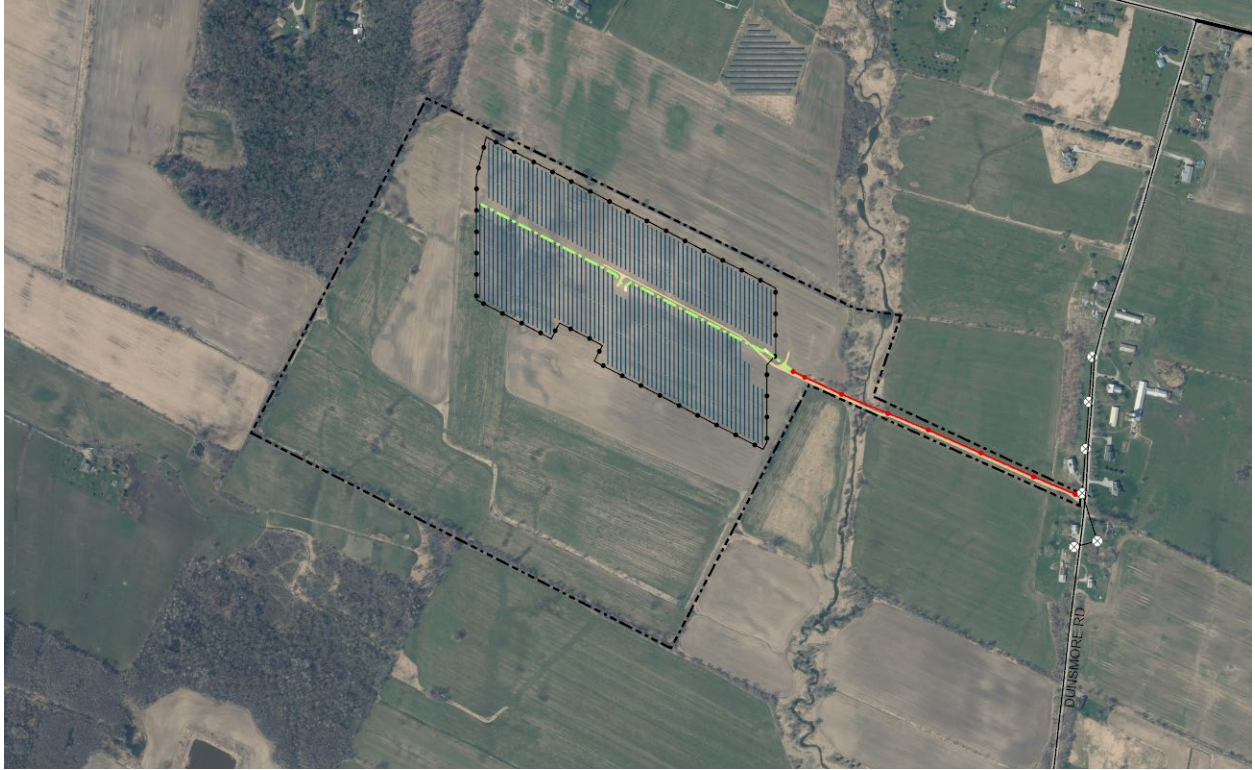


Dunsmore Road Solar

St. Albans Town, Vermont



Aesthetic & Orderly Development Analysis Report

May 1, 2025

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LANDSCAPE ARCHITECTURE & PLANNING

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I. Project Description

The Dunsmore Solar Project (the “Project”) is being developed by ER Dunsmore, LLC (the “Petitioner”), in the Town of St. Albans, Vermont. The Project is a proposed 4.95 MW (AC) single-axis tracker photovoltaic electric generation facility. The fenced portion of the Project will occupy approximately 30 acres of the greater parcel.

The array will consist of ± 68 rows of single-axis trackers at up to 15' tall at maximum tilt, with each row extending in a north-south direction and each row of panels tracking the sun from east to west throughout the day. Panel modules will be configured in a one-high portrait orientation and will have a maximum tilt of approximately 60-degrees. The racking system will be mounted on pile-driven posts, generally without the use of concrete. Figure 1 illustrates the proposed racking system near maximum tilt (morning and evening), and Figure 2 shows the proposed racking system with no tilt (mid-day).



Figure 1: Example racking system at maximum tilt.



Figure 2: Example Racking System with no tilt.

Electricity will run from the panels to a network of string inverters before being converted to alternating current (AC). Electric lines will then continue underground to two pad-mounted transformers with secondary oil containment, one of which will be located near the central part of the array, and a second will be located near the eastern part of the array. Electric lines then continue underground, heading east from the transformers to a proposed wooden riser pole structure located just east of the Project's gated entrance, at which point the lines transition to an overhead configuration. The overhead lines will then travel southeast to Dunsmore Road via approximately eight new poles before connecting to an existing pole on the west side of Dunsmore Road, which is where the Project will interconnect to Green Mountain Power's ("GMP") distribution system.

The Project site is located within an existing agricultural field. The site will be accessed from Dunsmore Road by an existing gravel road that leads northwest, which will be widened from 10' to approximately 12' to 16', and extended approximately 1,250' to the northwest. The total length of the gravel access road will be approximately 2,800'. The array will be enclosed by a 7-8 foot high agricultural style fence and will have a gated entrance at its eastern extent. See Figure 3 for a general layout of the Project and all Viewpoint Locations.

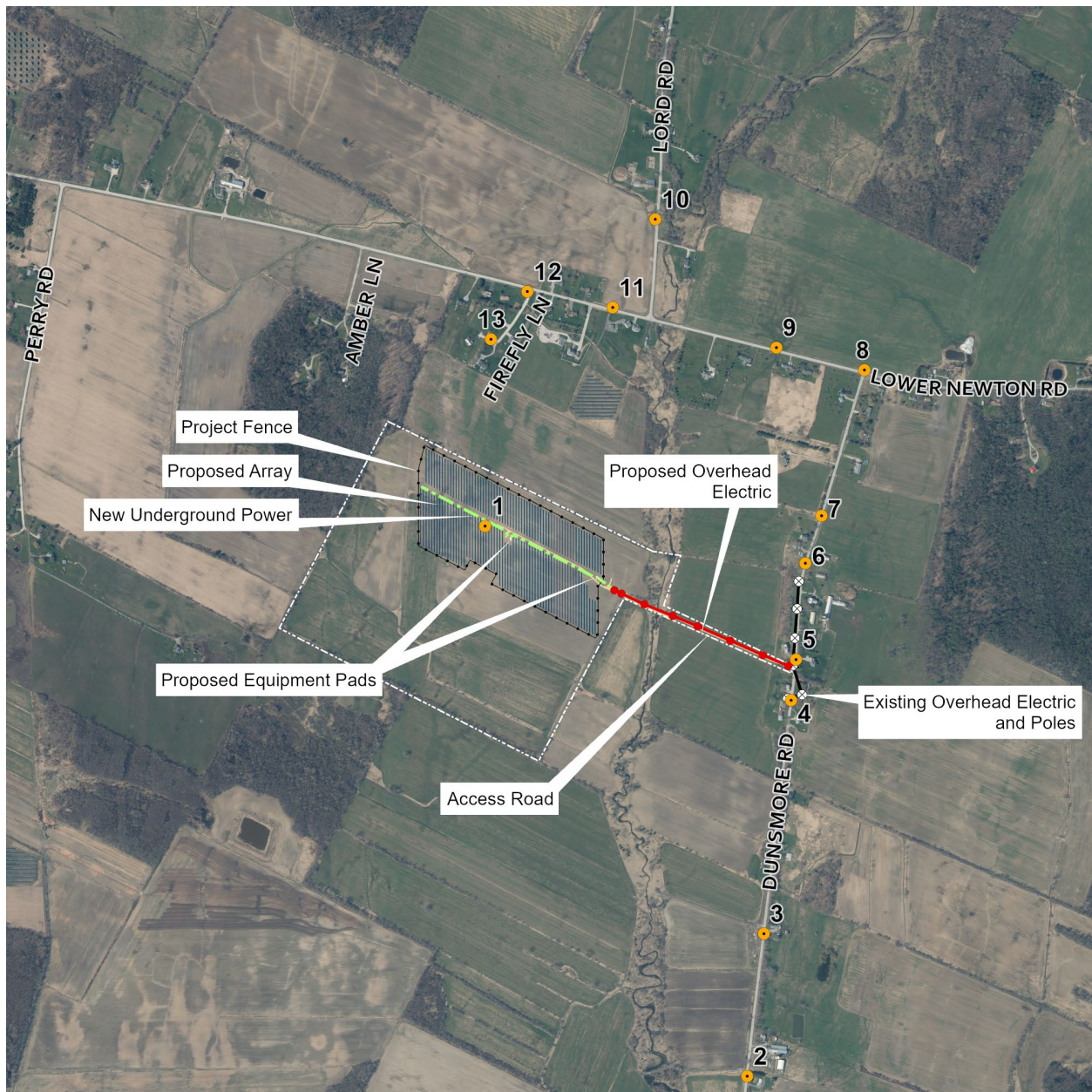


Figure 3: Proposed Project Layout and Viewpoint Locations

II. Methodology – Quechee Test

Section 248(b)(5) of Title 30, Vermont Statutes Annotated requires the Commission to make a finding that a proposed electrical generation Project would not have an undue adverse effect on aesthetics, as outlined in the so-called “Quechee Lakes Decision.”¹ As explained in the Commission’s order in Docket No. 6860, the Commission applies the so-called *Quechee* test in Section 248 proceedings, as follows:

The Commission has adopted the Environmental Board’s Quechee analysis for guidance in assessing the aesthetic impacts of proposed projects under Section 248. We have previously explained the components of the Quechee analysis as follows:

In order to reach a determination as to whether the project would have an undue adverse effect on the aesthetics of the area, the Commission employs the two-part test first outlined by the Vermont Environmental Board in Quechee, and further defined in numerous other decisions.

Pursuant to this procedure, first a determination must be made as to whether a project would have an adverse impact on aesthetics and the scenic and natural beauty. In order to find that it would have an adverse impact, a project must be out of character with its surroundings. Specific factors used in making this evaluation include the nature of the project's surroundings, the compatibility of the project's design with those surroundings, the suitability of the project's colors and materials with the immediate environment, the visibility of the project, and the impact of the project on open space.

The next step in the two-part test, once a conclusion as to the adverse effect of the project has been reached, is to determine whether the adverse effect of the project is “undue.” The adverse effect is considered undue when a positive finding is reached regarding any one of the following factors:

1. Does the project violate a clear, written community standard intended to preserve the aesthetics or scenic beauty of the area?
2. Have the applicants failed to take generally available mitigating steps which a reasonable person would take to improve the harmony of the project with its surroundings?
3. Does the project offend the sensibilities of the average person? Is it offensive or shocking because it is out of character with its surroundings or significantly diminishes the scenic qualities of the area?

Our analysis, however, does not end with the results of the *Quechee* test. Instead, our assessment of whether a particular project would have an “undue” adverse effect on aesthetics and scenic or natural beauty is “significantly informed by overall societal benefits of the project.”²

¹ *Quechee Lakes Corporation*, Applications #3W0411-EB and #3W0439-EB at pgs. 18-20

² *Petitions of Vermont Electric Power Company, Inc. (VELCO), Vermont Transco*, Docket No. 6860, Vt. Pub. Serv. Bd., Final Order of 01/28/2005 at 80 (citing *In Re: Northern Loop Project*, Docket 6792, Order of 7/17/03 at 28).

T.J. Boyle Associates (“T.J. Boyle”) interprets the first prong of the *Quechee* test to initially require an assessment of a project’s visibility. Although the *Quechee* test lists visibility of a project as a “specific factor” for evaluation, visibility establishes the underlying method for which all visual aesthetics are evaluated. For instance, a project’s design, materials and colors may be completely out of character with its surroundings, but if such project is not visible to the general public (or “average person”), then there would be no adverse visual effect. Likewise, when a project is determined to be out of character with its surroundings, one solution is to visually obscure the project with landscape mitigation or other screening, which itself is a simple reduction or occlusion of visibility. In this way, T.J. Boyle interprets the first prong of the *Quechee* test to be asking, “What is the project’s visibility, and is that visibility out of character with its surroundings?” In our experience, if the *Quechee* test were not interpreted in this way then a given project could be considered adverse even if it was completely invisible to surrounding areas, which would be an unreasonable interpretation and inconsistent with the purpose of the test.

Our study area for visibility of solar generation facilities tends to extend approximately two miles from a project location. This distance tells us whether a given project is, or is not, visible from prominent or protected locations in the study area, or, perhaps more importantly, if a project itself is in a prominent or highly visible location.

In conducting the *Quechee* analysis and preparing this report, three distinct methods have been used: (1) background data collection, (2) GIS viewshed analysis mapping, and (3) field investigation. The GIS viewshed mapping and field investigation are used to identify areas with potential visibility of the Project. The background data and field investigation are used to characterize the study area. All three methods are used to evaluate whether there are in fact ‘adverse’ impacts and if so, whether those impacts could be considered ‘undue.’

- (1) **Background Data Collection.** Standard data that can help describe the landscape of the Project site, the surrounding area, and the Project are assembled. These data include available Project plans and details, aerial photography, topographical maps, Geographical Information System (“GIS”) data including digital elevation model data, water and land cover information, transportation data and primary building data (public, commercial, residential), and applicable regulations such as the town plan and the regional plan.
- (2) **GIS Viewshed Analysis.** Following the background data collection, ESRI ArcGIS software is used to calculate a GIS viewshed or visibility analysis of potential visibility of the Project. Viewshed analysis can identify areas that have potential views of a project, and when mapped it shows the Project viewshed. The analysis applies a line-of-sight method from a prescribed point or points representing the Project (such as the top of an upright solar array, substation equipment, or power line structure), to all other locations within a designated study area. Figure 3 illustrates the difference between the Terrain Viewshed and the Vegetated Viewshed maps. The analysis results (portrayed as two viewshed maps) and background data review form the basis for organizing the field investigation.

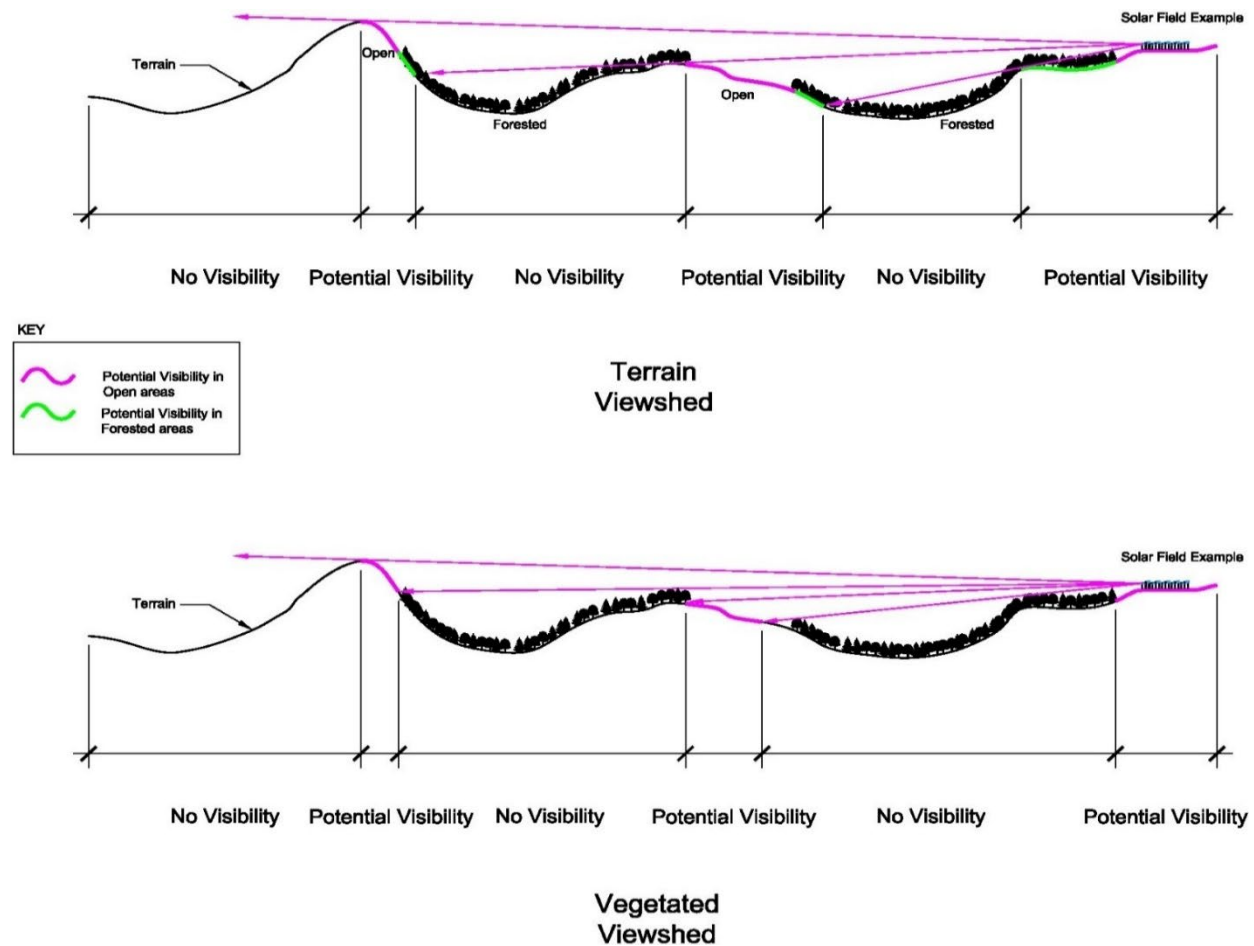


Figure 3: Terrain Viewshed and Vegetated Viewshed Diagrams. (Please note this diagram is for illustrative purposes only to portray the results of a GIS Viewshed analysis and is not representative of the proposed Project.)

- a. A “Terrain Viewshed” map (see Appendix A, Map 2) represents how landform may block views of Project upgrades. This analysis only accounts for intervening landform and does not incorporate how vegetation, buildings, hedgerows, street trees or any other vegetation or buildings would screen visibility of the Project. However, to facilitate interpretation of the results, the map differentiates between areas with and without forest cover, since there would be no distant views if one is standing in the forest. This map represents the maximum area from which the Project could be visible, and in almost every case overstates the probable visibility.
- b. A “Vegetated Viewshed” Map (see Appendix A, Map 3) represents a “Vegetated Viewshed.” This map shows how vegetation, buildings and other obstructions in the landscape may act in addition to landform, to block views of the Project. The data used to identify obstructions is derived from LiDAR data, the national elevation dataset, and the national land cover database. This map is a more realistic representation of the area from which the Project is potentially visible.

When properly taken into consideration, these maps indicate areas most likely to have views, emphasizing areas vulnerable to the greatest impacts. The viewshed maps also identify areas

that are unlikely to have views. The assumptions used to calculate these maps are conservative and tend to over-estimate Project visibility. Rather than serving as a final result, these maps are primarily used in preparation of the field investigation, which more fully evaluates the landscape context, views, and potential impacts based on the visibility indicated on the maps. Therefore, it is inappropriate to use these maps as the only basis to evaluate visual extent and impacts.

- (3) **Field Investigation.** The viewshed maps are used to focus the field investigation on areas most likely to have views of the Project. The purpose of the field investigation is to:
- Verify potential visibility as indicated on the viewshed maps
 - Photograph views toward the Project from these and any other sensitive areas (parks, public facilities, etc.)
 - Photographically document the landscape's visual character within the study area
 - Record notes concerning each viewpoint where photographs are taken
 - Identify location of photograph viewpoints using a global positioning system ("GPS") unit

On completion of the field investigation, the GPS data is transferred to a GIS database and synchronization of the data and photograph locations are verified. Photo locations and the actual photos are coordinated through indexed viewpoint numbers. Documentation of the field investigation is then prepared, which includes: (1) mapping of the routes traveled and locations of photograph viewpoints, displayed on mapping within Appendix A, and (2) a catalog of photography included as Appendix B - Photographic Inventory. Appendix B includes a series of panoramic views to provide context of the surrounding conditions, and single-frame photographs to represent views towards the Project site. Unless otherwise noted, single-frame photos utilize a focal length approximately equivalent to 50mm on a 35mm film or FX digital single lens reflex camera, which is considered a 'normal lens'. A normal lens reproduces a field of view that generally looks "natural" to a human observer. Panoramic views result in significant spatial distortion but are beneficial for providing a very wide field of view to illustrate the existing surroundings and character.

T.J. Boyle evaluates data from the steps above and compares existing conditions with plans for the proposed Project. The following sections of this report describe in detail the collection and evaluation of data and the resulting conclusions. Appendix C – Cross Sections, which depict the proposed Project and underlying landform, have also been prepared as part of this review.

III. Quechee Test Part I – Evaluation of Adversity

A. Overview

The Project is proposed within a series of existing agricultural fields located west of Dunsmore Road and south of Lower Newton Road. The landform surrounding the Project site is flat agricultural fields, with a limited mix of residential and forested areas further to the west, north and east, and agricultural fields separated by hedgerows to the south. See Appendix B, Viewpoint 1a and 1b.

As noted above, GIS viewshed mapping was utilized as a preliminary evaluation method to determine potential visibility of the Project. Field investigation found that the GIS viewsheds (see Appendix A, Maps 1-3) were somewhat accurate, although limitations of available GIS data overestimated potential visibility due to the presence of successive hedgerows and roadside

vegetation that isn't well represented in the GIS data. The viewshed results indicate that the greatest potential for visibility would be from Dunsmore and Lower Newton Roads in the areas nearest to the Project. Overall, the viewsheds show that Project visibility would be screened from further areas by a combination of landform and existing vegetated hedgerows.

B. Dunsmore Road

Dunsmore Road is an AoT Class 3 paved town highway approximately 3 miles in length that is located to the east of the Project. Running in a roughly north to south direction, Dunsmore Road connects Maquam Shore Road (Vermont Route 36) to the south with Lower Newton Road to the north, and is a minor transportation route through the area. In the vicinity of the Project near the northern half of Dunsmore Road, the area is characterized by agricultural fields and hedgerows, with residential properties located along both sides of the road. At its closest location, Dunsmore Road is approximately 1,680' east of the nearest proposed array structure. Dunsmore Road has a posted speed limit of 40 miles-per-hour.

Field review revealed that for travelers heading northbound on Dunsmore Road, the Project will be significantly screened by intervening hedgerows that existing between the various agricultural fields south of the Project. The proposed array structures will likely start to become visible starting approximately 0.75 miles southeast of the Project. At gaps in the roadside vegetation, the proposed structures may be visible behind intervening hedgerows during leaf-off conditions (see Appendix B, Viewpoint 2). Visibility of the proposed array will remain partially screened behind intervening hedgerows (see example at Appendix B, Viewpoint 3) as travelers proceed north for approximately 0.5 miles, at which point Dunsmore Road rises in elevation and the Project site becomes more visible from breaks in the roadside vegetation (see Viewpoints 4, 5 and 6) before travelers move beyond the Project. In all, a screened view of proposed array is potentially possible for northbound travelers for approximately 1 mile, particularly during leaf-off conditions. At a speed limit of 40 miles per hour, this equates to approximately 90 seconds of potential screened visibility, with most visibility concentrated near Viewpoints 4 and 5. Through this area, views of the array will be backgrounded by a forested area that lies immediately west of the site.

For southbound views, intervening vegetation will partially screen the array and will be variable depending on viewing location. Beginning at the intersection with Lower Newton Road, which is approximately 0.5 miles northeast of the nearest array structure, the Project will be screened by intervening hedgerows and foreground vegetation (see Viewpoint 8). As travelers continue south, the proposed array structures will be visible to the southwest of the Project. At gaps in the roadside vegetation, the proposed structures will be visible behind intervening hedgerows, particularly during leaf-off conditions. Visibility of the proposed array will be partially screened behind intervening hedgerows (see example at Appendix B, Viewpoint 7). As travelers proceed south the Project site becomes more visible from breaks in the roadside vegetation (see example at Viewpoint 6) before travelers move beyond the Project near Viewpoint 5. In all, a screened view of proposed array is potentially possible for southbound travelers for approximately 0.5 mile. At a speed limit of 40 miles per hour, this equates to approximately 45 seconds of potential screened visibility, with most visibility concentrated near Viewpoints 5 and 6. Through this area, views of the array will be backgrounded by a forested areas that lie west and southwest of the site.

The proposed interconnection route and access road will be visible from Dunsmore Road as travelers pass the Project, particularly at Viewpoint 5. Where visible, the new poles and overhead line will appear similar to power poles and electric lines visible along Dunsmore Road and Lower Newton as well as along other nearby roadways in the surrounding area.

C. Lower Newton Road

Lower Newton Road is an AoT Class 2 paved two-lane town road located north of the Project, which runs in a roughly east to west direction. Approximately six miles in length, Lower Newton Road connects US Route 7 to the east with Maquam Shore Road to the west. Lower Newton Road is characterized by low-density residential uses, agricultural fields to either side of the road, some forested areas along the road's length, and views of low forested hillsides to the east. At its closest point, Lower Newton Road is approximately 1,511' north of the nearest proposed array structure. Lower Newton Road has a speed limit of 50 miles per hour in the area north of the proposed Project.

Field review revealed that for travelers heading west, the Project will be intermittently visible to the south beginning near the intersection of Lower Newton Road and Dunsmore Road, approximately 0.5 miles northeast of the Project, where the proposed array will be visible behind existing intervening vegetation, particularly during leaf-off conditions (see Appendix B, Viewpoint 8). As travelers proceed west, the Project will be intermittently screened by intervening vegetation and buildings for a total distance of approximately 3,550', at which point travelers will move beyond the Project (see Viewpoints 9, 11 and 12). Through this area, some portions of the roadway will have a partially screened view of the proposed array structures beyond the roadside homes and the deciduous hedgerow that exists immediately north of the proposed array. At a speed of 50 miles per hour, intermittent views of the Project will potentially be possible for approximately 48 seconds before travelers pass the Project.

For travelers heading east, visibility of the proposed array begins approximately 1,511' north of the western extent of the proposed array. As travelers proceed east, the Project will be intermittently screened by intervening vegetation and buildings for a total distance of approximately 1,700', at which point travelers will move beyond the Project (see Viewpoints 11 and 12 in reverse order). Similar to westbound views in the same vicinity, some portions of the roadway will have a partially screened view of the proposed array structures beyond the roadside homes and the deciduous hedgerow that exists immediately north of the proposed array. At a speed of 50 miles per hour, intermittent views of the Project will potentially be possible for approximately 23 seconds before travelers pass the Project.

Due to intervening vegetation, the proposed interconnection route and access road will not likely be visible from Lower Newton Road. Where visible, the new poles and overhead line will appear similar to power poles and electric lines visible along Lower Newton Road and Dunsmore Road, as well as along other nearby roadways in the surrounding area.

D. Firefly Lane

Firefly Lane is a short unpaved two-lane road located north of the Project, which runs in a roughly north to south direction. Approximately 675' in length, Firefly Lane connects Lower Newton Road to the north with several residential homes to the south. Firefly Lane is characterized by low-density residential uses, views of nearby agricultural fields, a long evergreen hedgerow to the east, and distant views of forested hillsides to the southeast. At its closest point, Firefly Lane is approximately 1,065' northeast of the nearest proposed array structure. Firefly Lane does not have a posted speed limit.

Field review revealed that for travelers heading south, the Project will be intermittently visible to the southeast beginning near the intersection of Lower Newton Road and Firefly Lane, approximately 1,620' north of the Project. From this location, the eastern portion of the proposed array will

potentially be visible behind existing landform and intervening vegetation, particularly during leaf-off conditions (see Appendix B, Viewpoint 12). As travelers proceed south, the Project will be significantly screened by intervening vegetation and buildings, and will appear low in the landscape compared to landforms further south (see Viewpoint 13). Through this area, intervening landform will obscure much of the proposed array, and visibility will vary based on viewing location and intervening foreground vegetation and buildings.

For travelers heading north on Firefly Lane, the Project will be behind the viewer and out of view.

Due to intervening vegetation, the proposed interconnection route and access road will not be substantially visible from Firefly Lane. Where visible, the new poles and overhead line will appear similar to power poles and electric lines currently visible along Dunsmore Road, as well as along other nearby roadways in the surrounding area.

E. Other Surrounding Roads and Public Areas

Due to limited visibility of the Project, other public roadways in the area are not expected to have significant visibility of the proposed array, including Lord Road north of the Project (see Viewpoint 10), Perry Road to the west, County Road to the northeast, and Maquam Shore Road to the south and southwest.

F. Residential Properties

There are a few residential properties near the Project that may have visibility of the proposed array, the closest of which is approximately 830' north of the northwest portion of the array (on Firefly Lane just south of Viewpoint 13). Several other residences are located nearby, either accessed from Firefly Lane or Lower Newton Road, near Viewpoints 11 and 12). There are also several residential properties located to the northeast near the intersection of Lower Newton and Dunsmore Roads, the closest of which is approximately 1,611' away (located southwest of Viewpoint 9). Additionally, several residential properties are located along Dunsmore Road to the east, the closest of which belongs to the property owner and is approximately 1,575' from the array (see Viewpoints 5). From all of these properties, the Project will be visible low in the landscape and behind existing hedgerows, which are mostly deciduous but will still provide screening of the proposed array. As discussed in a later section, evergreen landscape mitigation plantings have been proposed to help augment the existing hedgerows and provide more consistent year-round screening from these residential properties.

G. Suitability of Colors and Materials for the Project

The Project materials and colors will include the dark non-reflective photovoltaic panels, galvanized metal array racking systems, metal or black agricultural-style fence mesh with wooden posts, a gravel access drive, wooden utility poles, and pad mounted transformers and associated electrical equipment. There are comparable elements in the landscape, including an existing solar generation facility located approximately 825' north of the Project, which includes identical materials to the proposed Project materials. Houses with colors that stand out from the natural environment, including white siding, red brick, and barns with galvanized metal roofs are located along nearby roads. There are also existing electric distribution lines along portions of Dunsmore Road, Lower Newton Road and Firefly Lane that include wooden pole structures and conductors similar to those proposed for the Project. Based on the existing and variable structures around the proposed array, the Project's colors and materials are considered similar to those in the surrounding area.

H. Impact on Open Space

Act 250 and Section 248 do not clearly define what is meant by the term “open space.” The Northwest Regional Planning Commission’s (“NRPC”) Plan for the Northwest Region, adopted August 30, 2023 (“Regional Plan”),³ does not clearly define the term “open space” or depict areas where it is located. The Town of St. Albans Town Plan, adopted June 15, 2020 (“Town Plan”)⁴ also does not define what open space is or where it is located throughout the town. Additionally, the Project site is also not officially designated or depicted as “open space” within these planning documents, and neither plan describes how impacts to open space should be described or evaluated. The site is depicted as within the “Grass/Shrub” current land use area in the Regional Plan (at p. 98), and as within the “Pasture/Hay” and “Cultivated Crops” current land use area in the Town Plan (at p. 22).

Because of the Project’s large setback from surrounding area, lack of public access or specific “open space” designation within these documents, the Project site is not officially recognized as being “open space”. However, the proposed array will be visible in the context of existing agricultural lands visible from nearby roadways that are currently undeveloped. Due to the introduction of solar array structures into the context of views of existing agricultural lands, the Project is expected to have a moderate impact to “open space”.

I. Summary

Overall, the Project siting takes advantage of surrounding landform and vegetation to reduce potential visibility of the proposed solar array as much as feasible. Views that will be possible are largely limited to the closest roadways, Dunsmore Road and Lower Newton Road. The Project will contrast with the mostly agricultural character of the existing site, but will utilize similar materials and colors currently visible in the nearby landscape, including a nearby existing solar generation facility. Based on the scope of potential visibility from public roadways and private residences, as well as potential impact to “open space,” this review under the first part of the *Quechee* test concludes that the proposed Project will result in an adverse impact to the aesthetics and scenic or natural beauty of the area. Therefore, an analysis under the second part of the *Quechee* test is provided below.

IV. Quechee Test Part II – Evaluation of Undue Adversity

Because the Project would result in an adverse impact to the aesthetics of the area, it is necessary to evaluate the Project under the three prongs of the second part of the *Quechee* test.

A. Clear, Written Community Standards Intended to Preserve the Aesthetics or Scenic Beauty of the Area

Although Section 248 projects are exempt from municipal zoning and related permits, local plans and regulations are reviewed under the second prong of the *Quechee* test where it has been determined that a project may have a potential adverse visual impact. Under *Quechee*, this involves an assessment as to whether or not a project violates a clear, written community standard intended to preserve the aesthetics or scenic beauty of the area. In Docket No. 7508, the Public Utility Commission held that “[i]n order for a provision to be considered a clear, written community standard, it must be ‘intended to preserve the aesthetics or scenic beauty of the area’ where the

³ https://www.nrpcvt.com/wp-content/uploads/2023/10/ADOPTED_RegionalPlan_2023_August30.pdf

⁴ https://stalbansvt.com/Document_Center/Government/2020%20Town%20Plan%20-%20adopted%20June%2015%202020%20-%20Signed.pdf

proposed project is located and must apply to specific resources in the proposed project area.”⁵ The Commission clarified that generalized statements and general scenic resource policies that are not focused on a particular scenic resource or that fail to offer specific guidance or measures to protect the resource cannot be considered “clear written community standards.”⁶ The Commission has further clarified that any such standard must expressly “designate the [project] parcel as a scenic resource worthy of protection.”⁷

For the Dunsmore Solar Project, available local and regional planning documents were reviewed to determine if the Project would violate a clear written community standard. The following sections of this review discuss the community scenic quality standards as detailed in the Regional Plan (which includes the Regional Energy Plan as Appendix II)⁸ and the Town Plan; the relevant pages from these plans are included in Appendix E – Regional and Town Plan Excerpts.

i. Regional Plan
Economic Region - Energy

Goals and Policies

Goal 7 - Increase the renewable energy generation capacity in the Northwest region with new solar, wind, and hydro generation capacity by 2050.

- g. Development and siting of energy generation facilities shall be in conformance with the goals, strategies, standards, mapping, and other information contained in the entire regional plan. Standards of review for known and possible constraints (see Appendix B of the regional energy plan) will be used in evaluation of conformance.
(Regional Plan at pgs. 42-43)

Physical Region – Natural & Cultural Resources

Scenic Resources: The region’s scenic resources are plentiful and include both natural and human-influenced elements. Undeveloped ridgelines are among the region’s highly valued natural scenic resources, serving both as vantage points (the areas we enjoy views from) and as terminal views (and create the scene we are enjoying through our observation). Because impacts on scenic resources are assessed as part of the Act 250 development review process, communities in the Region may wish to incorporate a scenic resource assessment as part of their planning processes.

Goals and Policies

Goal 1 - Protect significant natural resources, including air, wetlands, wildlife, lakes, ponds, woodlands, earth resources, open spaces, groundwater resources and wildlife habitat.

- c. Plan, construct and manage mineral and earth resource extraction and processing facilities to ensure that negative impacts are limited and rehabilitation is certain. Minimize noise and adverse impacts on existing or planned uses within the vicinity of the project, fish and wildlife habitat, water quality, prime agricultural soils and scenic resources. Ensure projects do not interfere with the function and safety of all modes within the transportation system.

Goal 2 - Protect and conserve historically significant buildings and locations, archaeological resources, and important scenic and aesthetic resources identified in local and regional plans.

- b. Ensure that land development along prominent ridgelines and hilltops is designed to fit within the landscape and avoid undue adverse visual impacts.
- d. Encourage energy generation and distribution facilities to minimize their visual impact on ridgelines, slopes and open areas.

⁵ *Petition of Georgia Mountain Community Wind, LLC*, Docket No. 7508, Order of 6/11/2010 at p. 52

⁶ *Id.* at 53.

⁷ *Petition of Rutland Renewable Energy, LLC*, Docket No. 8188, Order of 3/11/15 at 85-86.

⁸ https://www.nrpcvt.com/wp-content/uploads/2022/09/NRPC_EnergyPlan_2017.pdf

(Regional Plan at pgs. 96-97)

Physical Region – Land Use

Land Use Planning Areas

Agricultural Resource Planning Areas: Agricultural Resource Planning Areas represent the best farmland in the region and shall be given the highest level of support for their continued use as active agricultural lands. Nearly 39% of the region is included in this category, reflecting the significant acreage of prime agricultural soils, the large number of farms in the Northwest and the importance of agriculture in the region's economy. Strategies that support the long-term protection of these lands from conversion to non-agricultural use are supported by NRPC. Where development does occur, it shall be located to minimize impact to primary agricultural soils. Recognizing the importance of farming to the region's character and economy, and also recognizing that existing farms may occupy some good farming lands that would otherwise be categorized as Forest and Conservation Planning Area, Agricultural Resource Planning Areas were given precedence over the Forest and Conservation designation. For example, if a particular area has characteristics of both an Agricultural Resource Planning Area and a Forest and Conservation Planning Area, the area would be characterized as the former. Ensure the region continues to be characterized by compact villages and growth centers separated by rural countryside and the working landscape.

Goals and Policies

Goal 1 - Ensure the region continues to be characterized by compact villages and growth centers separated by rural countryside and the working landscape.

- e. Ensure that the scale, siting, design and management of new development respect the existing landscape and the character of the area's built environment.

Goal 2 - Maintain healthy and diverse forest and conservation areas as well as a strong working landscape, including agriculture and forestry.

- a. Ensure that development respects the physical limitations of the site and avoids negative impacts on the natural and cultural features of the landscape.

(Regional Plan, pgs. 104 and 108)

ii. Regional Energy Plan

Section II – Introduction

B. Purpose of the Plan

While reading this document, it is also important to keep in mind what the Regional Energy Plan will not do. Much like the Vermont Comprehensive Energy Plan, the Regional Energy Plan does not intend to directly address every specific energy-related issue within the region, and it does not discuss or provide recommendations regarding specific renewable energy generation projects that have been proposed in the region.

The energy landscape in Vermont has rapidly changed over the past 10 years. This has been driven by climate change, policy changes, materials cost reductions, and quickly evolving technologies. The NRPC anticipates that methods of generating, distributing, and conserving energy will continue to evolve over the next 30 to 40 years.

(Regional Energy Plan, p. 10)

Section VI. Feasibility, Challenges and Conclusions

B. Implementation Challenges

Lack of site-specific guidelines for solar and wind generation facilities – The energy generation maps in the plan address which conservation resources should be protected from development of renewables and which conservation resources should be subject to mitigation if impacted by development of renewables. This plan does not provide site-specific guidelines for how solar or wind should be placed on a site if it is deemed appropriate for development. The issues of screening, stormwater management, fall distance, sound levels, and aesthetics have not been addressed in this plan. The NRPC did not address these issues directly in this plan primarily due to the unique challenges that each particular site poses to renewable development.

(Regional Energy Plan at 58)

iii. Town Plan

INTRODUCTION

1.1. Vision Statement

The Town of St. Albans is and will continue to be a community where there is:

- An appreciation of our natural, cultural, scenic, and historic resources

(Town Plan at p. 10)

3. LAND USE

3.3. Goal – Ensure that new development maintains and complements the character of its surrounding neighborhoods and existing improvements through the permitted and conditional uses in our Unified Development Bylaws.

Policy: Balance a landowner's inherent property rights to develop land with the public's interest in protecting the environment and character of the surrounding neighborhood.

(Town Plan at p. 19)

5. SCENIC AND NATURAL RESOURCES

5.1. Goal – Identify, protect, preserve, and transform important natural and scenic features of St. Albans' landscape.

Policy: Protect and preserve natural resources including surface waters, groundwater, floodplains, river corridors, agricultural soils, wetlands, steep slopes, forest blocks, habitat connectors, and endangered wildlife habitats.

(Town Plan at p. 33)

Policy: Protect and preserve scenic locations and scenic roads.

St. Albans is a scenic place. The Town's working landscape and agricultural heritage with rolling fields, tree lines, and farm buildings are a critical component of this beauty. Lake Champlain figures prominently in the sweeping views from the hills on the east of Town, to the views along the lakeshore and the beauty of islands. St. Albans Bay's natural beauty and historic village area also contribute to St. Albans Town's sense of place.

The Town should work to specifically identify scenic locations and scenic roads in St. Albans in the future. The Town should then decide if there should be regulatory protection of the identified scenic locations and scenic roads.

(Town Plan at pgs. 37-38)

8. ENERGY

8.1 Goal - Aid the State of Vermont in achieving the goals of the Vermont Comprehensive Energy Plan to have 90% of total energy needs in Vermont supplied by sustainable energy sources by 2050.

Policy: St. Albans supports the development and siting of sustainable energy resources in our community that are in conformance with this plan. Development of generation in identified preferred locations shall be favored over the development of other sites.

Development of new sustainable energy sources, most notably renewable electricity sources will be essential to meeting the goals of the Comprehensive Energy Plan. St. Albans is home to 4.8 MW of sustainable electricity generation capacity as of November 2017 (Table 8.1).

St. Albans generally supports the development of new sustainable energy sources. The Town intends to develop a municipal "enhanced energy plan," as enabled in 24 V.S.A. 4352 in the near future to clearly explain community preferences regarding the type, location, and scale of sustainable energy generation facilities. The Town does support net-metering projects for local citizens and businesses, especially rooftop solar net-metering. In the near future, the Town intends to develop a screening ordinance for ground-mounted solar facilities as enabled by 24 V.S.A. 4414. The ordinance will ensure that future solar facilities are located and properly screened from roads and adjacent land.

(Town Plan at pgs. 45-47)

13. IMPLEMENTATION OF THE PLAN

13.1 Priority Goals

Scenic and Natural Resources: Identify, protect, preserve, and transform important natural and scenic features of St. Albans' landscape.

(Town Plan at p. 69)

Summary Analysis of Clear, Written Community Standards in Regional Plan, Regional Energy Plan, and Town Plan

In general, the Regional Plan, Regional Energy Plan, Town Plan, and associated documents cover a wide range of topics for the region including land use, housing, economics, cultural resources, energy generation and consumption, as well as other community issues. As quoted above, the Regional Energy Plan notes the lack of screening requirements for energy projects is a challenge, and that each particular site poses unique challenges to energy development. No clearly written standards or recommendations were found in the Regional Plan or Regional Energy Plan that regulate or guide aesthetics or scenic protection at the Project site. However, it is clear that supporting a diversified energy portfolio and renewable energy generation resources are desired, and impacts to scenic character should be considered. A review of the Regional Plan and Regional Energy Plan maps did not identify any specific scenic resources at or around the site.

Regarding the Town Plan, a review of the Current Land Use Map (Map 3.1, Town Plan at p. 22) appears to show the Project area as being within both the "Pasture/Hay" and "Cultivated Crops" areas. Similarly, the Future Land Use Map (Map 3.2, Town Plan at p. 23) depicts the Project as being within the "Rural" area, though no specific description of this area is presented in the Town Plan. As the Project does not compromise any specific standards related to the aesthetics of the area or the Project site, and that it is similar to other nearby development, it is determined that the Project as proposed is compatible with the existing adjacent development and the rural area in which it is proposed.

Based on this review of the Regional Plan, Regional Energy Plan and Town Plan, the proposed Project will not violate any clearly written community standard intended to preserve the aesthetics or scenic beauty of the area or the Project site. These plans generally encourage the development of renewable energy sources and do not clearly specify the Project area for scenic protection. As the Project will increase electricity generation infrastructure without compromising any specific standards related to the aesthetics of the area, it is determined that the Project as proposed is compatible with the Regional Plan and Regional Energy Plan. Additionally, while the Town Plan contemplates future adoption of a solar screening bylaw, no such ordinance, policy or bylaw currently exists that apply to the Project.

B. Has the Applicant Taken Generally Available Mitigating Steps which a Reasonable Person would Take to Improve the Harmony of the Project with its Surroundings?

The Project includes a number of reasonable mitigating elements that reduce potential adverse aesthetic impacts and improve the harmony of the Project with its surroundings. Mitigation for the Project includes:

- The Project has been sited more than 1,000' away from nearby roadways, including distances of approximately 1,680' from Dunsmore Road, 1,511' from Lower Newton Road, and 1,065' from Firefly Lane.

- Project components are low in profile and rows of panels will contour with the existing topography, and any background views would be retained over the tops of panels. The Project's low profile will help prevent the Project from being an overly prominent element within the landscape.
- All of the Project's internal wiring would be installed underground between array racks and the transformer location.
- Vegetation that exists around the perimeter of the proposed array will be retained.
- Due to the deciduous nature of the hedgerow to the north and northeast of the Project, and because this hedgerow is somewhat thinner and shorter than the existing hedgerows that lie east of the Project, evergreen landscape mitigation is proposed to help screen and soften views of the proposed array from roadways and residential properties to the north and northeast (see Appendix D – Landscape Mitigation Plan). This landscape mitigation will help augment the existing hedgerow, as well as improve the year-round screening, reducing overall visibility and helping the Project to harmonize with the existing landscape.

C. Does The Project Offend The Sensibilities Of The Average Person? Is It Offensive Or Shocking Because It Is Out Of Character With Its Surroundings Or Significantly Diminishes The Scenic Qualities Of The Area?

When evaluating whether a project would offend the sensibilities of the average person, the criteria to make this assessment relates back to the first part of the Quechee Test; how the project 'fits' within its surroundings. The threshold for a project to be shocking or offensive is relatively high, and a given project would need to be entirely inconsistent with the surrounding land uses or exceptionally out of scale with the surroundings.

Based on our assessment of visual impacts, T.J. Boyle's conclusion is that the Project will result in an adverse impact to the aesthetics and scenic and natural beauty of the area. However, the Project could not be reasonably considered to be shocking or offensive for the following reasons:

- Visibility of the proposed Project is limited to the immediately surrounding roadways, and where visible the Project will not significantly intrude into existing views of background hillsides.
- Existing intervening vegetation, buildings, and/or landform will partially obscure Project visibility from Dunsmore Road, Lower Newton Road and Firefly Lane.
- Views of the Project will be limited to only portions of the array; a view of the entire Project is not possible due to intervening vegetation, landform and buildings.
- Evergreen landscape screening is proposed to augment existing screening and further soften views from Lower Newton Road and Firefly Lane. See Appendix D – Landscape Mitigation Plan.
- Materials proposed for the Project are similar to existing materials currently visible on the Project property and in the surrounding area, including an existing solar generation facility approximately 825' north of the proposed array.

For these reasons, the Project would not offend the sensibilities of the average person, and would not be offensive or shocking because it would not appear significantly out of character with its surroundings or significantly diminish the scenic qualities of the area in which it is proposed.

V. Conclusion of Aesthetic Analysis

The findings of this analysis conclude that the proposed Project will have an adverse effect on the scenic or natural beauty or aesthetics of the area. However, the adverse effect will be limited to the nearby area, and the Project will not violate any of the three criteria of the second part of the *Quechee* test:

- The Project does not violate a clearly written community standard intended to preserve the aesthetics or scenic beauty of the area based on the review of the Regional Plan, Regional Energy Plan and Town Plan.
- The Project incorporates reasonable siting and other mitigation efforts to reduce visibility and harmonize the Project with its surroundings, including siting the array low in elevation, retaining mature vegetation around the perimeter of the proposed array, and incorporation of a landscape mitigation plan.
- The Project would not be considered shocking or offensive to the average person due to the lack of extensive public views, presence of existing and proposed screening vegetation, and use of materials and structures similar to a nearby solar facility that is already visible in the landscape.

Based on these findings, the Dunsmore Solar Project would meet the *Quechee* test as its impact on aesthetics would NOT be UNDULY ADVERSE.

VI. Orderly Development Within the Region

Section 248(b)(1) of Title 30 of the Vermont Statutes Annotated requires that the Vermont Public Utility Commission find that a proposed project will not unduly interfere with the orderly development of the region, with due consideration having been given to the recommendations of the municipal legislative bodies, and the land conservation measures contained in the plan of any affected municipality. For generation projects, Section 248(b)(1)(C) further states that “the Commission shall give substantial deference to the land conservation measures and specific policies contained in a duly adopted regional and municipal plan that has received an affirmative determination of energy compliance under 24 V.S.A. § 4352. In this subdivision (C), ‘substantial deference’ means “that a land conservation measure or specific policy shall be applied in accordance with its terms unless there is a clear and convincing demonstration that other factors affecting the general good of the State outweigh the application of the measure or policy.”

Even when a town plan has received a determination of energy compliance, provisions of a town plan must only be considered “to the extent they qualify as land conservation measures or where there are screening requirements of a municipal ordinance or bylaw.”⁹ The Vermont Supreme Court has ruled that “broad and general statements in Town and Regional Plans are not sufficiently specific to constitute a basis for denying a permit under § 248.”¹⁰ Instead, for purposes of Section 248(b)(1), provisions of a regional or municipal plan will only be given due consideration or substantial deference if they qualify as “land conservation measures” that apply clearly and specifically to a defined area or areas.¹¹ As such, the particular language used within Town and Regional Plans is important to determining whether a standard is clearly written and specifically applies to a given Project to constitute a land conservation measure.

For the Dunsmore Solar Project, the Northwest Regional Plan, Northwest Regional Energy Plan, and the St. Albans Town Plan set forth the standards for orderly development of the region. The following review discusses the standards, land conservation measures, and specific policies as detailed in these plans. Excerpts from the various plans are included in Appendix E – Regional and Town Plan Excerpts.

The Northwest Regional Plan and Northwest Regional Energy Plan received a Certificate of Energy Compliance on September 9, 2017. The St. Albans Town Plan has not received an affirmative determination of energy planning compliance.

A. Regional Plan

Regional plans help guide many issues within the region, including development, mostly in the form of recommendations and support to its member towns. The Regional Plan includes chapters which cover economics, energy, infrastructure, housing, transportation, natural and cultural resources, and land use. Topics in the Regional Plan most pertinent to orderly development of the region in relation to the Project included overall regional goals, land use and conservation goals and recommendations, and the regions approach to renewable energy, including the Regional Energy Plan.

⁹ *Application of Emancipation Energy, LLC for A Certificate of Pub. Good, Pursuant to 30 V.S.A. Ss 248 & 8010, for A 150 Kw (Ac) Solar Net-Metering Sys. in Middlesex, Vermont.*, No. 20-1848-NMP (Order of June 21, 2022).

¹⁰ *In re Petition of Apple Hill Solar LLC*, 2021 VT 69 at ¶ 36.

¹¹ *Id.* at ¶¶ 36, 43.

The Regional Plan uses conservation as one of the approaches for the preservation and protection of natural and cultural resources within the region. Map 10: Conserved Land (Regional Plan at p. 93) illustrates conserved land in the region, including public (federal, state, and municipal) land, private land, and land that is currently enrolled in Vermont's Use Value Appraisal (Current Use) program. The Project is not proposed for a parcel that is currently conserved.

Map 11: Wildlife Habitat (Regional Plan at p. 95) outlines large areas within the region categorized as "Vermont Conservation Design Highest Priority Forest Blocks". The Project is not within one of these areas.

The chapter on **Land Use** lists three primary land use goals.

1. The region is characterized by compact villages and growth centers separated by rural countryside and the working landscape.
2. Maintain healthy and diverse forest and conservation areas as well as a strong working landscape, including agriculture and forestry.
3. Target future economic growth primarily in the region's existing and planned growth areas.

(Regional Plan at 98).

The Project area is not within a designated growth center and would not disrupt the pattern of compact village centers and the rural/working landscape, the Project is not within a forest or conservation area, and the Project will support economic growth in the region. Within the Proposed Land Use section of the Land Use chapter, the region is categorized into Land Use Planning Areas, as illustrated in Map 14: Proposed Land Use (Regional Plan at p. 104). The Project is within an Agricultural Resource Planning Area, which constitutes the largest of the planning area types in the region, and which is oriented towards protection of agricultural soils and use, but in which development is not prohibited. The Project will not result in undue adverse impacts to agricultural soils on the site given the Petitioner's proposed agricultural soil mitigation measures set forth in the testimony and exhibits of Stephanie Wyman.

The Regional Plan also provides guidance for energy planning in the region, including renewable energy generation. The Energy Chapter provides an overview of the regions energy strategies and introduces the Northwest Regional Energy Plan, which is incorporated into the Regional Plan as Appendix II and discussed below.

B. Regional Energy Plan

Section II. Introduction

The intent of the (Regional Energy Plan) is to complete in-depth energy planning at the regional level while achieving state and regional energy goals – most notably, the goal to have renewable energy sources meet 90% of the state's total energy needs by 2050 (90 x 50) (Regional Energy Plan at pg. 5).

Section IV, Targets for Energy Conservation, Energy Use, and Electricity Generation provides goals for renewable energy generation within the region. Renewable energy generation targets primarily focus on the development of new solar sources, including 68.8 MW of new solar by the year 2025, 137.6 MW by 2035, and a total of 208.5 MW by the year 2050. In Section VI, under feasibility, the Regional Energy Plan states that "In the Northwest region, solar generation is the preferred method of renewable generation. Solar will have to meet generation levels higher than the targets set by the LEAP model to make up for the difficulty of developing hydro and wind generation facilities in the region" (Regional Energy Plan at pg. 56).

Section V, Strategies to Achieve Regional Targets outlines the approach to encourage the development of renewable energy generation. Section B, Generation begins with Electricity Generation and notes,

The NRPC finds it to be essential that all decisions regarding new renewable energy generation facilities take into consideration concerns about health and safety. The noise, vibration, glare, or other impacts from generation facilities shall be mitigated by developers to ensure that such impacts do not have an undue adverse impact upon neighboring properties. This includes any impacts that pertain from electric or magnetic fields, or from construction activities associated with the facility.
(Regional Plan at p. 46)

The Project proposes to use non-reflective solar panels to avoid and reduce glare to the surrounding area and will not result in significant sound levels at the closest residence, as described further in the testimony of Taegen Kopfler.

Goal 8 of this section is to “[i]ncrease the renewable energy generation capacity in the Northwest region to include an additional 208.5 MW of new solar generation capacity...” (Regional Energy Plan at p. 47). One of the strategies listed for Goal 8 is to “Support the creation of incentives for locating new renewable energy generation facilities within a half-mile of three-phase distribution line or electric transmission line infrastructure. Ensure new transmission lines and three-phase power lines associated with renewable energy projects do not create forest fragmentation or have an undue adverse impact on necessary wildlife habitats, ecological systems, and water and/or air quality” (Regional Energy Plan at p. 47). Upgrades necessary for the Project’s interconnection to the electric grid will largely involve reconductoring of an existing roadside distribution line and will not result in forest fragmentation or have an undue adverse impact on necessary wildlife habits, ecological systems, and water and/or air quality, as demonstrated in Adam Crary’s prefiled testimony and associated exhibits.

Under implementation for Electricity Generation, the Regional Energy Plan states

In recent Certificate of Public Good proceedings, the Public Service Board has frequently found that municipalities and regional planning commissions have not had language, or maps, that have provided for “land conservation measures” that are specific and/or well-reasoned enough to have a real impact on the siting of renewable generation facilities through the Certificate of Public Good process. Through the creation of the following regional energy generation maps, the NRPC is planning for the development of additional renewable generation facilities in the region (using the LEAP model targets as a basis of conversation) and providing for clarity regarding regional land conservation measures and specific policies.

The NRPC has developed renewable energy generation maps for four renewable energy resources: solar, wind, hydro, and biomass. The following subsection provides a basic explanation of how the maps were created and how they are intended to be used and/or integrated into the Northwest Regional Plan. This is followed by subsections explaining the intent behind the maps of each renewable energy resource.
(Regional Energy Plan at p. 48)

The NRPC used GIS data to identify conservation resources to protect from development. These resources were categorized as ‘Known’ and ‘Possible’ constraints.

Known constraints are conservation resources that shall be protected from all future development of renewable generation facilities. Possible constraints are conservation resources that the NRPC intends to protect, to some extent, from the development of renewable generation facilities. The presence of possible constraints on a parcel does not necessarily preclude the siting of renewable generation facilities on a site. Siting in these locations could occur if impacts to the affected possible constraints are mitigated, preferably on-site.
(Regional Energy Plan at p. 49)

The same section continues to state that:

It should be noted that the energy generation maps are based on the best available geographic data. They are macro-scale maps meant to guide the development of renewable generation facilities. The NRPC expects that some applicants or parties will be able to provide on-site information that is more accurate regarding the presence of known and/or possible constraints.

(Regional Energy Plan at pg. 49)

A detailed explanation of these constraints are provided in the Regional Energy Plan's Appendix B, Energy Resource Mapping, which includes a detailed break-down of constraints used for each of the maps. For the Solar Generation Maps, this includes State Known Constraints, Regionally Identified Critical Resources (Regional Known Constraints), State Possible Constraints, and Regionally Identified Resources (Regional Possible Constraints). Appendix B also explains that "The NRPC conducted an analysis of municipal conservation land use area... The intent of the analysis was to see if the conservation land use areas contained language that restricted future development" (Regional Energy Plan at p. 80). Municipal conservation areas were divided into two categories, 'Strongly Deters', which are considered a 'Known Constraint' or 'Deters', which is considered a possible constraint. Within the Town of St. Albans, the Town's Conservation District is categorized as 'Strongly Deters' (Regional Energy Plan at pgs. 80-81). Importantly, the Project is not within the Town's Conservation District.

Utilizing information identified as known and/or possible constraints, the NRPC created maps that identify locations for the potential development of renewable energy generation. The Solar Generation Map, provided in the Regional Energy Plan's Appendix C, identifies preferred locations for siting solar generation facilities, categorized as either Prime Solar/No Known Constraints or Base Solar/Possible Constraints. Based on the Solar Generation Map, the Project appears to be located in a location categorized as "Base Solar." Although not specified on the Solar Generation Map, it is likely that the possible constraint for the Project site is related to prime agricultural soils. The Project will have limited impact to prime agricultural soils, but these impacts will not be unduly adverse. For further details on primary agricultural soils, please refer to Stephanie Wyman's prefiled testimony.

In sum, the Regional Plan contains no land conservation measures or specific policies for the Project parcel. The Project complies with the Regional Plan's general goals and policies identified above. The Project also gives substantial deference to the duly adopted regional plan that has received an affirmative determination of energy compliance under 24 V.S.A. § 4352.

C. Town Plan

The Town Plan includes goals to protect soil quality, including to "encourage the responsible management of all agricultural soils in an effort to protect and preserve these soils for continued agricultural use, particularly in land use districts that are intended to retain a rural and agriculture-based character" (Town Plan at p. 34).

Regarding land use, the Town Plan includes Land Use and Energy statements to protect and preserve rural character and resources, while also including the goal to "[m]ake efficient use of energy, provide for the development of sustainable energy sources, and reduce emissions of greenhouse gases" (Town Plan at p. 47).

However, the Town Plan contains no land conservation measures or specific policies that pertain to the Project site. The Town presents a policy to "[m]aintain the Conservation District with our Unified Development Bylaws as an area that helps protect and restore floodplains, upland forestland, and to meet the requirements of state law" (Town Plan at p. 62). However, the Project is clearly not located within the Conservation land use area as shown on the Future Land Use Map (Map 3.2, Town Plan at p. 23). Lastly, the Town Plan includes a "Priority Goal" for Land Use to

“[c]ontinue to encourage new development in a manner that will promote the public health, safety, prosperity, convenience, efficiency, and the economy of St. Albans” (Town Plan at p. 69).

The proposed Project will help diversify the Town’s energy portfolio while meeting goals and policies that encourage economic development and promoting development of facilities that are stable and compatible with other uses in the immediate area. The Project involves limited reduction in agricultural land for the life of the Project, after which it will return to potential agricultural use, and is not in a scenic location or area specifically planned for conservation. Furthermore, impacts to primary agricultural soils will be mitigated, as described in Ms. Wyman’s materials. The Project utilizes existing electric facilities along Dunsmore Road, avoids causing a burden to other town services, and is located in close proximity to another solar generation facility. For these reasons, the Project is consistent with the policy goals of the Town Plan.

D. Summary of Orderly Development Analysis

Overall, the Regional Plan, Regional Energy Plan, and Town Plan do not identify the Project area as having specific limitations, planned conservation measures, or being unsuitable for solar development. No land conservation measures were found in these documents that would be affected by the Project.

Giving due deference to the recommendations and land conservation measures identified in the Town Plan, and substantial deference to the recommendations and land conservation measures in the Regional Plan and Regional Energy Plan, based on this review, the Dunsmore Solar Project **will not** unduly interfere with the orderly development of the region.