

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Petition of ER Dunsmore, LLC for a
Certificate of Public Good pursuant to 30
V.S.A. § 248, authorizing the installation
and operation of a 4.95 MW solar electric
generation facility off Dunsmore Road in
the Town of St. Albans, Vermont

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) Case No. 25-____-PET
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PREFILED DIRECT TESTIMONY OF JEREMY B. OWENS

May 5, 2025

Summary: Mr. Owens' testimony addresses the proposed Project's compliance with Section 248 (b)(1) and (b)(5) pertaining to the orderly development of the region and aesthetics.

Exhibit List:

DRS-JO-1	Resume
DRS-JO-2	Aesthetic Assessment and Orderly Development Report
DRS-JO-2-Appendix A – Map 1	Aerial
DRS-JO-2-Appendix A – Map 2	Terrian Viewshed
DRS-JO-2-Appendix A – Map 3	Vegetated Viewshed
DRS-JO-2-Appendix B	Photographic Inventory
DRS-JO-2-Appendix C	Cross Sections
DRS-JO-2-Appendix D	Landscape Mitigation Plan
DRS-JO-2-Appendix E	Regional and Town Plan Excerpts

Q1. Please state your name, current employer, business address, and position.

A1. My name is Jeremy B. Owens. I am a licensed Senior Landscape Architect with T.J. Boyle Associates Landscape Architecture and Planning located at 301 College Street in Burlington, Vermont.

Q2. Please describe your educational background and work experience.

A2. I received my bachelor's degree in Landscape Architecture from the University of Georgia College of Environment and Design in 2003. I have experience with a wide variety of landscape planning and design services, including site layout, grading, planting plans, lighting design, residential design, commercial and public sector design, and aesthetic impact analyses. My resume is attached as *Exhibit DRS-JO-1*.

Q3. Have you testified previously before the Public Utility Commission ("Commission" or "PUC")?

A3. Yes. I have testified before the Commission on a number of Section 248 petitions, including, among others, recent cases such as Case No. 23-2420-PET, Case No. 23-1994-PET, Case No. 22-4376-PET, and Case No. 22-3941-PET.

Q4. What is the purpose of your testimony?

A4. My testimony supports Petitioner ER Dunsmore, LLC's ("DRS" or "Petitioner") Petition for a Certificate of Public Good ("CPG") pursuant to 30 V.S.A § 248 to install and operate a 4.95 MW ground-mounted solar generation facility off Dunsmore Road in St.

1 Albans, Vermont (the “Project”). I specifically address the Project’s compliance with 30
2 V.S.A. § 248(b)(1) (Orderly Development of the Region) and § 248(b)(5) (Aesthetics).

3
4 **Q5. Please describe the work you have done in connection with this Project.**

5 A5. I reviewed the Regional and Town Plans and associated maps, and conducted a visual
6 analysis to evaluate potential aesthetic impacts due to the proposed Project. The results
7 of this analysis are described in a memo that I have prepared and filed concurrently,
8 ***Exhibit DRS-JO-2.***

9
10 **Project Description and Overview**

11 **Q6. Please generally describe the proposed Project and location.**

12 A6. The proposed Project is a 4.95 MW solar array that would occupy approximately 30 acres
13 on a larger approximately 114-acre parcel. The Project is proposed within a series of
14 existing agricultural fields located west of Dunsmore Road and south of Lower Newton
15 Road. The landform surrounding the Project site is flat agricultural fields, with a limited
16 mix of residential and forested areas further to the west, north and east, and agricultural
17 fields separated by hedgerows to the south. The Project arrays will be positioned in rows
18 running north to south and will be surrounded by a 7-8 foot agricultural style fence. The
19 Project will be set back approximately 1,680 feet from Dunsmore Road and will be
20 accessed via an existing access drive, which will be lengthened and widened in places.
21 Power will run underground from the arrays to two pad-mounted transformers, and then
22 to a new riser pole outside the Project fence line. From the riser pole, the electricity will
23 run overhead along approximately eight new poles on the Project parcel to the point of

1 interconnection at an existing pole on Dunsmore Road. See *Exhibit DRS-TK-2 (Site*
2 *Plan)*.

3
4 **SECTION 248 CRITERIA**

5 **Orderly Development of the Region**
6 **(30 V.S.A. § 248(b)(1))**
7

8 **Q7. Have either the Town of St. Albans or the Northwest Regional Planning**
9 **Commission (“NWRPC”) adopted land conservation measures and specific policies**
10 **contained in a duly adopted regional and municipal plan that has received an**
11 **affirmative determination of energy compliance under 24 V.S.A. § 4352?**

12 A7. The Northwest Regional Plan and Northwest Regional Energy Plan received a Certificate
13 of Energy Compliance on September 9, 2017. The St. Albans Town Plan has not received
14 an affirmative determination of energy planning compliance. As explained below and in
15 the attached report (*Exh. DRS-JO-2*), the Project complies with all three plans.

16
17 **Q8. Will the Project interfere with the orderly development of the region, giving due**
18 **consideration to recommendations from municipal legislative bodies, and the**
19 **regional planning commission, and giving substantial deference to land conservation**
20 **measures and specific policies in the Regional and Regional Energy Plans?**

21 A8. No. As further discussed in *Exhibit DRS-JO-2*, the Project will not unduly interfere with
22 the orderly development of the region. Based on my review of language pertaining to
23 land use and land conservation measures, the Project would not violate any specific land
24 conservation measures in the St. Albans Town Plan, the Northwest Regional Planning
25 Commission Regional Plan, or the associated Regional Energy Plan. None of the plans

1 identify the Project area as having specific limitations, planned conservation measures, or
2 being unsuitable for solar development, and no land conservation measures were found in
3 these documents that would be affected by the Project. As such, the Project does not
4 conflict with the development goals and policies within these plans, and will help meet
5 energy goals for the region. See *Exhibit DRS-JO-2*. For these reasons, the Project will
6 not unduly interfere with orderly development of the region.

7
8 **Q9. Has the Town of St. Albans adopted a municipal bylaw under 24 V.S.A. § 4414(15)**
9 **or a municipal ordinance under 24 V.S.A. § 2291(28) containing screening**
10 **requirements that apply to a ground mounted electric generation facility?**

11 A9. No. While the Town Plan contemplates future adoption of a solar screening bylaw, no
12 such ordinance, policy or bylaw currently exists that applies to the Project to my
13 knowledge.

14
15 **Aesthetics and Scenic and Natural Beauty**
16 **(30 V.S.A. § 248(b)(5))**

17 **Q10. Please summarize your assessment of the Project's aesthetic (visual) impacts.**

18 A10. The Project siting takes advantage of surrounding landform and vegetation to reduce
19 potential visibility of the proposed solar array as much as feasible. Views that will be
20 possible are largely limited to the closest roadways, Dunsmore Road and Lower Newton
21 Road. There are a few residential properties near the Project that may have visibility of
22 the proposed array, the closest of which is approximately 830' north of the northwest
23 portion of the array at the southern end of Firefly Lane. From all of these properties, the
24 Project will be visible low in the landscape and behind existing hedgerows, which are

1 mostly deciduous but will still provide screening of the proposed array. The Project will
2 contrast with the mostly agricultural character of the existing site, but will utilize similar
3 materials and colors currently visible in the nearby landscape, including a nearby existing
4 solar generation facility.

5 Based on the scope of potential visibility from public roadways and private
6 residences, as well as potential impact to what may be considered “open space,” the
7 proposed Project will result in an adverse impact to the aesthetics and scenic or natural
8 beauty of the area. See *Exhibit DRS-JO-2* for more details of this analysis.

9
10 **Q11. Will the Project have an undue adverse effect on aesthetics or the scenic or natural**
11 **beauty of the area?**

12 A11. No. The Project does not violate a clearly written community standard intended to
13 preserve the aesthetics or scenic beauty of the area based on the review of the Regional
14 Plan, Regional Energy Plan and Town Plan. The Project incorporates reasonable siting
15 and other mitigation efforts to reduce visibility and harmonize the Project with its
16 surroundings, including setting back the array more than 1,000 feet from the nearest
17 roads, using low profile components, retaining vegetation around the perimeter of the
18 proposed array where possible, and incorporating landscape mitigation plantings into the
19 existing hedgerow to improve the year-round screening, reducing overall visibility and
20 helping the Project to harmonize with the existing landscape. Finally, the Project would
21 not be considered shocking or offensive to the average person due to the visibility of the
22 Project being limited to the immediate surrounding area. The Project will not
23 significantly intrude into existing views of background hillsides, will be behind existing

1 intervening vegetation that will be augmented by the Project's proposed landscape
2 mitigation, and the use of materials that are similar to existing materials on the Project
3 property and surrounding area, including a nearby solar generation facility.

4 Based on these findings, the Project satisfies the second prong of the Quechee test
5 and will not result in an undue adverse aesthetic impact. See *Exhibit DRS-JO-2* for more
6 details of this analysis.

7
8 **Q12. Is any mitigation proposed for the Project? If so, please describe.**

9 A12. Yes. As noted above, a landscape mitigation plan is proposed in Appendix D to *Exhibit*
10 *DRS-JO-2* to add evergreen vegetation to the existing hedgerow running to the north and
11 northeast of the Project. Due to the deciduous nature of the hedgerow, and because this
12 hedgerow is somewhat thinner and shorter than the existing hedgerows that lie east of the
13 Project, adding the evergreen landscape mitigation will to help screen and soften year-
14 round views of the proposed array from roadways and residential properties to the north
15 and northeast. This landscape mitigation will reduce overall Project visibility and help
16 the Project to harmonize with the existing landscape. The proposed planting locations are
17 also reflected on the site plan, *Exhibit DRS-TK-2*.

18
19 **Q13. Does this conclude your testimony at this time?**

20 A13. Yes.

21