

Herb Durfee

From: Troy McBride <mcbride@norwichtech.com>
Sent: Tuesday, July 27, 2021 11:33 AM
To: Rod Francis
Cc: Herb Durfee; Martha Staskus; Ryan Darlow; Hannah Boudreau
Subject: Re: Preferred siting meeting request for potential solar project
Attachments: 20210713 Norwich Solar Packet-a supplement compressed.pdf

Hello Herb, (Rod), *[resending with compressed pdf because last email bounced due to file size]*

We had a good meeting with the Norwich Planning Commission on Tuesday July 13. We very much appreciate the review by Rod and the Planning Commission. Attached is the presentation we provided to the Planning Commission in addition to the other materials we earlier provided in this email chain.

It would be great to schedule a presentation with the Selectboard when we can fit on the agenda. Please let me know if you have any questions or need any additional information.

Best,
Troy



Troy McBride
| Norwich Solar Technologies
| cell: 802-738-8059
| email: mcbride@norwichtsolar.com
| site: norwichtsolar.com
| address: 15 Railroad Row, WRJ, VT 05001



On Tue, Jul 27, 2021 at 11:28 AM Troy McBride <mcbride@norwichtech.com> wrote:
Hello Herb, (Rod),

We had a good meeting with the Norwich Planning Commission on Tuesday July 13. We very much appreciate the review by Rod and the Planning Commission. Attached is the presentation we provided to the Planning Commission in addition to the other materials we earlier provided in this email chain.

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| address: 15 Railroad Row, WRJ, VT 05001



On Wed, Jun 30, 2021 at 4:34 PM Rod Francis <norwichvtplanner@gmail.com> wrote:

Hello Troy,

The next PC meeting is July 13, 2021 before I discuss this with the PC Chair would you be able to make a presentation (via Zoom) at that meeting?

Also, will you be having a formal visual impact assessment undertaken? If so, when will that be completed?

Thanks,

Rod

--

Rod Francis
Director, Planning & Zoning
Town of Norwich, VT
On 6/29/2021 4:24 PM, Troy McBride wrote:

Hello Rod, Herb,

Norwich Solar Technologies is assessing a site for the installation of a ground mounted community solar project off Upper Loveland Rd under the Vermont Net Metering program. We would like to discuss this project with you and, at an upcoming meeting, present the project to the Planning Commission and Selectboard. This potential project is near the cell tower and transmission lines above Upper Loveland Road. The proposed site is in the Ridgeline Protection Overlay. Our analysis shows that we would not have an impact on the Ridgeline viewshed from all public roads and Norwich homes. We are requesting a "preferred siting" letter from Norwich Planning Commission and Selectboard. More information on the proposed project is attached.

We have sent letters to neighbors to the proposed parcel (also attached). We did not receive much feedback on this potential project, however, the feedback we did receive was positive about the potential solar project and continued land use.

I look forward to discussing with you at your convenience.

Best,
Troy



Troy McBride

| **Norwich Solar Technologies**

| cell: [802-738-8059](tel:802-738-8059)

| email: mcbride@norwichsolar.com

| site: norwichsolar.com

| address: 15 Railroad Row, WRJ, VT 05001



TO: Planning Commission
FROM: Rod Francis, Planning Director
RE: Solar Generation Project "Preferred Site" Status review, Upper Loveland RD
DATE: July 3, 2021

Background

The 2020 Town Plan Energy Chapter contains Policy 3.2.h:

For solar generation projects sized from 15kW to 500kW the presumption is that all of Norwich meets the Public Utility Commission definition of 'preferred site', notwithstanding the existing areas of local concern including the Ridgeline Protection Overlay Area and the historic village district as identified in the Norwich Land Use Regulations

The subject site is located in the Ridgeline Protection Overlay Area, and therefore does not automatically qualify as a preferred site.

Process

Under such circumstances the following process is available to applicants:

1. Applicant presents materials for review to the Planning Commission requesting a "letter of support" for the project (effectively a conclusion that the project as described does not pose a material conflict with the purpose of the Ridgeline Protection Overlay District)
2. Planning Commission votes on a motion recommending the Selectboard provide a letter of support
3. Applicant presents to the Selectboard, which votes on a motion to provide a letter of support (drafted by the Planning Director)

Standard of Review:

The Ridgeline Protection Overlay (RPO) District Overlay is described on page 28 of the Norwich Zoning Regulations (NZR) as adopted July 1, 2009.

(A) **Purpose.** The purpose of the Ridgeline Protection Overlay District is to protect Norwich's rural character and scenic landscape by ensuring that development is located and designed in a manner that protects the uninterrupted skyline and minimizes adverse visual impact on designated ridgelines and adjacent slopes as viewed from public roads (Class 1, 2 and 3 town highways, state highways and interstate highways within the town).

The NZR addresses natural and scenic features in Section 3.13 (page 43). The standard described is "minimize adverse impact of development on significant natural, scenic, and cultural resources" and more specifically:

(3) **Scenic Resources.** Development shall be *located and configured to avoid undue adverse impacts to scenic resources* identified on maps created in conjunction with the document entitled Inventory of Scenic Resources, prepared by the Scenic Resources Committee of the Norwich Conservation Commission and dated January 2000. (See Map C).

Development within view of scenic roads, as identified in the aforementioned planning documents, shall be designed to avoid undue adverse impact to the identified scenic resources. [emphasis added]

Attached is a map from the ANR Atlas for the subject site. The applicants have provided other materials for review addressing the possibility of visual impact.

Staff Findings:

1. Upper Loveland RD is not a designated 'scenic road'
2. The subject parcel is developed with a telecommunications tower and a high voltage power transmission line
3. There are no mapped wetlands, or other key natural or cultural resources
4. The site has an existing service road for the telecommunications tower, which traverses steep slopes
5. The location for the solar generation project on the parcel is not subject to steep slopes
6. The solar generation project does not cause an undue adverse visual impact to travelers on town, state or interstate highways.

Recommendation

Staff offers the following in the form of a proposed motion:

I move that the Planning Commission recommend to the Selectboard a letter of support be provided to Norwich Technologies for their proposed solar generation project on Upper Loveland Road.

Parcel boundary (yellow) and approximate location of proposed solar project (blue)

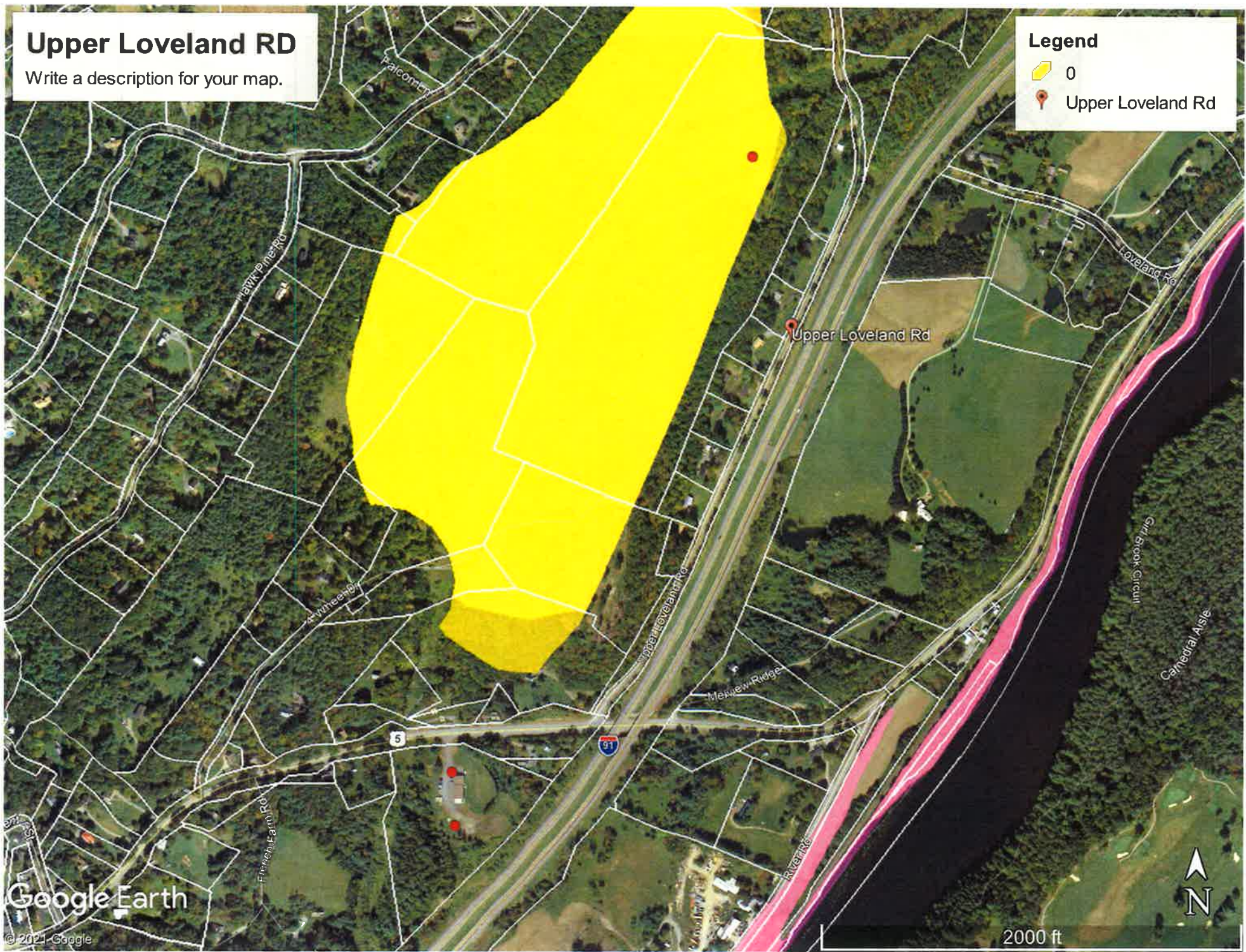


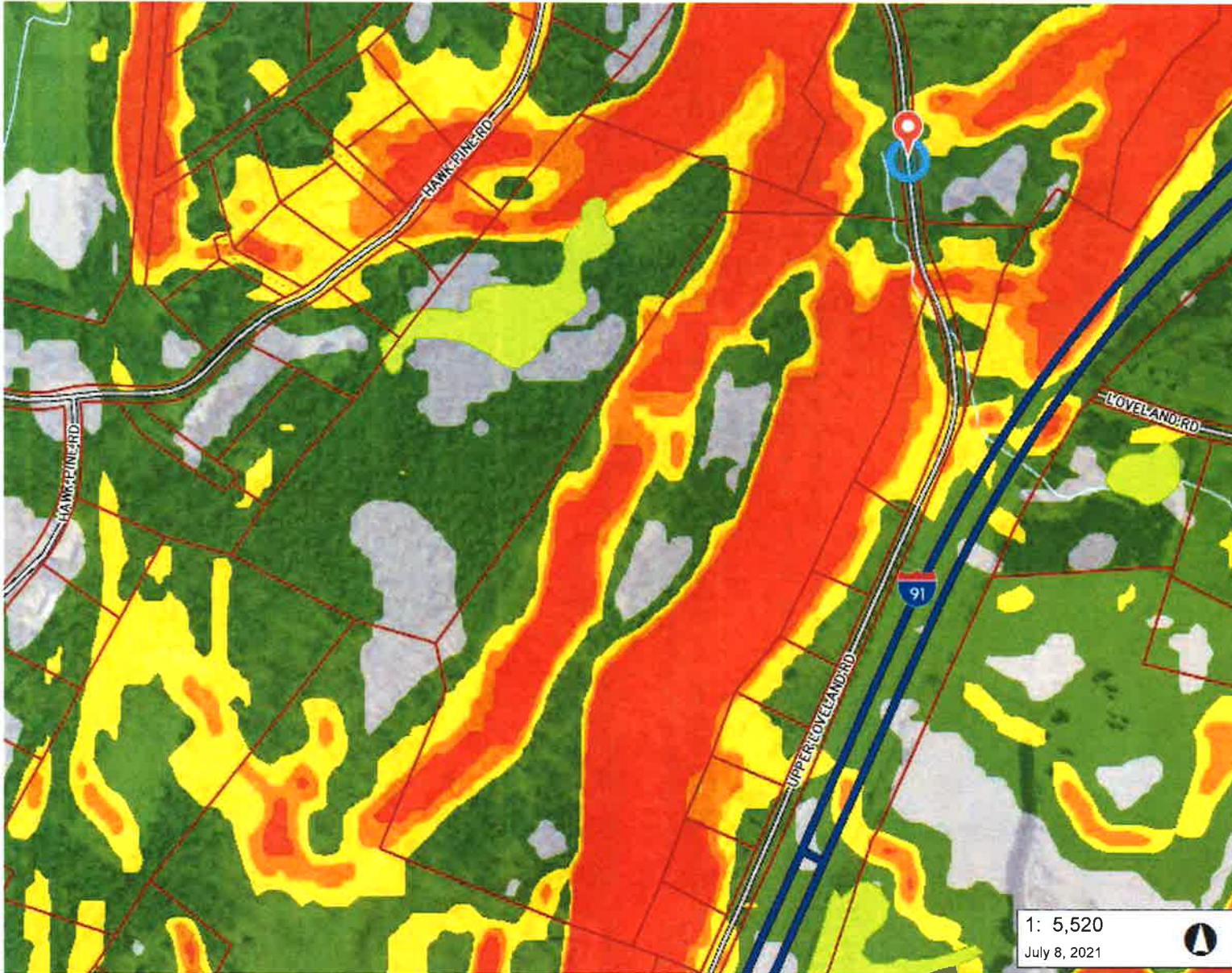
Upper Loveland RD

Write a description for your map.

Legend

-  0
-  Upper Loveland Rd





LEGEND

- Wetlands Advisory Layer
- Parcels (standardized)
- Roads
 - Interstate
 - US Highway: 1
 - State Highway
 - Town Highway (Class 1)
 - Town Highway (Class 2,3)
 - Town Highway (Class 4)
 - State Forest Trail
 - National Forest Trail
 - Legal Trail
 - Private Road/Driveway
 - Proposed Roads
- Stream/River
 - Stream
 - Intermittent Stream
- Town Boundary
- Slope
 - <5%
 - 5-15%
 - 15-20%
 - 20-25%
 - >25%

1: 5,520
July 8, 2021



280.0 0 140.00 280.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere 1" = 460 Ft. 1cm = 55 Meters
© Vermont Agency of Natural Resources THIS MAP IS NOT TO BE USED FOR NAVIGATION

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

NOTES

Map created using ANR's Natural Resources Atlas

OVERVIEW OF PREFERRED SITING in VERMONT for SOLAR PROJECTS

CURRENT RULES

Starting in 2017, for proposed solar net metering sites in Vermont between 150 kW-AC and 500 kW-AC, the sites must be deemed “preferred” in order to participate in solar net metering. The 2017 Public Utilities Commission rules for net-meter projects are in part a response to public concerns about projects sited in opposition to town planning, so they include requirements for “preferred siting” to encourage projects that towns support, as well as solar projects on existing rooftops, parking lots, brownfields, gravel pits, and sites where 50% of the power is used onsite.

Please note that sites under 15 kW-AC (residential sized projects), the site does not need to be deemed preferred. For projects between 15 kW-AC and 150 kW-AC, projects may proceed without a preferred designation, but there is a steep financial dis-incentive. As such, any solar net metering projects between 15 kW-AC and 500 kW-AC, the site will need to be deemed “preferred” in order to participate in solar net metering.

500 kW-AC generates approximately enough energy to offset the electric bills of ~100 homes.

TOWN ROLE IN PREFERRED SITES

One category of preferred site is "A specific location designated in a duly adopted municipal plan... or identified in a joint letter of support from the municipal legislative body and municipal and regional planning commissions."

Well-sited solar projects in towns like Norwich, help the town achieve its goals for clean energy and contribute its proportionate share to statewide energy goals.

When willing landowners are ready to host such projects, with sites that work well on key factors, the Town will typically support the development.

Public Utilities Commission Rules on Preferred Sites for Net-Metered Solar Arrays

http://puc.vermont.gov/sites/psbnew/files/doc_library/5100-PUC-nm-effective-07-01-2017_0.pdf
http://puc.vermont.gov/sites/psbnew/files/doc_library/5100-PUC-nm-effective-07-01-2017_0.pdf

Rule 5.100 = Public Utilities Commission rule pertaining to construction and operation of net-metering systems

Section 5.103 = Definitions section of Rule 5.100

“Preferred Site” means one of the following:

- (1) A new or existing structure whose primary use is not the generation of electricity or providing support for the placement of equipment that generates electricity;
- (2) A parking lot canopy over a paved parking lot, provided that the location remains in use as a parking lot;
- (3) A tract previously developed for a use other than siting a plant on which a structure or impervious surface was lawfully in existence and use prior to July 1 of the year preceding the year in which an application for a certificate of public good under this Rule is filed. To qualify under this subdivision (3), the limits of disturbance of a proposed net-metering system must include either the existing structure or impervious surface and may not include any headwaters, streams, shorelines, floodways, rare and irreplaceable natural areas, necessary wildlife habitat, wetlands, endangered species, productive forestlands, or primary agricultural soils, all of which are as defined in 10 V.S.A. chapter 151;
- (4) Land certified by the Secretary of Natural Resources to be a brownfield site as defined under 10 V.S.A. § 6642;
- (5) A sanitary landfill as defined in 10 V.S.A. § 6602, provided that the Secretary of Natural Resources certifies that the land constitutes such a landfill and is suitable for the development of the plant;
- (6) The disturbed portion of a gravel pit, quarry, or similar site for the extraction of a mineral resource that was in lawful operation on January 1, 2017, provided that all activities pertaining to site reclamation required by applicable law or permit condition are completed prior to the installation of the plant;
- (7) A specific location designated in a duly adopted municipal plan under 24 V.S.A. FINAL PROPOSED RULE Vermont Rule 5.100 16P-062 Public Service Board Page 10 of 58 January 20, 2017 chapter 117 for the siting of a renewable energy plant or specific type or size of renewable energy plant, provided that the plant meets the siting criteria recommended in the plan for the location; or a specific location that is identified in a joint letter of support from the municipal legislative body and municipal and regional planning commissions in the community where the net-metering system will be located.
- (8) A site listed on the National Priorities List (NPL) established under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. chapter 103, if the U.S. Environmental Protection Agency or the Agency of Natural Resources confirms each of the following that the site is listed on the NPL;
- (9) On the same parcel as, or directly adjacent to, a customer that has been allocated more than 50 percent of the net-metering system’s electrical output. The allocation to the host customer may not be less than 50 percent during each of the first 10 years of the net-metering system’s operation.

Norwich Upper Loveland Solar Viewshed analysis

Array over the ridge behind these trees – near transmission line corridor



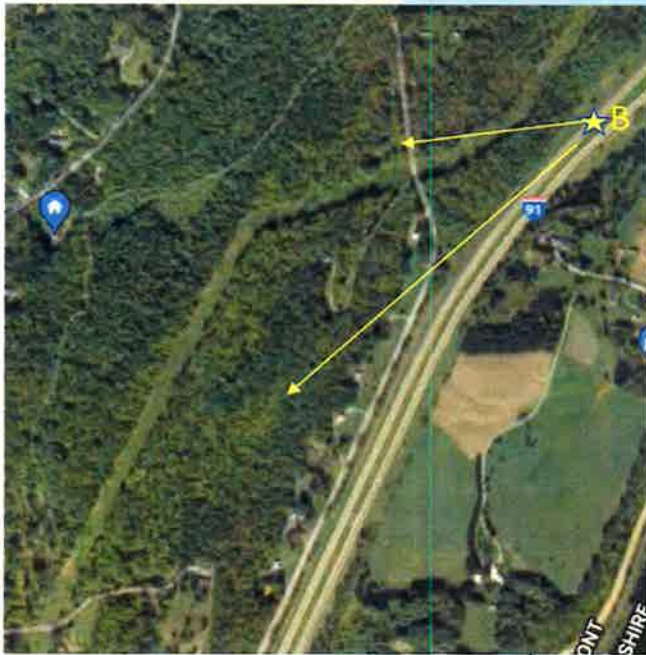
Norwich Upper Loveland Solar Viewshed analysis

Array over the ridge behind these trees – near transmission line corridor



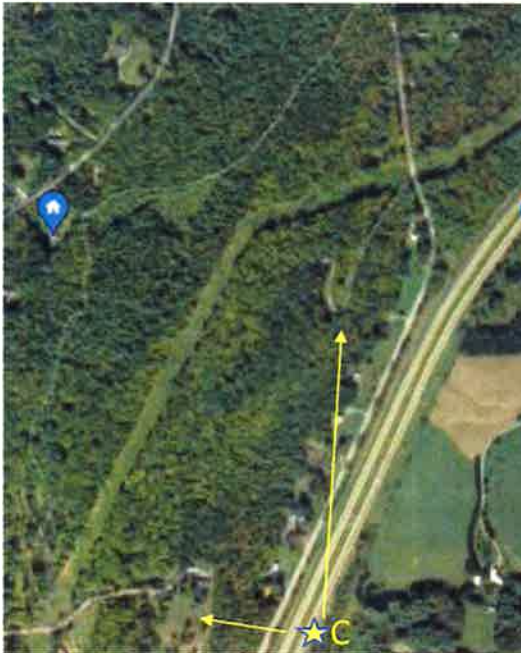
Norwich Upper Loveland Solar Viewshed analysis

Array over the ridge behind these trees – near transmission line corridor



Norwich Upper Loveland Solar Viewshed analysis

Array over the ridge behind these trees – near transmission line corridor



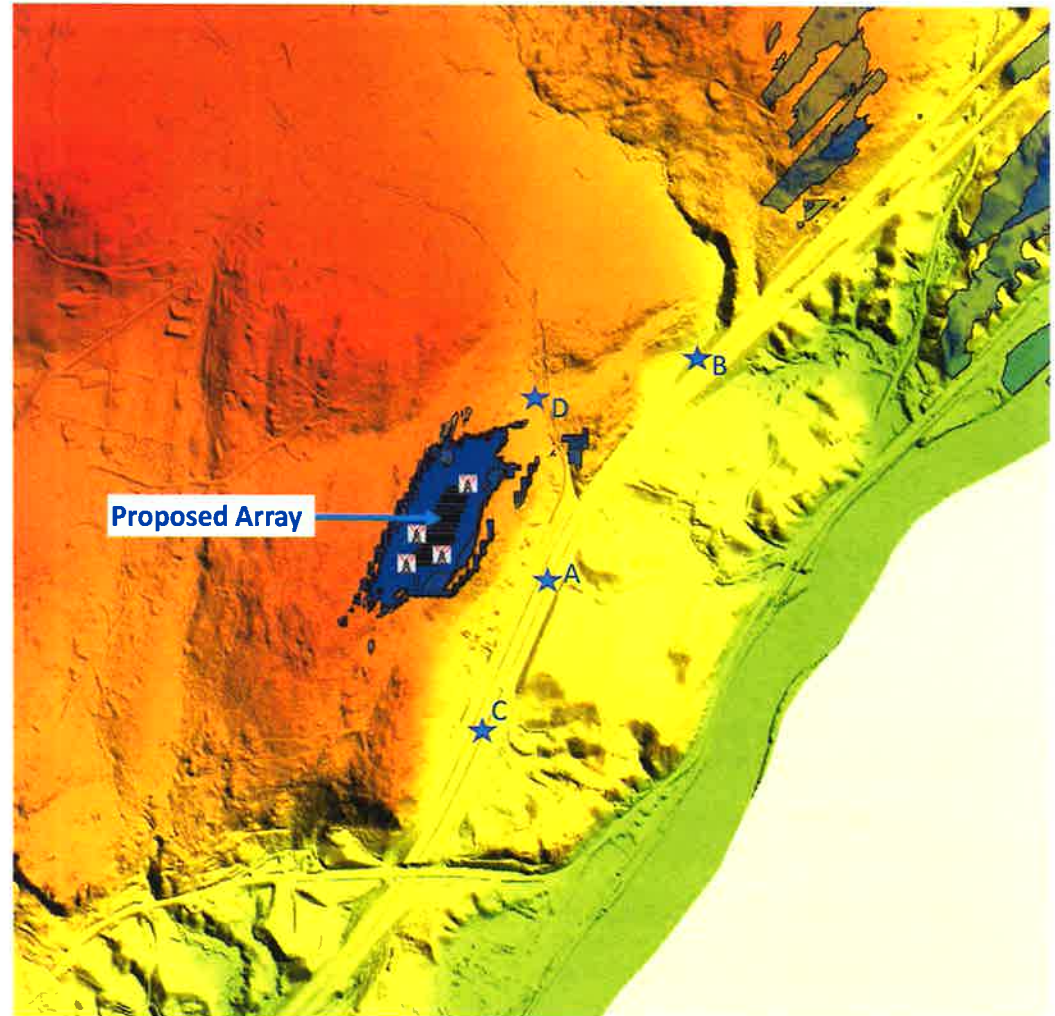
Norwich Upper Loveland Solar Viewshed analysis

Array over the ridge behind these trees – left of transmission line corridor



Viewshed Analysis for Norwich Upper Loveland Solar Proposed Project

- Viewshed analysis by Ryan Darlow
- Green/yellow/red colors are the digital elevation
- Blue colors are viewshed from the four corners of the solar project confirming that the viewshed area does not include any surrounding roads (or homes).
- Viewshed analysis includes existing vegetation that will be maintained around the project area
- Viewshed analysis does not include existing vegetation further from the project area (worst case scenario that others remove all other vegetation)

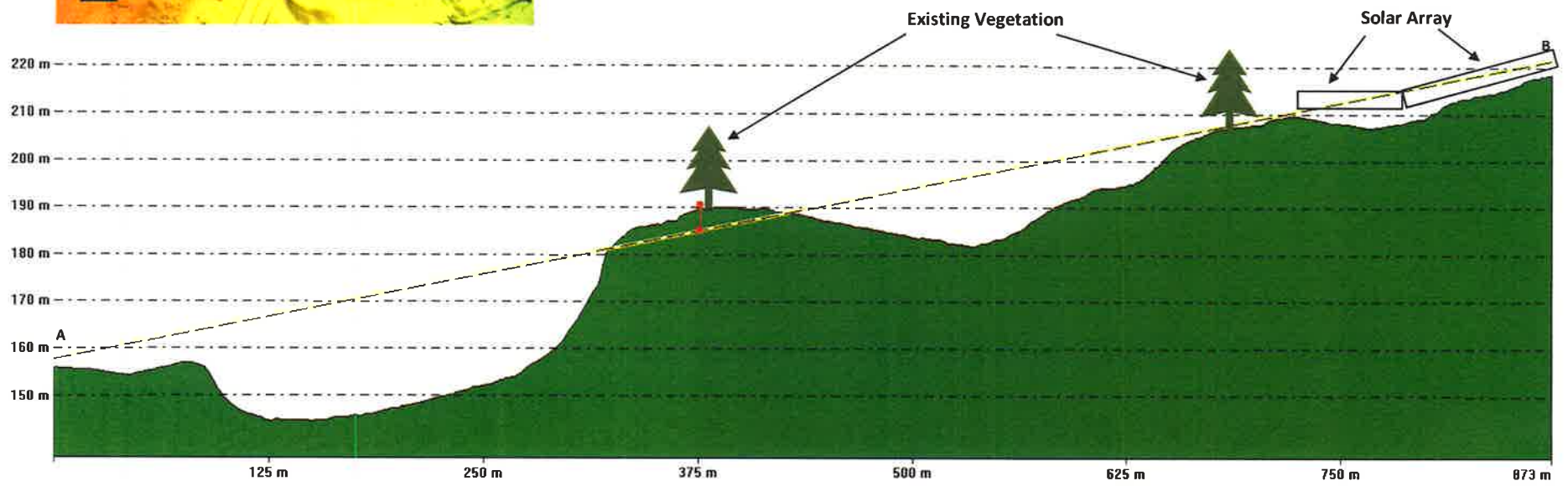
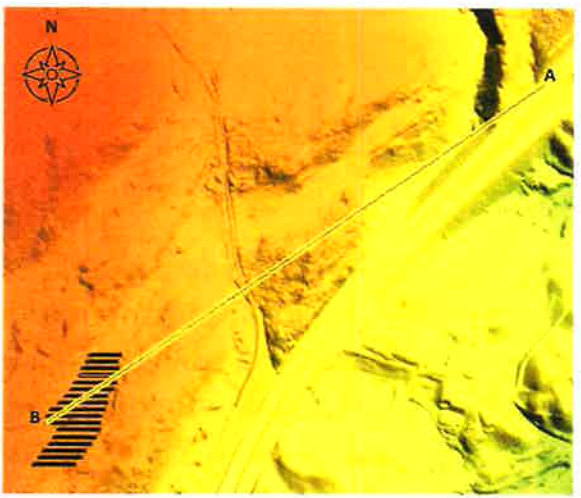


Interstate 91 South

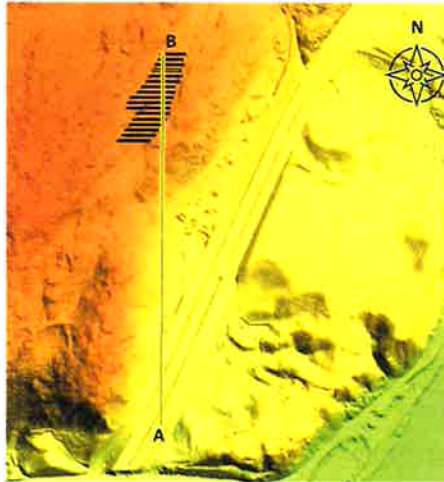
Line of sight (yellow dashed line 6ft above ground level)
From point "A" on named road to point "B" on opposite
end of the solar array conducted on bare earth

Existing vegetation and proposed solar array included
to estimated vertical scale

Top view shows path of line of sight and the array
overlaid on digital elevation model of surrounding area



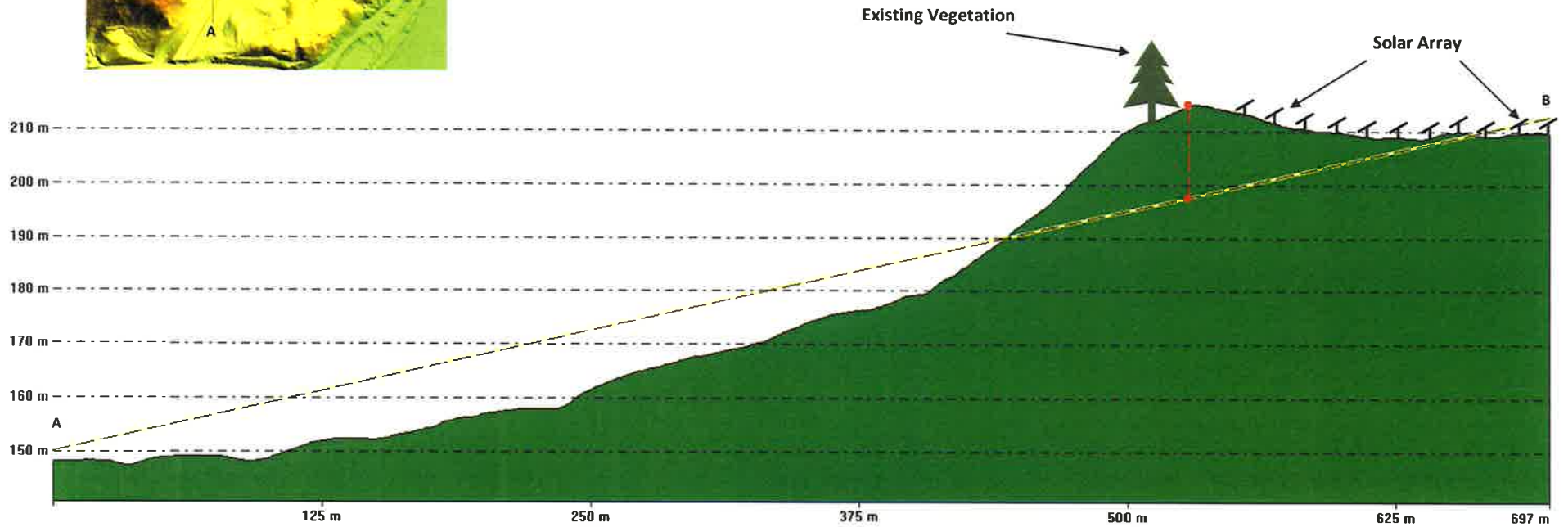
Interstate 91 North



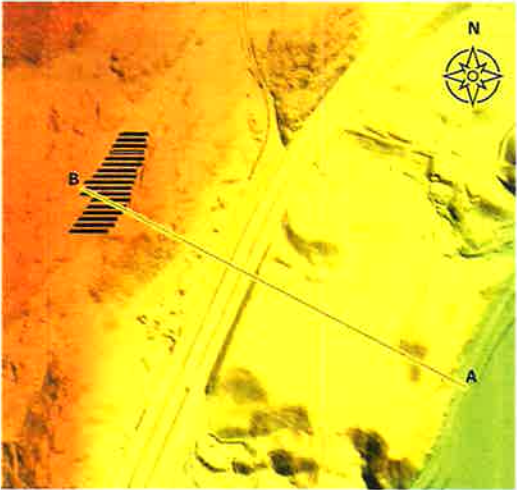
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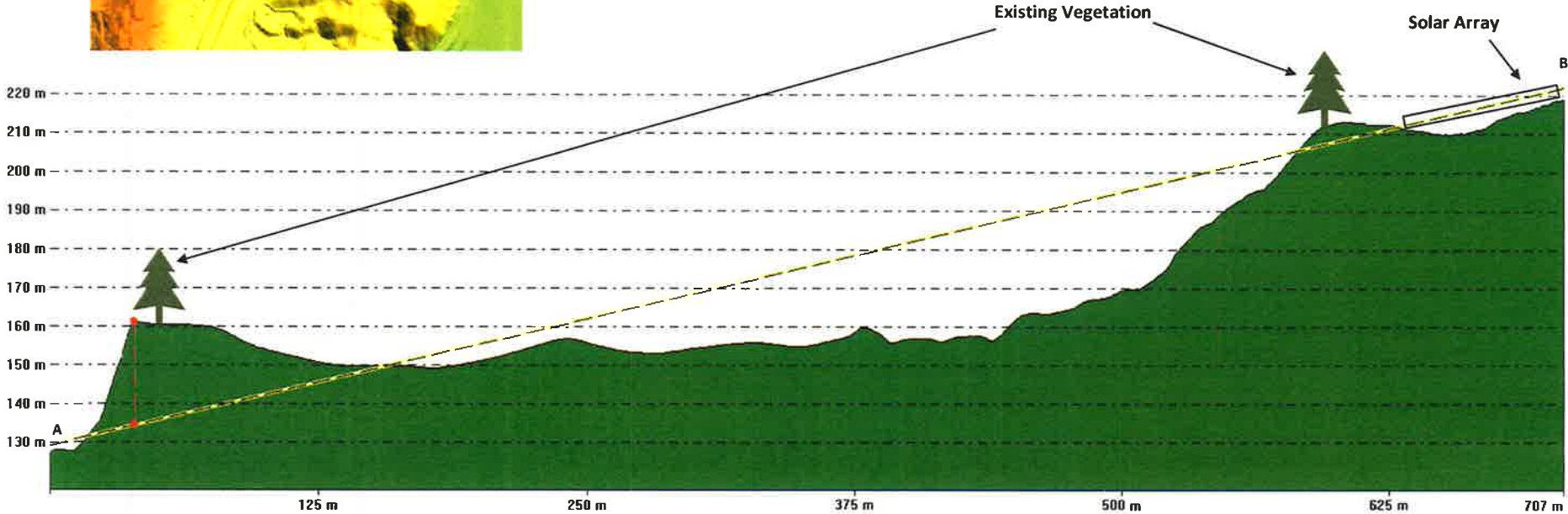
Route 5



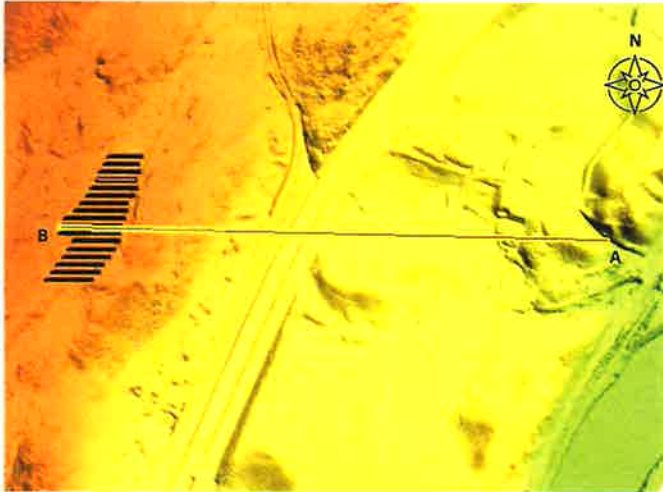
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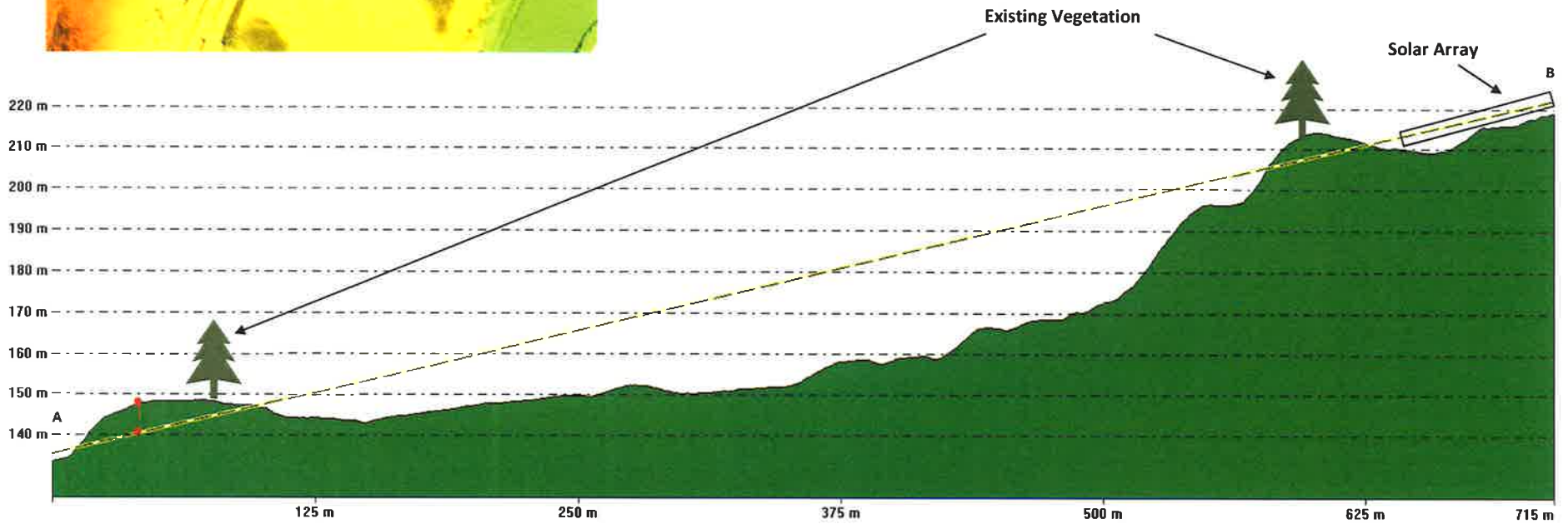
Loveland Road



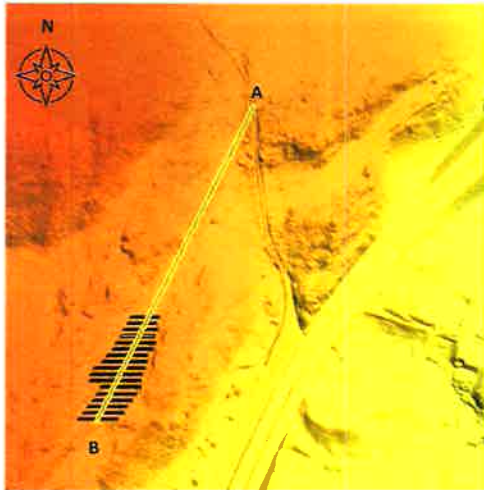
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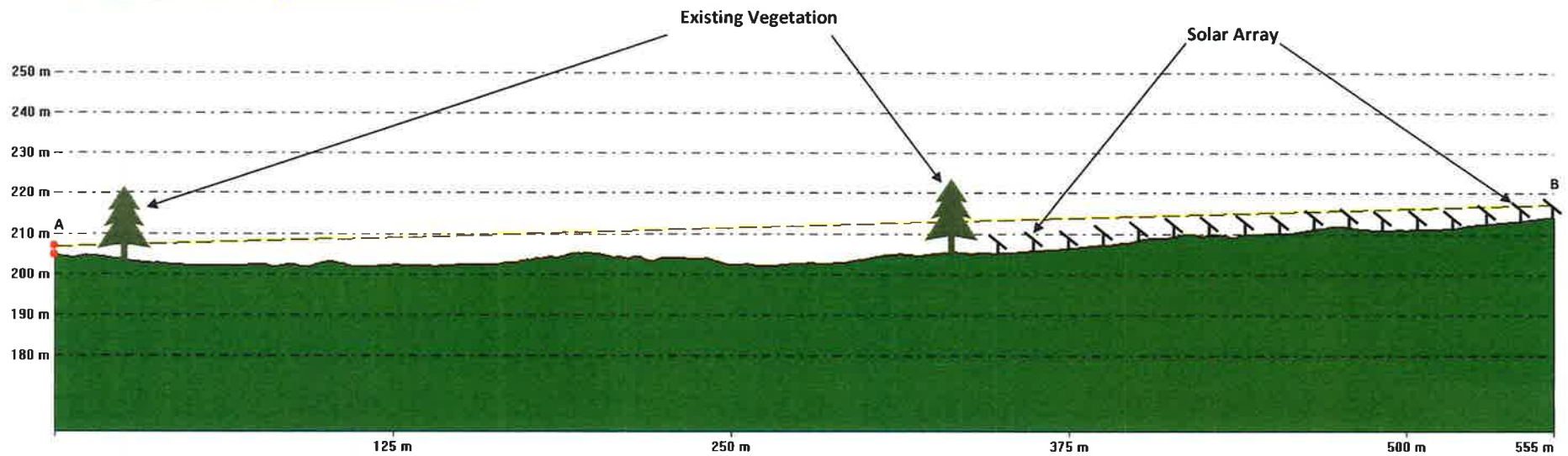
Upper Loveland Road



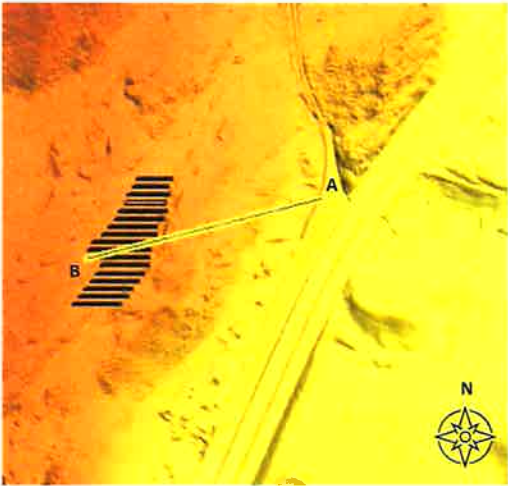
Line of sight (yellow dashed line 6ft above ground level)
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end of the solar array conducted on bare earth

Existing vegetation and proposed solar array included
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Top view shows path of line of sight and the array
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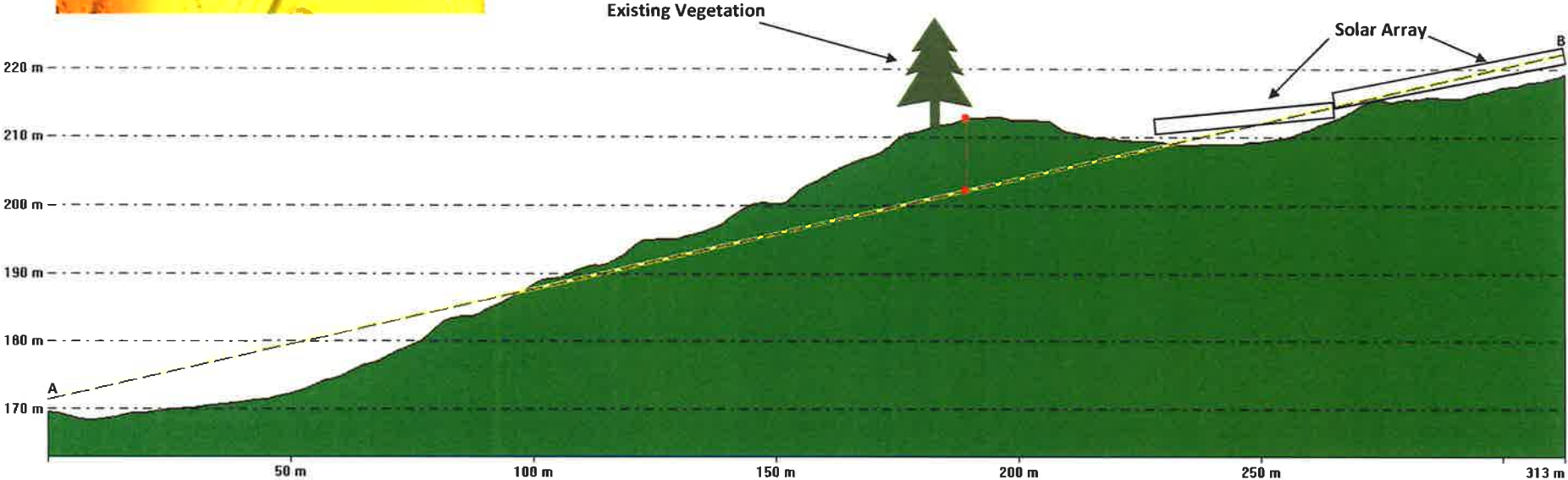
Upper Loveland Road



Line of sight (yellow dashed line 6ft above ground level)
From point "A" on named road to point "B" on opposite
end of the solar array conducted on bare earth

Existing vegetation and proposed solar array included
to estimated vertical scale

Top view shows path of line of sight and the array
overlaid on digital elevation model of surrounding area



[LETTERHEAD]

BY MAIL

[DATE]

Public Service Board of Vermont
112 State Street
Montpelier, VT 05620-2701
Ms. Judith Whitney, Clerk

Re: Preferred Siting Designation under Rule 5.100

Dear Ms. Whitney,

We refer to the application for a Certificate of Public Good (the "Application") to be filed by Norwich Upper Loveland Solar LLC, in respect of the 500 kW-AC solar electricity generation project (the "Project") proposed to be sited at the parcel located at 201 Upper Loveland Rd, Norwich, VT 05055, approximate latitude and longitude of 43.723836, -72.292770 (the "Location"). Having made our review, we wish to support the Project and declare our desire to have the Location designated as a "Preferred Site" under Section 5.103 of your Rule 5.100.

We note that we take no position on the Project's compliance with any requirement of Rule 5.100 or of other applicable provisions of Vermont law. This letter is solely for the purpose of providing support for the Project under Section 5.103.

Sincerely,

Town of Norwich
Planning Commission

Town of Norwich
Selectboard

Two Rivers-Ottauquechee
Regional Commission

Name:

Title:

Signature:



15 Railroad Row, Suite 101
White River Junction, VT 05001
802.281.3213

July 14, 2021

To Those Persons Whose Names Appear on the 45 Day Notice List Attached Hereto

**Re: Advanced Notice for Norwich Upper Loveland Solar LLC Solar Project
Vermont Statutes Title 30 Section 8010/248 Permit Process**

Introduction

Pursuant to the Public Utility Commission (“PUC” or “Commission”) Rule 5.100, Norwich Upper Loveland Solar LLC (“Applicant”) is pleased to provide the following advance notice and information of plans for a 500 kW group net-metering, ground mount solar electric system to be sited on 201 Upper Loveland Rd, Norwich, Vermont property (the “Project”). The property is a wooded 40± acre parcel currently hosting a telecommunications tower, and the Project site is adjacent to the portion of the parcel hosting the cell tower. Lat: 43.724132°N Long: -72.291876°W. Filing of an Application with the PUC pursuant to 30 V.S.A. §§ 248 & 8010 for a Certificate of Public Good (“CPG”) is anticipated to be on or after August 28, 2021.

This letter describes the Project, the expected Application filing date, and your rights to participate in review of the Project. Under Sections 8010 and 248, and PUC Rule 5.107(B), the parties listed on the attached 45 Day Notice List (*Attachment A*) are entitled to receive notice by mail sent at least 45 days in advance of the Application filing. Norwich Solar Technologies is managing the Project. Please feel free to reach me using my contact information provided at the end of this letter if you are interested in learning more about the Project, have comments or suggestions for the proposal or learning more about Norwich Solar Technologies.

Project Benefits

The Project creates a number of benefits with local and statewide significance. For example, the Project supports numerous clean energy economy jobs from design and development phases through installation and operation. The Project will annually contribute to the State Education Fund through a production tax and to the town through a local tax.

Importantly, the Project is an in-state new renewable energy generation resource that will help reduce our dependence on out of state electricity sources, a significant portion of which is nuclear power, and instead fuel local customers and Vermont’s economy with clean power from local resources and strengthen the growth of our resilient local electrical system.

Project Description

The preliminary plan identifies the location of the array (43.724132°N, -72.291876°W), its primary components and access. This 500 kW (AC) ground mount array is typical of solar electric generation

installations of its type and size, comprising photovoltaic modules ("solar panels") on fixed-tilt, supporting racks. The racks are designed to support the bottom of the solar panels approximately 3 feet above grade to the top of the panels at approximately 10 feet. The array will be arranged in multiple rows running generally east-west with sufficient distance between the rows to minimize self-shading. The solar array may be fenced or, if not fenced, will be otherwise electrically secure.

The solar panels will be connected electrically with string inverters mounted discretely behind the panels. The power will then travel underground between the rows to an AC disconnect, and then interconnect to Green Mountain Power Corporation's ("GMP") distribution circuit nearby via a GMP line extension at new GMP pole-mounted transformers near the array. These transformers are typical of what GMP uses throughout their distribution system.

The parcel is subject to Act 250 Land Use permit # 3W0917. Throughout the life of the Project, the site will remain with ground cover maintained by periodic mowing or brush cutting and monitored remotely.

Materials and equipment will be transported to the site during installation by standard-size delivery vehicles over state and local roads. Traffic will be limited in duration, and typical of small construction jobs.

Potential Aesthetic Impacts

The property is a wooded 40± acre parcel currently hosting a telecommunications tower permitted for 12 cellular panel antennas and a 150-foot-wide transmission line corridor along the northwest length of the property boundary. The solar array footprint is approximately 2.7 acres with 9.6± acres to be disturbed and/or cleared for installation and shade management. The site will be maintained with vegetative ground cover. The solar array will be a low-profile installation and will appear like other fix-tilt, ground mounted renewable energy solar arrays commonplace in Vermont. The site is screened from public views along Upper Loveland Rd by the existing and to be remaining forest vegetation surrounding the array. Upper Loveland Road is over 100 ft lower in elevation than the lowest elevation of the solar array and the array is sited to be setback 535± feet from the road. The low profile of the array, the topographic separation and natural vegetative screening will filter visibility from nearby public traveled ways. For these reasons, no landscape screening is currently proposed. A full aesthetic review will be included with the Application.

Potential Environmental Impacts

The Applicant's preliminary analysis shows the array is not expected to have an undue adverse impact on the natural environment. A natural resource assessment addressing all relevant nearby natural resources as described by 30 V.S.A. § 248(b)(5) and (b)(8) will be included with the Application.

Your Ability to Comment on the Project

Pursuant to 30 V.S.A § 248, you are entitled to make recommendations to the PUC and to us, at least 7 days prior to the expiration of this 45-day notice period. We anticipate filing the Section 248/8010 Application on or after August 28, 2021. Members of the public may participate in proceedings before the Vermont Public Utility Commission by submitting public comments or by intervening as a formal party to a case. Public comments must be submitted within 30 days of the Commission's determination that the Application is administratively complete. In addition, the Norwich Selectboard and Planning Commission will have the right to appear as a party in any proceedings held.

For additional information regarding this process, including your right to participate in the PUC's proceeding, please refer to the following Commission documents and links (<https://puc.vermont.gov/public-participation>):

Pursuant to Sections 8010 and 248 and Commission rule 5.107, all adjoining landowners and host landowner will receive notice of the Application filing following the Commission's determination that the Application is complete, and will also be able to access the filing at the PUC's electronic filing system (<https://epuc.vermont.gov/>).

Norwich Solar Technologies is a research, development, and EPC (engineering, procurement and construction) company servicing local schools, municipalities, businesses and non-profits. We have extensive experience incorporating solar into our working Vermont landscape with Vermont business owners, municipalities, farmers, non-profits alike, interested in benefiting from solar and contributing to Vermont's clean energy economy with renewable energy projects. Again, we welcome the opportunity to further share information about this Project and Norwich Solar Technologies, and to learn of any comments you may have. Please feel free to contact me at 802-359-7416 or my email at staskus@norwichsolar.com.

We appreciate your participation in this process.

Sincerely,



Martha Staskus
Project Manager

Appendices: Attachment A – 45 Day Notice List
Attachment B – Preliminary Site Plan

Attachment A

45 Day Advance Notice Service List

Via Certified Mail: Return Receipt Requested

Norwich Selectboard
300 Main Street
Norwich, VT 05055

Norwich Planning Commission
300 Main Street
Norwich, VT 05055

Two Rivers Ottauquechee Regional Planning
128 King Farm Road
Woodstock, VT 05091

38 Acres LLC
John Lewis
346 Palm St
Hollywood, FL, 33019
(Landowner)

Adjoining Landowners to the site:

Hugh and Cheryl Rostad
74 Four Wheel Dr
Norwich, VT 05055

James and Sarah Cook
81 Upper Loveland
Norwich, VT 05055

Terry Melendy
95 Upper Loveland
Norwich, VT 05055

Lee and Janice Winslow
80 Wiley Hill
Norwich, VT 05055

Gursharan Kaur
PO Box 1231
Norwich, VT 05055

Joy Kenseth
133 Upper Loveland Rd
Norwich, VT 05055

Samin Kim and Jayoung Joo
147 Upper Loveland Rd
Norwich, VT 05055

Daniel Goulet and Jennifer Goulet
185 Upper Loveland Rd
Norwich, VT 05055

Aaron and Noelle Lamperti et al
557 New Boston Rd
Norwich, VT 05055

John and Claudia Lamperti
244 Upper Loveland Rd
Norwich, VT 05055

Via Commission Electronic Filing System

Vermont Public Utility Commission

Vermont Department of Public Service

Vermont Agency of Natural Resources

Vermont Natural Resources Board

Vermont Division for Historic Preservation

VT Agency of Agriculture Food and Markets

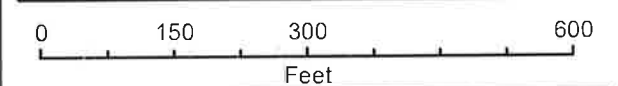
Green Mountain Power
8294423_2:00001-00178

PRELIMINARY DRAFT
Norwich Upper
Loveland Solar
 201 Upper Loveland Road
 Norwich, Vermont



Legend

- Proposed Solar Array
- Existing Access Roads
- Proposed Upgraded Woods Road
- Proposed Temporary Staging Area
- Proposed Perimeter Fence
- Point of Interconnection
- AC Disconnect Pedestal
- AC Combiner Pad
- Proposed Upgraded Overhead Power
- Proposed New Overhead Power
- Proposed Underground Power
- Limit of Disturbance
- Approximate Subdivision Area
- Existing Overhead Power, VCGI
- Existing Transmission
- 150 ft Transmission ROW
- Streams, VCGI
- Deer Wintering Areas, VCGI
- Primary Agricultural Soils, VCGI
- Approximate Property Lines, VCGI
- 50 ft Property Setback
- 5 ft Elevation Contours, VCGI



- Notes:
1. Array sizing for 500 kW AC using 33 ft rows.
 2. The approximate solar array footprint is 2.7 acres.
 3. The total Limit of Disturbance is 9.6 acres.
 4. Aspects of this plan are approximate and from aerial imagery.
 5. The design shown is for the purposes of permitting.
 6. Publicly available data are provided by the Vermont Center for Geographic Information (VCGI).

