

**STATE OF VERMONT
PUBLIC UTILITY COMMISSION**

Petition of Northland Solar LLC for a Certificate of Public Good, pursuant to 30 V.S.A. § 248, authorizing the installation and operation of a 4.999 MW solar electric generation facility off Route 100 in Lowell, Vermont to be known as the “Northland Solar Project”

Case No. 25-2346

DIRECT PREFILED TESTIMONY
of
BYRON DOLAN
on Behalf of the Lowell Cemetery Association

13 March 2026

Exhibits:

BD-1 – photos of viewpoints from Lowell Cemetery

Summary:

Mr. Dolan’s testimony on behalf of the Lowell Cemetery Association addresses aesthetic impact under 30 VSA §248(b)(5) and 10 VSA §6086(a)(8) and the general good of the state.

Prefiled Testimony of Byron Dolan

1 **Q.1 Please identify yourselves by full legal name, occupation, and business address.**

2 **A.1** My name is Byron Dolan. I am President of the Lowell Cemetery Association, a Vermont
3 nonprofit association with a business address of 6777 Vermont Route 100, Lowell, Vermont.

4

5 **Q.2 Please describe the Lowell Cemetery Association.**

6 **A.2** The Lowell Cemetery Association, founded in 1915, is a private nonprofit corporation in
7 good standing with the Vermont Secretary of State. The Association is composed of four officers
8 and five directors, all residents of Lowell, with the mission to manage, maintain, beautify, and
9 protect Mountain View Cemetery in Lowell.

10

11 **Q.3 Please describe the Mountain View Cemetery and its role in the community.**

12 **A.3** The cemetery is about 4 1/2 acres located near the proposed Northland Solar project on the
13 north side of Route 58 approximately 100 yards east of the intersection of Routes 100 and 58. It
14 was established shortly after the founding of Lowell in 1812 and is the final resting place for
15 many generations of Lowell residents, residents from the surrounding area, and nearly a hundred
16 veterans. The cemetery is regarded by many a particularly scenic location of historical and
17 family significance.

18

19 **Q.4 Has Northland Solar contacted the Lowell Cemetery Association in regard to impacts
20 on the Mountain View Cemetery?**

21

22 **A.4** Northland Solar never contacted the Association about the planned solar array though their
23 testimony (NS-JO-2, pg 4) states the solar array will be in view from the cemetery.

1 Consequently, the Association did not become aware of the developer's plans until late October
2 so the Association with a limited budget and a volunteer Board has been playing catch-up ever
3 since in order to better understand the solar array's impact on the cemetery. It seems that in
4 consideration of the special role cemeteries have in a community that an organization purporting
5 to want to work with the community would have contacted the Association.

6
7
8
9

Q.5 Does Northland Solar's testimony accurately reflect the impact of the proposed project on the Mountain View Cemetery?

10 **A.5** The Association believes Northland Solar's aesthetic analysis (NS-JO-2, pg 4 and Appendix
11 B, Viewpoint 10) minimizes the visual impact of the solar array on the cemetery. Jeremy Owens
12 of T.J. Boyle Associates analysis contains at least one factual error and other assertions that we
13 believe misrepresent the situation. Please see *Exhibit BD-1*.

14 1) Owens states that the cemetery property is approximately 375' southwest of the nearest
15 proposed array structure. In fact, the distance from the cemetery property line to the
16 property line of the proposed solar site is at least 425', a fairly substantial difference, one
17 that is easily verified and raises questions about how carefully the assessment was
18 performed.

19 2) Owens' report also states that the cemetery is separated from the project parcel by
20 "other properties that include an agricultural field and a commercial property" suggesting
21 the view from the cemetery to the solar array is separated and screened by multiple
22 properties. This is incorrect. The view of the proposed array from the cemetery is
23 separated by a single property - the agricultural field. Although there is a commercial

1 property adjacent to the cemetery, it is not in the sightline from the cemetery to the
2 proposed solar array.

3 3) The aesthetic assessment states that "views of the proposed array structures will be
4 possible to the northwest", but will typically be screened by an intervening hedgerow and
5 a 7-foot fence. The sparse hedgerow is comprised of a few cherry trees and low lying
6 brush, and due to the topography, a 7-foot fence will not shield the array. And while the
7 site plan shows minimal tree plantings to shield the array from nearby residences, there
8 are no such plantings in the sightline between the cemetery and the array. We believe the
9 photos in the exhibit accompanying this testimony better represent the views of the
10 proposed array from the cemetery. Also, note that the clearest views of the array from the
11 cemetery are from the newest, most active and visited section of the cemetery.

12 4) The aesthetic analysis makes the statement in "Quechee Test Part I (NS-JO-2, pg 6)
13 "This review of potential aesthetic impacts finds that the proposed Project would have
14 visibility from a scenic public road in the study area (Vermont Route 100), as well as
15 from nearby town-owned buildings, with minor to no visibility expected from other
16 publicly accessible locations." Mountain View Cemetery is open to the public and will
17 have a commanding view of the proposed solar array.

18 5) The "Quechee Test Part II" section (NS-JO-2, pg 11) of the analysis states "Any
19 visibility of the Project from private residences will be in the context of existing views of
20 two electrical substations and a transmission line, and will screened [sic] and softened by
21 both existing and proposed intervening vegetation." The electrical substations are not
22 visible from the cemetery whatsoever, nor are they visible from most of the affected

1 adjoining private property owners. Furthermore, since the proposed site is an agricultural
2 field, not an industrial zone, the argument that the array location is justified by a
3 preexisting electrical substation seems specious.

4
5 **Q.6 How does the present Northland Solar application reflect prior experience of your**
6 **Town with PUC proceedings?**

7
8 **A.6** Northland Solar has been investigating the proposed site for nearly two years, and while they
9 may have complied with reporting requirements and notification deadlines, it is the cemetery
10 Association's experience that they concealed their plans, likely to limit community involvement
11 and criticism about a project of the proposed size located on the very edge of Lowell village in
12 clear view of the school, town office, several residences and Mountain View Cemetery.
13 Anticipating the outcome, one of Lowell's few businesses, a B&B and flower farm adjoining the
14 proposed site and the cemetery has already sold and the owners have moved out of Lowell.
15 Northland Solar's actions suggest they are well aware of the unsuitability of the site located on
16 prime agricultural land and in sharp contrast to the solar sites featured on Northland Solar's
17 parent company's (MHG) website, which describes their solar projects as "repurposed slate piles,
18 gravel pits, landfills and industrial lands."

19 Lowell has been through a similar controversy before when Green Mountain Power
20 proposed the development of Kingdom Community Wind, now located on the ridgeline of the
21 Lowell Mountains. Lowell functions with a volunteer governing board and is financially
22 unprepared to confront powerful organizations and their attorneys. It has proven to be fertile
23 ground for experienced developers and their attorneys promoting controversial projects. The
24 Association understands that the developer will act in their self-interest, which is why we ask the

1 Public Utility Commission to take a more balanced view to protect the interests of the Lowell
2 community. While many in Lowell support solar development, the location of the proposed
3 Northland Solar project is felt by many, if not most, to be unsuitable.

4
5 **Q.7 If the solar array is constructed, what impact will that have on the atmosphere and**
6 **aesthetics of the cemetery, and on the experience of your community members as they visit**
7 **loved ones or historic gravesites in the cemetery?**

8
9 **A.7** At least five generations of my family are interred in Mountain View Cemetery. My parents,
10 my sisters, my paternal and maternal grandparents, numerous aunts, uncles, cousins and myself
11 have burial plots in the section of the cemetery most affected by the proposed solar installation.
12 Many residents of Lowell can say the same. *See Exhibit BD-1.*

13 Lowell can be a challenging place to live, located midway between Newport to the north
14 and Morrisville to the south, and bordered by mountains to the east and west. Residents commute
15 long distances to jobs or make a living locally from the land and hard labor. Lowell students
16 travel over an hour each way to attend high school. Nevertheless, many stay or return after an
17 absence to make their homes and raise families. Lowell's mountains, woodlands and fields
18 maintain a hold on many born and bred and attract hardy new comers.

19 Lowell's rural character is its hallmark, and Mountain View Cemetery is part of it, deeply
20 ingrained in the community, connecting families, tradition and roots. With its views, 150-year-
21 old sugar maples, and pastoral setting, it's where residents and visitors can connect to their past
22 and be reminded why they have chosen this place, betwixt and between. This is the "context"
23 which PUC Hearing Officer Gregg Faber said he was seeking during his site visit. An industrial
24 solar installation on the edge of the Lowell community within plain site of Mountain View

1 Cemetery will appear a blight, both shocking and offensive, to all who live here, and it will
2 damage the "context" we call home.

3
4 **Q.8 What action is the Lowell Cemetery Association requesting that the PUC take?**

5
6 **A.8** The Lowell Cemetery Association is requesting that the PUC deny the CPG for the project,
7 due to the aesthetic impacts described here, as well as in the testimony of the Town of Lowell
8 and other intervenors in the case. If the PUC nevertheless grants the CPG, the Lowell Cemetery
9 Association requests that the PUC order Northland Solar to engage in robust aesthetic mitigation
10 to minimize the impact to the Mountain View Cemetery; specifically, to work with the Lowell
11 Cemetery Association to develop an attractive, vibrant planting plan which will enhance rather
12 than detract from the experience of visitors to the cemetery. One effective way to do this may be
13 to have Northland Solar ordered to commit up to \$30,000 for the Lowell Cemetery Association
14 to hire a landscape architect to design, install and maintain suitable attractive plantings and
15 landscaping on the cemetery property.

16

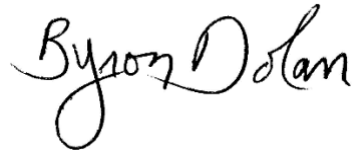
17 **Q.9 Does that conclude your testimony?**

18 **A.9** Yes.

DECLARATION OF BYRON DOLAN

1. I have provided pre-filed testimony and exhibits in the above-captioned matter.
2. I have personal knowledge of the information provided in my pre-filed testimony.
3. I am able to testify as to the validity of the information contained in my pre-filed testimony and exhibits.
4. I declare that the foregoing statements are true and accurate to the best of my knowledge and belief. I understand that if the above statement is false, I may be subject to sanctions by the Commission pursuant to 30 V.S.A. § 30.

Dated at Lowell Vermont this 13th day of March 2026.

A handwritten signature in black ink that reads "Byron Dolan". The signature is written in a cursive style with a large, looping initial 'B'.

BYRON DOLAN