

1 **Q1. Please state your name, occupation, and business address.**

2 A1. My name is Lucy Thayer. I am a licensed landscape architect for Bowman Consulting
3 Ltd., a national engineering, design, and environmental consulting firm with our office
4 located at 478 Blair Park Road, in Williston, Vermont.

5
6 **Q2. Please describe your background and qualifications.**

7 A2. I am a licensed landscape architect in the State of Vermont (Registration #125.0133722).
8 I earned a Bachelor of Science in Landscape Architecture from Cornell University in
9 2011 and an AAS in Landscape Development and Ornamental Horticulture from
10 Vermont Technical College in 2008. I have been employed by Bowman since May 2019,
11 where I practice site planning and design, construction documentation, and aesthetic
12 reviews. My resume is attached as *Exhibit N2S-LT-1*.

13

14 **Q3. What is the purpose of your testimony?**

15 A3. The purpose of my testimony is to describe the work that I have conducted regarding the
16 proposed Novus 242 Solar Project (the “Project”), introduce the Aesthetic Assessment
17 and Orderly Development Report that I prepared regarding the Project (submitted as
18 *Exhibit N2S-LT-2*), and provide my opinion regarding the Project’s compliance with the
19 requirements of Section 248 with regard to aesthetics (§ 248(b)(5)) and orderly
20 development of the region (§ 248(b)(1)).

21

22 **Q4. Have you previously testified before the Public Utility Commission?**

1 A4. Yes. I have provided prefiled testimony, affidavits, and/or exhibits on behalf of a number
2 of projects, including recent cases such as Novus 242 Solar (Case No. 24-3725-NM),
3 Novus Websterville Solar (24-3718-NM), and Novus Brandon Solar (24-3677-NM).

4
5 **Q5. Please describe the work you have done for this Project.**

6 A5. To evaluate potential aesthetic impacts due to the proposed 3.75 megawatt (MW) solar
7 electric generation project, I performed visual and viewshed analyses, conducted a
8 desktop review and field study, and undertook document research and review. This work
9 is described in more detail in the aesthetics assessment and orderly development report.

10 *Exhibit N2S-LT-2.*

11
12 **Q6. What other information is in your aesthetics report?**

13 A6. The aesthetics assessment report includes a photographic inventory of views from the
14 field investigation of potential visibility and an analysis of the Project's potential impacts
15 with respect to aesthetics using the so-called Quechee Analysis. *Exhibit N2S-LT-2.*

16
17 **Q7. Please briefly describe the Project site and the surrounding area.**

18 A7. The Project site is located on a portion of the Project parcel that was previously disturbed
19 as part of an ongoing sand and gravel extraction operation. This past land-use is evident
20 on the site, and the land interior to the Project parcel is lower (from extraction activities)
21 and bordered by dense wooded areas on all sides. The lands surrounding the Project site
22 are primarily undeveloped, largely forested and mountainous, with some development in

1 the surrounding area that includes Jay Peak resort, small commercial development on
2 Vermont Route 242 and residential.

3
4 **SECTION 248 CRITERIA**

5 **Aesthetics (Visual) – 30 V.S.A. § 248(b)(5)**

6 **Q8. Please describe the nature of the Project’s viewshed.**

7 A8. My findings and conclusions regarding aesthetics are documented in a report with several
8 figures. The report is submitted in this proceeding as *Exhibit N2S-LT-2*. As detailed in
9 my report, the Project will not be visible from public roads. Limited partial and buffered
10 visibility of the Project is expected during leaf-off conditions from two residences north
11 of the Project site off the private drive Mountain Road. For further details, see *Exhibit*
12 *N2S-LT-2*.

13
14 **Q9. Will the Project have an undue adverse effect on aesthetics or the scenic or natural**
15 **beauty of the area?**

16 A9. No. As described in the analysis and conclusion that is included in my report, *Exhibit*
17 *N2S-LT-2*, the Project will not have an adverse impact to the visual or scenic quality of
18 the area. Visibility of the Project is highly limited, and the Project is sited on a previously
19 disturbed area that qualifies as a “preferred area” under the Jay Town Plan. As such, the
20 Project will not have an adverse impact on the aesthetics and scenic and natural beauty of
21 the area.

22

1 Even if the Project was determined to have an adverse aesthetic impact, it would not rise
2 to the level of an undue adverse effect on aesthetics or the scenic or natural beauty of the
3 area under the second prong of the Quechee Test. The Project would not violate any
4 clearly written community standard in the Town or Regional Plan intended to preserve
5 the aesthetics or scenic beauty of the area. The Project is not part of the Town's open
6 space resources, and there are no goals, policies or recommendations that the proposed
7 Project would clearly violate in either the Town or Regional plan with regard to orderly
8 development. Finally, the Project would not offend the sensibilities of the average
9 person. The Project would not be offensive or shocking because it does not have
10 extensive visibility from public locations and would not appear significantly out of
11 character with its surroundings or significantly diminish the scenic qualities of the area in
12 which it is proposed. See *Exhibit N2S-LT-2*.

13
14 **Orderly Development – 30 V.S.A. § 248(b)(1)**

15 **Q10. Will the Project unduly interfere with the orderly development of the region?**

16 A10. No, as further discussed in *Exhibit N2S-LT-2*, the Project will not unduly interfere with
17 the orderly development of the region. Having reviewed the town and regional plans and
18 documents and applying the standards of due consideration to the Town Plan and
19 substantial deference to the enhanced Regional Energy Plan, I conclude that the Project
20 does not conflict with any land conservation measures or other applicable provisions in
21 the Town or Regional Plans and will not unduly interfere with the orderly development of
22 the region. No land conservation measures were found in these documents that would be
23 affected by the Project. The siting of the Project is consistent with the character and

1 planned use at the Project site without impacting areas prioritized for conservation or
2 protection, and the Project will help meet energy goals outlined in Vermont’s
3 Comprehensive Energy Plan.

4
5 **Q11. Does the Jay Town Plan contain any land conservation measures or specific policies**
6 **that are specific to the Project site or surrounding area, and if so, does the Project**
7 **comply with such provisions?**

8 *A11.* No. There are no specific land conservation measures in the Jay Town Plan that would
9 be affected by the Project, and the Project is not located in protected or otherwise
10 described conservation areas or open space. *See Exhibit N2S-LT-2.*

11
12 **Q12. Does the Regional Plan contain land conservation measures or specific policies**
13 **regarding the orderly development of the region that are specific to the Project site**
14 **or surrounding area, and if so, does the Project comply with such provisions?**

15 *A12.* No, the Regional Plan does not contain any specific land conservation measures or
16 policies that would be affected by the Project. The Project is located within an area
17 mapped as “Prime Solar” with “possible state constraints;” it is not located in protected or
18 otherwise described conservation areas or open space and will avoid undue adverse
19 impacts to significant natural communities and sites. *See Exhibits N2S-AB-2; N2S-LT-*
20 *2; N2S-DB-2.*

21

1 **Q13. Has the Town of Jay adopted a municipal bylaw under 24 V.S.A. § 4414(15) or a**
2 **municipal ordinance under 24 V.S.A. § 2291(28) containing screening requirements**
3 **that apply to a ground-mounted solar electric generation facility?**

4 A13. No, based upon available information we have not found any municipal bylaw or
5 ordinance adopted by the Town that contains solar screening requirements. The Town
6 Plan references a solar screening ordinance, but the Town Zoning Administrator
7 confirmed that the Town of Jay does not have a solar screening ordinance applicable to
8 the Project. *Exhibit N2S-LT-2 and Exhibit N2S-LT-2, Appendix C.*

9

10 **Q14. Does this conclude your testimony at this time?**

11 A14. Yes, it does.