. Areas in yellow are areas in which you would see the tower in the absence of any trees or structures. It shows a worst case view shed of the town. There are a few locations where the tower would be visible from RT 12. From the vast majority of town roads the tower would not be visible.

B Sullivan acknowledges that Mr Wood and the Kaedings would have a view of the tower. Wireless believes the project would not have any adverse impacts on natural or historic resources. B Sullivan went on to read a statement from J Tierney, Commissioner "with federal funding available now if the time to invest in cell coverage…." He thanked CVRPC.

C Rock provided a summary of the staff report (as included on the website) and specifically summarized which SRI (Substantial Regional Impact) criteria staff flagged as being triggered by this project.

P Carbee recognized the letter provided by the town of Worcester and would like to make sure that is entered into the record. (This was provided to the Committee on Tuesday and is on CVRPC website.) Carbee summarized the bullet points contained within the letter.

Ted Lamb, Worcester SB member indicated that there is no coverage map and do not know how many people will get coverage. Referenced that the tower would be visible from the other locations in town and from the B Ellis Trail which connects Worcester and Calais.

Brooke Dingledine, attorney for some of the neighbors, spoke about the 248a process and argued Wireless has not been forth coming with some information about the project. Dingledine asked about the coverage and took issue with the process being taking out by MSK, and suggests the RPC doesn't have enough information to proposedly review the proposal. Feels like the views should be considered not just from public roads, but from other areas which the public could see it from, including the trail and referenced the Mount Philo case.

Toni Kaeding, PC Chair and neighbor, disagreed with the visual impact information, as the neighbor has floated their own balloons. Kaeding shared the image which was included in the letter submitted by Worcester (on the CVRPC website) and an image of the other neighbors house (which is the last photo on this webpage: http://worcestercellinfo.com/photos-cell-tower-simulations/)
Bill Arrand, CVRPC Worcester Rep, PRC member stated he had received a letter, from Suzane Primo (sp?) and summarized the letter which was not in support of the cell tower. The letter indicated the resident lives on Gould Hill Road and stated that many residents are talking about this proposal and that many people in Worcester share the same views.

Lee Cattaneo, PRC Chair, suggested the Committee look at the SRI criteria.

John Brabant, Calais CVRPC Rep, PRC member, Calais SB, introduced himself as the Calais Rep, and Calais SB, has received a letter from the Calais trails committee indicated concern about the views from the shared trails. Indicated concern about the lack of information about the coverage. Feels this is important information needed to determine Substantial Impact and that if CVRPC has

approved the Worcester Plan then the local plan and the Regional Plan have been found to be compatible along the other plans in the region.

C Rock clarified that the Worcester has a newly adopted plan and CVRPC has yet to formally review and approve.

P Carbee feels like there is information lacking in order to make a decision on SRI.

B Arrand echoed other Commissioners position on not having enough information.

C Rock provided a general summery of next steps, and suggested the Committee may request additional information and if this can be provided by the applicant then the committee can reconvene and review such information.

B Sullivan, responded by stating that he cannot tell us what changes will or might be made to the proposal based upon input, but does have additional information which can be provided. He would like us to ask for specific information.

J Brabant would like to know the visual impacts from the Calais town line and other impacts, from the Ellis Bruce Trail.

Lee Cattaneo referenced the staff memo and indicated they include additional information which the Committee would like to have.

James Wood would like to collaborate on the balloon test so that everyone effected could be aware of the methodology and agree on the results.

P Comart is concerned about what couldn't be seen, looks forward to getting more information about coverage.

P Carbee would like to hear from Industrial about the positive and negative impacts, would like to know how much coverage would be lost if the tower was 50ft shorter, for instance.

B Sullivan confirmed he found the staff memo with the info referenced by L Cattaneo and will provided this info to CVRPC via C Rock.

Approve meeting minutes

P Carbee moves to approve the July 22, 2021 minutes, seconded by R Wernecke. All in favor. Motion carried.

Adjournment

R Wernecke moved to adjourn, seconded by P Carbee meeting adjourned at 5:30.