Vermont
Enhanced Energy Planning

How to Write an Effective Plan

Norwich Solar Siting Subcommittee, April 16, 2024

Vermonters for a Clean Environment

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A Three-Part Process

- ENHANCED TO MEET DPS STANDARDS
  Certified

- ENERGY TO BE USEFUL TO THE PUC
  Regulatory

- PLANNING TOWN'S VISION FOR THE FUTURE
  Visionary

THE INCENTIVE TO DO AN ENHANCED ENERGY PLAN

Due Consideration

vs.

Substantial Deference

at the PUC for Electric Generation Siting *Only*

Does Not Apply to Transportation or Heating that is not regulated by the Public Utility Commission even though Municipalities seeking enhanced planning designation must include those topics

*Act 250 requires **compliance** with town plans.*

STEP ONE

ENHANCED

TO MEET DPS STANDARDS

Data Packet for Norwich from State via TRORC

https://www.trorc.org/wp-content/uploads/2017/05/Norwich_Energy.pdf

1A. Current Municipal Transportation Energy Use

Transportation Data	Municipal Data
Total # of Vehicles (ACS 2011-2015)	2,258
Average Miles per Vehicle (VTrans)	11,356
Total Miles Traveled	25,641,848
Realized MPG (VTrans)	18.6
Total Gallons Use per Year	1,378,594
Transportation BTUs (Billion)	166
Average Cost per Gallon of Gasoline (RPC)	2
Gasoline Cost per Year	3,184,552

This table uses data from the American Community Survey (ACS) and Vermont Agency of Transportation (VTrans) to calculate current transportation energy use and energy costs.

1B. Current Municipal Residential Heating Energy Use

Fuel Source	Municipal Households (ACS 2011-2015)	Municipal % of Households	Municipal Square Footage Heated	Municipal BTU (in Billions)
Natural Gas	69	5.1%	6,606,900,000	7
Propane	243	18.0%	26,523,600,000	27
Electricity	61	4.5%	5,494,800,000	5
Fuel Oil	713	52.9%	79,729,500,000	80
Coal	14	1.0%	1,680,000,000	2
Wood	227	16.8%	25,566,900,000	26
Solar	0	0.0%	0	0
Other	11	0.8%	1,320,000,000	1
No Fuel	11	0.8%	762,300,000	1
Total	**1349**	**100.0%**	**147,684,000,000**	**148**

This table displays data from the ACS that estimates current municipal residential heating energy use.

1C. Current Municipal Commercial Energy Use

	Commercial Establishments in Municipality (VT DOL)	Estimated Thermal Energy BTUs per Commercial Establishment (in Billions) (VDPS)	Estimated Thermal Energy BTUs by Commercial Establishments in Municipality (in Billions)
Municipal Commercial Energy Use	111	0.725	80

The table uses data available from the Vermont Department of Labor (VT DOL) and the Vermont Department of Public Service (DPS) to estimate current municipal commercial establishment energy use in the municipality.

1D. Current Electricity Use *

Use Sector	Current Electricity Use
Residential (kWh)	11,075,308
Commercial and Industrial (kWh)	12,927,092
Total (kWh)	24,002,400

*This table displays current electricity use within the municipality with data from the ACS, DPS, and VT DOL. More accurate data will be available soon from Efficiency Vermont (EVT).

1E. Residential Thermal Efficiency Targets

	2025	2035	2050
Residential - Increased Efficiency and Conservation (% of municipal households to be weatherized)	33%	67%	100%

This table displays targets for thermal efficiency for residential structures based on a methodology developed by DPS using data available from the regional Long-range Energy Alternatives Planning (LEAP) analysis and ACS. The data in this table represents the percentage of municipal households that will need to be weatherized in the target years.

1F. Commercial Thermal Efficiency Targets

	2025	2035	2050
Commercial - Increased Efficiency and Conservation (% of commercial establishments to be weatherized)	6%	9%	18%

This table shows the same information as Table 1E, but sets a target for commercial thermal efficiency. Information from the VT DOL is required to complete this target.

Data Packet for Norwich from State via TRORC

https://www.trorc.org/wp-content/uploads/2017/05/Norwich_Energy.pdf

1G. Thermal Fuel Switching Targets (Residential and Commercial) - Wood Systems			
	2025	2035	2050
New Efficient Wood Heat Systems (in units)	0	0	0

This target was calculated using data from LEAP and ACS. This table provides a target for new wood heating systems for residential and commercial structures in the municipality for each target year. Due to the LEAP model forecasting a large decrease in wood use resulting in a negative number of targets we have put zero in for this section. Towns are encouraged to use efficient wood heat.

1H. Thermal Fuel Switching Targets (Residential and Commercial) - Heat Pumps			
	2025	2035	2050
New Heat Pumps (in units)	137	363	761

This table provides a target for new heat pump systems for residential and commercial structures in the municipality for each target year. This target was calculated using data from LEAP and ACS.

1I. Electricity Efficiency Targets			
	2025	2035	2050
Increase Efficiency and Conservation	-0.6%	5.7%	9.9%

Data in this table displays a target for increased electricity efficiency and conservation during the target years. These targets were developed using regional LEAP analysis. Towns are encouraged to consider increased efficiency targets.

1J. Use of Renewables - Transportation			
	2025	2035	2050
Renewable Energy Use - Transportation	9.6%	23.1%	90.3%

This data displays targets for the percentage of transportation energy use coming from renewable sources during each target year. This data was developed using the LEAP analysis.

1K. Use of Renewables - Heating			
	2025	2035	2050
Renewable Energy Use - Heating	51.3%	63.4%	92.2%

This data displays targets for the percentage of heating energy use coming from renewable sources during each target year. This data was developed using information from the LEAP analysis.

1L. Use of Renewables - Electricity	
	2050
Renewable Energy Use - Electricity (MWh)	19,167- 23,426

This data displays the target for electricity generation coming from renewable sources within the municipality for 2050. This data was developed using information from the regional planning commission and DPS. This data is the same as the data in Table 1Q.

1M. Transportation Fuel Switching Target - Electric Vehicles			
	2025	2035	2050
Electric Vehicles	209	1482	3083

This tables displays a target for switching from fossil fuel based vehicles (gasoline and diesel) to electric vehicles. This target is calculated on Worksheet 2 by using LEAP and ACS data.

1N. Transportation Fuel Switching Target - Biodiesel Vehicles			
	2025	2035	2050
Biodiesel Vehicles	368	692	1168

This tables displays a target for switching from fossil fuel based vehicles to biodiesel-powered vehicles. This target is calculated on Worksheet 2. by using LEAP and ACS data.

1O. Existing Renewable Generation

Renewable Type	MW	MWh
Solar	0.50	613
Wind	0.00	0
Hydro	0.00	0
Biomass	0.00	0
Other	0.00	0
Total Existing Generation	**0.50**	**613**

Table 1O shows existing renewable generation in the municipality as of 2015, in MW and MWh, based on information available from the Vermont Department of Public Service.

1P. Renewable Generation Potential

Renewable Type	MW	MWh
Rooftop Solar	2	2,335
Ground-mounted Solar	793	972,075
Wind	250	766,500
Hydro	0	151
Biomass and Methane	0	0
Other	0	0
Total Renewable Generation Potential	**1,045**	**1,741,061**

Renewable generation potential is based on mapping completed by the regional planning commission that is based on the Municipal Determination Standards and associated guidance documents developed by DPS. The renewable generation potential is expressed in MW and MWh by the type of renewable resource (solar, commercial wind, hydro, etc.).

1Q. Renewable Generation Target

	2050
Total Renewable Generation Target (in MWh)	19,167- 23,426

Renewable generation target for municipalities was developed by the town's population percentage within the region.

1R. Sufficient Land

	Y/N
Renewable Sources	Y
Surplus of Generation	8075%

This table shows whether or not there is sufficient land in the municipality to meet the renewable generation targets based on the renewable generation potential in the municipality.

Disclaimer Some Towns Use

It is important to note that these state policies and goals did not originate with the _____Planning Commission, and are based on projections that the state has provided.

Likewise, the locations for siting potential new renewable energy in _____ come from state-developed data and mapping.

Existing Energy Generation

This map was created as part of a Regional Energy Planning Initiative being conducted by the Two Rivers-Ottauquechee Regional Commission, and the Vermont Public Service Department.

Created:2017

BIOMASS KW

- 19
- 20 - 375

HYDRO KW

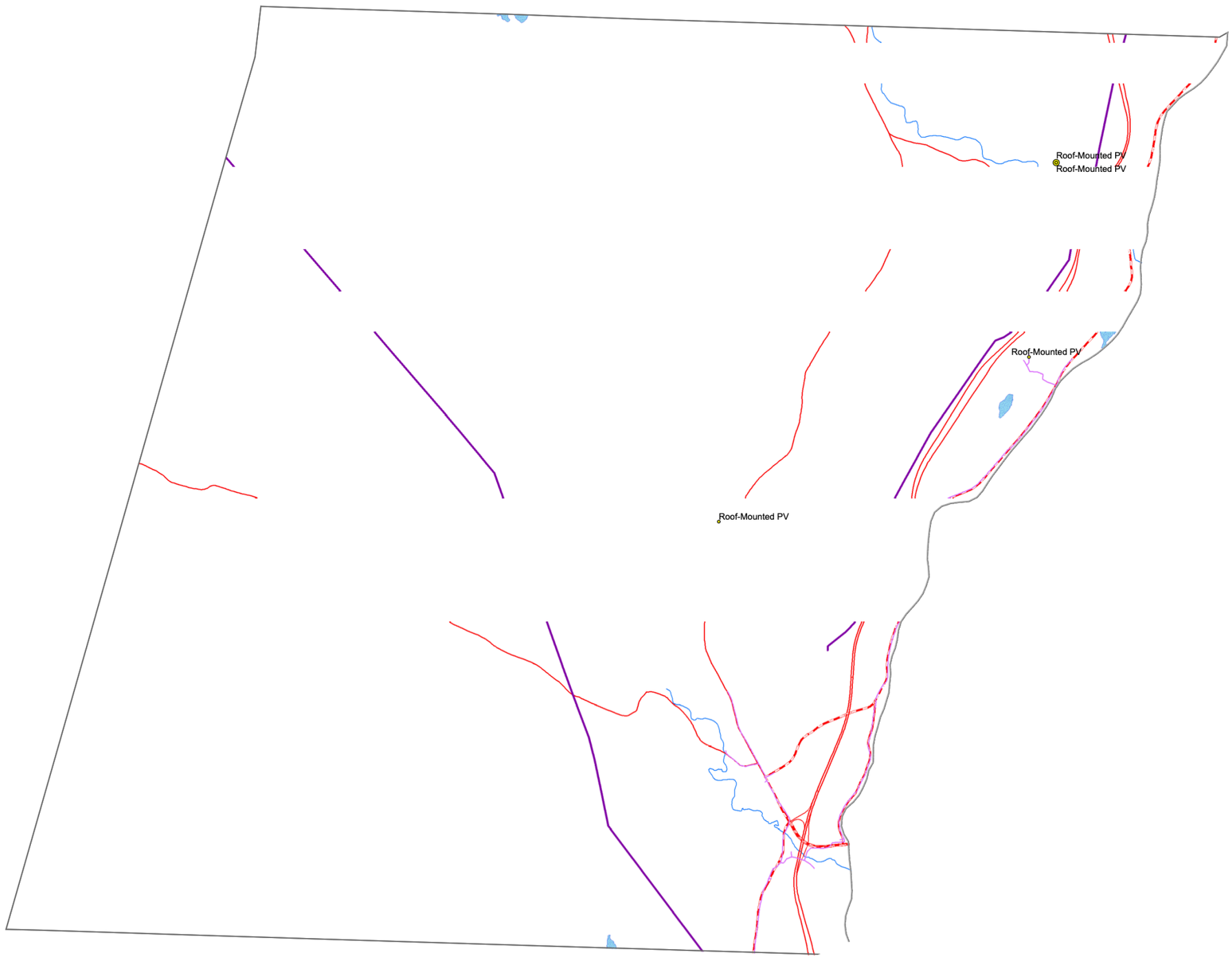
- 15 - 100
- 101 - 500
- 501 - 2000
- 2001 - 37400

SOLAR KW

- 15 - 25
- 26 - 100
- 101 - 500
- 501 - 2200

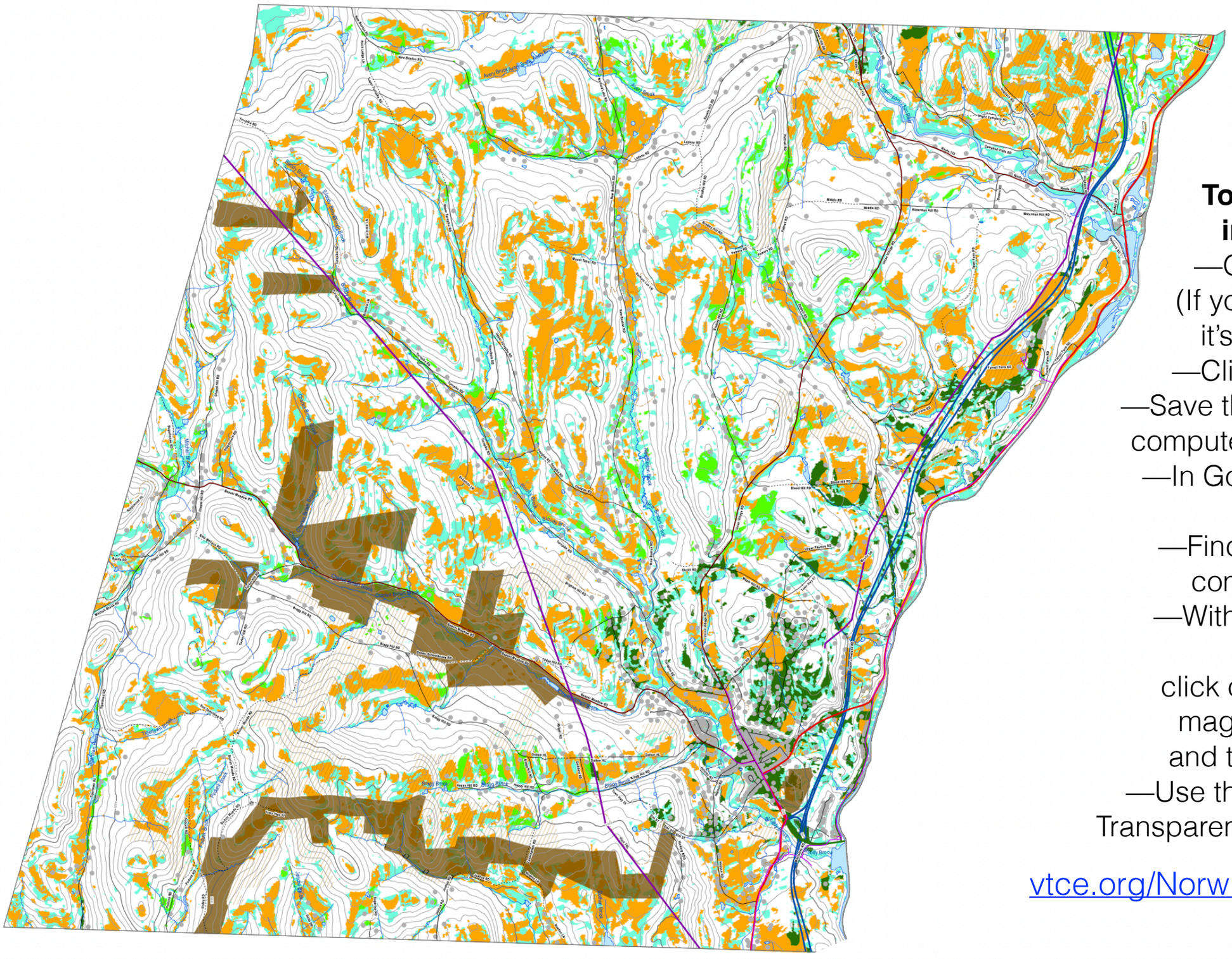
- Substations
- 3 Phase Power Lines
- Transmission Lines
- Lakes/Ponds

NORWICH



Maps from State via TRORC

Solar Potential and Constraints



To use the .kmz file in Google Earth:

—Open Google Earth
(If you don't have it already it's a free download).
—Click on the link below.
—Save the file to a place on your computer where you can find it.
—In Google Earth, under File, click on Open.
—Find the .kmz file on your computer and open it.
—With the file highlighted in the sidebar, click on the box next to the magnifying glass below, and the slider will appear.
—Use the slider to decrease the Transparency and see what is below.

vtce.org/Norwich Solar Resource.kmz

Solar

This map shows areas of potential electricity generation from solar energy. It includes areas with good access to solar radiation and also considers other conditions that may limit the feasibility of solar energy development. These limiting factors are referred to as constraints. Areas of prime solar potential exist where the natural conditions make development feasible and no constraints are present.

These maps are designed to initially identify areas and follow-up on-site work is required to verify the areas are feasible for projects. They are subject to revision and are NOT intended to green-light or fast-track projects.

DARK GREEN Prime: No Constraints within 1 mile 3 phase power
GREEN Prime: No Constraints no known or possible constraints present
ORANGE Constraints no known but at least one or more possible constraints
BLUE GREEN Raw potential with constraints

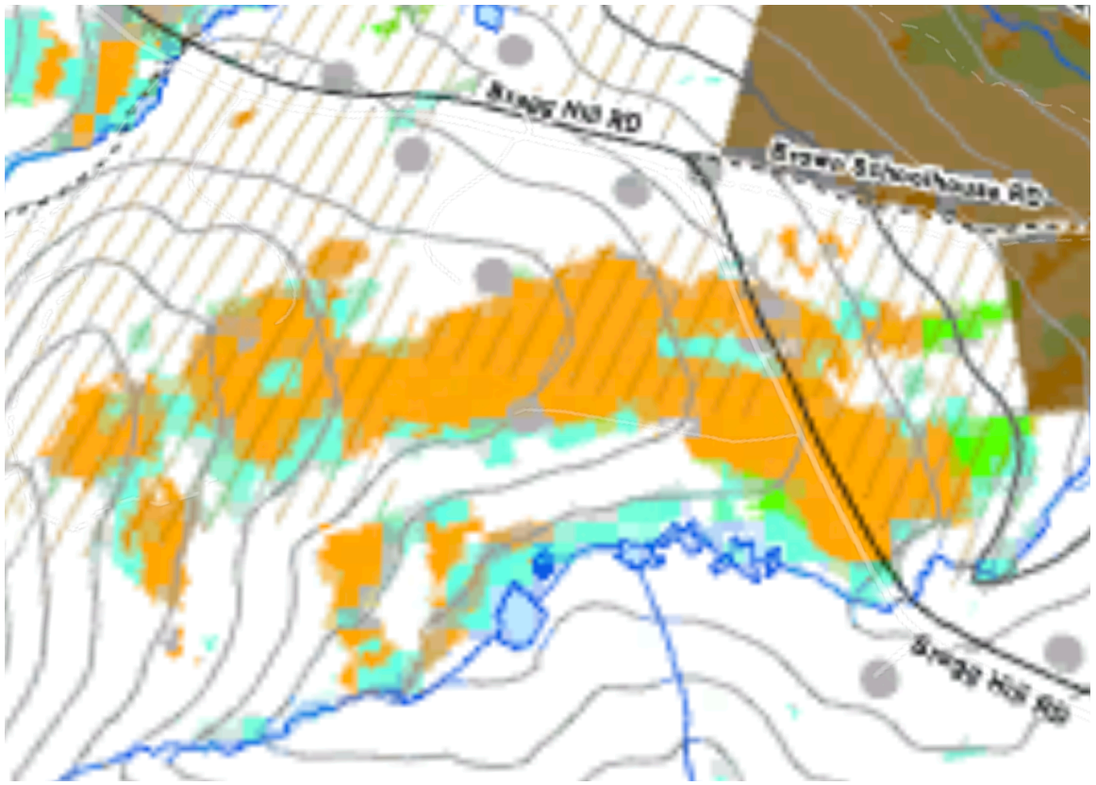
Constraints

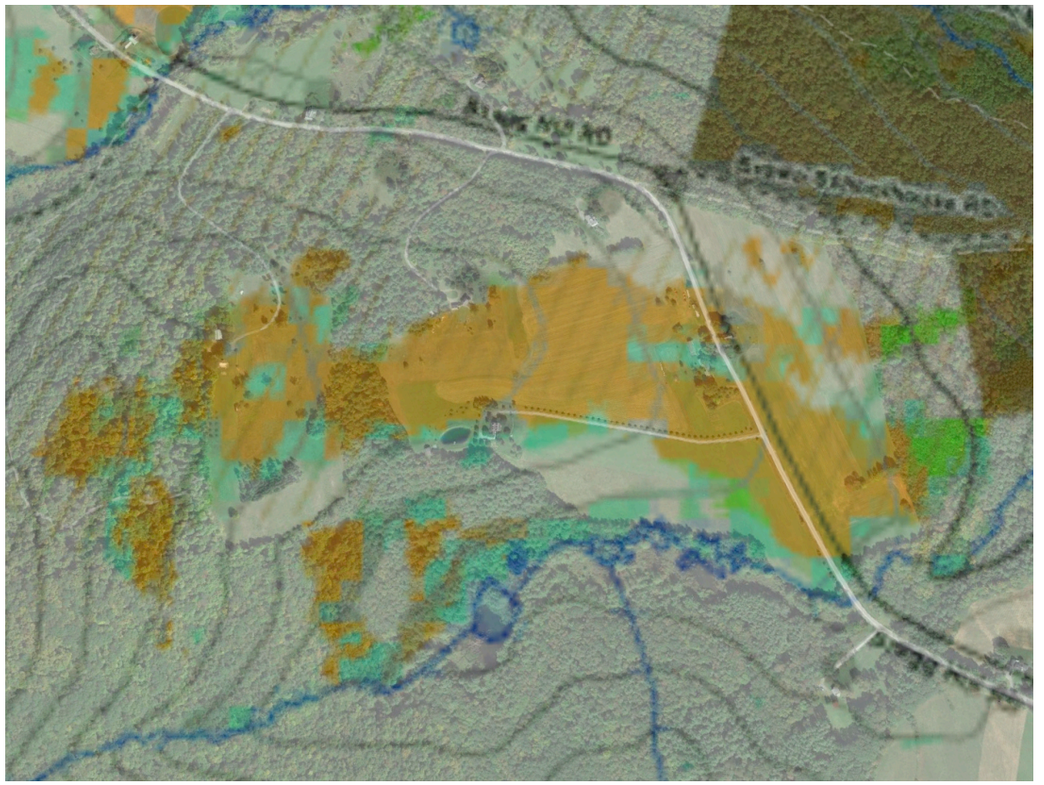
Known Constraints
Vernal Pools (confirmed and unconfirmed layers)
DEC River Corridors
FEMA Floodways
State-significant Natural Communities and Rare, Threatened, and Endangered Species
Wilderness Areas, including National Wilderness Areas
Class 1 and Class 2 Wetlands (VSWI and advisory layers)

Possible Constraints
Agricultural Soils (VT Agriculturally Important Soil Units)
FEMA Special Flood Hazard Areas
Protected Lands (Updated 07/26/2016.)
Act 250 Agricultural Soil Mitigation areas
Deer Wintering Areas
ANR's Vermont Conservation Design Highest Priority Forest Block Datasets
Forest Blocks - Connectivity
Forest Blocks - Interior
Forest Blocks - Physical Land Division
Hydric Soils

TRORC Unsuitable areas (included in known constraints)
FEMA Floodways
Wilderness Areas, including National Wilderness Areas
Class 1 Wetland

Evaluating Solar Resources





PREFERRED SITES MAP

NOT REQUIRED

Preferred Sites Map

One Approach

LOCALLY PREFERRED LOCATIONS

Based on RRPC Energy Committee

Sudbury, Vermont

Legend

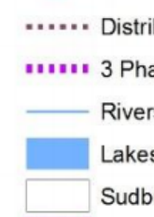
- Structures
- Substations
- Preferred Structures*
- Distribution Lines
- 3 Phase Power Lines
- Rivers/Streams
- Lakes/Ponds
- Sudbury Town Boundary
- 1 Mile Buffer of 3 Phase Power Lines

Preferred Sites*

- 1, (92.48 acres)
- 2, (154.7 acres)

- Impervious Surface (preferred locations for solar only, within 1 mile of 3 Phase Power)
- Impervious Surface (preferred locations for solar only)

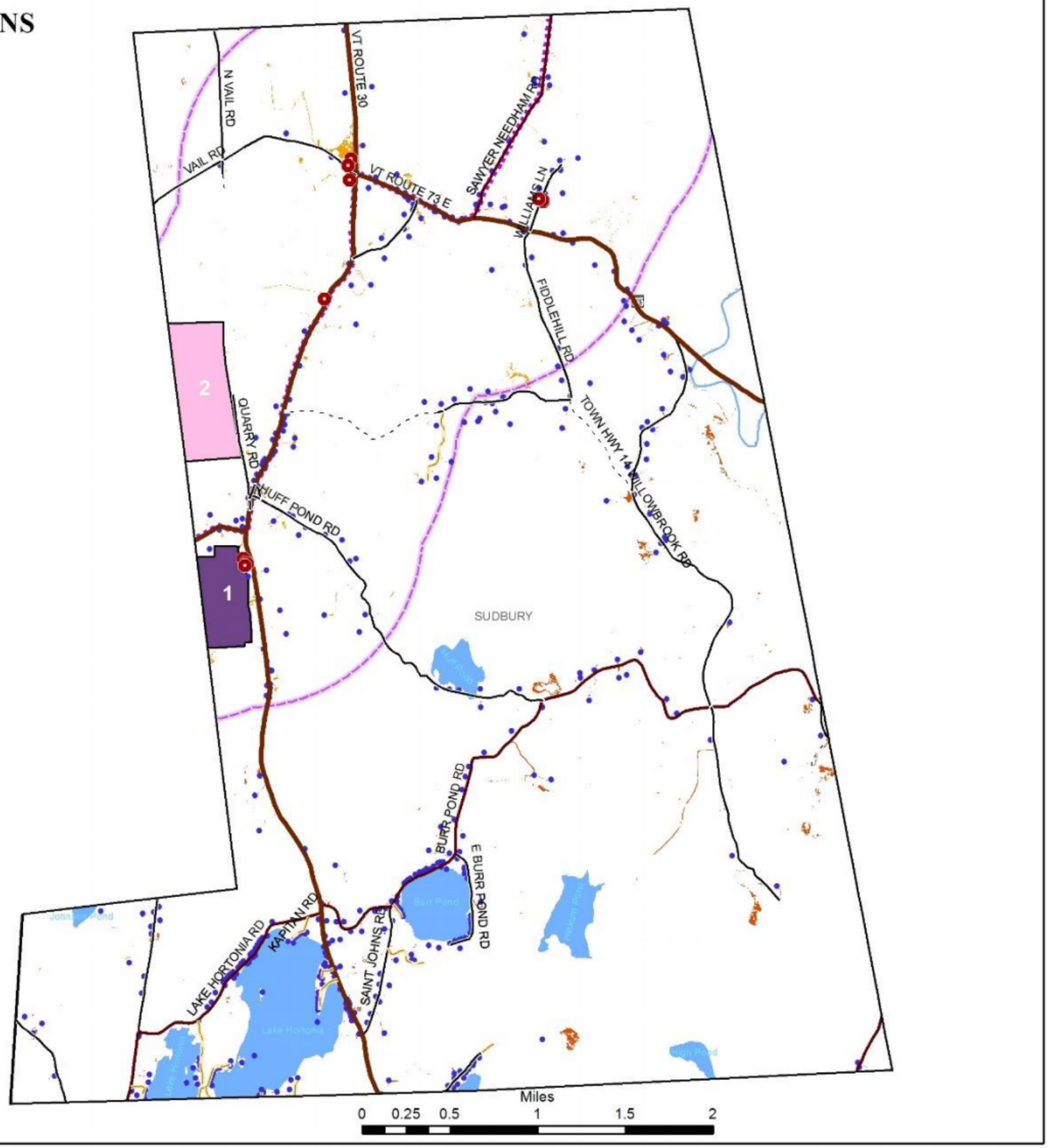
* These are only some of the structures and sites identified as preferred for renewable energy installations. These sites represent several landowners.Others may exist.



N W E S

November 14, 2016

Document Path: E:\RRPC\SUDBURY\Energy\SUD_LOCALenergy2016.mxd



Preferred Sites, Another Approach
Not Recommended

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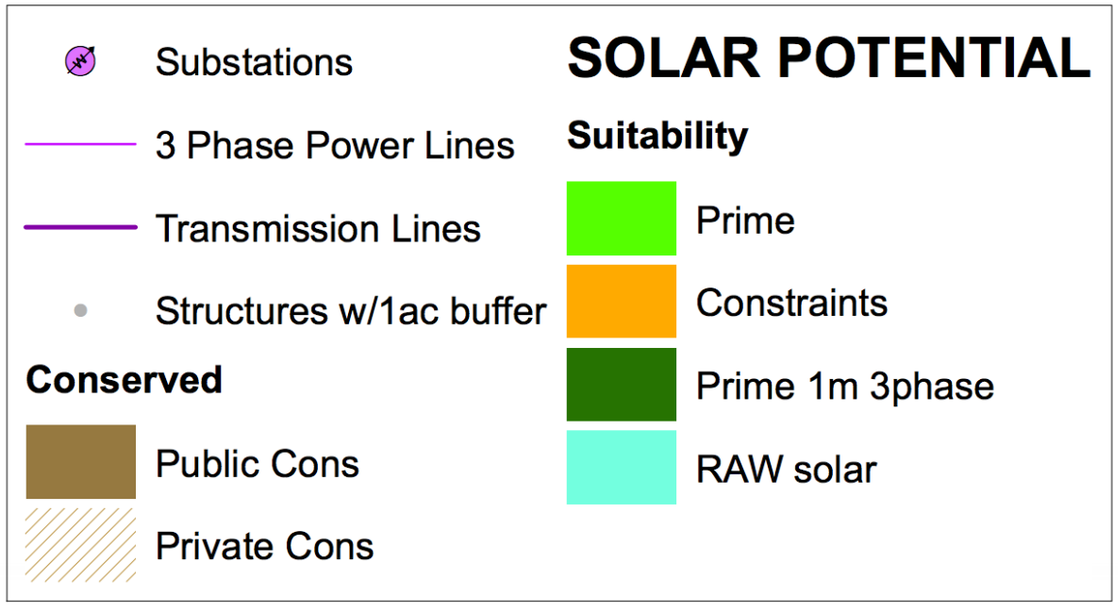
b. Areas that are considered prime solar potential on the Solar Energy Potential map of this Town Plan is considered preferred.

c. Areas that are mapped with constraints on the Solar Energy Potential map of this Town Plan will be conditionally approved by joint letter of the Planning Commission and Selectboard.



Preferred Sites

Developers of 151 - 500 kW ***net-metered*** projects can seek Preferred Sites joint letters from the Town Select Board, Planning Commission and Regional Planning Commission *after 45-Day Advance Notice is Filed in ePUC*

Minimum To Achieve DPS “Energy Compliance”

- Insert Data provided by State
- Insert Resource Maps from State
- Insert Constraint Map from State
- Add Narrative

- List Known Constraints
- List Local Constraints

STEP TWO

ENERGY

TO BE USEFUL TO THE PUBLIC UTILITY COMMISSION

1. Land Conservation Measures and Aesthetics
2. Future Land Use Maps or Districts
3. Specific Policies

SECTION 248 https://legislature.vermont.gov/statutes/section/30/005/00248

(1) With respect to an in-state facility, will not unduly interfere with the orderly development of the region with due consideration having been given to **the recommendations of the municipal and regional planning commissions, the recommendations of the municipal legislative bodies, and the land conservation measures contained in the plan of any affected municipality.** However:

(A) With respect to a **natural gas transmission line** subject to Commission review, the line **shall be in conformance with any applicable provisions concerning such lines contained in the duly adopted regional plan**; and, in addition, upon application of any party, the Commission **shall condition** any certificate of public good for a natural gas transmission line issued under this section so as to **prohibit service connections that would not be in conformance with the adopted municipal plan in any municipality in which the line is located.**

(B) With respect to a ground-mounted solar electric generation facility, the facility **shall comply** with the **screening requirements of a municipal bylaw** adopted under 24 V.S.A. § 4414(15) or a municipal ordinance adopted under 24 V.S.A. § 2291(28), and the recommendation of a municipality applying such a bylaw or ordinance, **unless** the Commission finds that requiring such compliance would prohibit or have the effect of prohibiting the installation of such a facility or have the effect of interfering with the facility's intended functional use.

(C) With respect to an in-state electric generation facility, 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. The term shall not include consideration of whether the determination of energy compliance should or should not have been affirmative under 24 V.S.A. § 4352.

Town Plan as a Regulatory Document
in Section 248 as used by the Public Utility Commission for "Energy" Projects

Town Plan Language (caselaw driven):

1 Aspirational Language (should, encourage, discourage) non-enforceable.

2 **Mandatory Language (shall, must) enforceable.**

The PUC does not consider zoning.

"Clear Regulatory Policy"

In one instance, **the Supreme Court found that a regional plan's specific injunction against residential development on slopes of more than 20% created a clear regulatory policy.**

It thus affirmed denial of a permit for a proposed residential development on such slopes under Act 250 criterion 10, which requires conformity with local and regional plans. In re Green Peak Estates, 154 Vt. 363, 369 (1990).

In contrast, in another case **where the Town Plan stated that development was inappropriate on the "steepest slopes" but did not define "steepest," the Court held that the Plan did not create a clear regulatory policy** that could be grounds to deny an Act 250 permit. In re Kisiel, 172 Vt. 124, 129-30 (2000).

In that same case, a section of the Plan "discouraging" road "upgrades" in a certain area did not evince a clear policy banning improvements to those roads.*

*From recent Environmental Court decision.

WHAT IS THE PUC LOOKING FOR IN MUNICIPAL PLANS?

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

Clear, Written Community Standard. In order to find that a project would violate a clear, written community standard, the Commission must find that the Project is inconsistent with a provision of the applicable town or regional plan that:

> (1) Designates **specific** **scenic resources** in the area where the project is proposed. Statements of general applicability do not qualify as clear, written community standards. For example, the general statement that "agricultural fields shall be preserved" would not qualify because the statement does not designate specific resources as scenic. The statement "the agricultural fields to the west of Maple Road are scenic resources that must be preserved" would qualify because it designates specific resources as scenic.
>
> (2) Provides **specific** **guidance for project design**. For example, the statement "only dwellings, forestry, and agriculture are permitted within the Maple Road scenic protection area" would be a clear standard because it states with specificity what type of development is permitted. The statement "all development in the Maple Road scenic protection area must maintain the rural character of the area" would not be a clear standard because it does not state with specificity what type of development is permitted.

PUC Hearing Officer Proposal for Decision Issued June 25, 2021 in 500 kW Solar Project

In this case, the Town Plan statement cited by the Intervenors specifically designates Richville Road as having scenic resources. The statement applies to the portion of Richville Road where the Project would be located due to the scenic views of Mount Equinox.[38] However, the statement does not provide concrete guidance for development. The Town Plan does not prohibit development on roads with scenic amenities; it only requires that such development must be carefully evaluated, and adverse impacts minimized. This statement is general in nature and does not give the Commission sufficient guidance because it "does not state with specificity what type of development is permitted" or prohibited along Richville Road.[39] Accordingly, I recommend that the Commission find that there are no clear, written community standards that would prohibit the Project.

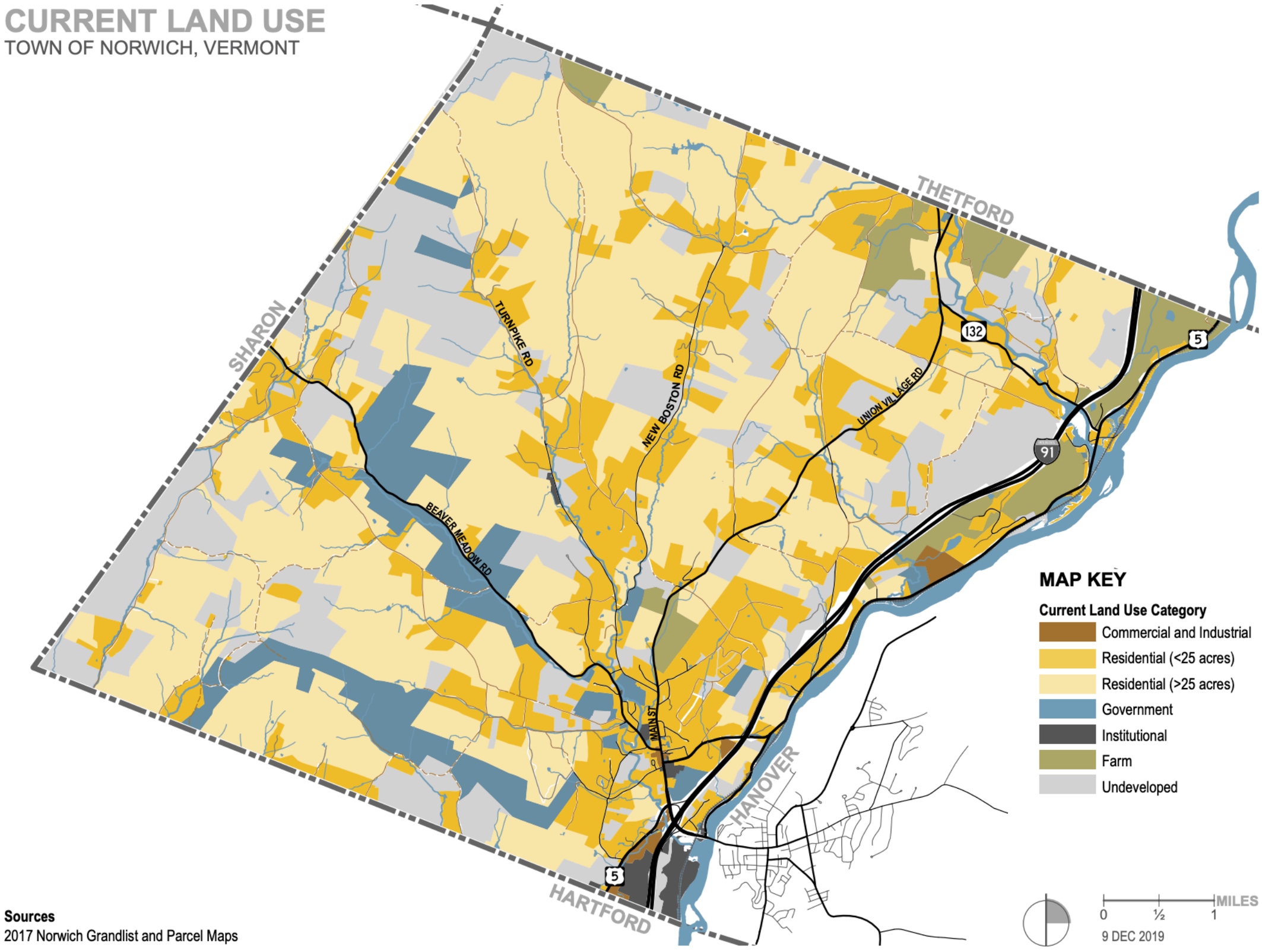
Recent Vermont Supreme Court Decision
Municipal Plan Standard for Districts

Example of a specific standard that has been upheld by the Vermont Supreme Court:* The pertinent standard relied upon by the PUC in its aesthetics and orderly development analysis is the design standard providing that "development . . . cannot be sited in prominently visible locations on hillsides." In contrast to the broad and general language relating to the preservation of the rural character of the project's surroundings, **this design standard has the kind of specificity that qualifies as a clear, written community standard for purposes of the aesthetics analysis**, and it amounts to a land-conservation measure for purposes of the orderly development analysis.

Example of District language that was denied by the Vermont Supreme Court:* "The general language about preserving the rural character of the entire Rural Conservation District **is not the kind of specific, clear, written standard that can render an adverse impact undue** under § 248(b)(1)"

*Sept. 3, 2021https://www.vermontjudiciary.org/sites/default/files/documents/op20-232.pdf

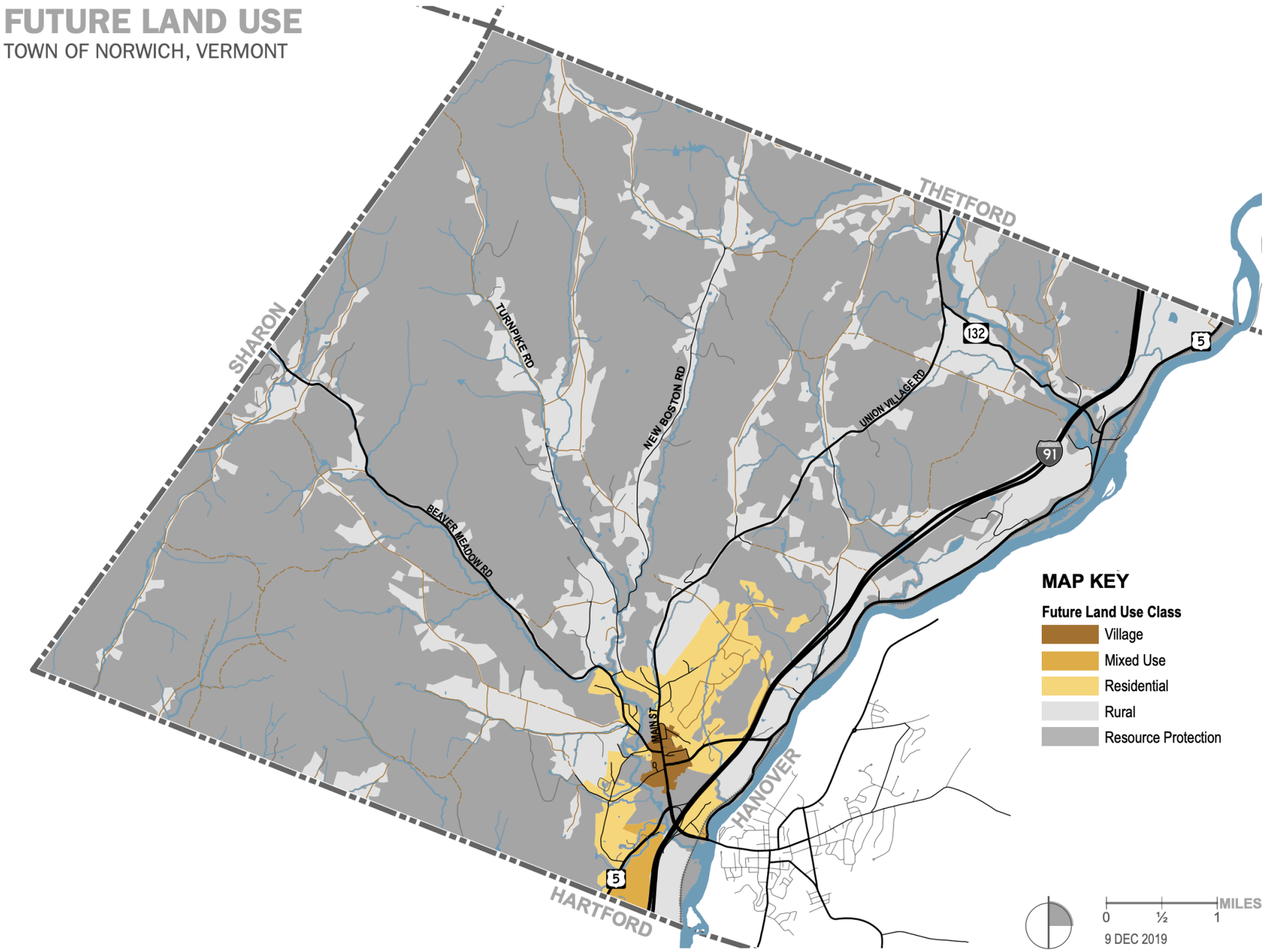
Current Land Use Map



Sources
2017 Norwich Grandlist and Parcel Maps

Future Land Use Map

https://www.trorc.org/wp-content/uploads/2013/10/4.-future-land-use.pdf



Categories Described on p. 8 of Town Plan

https://norwich.vt.us/wp-content/uploads/2012/06/Norwich_Plan_2020-ADOPTED-lr-.pdf

Norwich Town Plan
Description of Resource Protection Planning Area

THE RESOURCE PROTECTION PLANNING AREA is composed of lands with resource constraints or hazards that significantly limit their potential for future development, and lands not available for future development due to public ownership or private conservation easements. Despite the constraints, most of this land is part of a residential lot, albeit at extremely low densities. The intent of the Resource Protection Planning Area is to recognize the constraints and limitations that exist on a large portion of the land in Norwich. Little change in the use or development of these lands is anticipated and this plan discourages further disturbance or fragmentation of the remaining undeveloped portions of these lands through incremental, large-lot residential development. The high and medium priority forest blocks have been mapped and can form a basis for future decision-making.

For Municipal Plans
to be useful to the PUC

Note: This is about Land Conservation Measures and Aesthetics Analysis.

1. Must be specific to the site.

2. Must provide specific guidance for project design.

3. If located within a specific district or area, specific standards for that district must be applied to specific areas within the district (such as with mountains, name the mountains, or with farm fields or forests, name the roads within the district).

4. Specific Districts or Areas — descriptions must describe guidance on what type of development is permitted.

<u>Not acceptable:</u> Broad and general language

EXAMPLES OF SPECIFIC POLICIES
Solar

Develop Specific Standards or Solar Screening By-Law for Large Solar Arrays *[ideas to spur discussion]*

- Name the Roads next to scenic, forested, or prime ag soil fields where you do or do not want solar arrays
- Must be screened from State or Town roads
- Must be screened from view of neighbors (adjoining lands, not just residential structures)
- Must not produce glare visible from State or Town roads or neighboring properties
- Solar arrays must not be sited on prime/statewide ag soils as shown on ANR Atlas (is this too restrictive?)
- Prohibit cutting forests [in High Priority Habitat Blocks as shown on ANR Atlas or all forests?] Reference a map that shows specific areas. Name roads if possible.
- Limitations on Size (kW or MW)?
- Limitations on Acreage?


5-12-16 7:26 am

Commercial- or industrial-scale renewable energy projects shall only be permitted and approved where (a) the project will not have an adverse impact on the aesthetics, scenic and natural beauty, historic significance or natural resources of the areas, and (b) where the proposed project will be substantially screened from view from I-89, state highways, town roads and neighboring properties to prevent solar glare and mitigate any adverse impact to the aesthetics and scenic and natural beauty of the surrounding area and its viewsheds. Commercial- or industrial-scale solar projects are those sized greater than 500 kW. These requirements do not apply to solar arrays mounted on existing residential and commercial buildings' roofs and over existing parking lots for the benefit of the residential or commercial user.

Commercial- or industrial-scale solar and wind energy projects, as well as all other permitted and conditional uses shall not be constructedr on greater than 10 acres of agricultural or forest lands with soils that are designated as being "prime agricultural soils" or of "statewide or local significance."

https://eastmontpeliervt.org/wp-content/uploads/2023/04/2018-Town-Plan-Amended-Amended-July-11-2022.pdf

Siting Standards

This Town Plan establishes siting preferences and constraints on sites with specific characteristics:

- **Preferred Sites**: The town will support installations at these sites that meet design guidelines;
- **Potentially Suitable Sites**: The town may support installations at these sites, but installers must pay careful attention to siting restrictions in statute; and
- **Prohibited Sites**: The town will not support installations at these sites because of the scenic, significant natural resource, or cultural values of the specified areas.

Residential-scale arrays of 15kW or less are acceptable in almost any location in town. Commercial and community arrays up to 150 kW are also acceptable in most locations.

Large-scale solar arrays (up to 500 kW) are encouraged to be sited in "preferred" locations where scenic preservation, natural character, or village character are not limiting issues.

Subject to meeting location-dependent criteria, East Montpelier will accept solar arrays of up to 500 kW in capacity. Any proposal to install an array of large capacity must receive approval of a majority of the Selectboard or a five-person committee (minimum) appointed by the Selectboard as a condition to file a Certificate of Public Good.

The town should engage WEC, GMP and the Vermont Electric Power Company (VELCO) when a large project comes up for approval to ensure that the reliability of the local grid is being assessed adequately.

Preferred sites for larger solar photovoltaic arrays (150 kW or larger) are located within the current Industrial District and Commercial District (excluding defined villages). These areas are generally on or near state highways and near three-phase transmission lines. Appropriate screening from roadsides and residential areas is required for all solar projects.

Several portions of East Montpelier are zoned for commercial and/or industrial usage and are suitable for larger solar projects. These areas are located in the southeast quadrant of the town. Because of the potential for commercial energy load in this area and the pre-existing of light industrial development in this area, these areas are preferred for larger-scale solar development. Note that zoning districts may change.

Preferred sites include:

- Rooftops of municipal buildings, such as U-32 Middle/High School and East Montpelier Elementary School.
- Above parking lots and impervious ground surfaces.
- Adjacent to existing light industrial and commercial sites that are comparable in scale to the proposed array.
- Adjacent to existing large farm buildings comparable in scale to the proposed array.
- Casella Waste Management Capped Landfill: The available land area is unknown, and will determine the potential project size.
- Industrial District: East Montpelier's industrial district is designed to accommodate industrial and business uses unsuited to residential areas, and is therefore economically important to the town. No solar development shall be located on portions of the industrial district that is within the East Montpelier Village as defined in the *East Montpelier Village Master Plan*.
- Commercial District: The commercial district extends from East Montpelier Village along US 2 to the Plainfield town line. Portions of this district may be suited to solar development. These include areas immediately adjacent to existing commercial uses. Areas that are not suitable include actively used farmland, lands within East Montpelier Village, flood hazard areas, river corridor areas, or wooded slopes greater than10 percent. Screening from roadsides and nearby residential areas is particularly important as this area serves as the eastern gateway into East Montpelier's primary village.
- Portions of the Residential and Commercial District: Generally, areas in close proximity to Route 2 and to three-phase transmission lines are preferred. Excluded areas include East Montpelier Village and the conserved Clark property. This is an area with a mix of residential uses, and screening from residential and roadside views will be important.

Areas of Possible Constraints (Possible Siting)

Renewable energy generation projects that are not located within "preferred sites" will need to be designed and sited so that the scale and location does not unduly detract from the character of the area or natural resource values. Owners of conserved land must seek approval from the Vermont Land Trust or other organization that conserved the land.

Larger non-commercial projects up to 150 kW serving the specific needs of local businesses or farms may be permitted provided they are designed and sited to fit within the character of the surrounding area. The following types of renewable energy projects will be appropriate in these areas:

- Roof mounted solar panels;
- Free-standing solar panels up to 15 kW for single residences or up to 150 kW serving a nearby community of homes;
- Non-commercial solar projects up to 150 kW designed to serve the specific needs of a local business, institution, or farm;
- Small wind turbines suited to specific residential or business use.

The 100 kW solar project at the McKnight Farm serves as a good example of appropriate siting. The project is located on non-productive land and is well screened from the adjacent road by a hedgerow.

Areas of Significant Constraints (Prohibited Areas)

Areas with important natural, cultural, or scenic values are unsuited to solar projects except where it can be demonstrated that development will not interfere with the identified resource. These restrictions are not intended to prevent the installation of arrays to offset residential or farm use of inhabitants within the designated prohibited area, but sensitive siting and screening may be required.

McKnight Farm 100kw solar array, screened from Kelton Road (Jean Vissering)

Significant Natural Resources: These areas are identified in the Town Plan and include flood hazard areas, river corridor areas, wetlands, high elevation protection zones, wildlife habitat areas, significant forest blocks, and prime agricultural soils. Minimum buffer areas of 50 feet are required between any part of a solar project and these resource areas

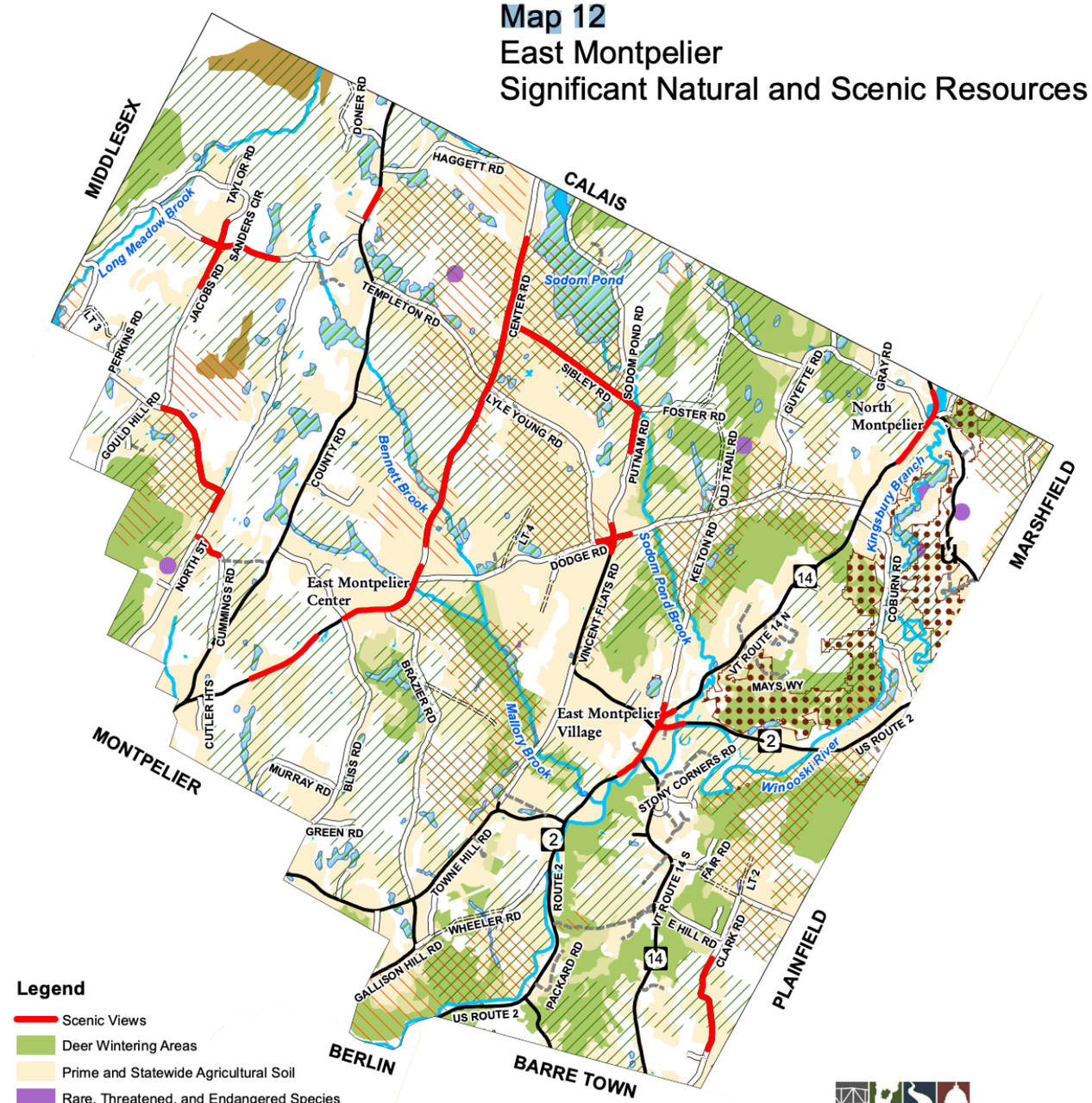
Identified Scenic Views: Roadside areas with significant scenic views are identified in the Town Plan and shown on Map 12. No solar project shall be visible within the foreground (one-half mile) of any viewing area.

Significant Cultural Resources: No projects greater than 50kW shall be located within a Village zone. These areas are intended for residential and business growth to provide a sense of community, economic growth, and opportunities for affordable housing.

Significant Scenic Views Along Public Roads in East Montpelier (see Map 12)

Location	Description	Distance (Miles)	Scenic Resource Type
North Street and Sparrow Farm Road	Distant views to Worcester Range, Camels Hump, and Mount Ellen; foreground meadows, farm structures, large roadside trees	1	• Rural Agricultural and Forest Land • Distant Views • Roadside Features • Historic Farm Structures
Cummings Road	Distant views to SW to Camels Hump and Mount Ellen; foreground meadows	.1	• Distant Views • Rural Agricultural Land
Horn of the Moon Road, Jacobs Road, and Sanders Circle	Distant Views to Worcester Range and Camels Hump. Foreground views to Long Meadow Hill and Horn of the Moon Pond, meadows, and farm structures	1.2	• Distant Views • Rural Agricultural and Forest Land • Historic Farm Structures • Hilltops and Ridgelines • Water Feature
County Road south of Haggett Road	Distant view to east toward White Mountains, foreground agricultural field and White Cemetery	.1	• Distant Views • Rural Agricultural and Forest Land
Center Road South	Foreground open meadows on both sides of Center Road with views to the Green Mountains and middleground hills. Historic farmstead is on the north side of the road near top of hill.	.3	• Distant Views • Rural Agricultural and Forest Land • Historic Farm Structures
Center Road North	Scenic road with several historic farms, a large sugarbush, mature roadside maple trees, diverse mix of open meadows and forest land; views to Sodom Pond and surrounding rural landscape	2.5	• Middleground Views • Rural Agricultural and Forest Land • Historic Farm Structures • Roadside Features • Water Feature
Sibley Road/ Putnam Road	Scenic road with three historic farmsteads and barns set in an open agricultural landscape	1.4	• Distant Views • Rural Agricultural and Forest Land • Historic Farm Structures
Intersection of Dodge, Putnam, Snow Hill and Vincent Flats Roads	Views to east along Snow Hill Road to Marshfield cliffs and the Spruce Mountain ranges; foreground pattern of fields and forests in the foreground with some residential structures. Views looking west to the historic Four Corners Schoolhouse.	.4	• Distant Views • Rural Agricultural and Forest Land • Historic Structures • Hilltops and Ridgelines
Clark Road south of East Hill Road	Distant views to west of Camels Hump and Worcester Range, foreground open meadows.	.6	• Distant Views • Rural Agricultural and Forest Land
East Montpelier Center (Hamlet)	A cluster of tightly knit homes and a working farm with the Old Meetinghouse Church as a focal point. Open agricultural meadows and forest land surround East Montpelier Center	.7	• Historic Buildings • Rural Agricultural and Forest Land • Hamlet
North Montpelier Village	A distinct village with historic homes, old factory buildings, and a former village store. North Montpelier Pond (partially in Calais) and Kingsbury Branch enhance views.	.5	• Historic Buildings • Village • Water Features
East Montpelier Village	Historic center of town with numerous historic structures in a traditional village pattern. Old Brick Church, Dudley's Store, an old Schoolhouse (now municipal offices), along with the Winooski River are important focal points.	.7	• Historic Buildings • Village • Water Feature

Map 12
East Montpelier
Significant Natural and Scenic Resources



Legend

- Scenic Views
- Deer Wintering Areas
- Prime and Statewide Agricultural Soil
- Rare, Threatened, and Endangered Species
- Rare Physical Landscapes
- Conserved Properties - 4,401 acres
- Current Use Properties - 10,508 acres
- High Elevation Overlay District - 165 acres
- Wetlands
- Rivers, Lakes, and Ponds
- Streams

Roads

- Paved
- Gravel
- Class 4/Legal Trail
- Private

N

0 0.5 1 2 Miles

CVRPC
CENTRAL VERMONT REGIONAL PLANNING COMMISSION

Map Created 11/30/2017 by CVRPC revised 2/22/2022
N:\Towns\East Montpelier\Town Plan_2018\
Significant Natural and scenic resources.mxd

SOURCE:
Rare Threatended and Endangered Species Data: VTANR, 2010.
Deer Wintering Areas: VTANR 2010.
Rare Physical Landscapes: VT Biofinder, 2016.
Roads: VTrans 2017.
Wetlands: VSWI, VTANR, 2010.
Prime and Statewide Ag soils: VT Data - Agiculturally Important Soil Units, VCGI 2016.
Surface Waters: CVRPC Surface Water Data, 1993.

Data is only as accurate as its original source.
This map is for planning purposes only.
This map may contain errors and omissions.

Other Topics to Consider

- wind turbines
- cell towers — ordinance?
- gas pipelines
- biomass power plant
- aerobic digester
- transmission lines

STEP THREE

PLANNING

TOWN'S VISION FOR THE FUTURE

Resources for Planners

Standard Sizes, Programs and Acreage of Solar Arrays in Vermont

Net-Metered — *highest cost — >15 cents/kWh*
— 150 kW ~1 acre or less
— 500 kW ~ 3 - 5 acres

Standard-Offer — *cost driver ~ 8 - 10 cents/kWh*
— 2.2 mW ~ 5 - 15 acres. Program Ended.

Utility Scale — *lowest cost — < 8 cents/kWh*
— 4.99 mW ~ 16 - 32 acres
— 20 mW ~100+ acres

VCE White Paper on Vermont's Energy Policies
vtce.org/VCE_White_Paper_UnderstandingVermontEnergyPolicies_09August2018.pdf

Act 56, Additions to Section 248

Allows Municipal Solar Screening Bylaw or Ordinance

2015

(B) With respect to a ground-mounted solar electric generation facility, the facility shall comply with the screening requirements of a municipal bylaw adopted under 24 V.S.A. § 4414(15) or a municipal ordinance adopted under 24 V.S.A. § 2291(28), and the recommendation of a municipality applying such a bylaw or ordinance, unless the Commission finds that requiring such compliance would prohibit or have the effect of prohibiting the installation of such a facility or have the effect of interfering with the facility's intended functional use.

https://legislature.vermont.gov/statutes/section/30/005/00248

Some Adopted Municipal Solar Siting Ordinances

Woodstock
https://townofwoodstock.org/wp-content/uploads/2013/11/Town-of-Woodstock-Supporting-Plan-Standards-for-the-Protection-of-the-Scenic-Byways-and-Vistas-and-the-Siting-of-Solar-Energy-Facilities.pdf

Bennington
http://benningtonvt.org/wp-content/uploads/2012/11/ARTICLE-29-SCREENING-OF-SOLAR-FACILITIES.pdf

Whiting
https://drive.google.com/file/d/0B_xiUwy6Djr5UnNOeGFaNGlUSGdRMVhzV0FkcWZzeXBZN2NR/view

Salisbury
https://www.townofsalisbury.org/vertical/sites/%7B59D8C83C-9968-4A65-BB2B-00DE19899066%7D/uploads/Solar_siting_bylaws_012616.pdf

Fairfax
http://www.fairfax-vt.gov/vertical/sites/%7BA7F085CD-5C79-4CCF-8878-6AF1EF4F216C%7D/uploads/GMSPs_Bylaw_-_Fairfax_-_Final_9-19-16.pdf

Panton
https://www.pantonvt.us/uploads/3/1/6/7/31673701/panton__interim_bylaw_second_draft_11-5-16.pdf

Shelburne
http://shelburnevt.org/DocumentCenter/View/1907/Solar-Ordinance-Version-4?bidId=

Cornwall
http://cornwallvt.com/minutes/select/solarscreeningbylawnotice.pdf

North Hero
http://www.northherovt.com/uploads/Solarsiting.Bylaws.approved.18.03.06.pdf

Act 56, Additions to Section 248

Establishes Setbacks

2015

(s) This subsection sets minimum setback requirements that shall apply to in-state ground-mounted solar electric generation facilities approved under this section, unless the facility is installed on a canopy constructed on an area primarily used for parking vehicles that is in existence or permitted on the date the application for the facility is filed.

(1) The minimum setbacks shall be:

(A) from a State or municipal highway, measured from the edge of the traveled way:

(i) 100 feet for a facility with a plant capacity exceeding 150 kW; and

(ii) 40 feet for a facility with a plant capacity less than or equal to 150 kW but greater than 15 kW.

(B) From each property boundary that is not a State or municipal highway:

(i) 50 feet for a facility with a plant capacity exceeding 150 kW; and

(ii) 25 feet for a facility with a plant capacity less than or equal to 150 kW but greater than 15 kW.

(2) This subsection does not require a setback for a facility with a plant capacity equal to or less than 15 kW.

(3) On review of an application, the Commission may:

(A) require a larger setback than this subsection requires;

(B) approve an agreement to a smaller setback among the applicant, the municipal legislative body, and each owner of property adjoining the smaller setback; or

(C) require a setback for a facility constructed on an area primarily used for parking vehicles, if the application concerns such a facility.

(4) In this subsection:

(A) "kW" and "plant capacity" shall have the same meaning as in section 8002 of this title.

(B) "Setback" means the shortest distance between the nearest portion of a solar panel or support structure for a solar panel, at its point of attachment to the ground, and a property boundary or the edge of a highway's traveled way.

Municipal Enhanced Energy Plans

https://acrobat.adobe.com/id/urn:aaid:sc:US:782a8154-2580-4b02-89d8-a4270791360f

Vermont Municipalities with an Affirmative Determination of Energy Planning Compliance
Pursuant to 24 V.S.A. §4352 by Regional Planning Commission

Addison County Regional Planning Commission	
Waybridge	Bristol
Ripton	New Haven
Salisbury	Leicester
Panton	Vergennes
Monkton	Waltham
Whiting	

Bennington County Regional Commission	
Arlington	Bennington
Dorset	Glastenbury
Manchester	Manchester Village
Peru	Pownal
Rupert	Sandgate
Stamford	Sunderland

Chittenden County Regional Planning Commission	
Burlington	Bolton
Charlotte	Colchester
Essex Junction	Huntington
Jericho	Richmond
Shelburne	Williston
Winooski	Hinesburg
Underhill	Westford

Central Vermont Regional Planning Commission	
Barre Town	Middlesex
Northfield	Plainfield
Waterbury	Woodbury
Waitsfield	

Lamoille County Planning Commission	
Elmore	Hyde Park
Johnson	Stowe
Waterville	Wolcott

Mount Ascutney Regional Commission	
Andover	Chester
Ludlow	Reading
Springfield	West Windsor
Windsor	

Northwest Regional Planning Commission	
Bakersfield	Berkshire
Fairfax	Enosburg Falls
Enosburg Town	Fairfield
Franklin	Fletcher
Highgate	Montgomery
Richford	Swanton

Northeastern Vermont Development Association	
Barnet	Irasburg
Brighton	Morgan
Burke	Peacham
Charleston	Ryegate
Craftsbury	St. Johnsbury
Danville	Sutton
Glover	Troy
Greensboro	Westfield
Holland	Westmore

Rutland Regional Planning Commission	
Benson	Brandon
Mendon	Proctor
Rutland Town	Sudbury
Tinmouth	

Two Rivers-Ottuaquechee Regional Commission	
Bethel	Braintree
Corinth	Fairlee
Hartford	Pittsfield
Rochester	Strafford
Thetford	Tunbridge
Woodstock	Sharon
West Fairlee	Bradford

Windham Regional Commission	
Grafton	Jamaica
Londonderry	Wardsboro
Westminster	Windham

updated: 4-10-2024

Addison County Regional Planning Commission
Enhanced Energy Plans

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Ripton https://acrpc.org/wp-content/uploads/2021/11/Ripton-Energy-Plan_2020.pdf

New Haven https://acrpc.org/wp-content/uploads/2021/11/Energy-Plan-New-Haven-Approved-7-28-21-1.pdf

Salisbury download Word doc https://www.townofsalisbury.org/index.asp?SEC=3BAAE21E-BFA4-4F44-B258-0B85EEBDCDE9&DE=57227551-827D-461E-819A-BE70F39A511A&Type=B_BASIC

Leicester, p. 27 https://www.leicestervt.org/vertical/sites/%7BD3BA284D-6645-4F39-A903-6550C16F2FE9%7D/uploads/Leicester_Town_Plan_Adopted_12-18-17.pdf

Panton, p. 100 https://www.pantonvt.us/uploads/3/1/6/7/31673701/pantontownplan_adopted_19_11_14.pdf

Vergennes https://cms8.revize.com/revize/vergennes/Vergennes%20Enhanced%20Energy%20Plan%20%202020.pdf

Monkton https://monktonvt.com/documents/2019/10/proposed-monkton-enhanced-energy-plan_2019.pdf

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Enhanced Energy Plans

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Manchester http://www.bcrcvt.org/uploads/1/1/1/8/111899771/manchesterenergyplanadoptedmay19.2020.pdf

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Sunderland http://www.bcrcvt.org/uploads/1/1/1/8/111899771/sunderland-town-plan-energychapter2018.pdf

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Enhanced Energy Plans

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Charlotte p. I-53 https://www.dropbox.com/s/96fpsau2cej93bq/COMBINED%20-%20Charlotte_Town_Plan_Amended_20191105.pdf?dl=0

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Hinesburg p. 96 https://www.hinesburg.org/sites/g/files/vyhlif6691/f/pages/townplan_070721_redux.pdf

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Underhill p. 53 https://www.underhillvt.gov/vertical/sites/%7B4E962BB9-B4BB-4504-A3EE-ED54521A1BCE%7D/uploads/Adopted_2021_Underhill_Town_Plan_-_9.10.2021.pdf

Westford p. 53 https://westfordvt.us/wp-content/uploads/2021/03/2021-Town-Plan_Adopted.pdf

Williston https://www.town.williston.vt.us/vertical/sites/%7BF506B13C-605B-4878-8062-87E5927E49F0%7D/uploads/Williston_Energy_Plan_-_Public_Hearing_Draft_03.17.2020_with_Working_Edits_5-12-2020.pdf

Winooski https://www.winooskivt.gov/DocumentCenter/View/95/Enhanced-Energy-Supplementto-Master-Plan-PDF

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Plainfield, p. 142 https://centralvtplanning.org/wp-content/uploads/2021/04/21-04-12-Plainfield-Town-Plan-ADOPTED.pdf

Waterbury https://www.waterburyvt.com/fileadmin/files/Zoning_Planning/bb_Waterbury_Energy_Plan_adopted_12-3-18.pdf

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Enhanced Energy Plan

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Enhanced Energy Plans

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Springfield https://marcvt.org/wp-content/uploads/2018/08/Enhanced-Energy-Plan-Revised-Draft-032118.pdf

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Northwest Regional Planning Commission
Enhanced Energy Plans

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Montgomery, p. 37 https://www.nrpcvt.com/_files/ugd/cf375c_cea637bf184c4541aaa73b9ba7e2e276.pdf

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Enhanced Energy Plans

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Brandon p. 22, https://www.rutlandrpc.org/_download.php?id=7&mode=towns_ddown&name=Brandon_Town_Plan_Adopted_2016_Energy_Plan_2019.pdf

Mendon https://www.mendonvt.org/wp-content/uploads/2022/03/Mendon-Enhanced-Energy-Plan-adopted-March-28-2022.pdf

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Sudbury p. 29, https://www.rutlandrpc.org/_download.php?id=137&mode=towns_ddown&name=Adopted_SUDBURY_TOWN_PLAN_January_15__2018.pdf

Tinmouth p. 58, https://www.rutlandrpc.org/_download.php?id=190&mode=towns_ddown&name=Town_Plan_adopted_1-9-2020_Reduced.pdf

Two Rivers-Ottauquechee Regional Commission Enhanced Energy Plans

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Windham Regional Commission
Enhanced Energy Plans

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Londonderry p. 58, http://www.windhamregional.org/images/docs/towns/Londonderry/Londonderry_TownPlan_2017-10-02.pdf

Jamaica p. 37 https://www.jamaicavermont.org/wp-content/uploads/2022/01/2017-Jamaica-Town-Plan-as-amended-adopted-1-10-22.pdf

Wardsboro p. 60, http://www.windhamregional.org/images/docs/towns/Wardsboro/Wardsboro_TownPlan-12.07.2021.pdf

Westminster?

Windham http://www.windhamregional.org/images/docs/towns/Windham/Windham_EnergyElement_2019-09-02.pdf

Mapping Resources

GMP Solar Map
http://gmp.maps.arcgis.com/apps/webappviewer/index.html?id=4eaec2b58c4c4820b24c408a95ee8956

GMP 3-Phase Map
https://greenmountainpower.com/help/construction/3-phase-service-vermont/

GMP OH Conductor Size for DG Siting
https://www.arcgis.com/home/webmap/viewer.html?webmap=51f68dfd7d3145868287849e628eb3e4&extent=-75.2659,42.7068,-68.7949,45.1318

Vermont Energy Dashboard
https://www.vtenergydashboard.org/energy-atlas

Vermont ANR Natural Resources Atlas
https://anrmaps.vermont.gov/websites/anra5/

Vermont ANR BioFinder
https://anrmaps.vermont.gov/websites/BioFinder/

Parcel Map Viewer
https://maps.vermont.gov/vcgi/html5viewer/?viewer=vtmapviewer

VCE Resources

VCE Compilation of Photos of Solar Projects in Vermont — very large file
vtce.org/GOODandBAD_SOLAR.pdf

Excerpts from PSB Solar Decisions that Refer to Regional and Municipal Plans
vtce.org/Excerpts%20from%20PSB%20solar%20decisions.pdf

VCE Comments to Act 174 PSB Working Group, 2016
vtce.org/1234.pdf

VCE White Paper on Vermont's Energy Policies, March 2018
vtce.org/
VCE_White_Paper_UnderstandingVermontEnergyPolicies_09August2018.pdf