

# Vermont Enhanced Energy Planning

## *How to Write an Effective Plan*

Windham Region Energy Committees and Planning Commissions, April 26, 2022



**Vermonters <sup>for</sup> a Clean Environment**

by Annette Smith, Executive Director

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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 Rockingham from State via WRC

[https://drive.google.com/drive/u/0/folders/0B2c\\_6utSGstLSEQzLVJ2VHNVaDQ?resourcekey=0-zUUsSFdcSH23r0-czfEJYw](https://drive.google.com/drive/u/0/folders/0B2c_6utSGstLSEQzLVJ2VHNVaDQ?resourcekey=0-zUUsSFdcSH23r0-czfEJYw)

Current Energy Consumption\_Rockingham Electricity Use Update

File Edit View Insert Format Data Tools Extensions Help

75% View only

This sheet summarizes the current energy consumption estimates for your town, and references the calculations from the subsequent sheets. You may choose to copy/paste the data from this sheet right into your town's energy plan, or move through the subsequent sheets to see how the calculations were done and with what assumptions. Some inputs can be adjusted to customize the data to be more relevant to your municipality, if needed.

Current Municipal Transportation Energy Use (Standard 5A), Sheet "1. Current Trans"	
Total number of vehicles in town (US Census Data estimate).	3,772
Average miles per vehicles (Vtrans average).	11,356
Total estimated miles traveled in town.	42,837,660
Average gallons used per vehicle per year (Vtrans average).	684
This is the estimated total annual energy consumption amount for light-duty passenger transportation purposes, in millions of Btu.	#NAME?
This is the estimated total annual energy consumption of internal combustion engine (ICE) vehicles in the area, in millions of Btu.	#NAME?
An estimate of the number of gallons of fossil fuel consumed annually.	1,950,424
Total money spent on transportation fuel annual in town (\$2.3428/gallon, average price per gallon of retail petroleum products, based on January 2016 Vermont Fuel Price Report).	\$4,569,454
Current Municipal Heating Use (Standard 5a), Sheet "2. Current Heat" and "3. Current Home Heating Detail"	
This is the estimated annual heat energy consumption of Primary residential buildings in the area, in millions of Btu.	241,670
This is the estimated annual heat energy consumption of Commercial buildings in the area, in millions of Btu.	108,110
This is the estimated annual heat energy consumption of Seasonal residential buildings in the area, in millions of Btu.	5,901
This is the estimated total annual energy heat consumption for Residential and Commercial buildings in the area, in millions of Btu.	355,681
Total money spent on owner-occupied home heating expenses.	\$3,051,466
Total money spent on renter-occupied home heating expenses.	\$1,227,512
Total home heating expenses.	\$4,278,978

Targets\_Efficiency\_Rockingham .XLSX

File Edit View Insert Format Data Tools Help

100% View only

**DATA SUMMARY SHEET**

This sheet summarizes the renewable energy efficiency, conversation, and fuel conversion estimates for your town, and references the calculations from the subsequent sheets. You may choose to copy/paste the following charts from this sheet right into your town's energy plan, or move through the sheets in this workbook to see how the calculations were done and with what assumptions.

Some inputs can be adjusted to customize the data to be more relevant to your municipality, if needed.

Efficiency Targets at Benchmark Years (Standards 5B and 5E), Sheet "1. Workspace- Efficiency"			
Use/Sector	2025	2035	2050
<b>Residential thermal</b> (increased efficiency and conservation): Percent of municipal households to be weatherized over benchmark years to meet efficiency targets.	21%	41%	83%
<b>Residential thermal</b> (increased efficiency and conservation): Estimated number of municipal households to be weatherized.	531	1037	2130
<b>Commercial thermal</b> (increased efficiency and conservation): Percent of commercial establishments to be weatherized over benchmark years to meet efficiency targets.	9%	16%	30%
<b>Commercial thermal</b> (increased efficiency and conservation): Estimated number of commercial establishments to be weatherized.	17	31	57
<b>Electricity:</b> Number of kilo-watt hours to be conserved, annually, over the target years.	4,423,900	7,229,300	10,574,200
<b>Electricity:</b> Percentage of number of homes and buildings that will have been upgraded with electric efficiency improvements.	42%	68%	100%
Fuel Switching Targets (Standards 5C and 5D), Sheet "2. Workspace- Fuel Targets"			

## Windham Regional Commission Act 174 Data by Town

[https://drive.google.com/drive/u/0/folders/0B2c\\_6utSGstLSjBfOTdhYjlnOEK?resourcekey=0-F8THgalm2A8TZlpPznpjQDg](https://drive.google.com/drive/u/0/folders/0B2c_6utSGstLSjBfOTdhYjlnOEK?resourcekey=0-F8THgalm2A8TZlpPznpjQDg)

## **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.

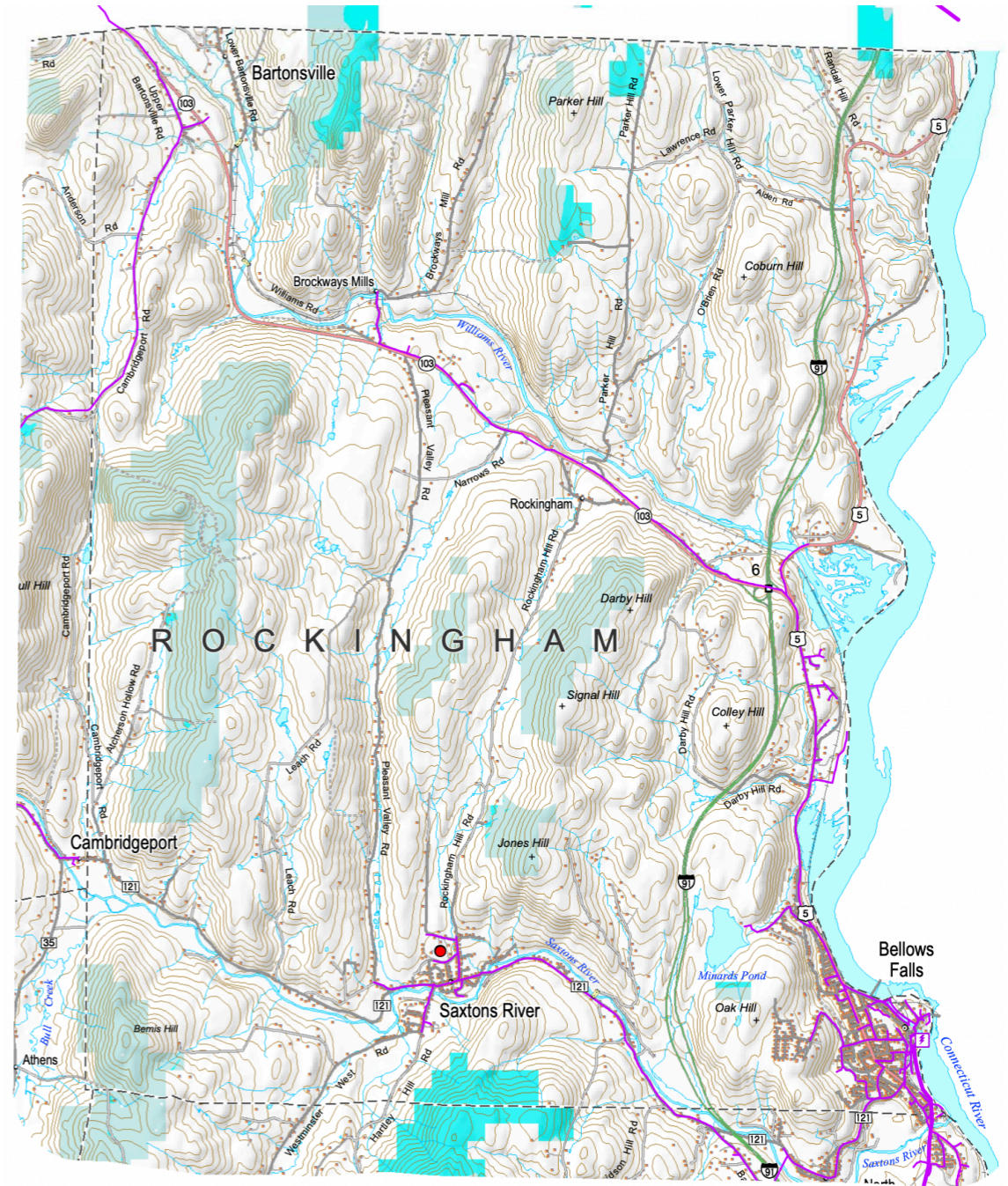


# Maps from State via Windham Regional Commission



Solar Potential

<https://vce.org/RockinghamSolarPotential.kmz>



Wind Potential

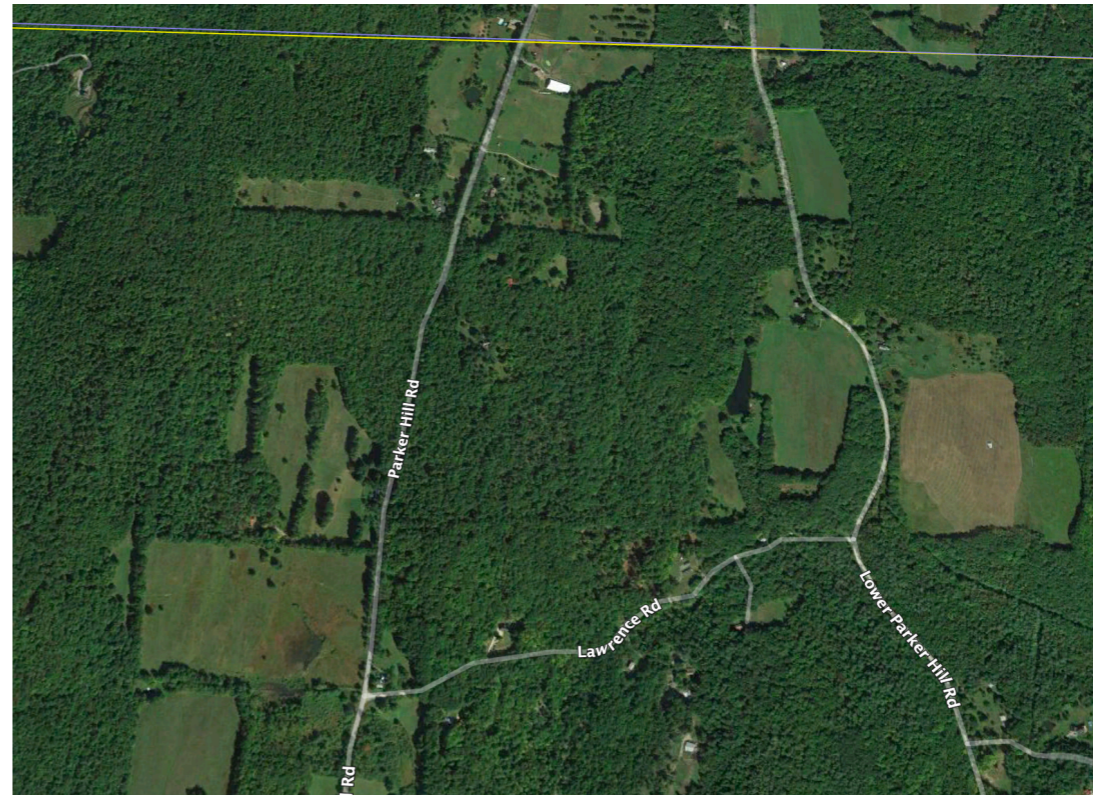
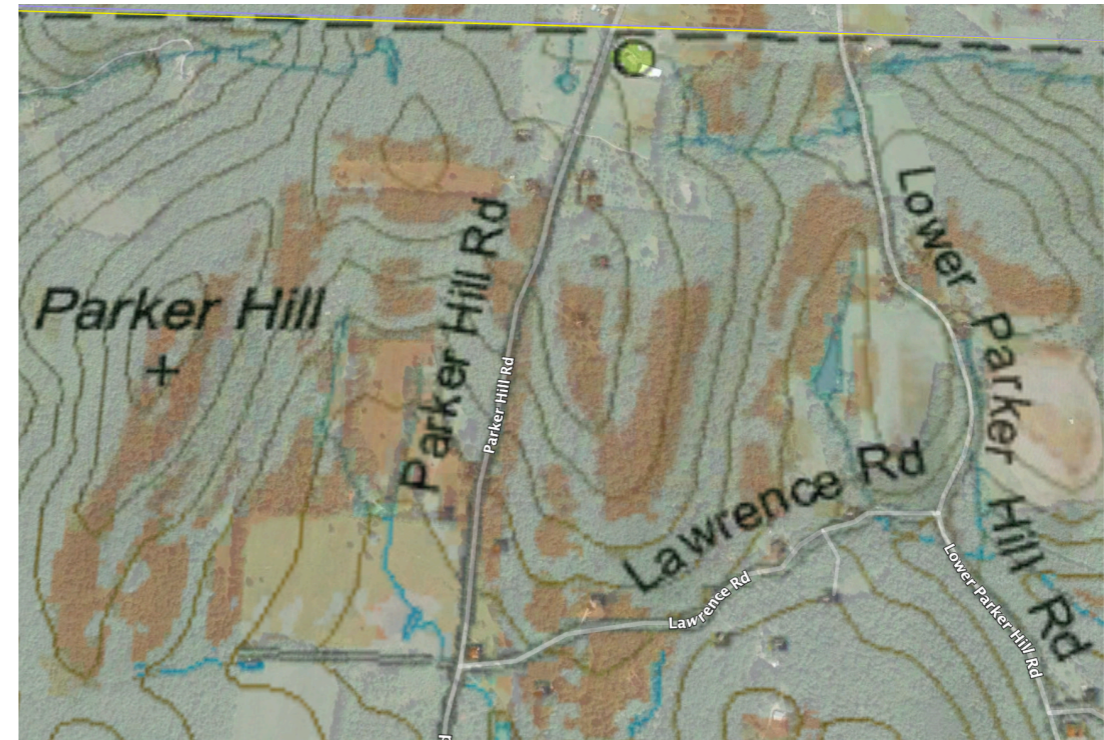
<https://vce.org/RockinghamWindPotential.kmz>

## Constraints

Towns can use as is or customize



# Evaluating Solar Resources



<https://vce.org/RockinghamSolarPotential.kmz>



PREFERRED SITES MAP

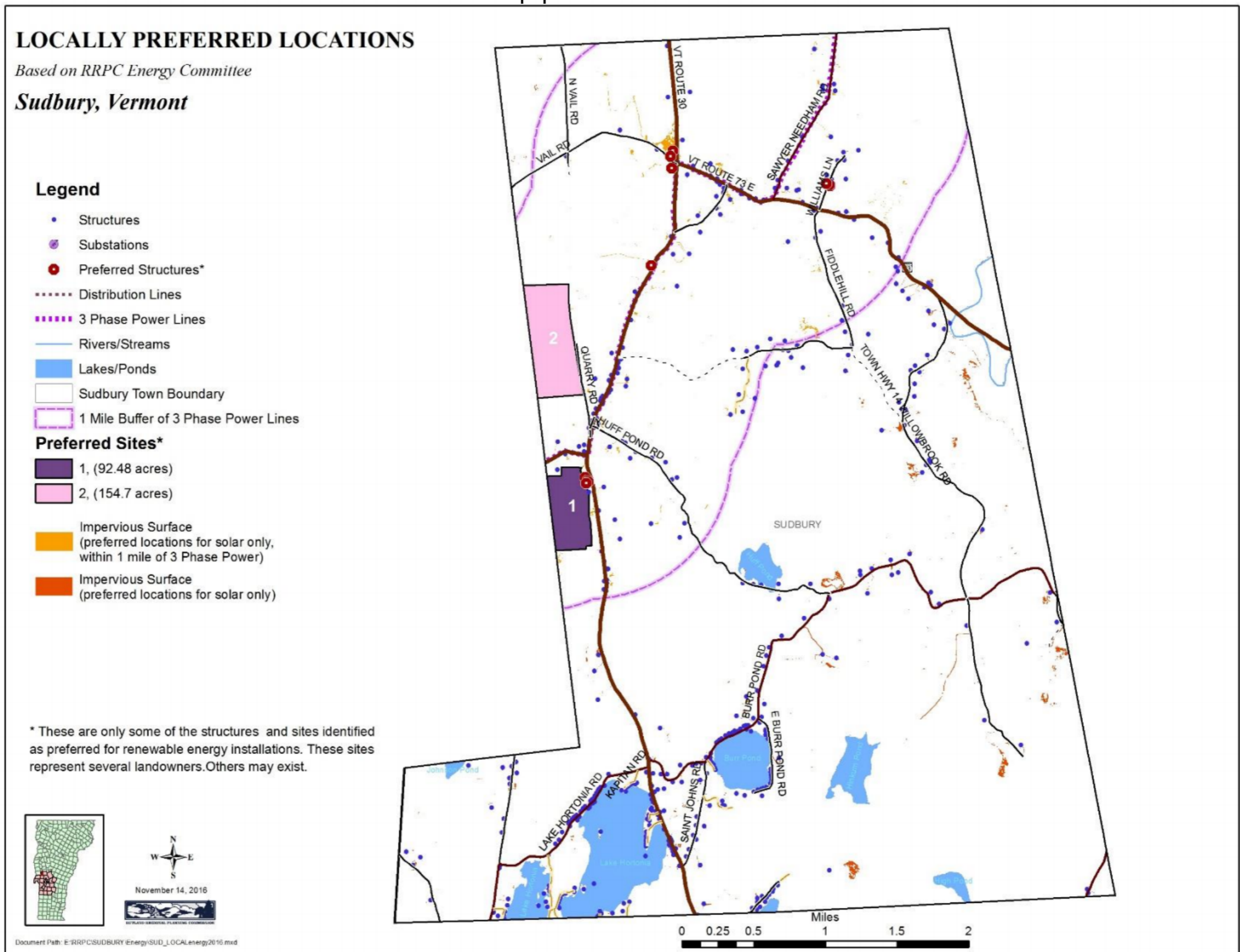
NOT REQUIRED

# Preferred Sites Map

One Approach

Sudbury Town Plan

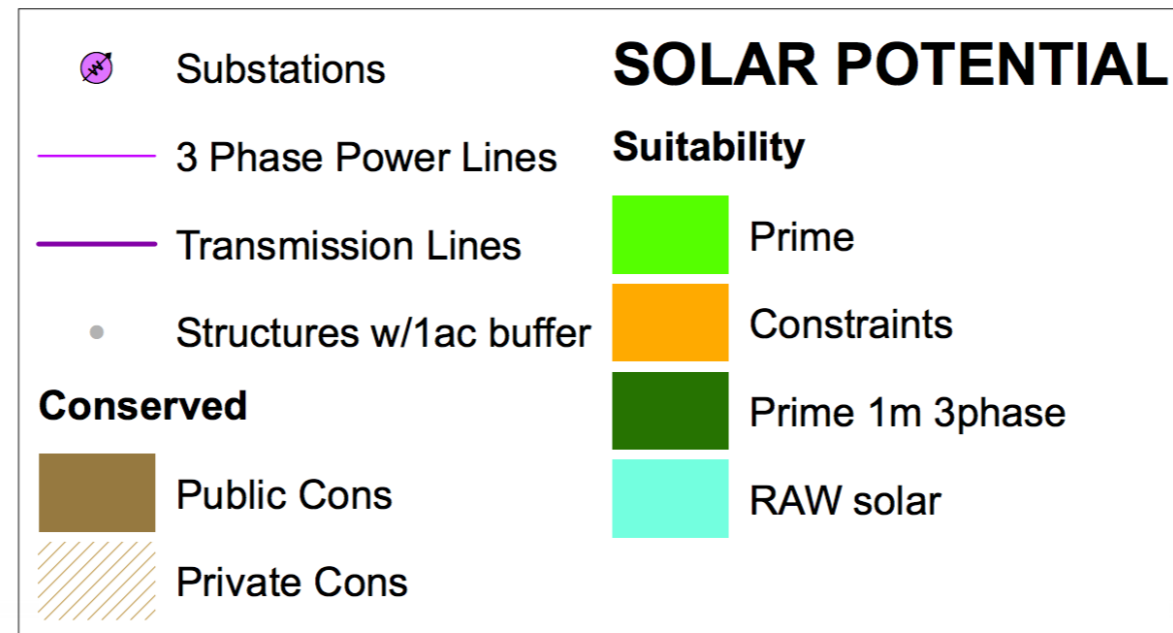
SUDBURY LOCALLY PREFERRED AREAS MAP





# Preferred Sites, Another Approach *Not Recommended*

- 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

# 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](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.<sup>38</sup> 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.<sup>39</sup> 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.

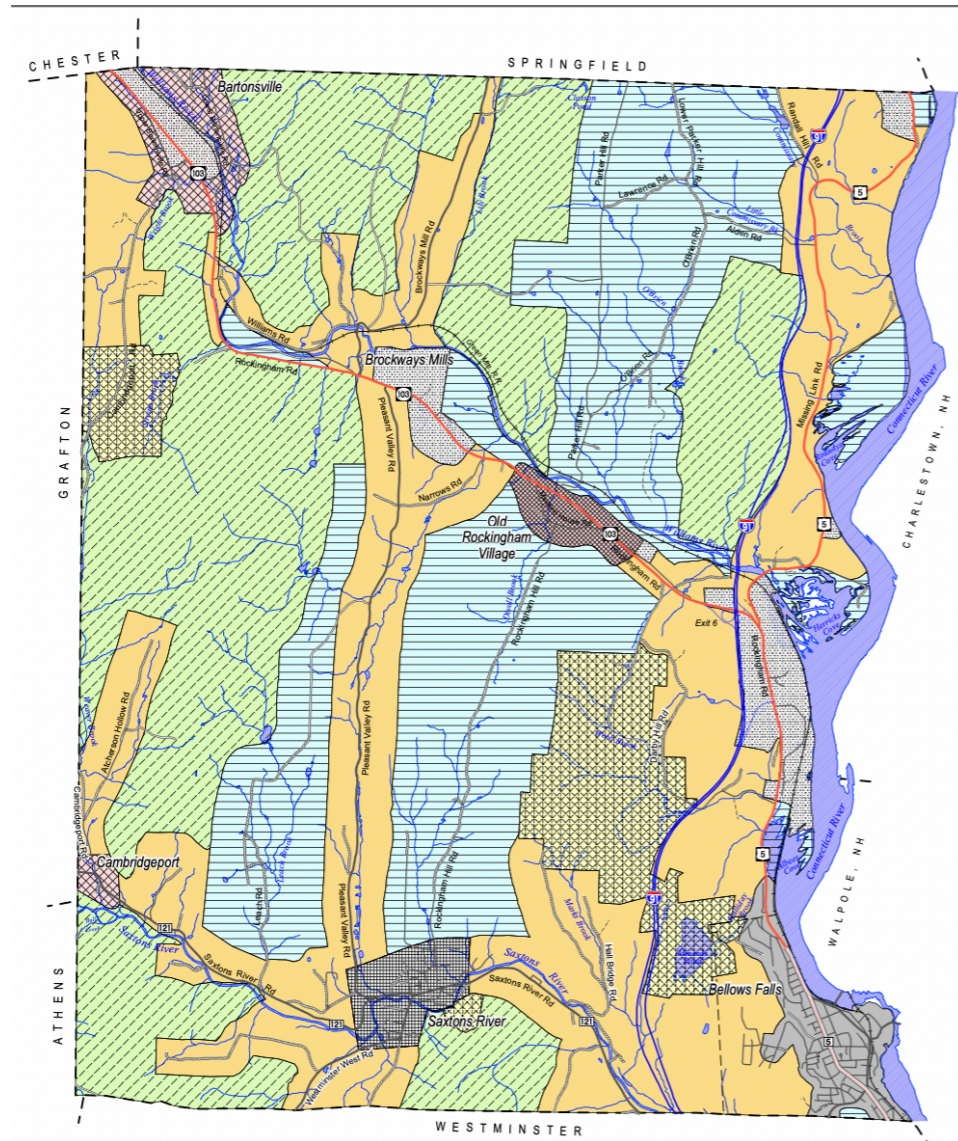
Example of District language that was denied by the Vermont Supreme Court:\* “The general language about preserving the rural character of the entire Rural Conservation District **is not the kind of specific, clear, written standard that can render an adverse impact undue** under § 248(b)(1)”

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

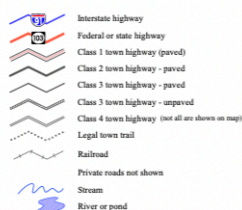
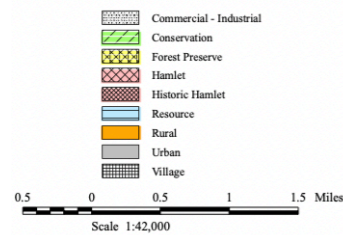


# Land Use Maps

[http://www.windhamregional.org/images/docs/towns/Rockingham/rockingham\\_townplanmaps\\_2016-08-30.pdf](http://www.windhamregional.org/images/docs/towns/Rockingham/rockingham_townplanmaps_2016-08-30.pdf)



## Existing Land Use

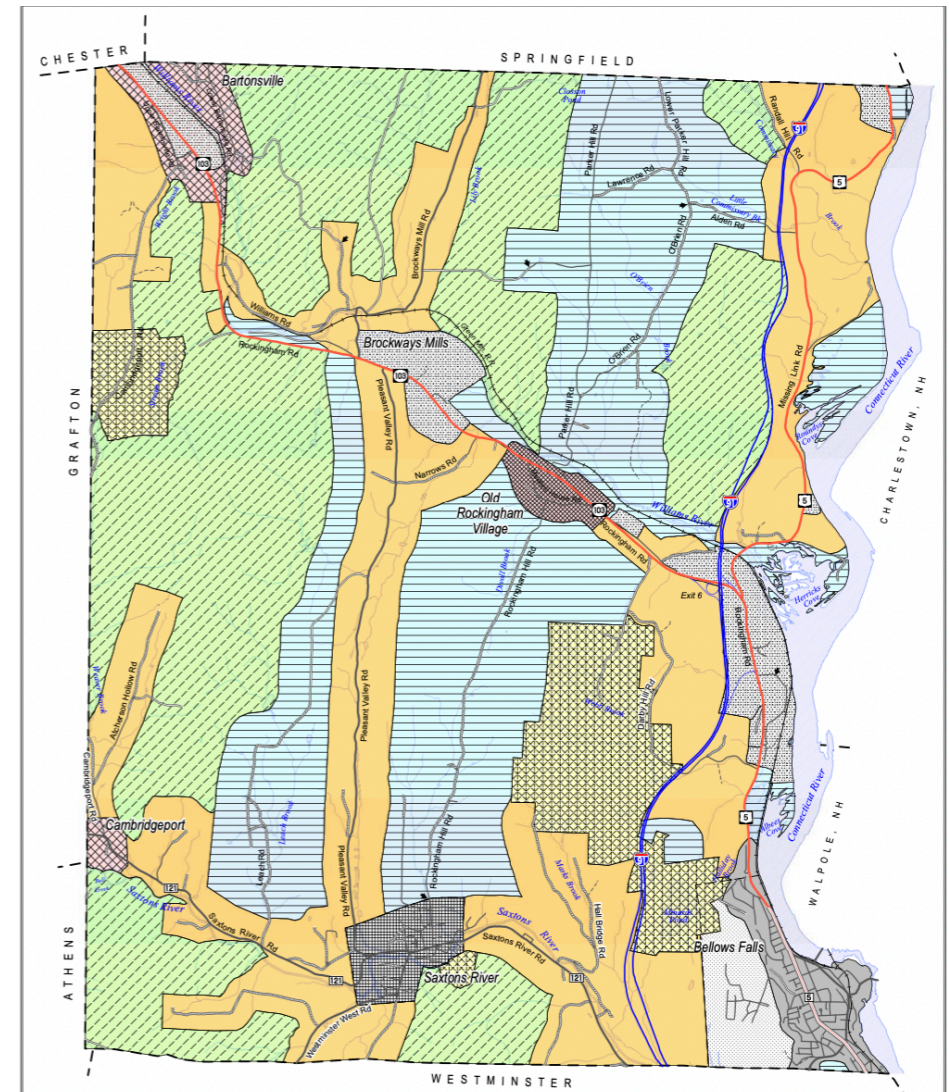


## Rockingham, Vt. April 2010

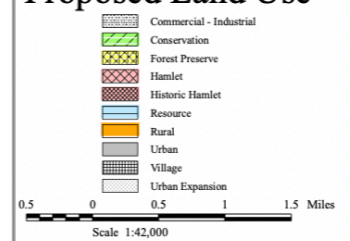
Data source:  
Existing land use district boundaries were determined by the Rockingham Planning Commission and digitized by WRC.



Windham Regional Commission, May 2010  
C:\towns\Rockingham\TP\_ILU.mxd



## Proposed Land Use



## Rockingham, Vt. April 2010

Data source:  
Proposed land use district boundaries were determined by the Rockingham Planning Commission and digitized by WRC.



Windham Regional Commission, May 2010  
C:\towns\Rockingham\TP\_PLU.mxd

Categories Described on p. 121 of Town Plan

[http://www.windhamregional.org/images/docs/towns/Rockingham/rockingham\\_townplan\\_2016-08-30.pdf](http://www.windhamregional.org/images/docs/towns/Rockingham/rockingham_townplan_2016-08-30.pdf)



# Rockingham Town Plan

## Description of Conservation and Resource Areas

**Conservation and Resource Areas** are similar with respect to their physical character. Some areas within these designations both present serious limitations to development and offer significant resource values.

1. **Conservation Areas** are essentially undeveloped areas which are largely wooded. Some of the Conservation areas have limited access to an improved public road and to necessary public utilities and services, while others may have poor soils or steep slopes.

Much of the Conservation areas may not be suitable for large scale development due to these factors but may be suitable for small scale development in relation to the overlying zoning district. The range in lot sizes under the Zoning Bylaw reflects the proximity to public roads and land use in the late 1960's when the Rockingham Zoning Bylaw was originally proposed.

Those Conservation areas which are most remote from public highways and utilities should remain largely undeveloped until public services are available, and there is a demonstrated need for more intensive development in these areas. Should development within Conservation areas be proposed, cluster development is the preferred design.

2. **Resource Areas** generally should be used primarily for agriculture, forestry, recreational and open space uses with single family residences scattered throughout the Resource areas. It includes lands subject to flooding, such as along the Connecticut River, or which may be wetlands or critical for wildlife. This includes Resource areas which are within Recreation-Conservation zoning districts, on the State of Vermont wetlands map, or which support critical wildlife habitat. Resource areas which meet these criteria should remain undeveloped to maintain their natural character.

Some lands within the Resource areas are located within zoning districts which allow for a range of lot sizes from one to 5 acres. These limited areas may be suitable for small scale development in relation to the overlying zoning district.

# 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.

Not acceptable: 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.



# Randolph Town Plan

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 constructed ~~on~~ 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."

# SPECIFIC POLICIES

## Wind

### Develop Standards for Industrial Wind

- Name the Mountains where Rockingham does or does not want Industrial Wind Turbines — *Clear Written Community Standard for Scenic Resource Protection Must be SPECIFIC TO THE SITE*
- Setbacks to residences — 1 Mile per MW
- Decibel levels — 35 dBA day and night
- Must not be sited in high priority habitat blocks
- Must not fragment forests in high priority habitat blocks



## Northwest Regional Planning Commission

### Enhanced Energy Plan

NRPC generally **does not have suitable locations for the construction of “industrial” or “commercial” wind facilities within the region and therefore finds this scale of development does not conform to this plan.** For the purposes of this plan, **NRPC will consider any wind facility with a tower height (excluding blades) in excess of 100 feet tall to be considered an “industrial” or “commercial” wind facility.**

## Central Vermont Regional Planning Commission

### Enhanced Energy Plan

the Central Vermont Regional Planning Commission has determined that **industrial-scale wind development is not compatible with the future land use patterns of Central Vermont.** For the purposes of this plan, **industrial-scale wind development will include any wind turbine with a hub height greater than 125 feet (excluding the blades).** Additionally, wind energy development will be restricted above 2,500 feet in elevation consistent with the 2016 Central Vermont Regional Plan’s future land use plan. For the purposes of this energy plan, a 125 foot hub height is expected to accommodate both residential and commercial wind generation. Hub heights above 125 feet will be considered industrial in scale and not fitting for Central Vermont.

# Randolph Town Plan

**For wind generation facilities, the following policies apply:**

1. The topic of wind generation has become divisive within Vermont. Randolph generally does not have suitable locations for the construction of commercial or industrial wind facilities due to existing development and low wind resources and therefore finds this scale of development does not conform to this Plan. For the purposes of this Plan, Randolph considers any wind facility with a tower height/hub height (excluding blades) in excess of 125 feet tall to be considered a commercial or industrial wind facility.
2. Wind towers shall not be sited where the structure will break the penultimate ridgeline silhouette as viewed westerly from Randolph Center, the VT Route 12 and 12A valley floors, Chelsea Mountain Road, Edson Road, Tunbridge Road and VT Route 14 or as viewed easterly from Randolph Center, including from Rogers, Curtis, Silloway and Denning Roads.

# Other Topics to Consider

- 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 ~ 9 - 15 acres

**Utility Scale** — *lowest cost* —  $< 8$  cents/kWh

— 4.99 mW ~ 16 - 32 acres

— 20 mW ~ 100+ acres

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**VCE White Paper on Vermont's Energy Policies**

[http://vce.org/VCE\\_White\\_Paper\\_UnderstandingVermontEnergyPolicies\\_09August2018.pdf](http://vce.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\\_xiUwy6Djr5UnNOeGFaNGIUSGdRMVhzV0FkcWZzeXBZN2NR/view](https://drive.google.com/file/d/0B_xiUwy6Djr5UnNOeGFaNGIUSGdRMVhzV0FkcWZzeXBZN2NR/view)

Salisbury

[https://www.townofsalisbury.org/vertical/sites/%7B59D8C83C-9968-4A65-BB2B-00DE19899066%7D/uploads/Solar\\_siting\\_bylaws\\_012616.pdf](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](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](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://www.vapda.org/uploads/1/3/1/8/131894470/  
vermont\\_municipalities\\_with\\_an\\_affirmative\\_determination\\_of\\_energy\\_planning\\_c  
ompliance\\_pursuant\\_to\\_24\\_v.pdf](https://www.vapda.org/uploads/1/3/1/8/131894470/vermont_municipalities_with_an_affirmative_determination_of_energy_planning_compliance_pursuant_to_24_v.pdf)

# Addison County Regional Planning Commission

## Enhanced Energy Plans

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- Charleston p. 21 [http://nvda.net/files/Charleston\\_Town%20Plan\\_Adopted12\\_13\\_18.pdf](http://nvda.net/files/Charleston_Town%20Plan_Adopted12_13_18.pdf)
- Craftsbury p. 39 <http://nvda.net/files/CraftsburyAmended1212020.pdf>
- Glover <https://www.nvda.net/files/2021EnhancedEnergyGlover.pdf>
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# Mapping Resources

GMP Solar Map

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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

[http://vce.org/GOODandBAD\\_SOLAR.pdf](http://vce.org/GOODandBAD_SOLAR.pdf)

Excerpts from PSB Solar Decisions that Refer to Regional and Municipal Plans

<http://vce.org/Excerpts%20from%20PSB%20solar%20decisions.pdf>

VCE Comments to Act 174 PSB Working Group, 2016

<http://vce.org/1234.pdf>

VCE White Paper on Vermont's Energy Policies, March 2018

<http://vce.org/>

[VCE\\_White\\_Paper\\_UnderstandingVermontEnergyPolicies\\_09August2018.pdf](http://vce.org/VCE_White_Paper_UnderstandingVermontEnergyPolicies_09August2018.pdf)

