



AGENDA MEMORANDUM

June 8th, 2023

Planning Commission Meeting Items

Submitted by: Dana Clawson, Environmental Sustainability Coordinator

Subject: Special meeting to review Vermont Law & Graduate School's guide for designating PV solar array sites as preferred and reviewing a request from Norwich Solar to designate the proposed Braley Dr. site as preferred.

Background: Vermont Law & Graduate School guide for designating preferred sites for PV solar arrays was created after members of the Planning Commission expressed interest in having a consistent process in place for preferred site designation and additional guidance in what the process is. Vermont Law & Graduate School student Taylor Rush designed the guide to explain what the preferred designation is and recommend questions for developers so that the Planning Commission and Select Board receive consistent information from one project the next. The guide is a living document, changes and additions are expected as we continue to have requests for this designation in Hartford.

The second agenda item is a request from Norwich Solar for a preferred site designation on Braley Dr. for a 500 kW system. We will have a presentation from Norwich Solar and will review the materials provided in this meeting packet. This includes the questions from the Vermont Law & Graduate School guide. This will be followed by a discussion about the site and Commissioners and the public will be able to ask questions during this time.

Discussion: Vermont Law & Graduate School guide:

- Thoughts on using the guide.
- Possible additions and amendments.

Preferred siting designation for Norwich Solar's Braley Dr. project:

- Concerns about the site.
- Recommendations for the project.

Recommendation: The Hartford Planning Commission makes a motion to approve or reject Norwich Solar's request for preferred siting designation of the Braley Dr. project.

Hartford Planning Commission Special Meeting
Thursday, June 8th, 2023 - 6:00pm
Hartford Town Hall
171 Bridge Street, White River Junction, Vermont
Hybrid meeting- In person and remote

Microsoft Teams meeting

Join on your computer, mobile app or room device

[Click here to join the meeting](#)

Meeting ID: 270 866 705 890

Passcode: 85QXVT

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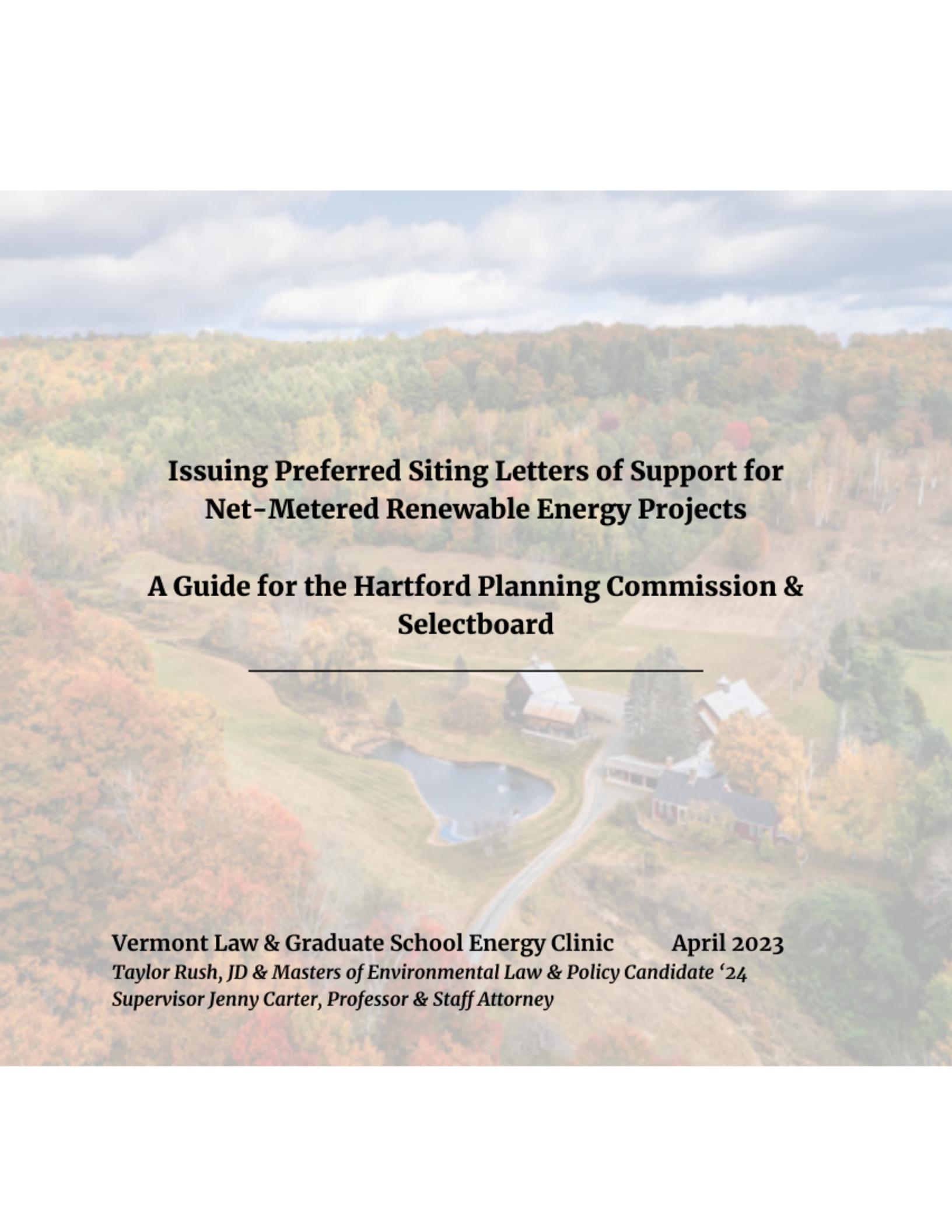
[+1 802-377-3677,,119546176#](#) United States, Middlebury

Phone Conference ID: 119 546 176#

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If you cannot access the meeting notice electronically or if you are having difficulty connecting to the meeting, please e-mail Dana Clawson at dclawson@hartford-vt.org

Item
Additions/Changes to the Agenda
Public Comment
Review preferred Siting designation guide from Vermont Law & Graduate School <ul style="list-style-type: none">- Discuss preferred siting guide- Recommended changes or additions- Decide if this guide is something the Planning Commission wants to use in their decision making process
Norwich Solar presentation and request for preferred site designation for Braley Dr. Lot # 9-162 <ul style="list-style-type: none">- Norwich presentation- Discussion- Motion to approve or not approve preferred designation for this project
Meeting adjourns



Issuing Preferred Siting Letters of Support for Net-Metered Renewable Energy Projects

A Guide for the Hartford Planning Commission & Selectboard

Vermont Law & Graduate School Energy Clinic **April 2023**
Taylor Rush, JD & Masters of Environmental Law & Policy Candidate '24
Supervisor Jenny Carter, Professor & Staff Attorney

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Summary

Net-metering for renewable energy projects is an important tool that enables Vermont and Vermonters to address climate change and gain energy independence. Net-metering provides relatively small projects (500 kilowatts or less) with a simpler permit process and generally more favorable rates than larger projects. It helps individuals and businesses install solar projects on their property and, if that isn't possible for them, to invest in community solar projects.

This guide is designed to assist Hartford's Planning Commission and Selectboard when renewable energy developers ask for a letter of support to submit to Vermont's Public Utilities Commission (PUC) as part of their PUC net-metering application. Typically, developers ask for this letter because they may need it for PUC approval, or they need it to receive a more favorable rate for the energy they produce, or both.

Through the Town Plan, Climate Action Plan, and Climate Emergency Declaration, Hartford has expressed a strong commitment to addressing climate change and support for renewable energy. In addition to that commitment, the documents also express considerations the town may want to consider when determining if it wants to give its' support to specific projects. This guide outlines those considerations plus additional considerations identified by Two Rivers Gtauqucchee Regional Planning Commission, provides a form for developers to fill out related to those considerations, and includes a template for a letter of support.

Introduction

I. Why Preferred Siting is Important for Net-Metered Renewable Energy Projects

In 2017, the Public Utility Commission (PUC) adopted regulations regarding "preferred siting" for net-metered renewable energy projects. Projects that are between 150 kW-AC and 500 kW-AC must be located on a "preferred" site to qualify for a net-metered permit (aka, certificate of public good).¹ Projects that are 15 kW to 150 kW do not have to be on a preferred site, but they will get a better rate from Green Mountain Power if they are located on a preferred site. Notably, projects that are under 15 kW do not have to be categorized as preferred to get the better utility rates. To provide context, a 15 kW-AC project powers roughly two to three residences.

II. What is Preferred Siting

There are a number of different ways a project can qualify as "preferred". The PUC net-metering rules encourage projects located on rooftops, parking lots, brownfields, gravel pits, and

¹ https://puc.vermont.gov/sites/psbnew/files/docLibrary/S1QQ-PUC-nm-effective-Q7-Q1-2017_Q.pdf

sites where 50 percent of the power is used onsite. But often the only way a specific project can get the preferred designation is to get a letter of support from the town's planning commission, the selectboard, and the regional commission (aka joint letter of support).

List of Relevant Documents & Statutes

To compile this guide, the following sources were consulted:

- [Section 248 of VSA Title 30](#) (governs Vermont's siting laws)
- [PUC Rule 5.100, Rule Pertaining to the Construction and Operation of Net-Metering Systems](#)
- [The latest PUC Biennial net-metering update](#)
- [Two-Rivers-Ottauquechee Regional Commission \(TRORC\) guidelines for issuance of letters of support](#)
- [Hartford Town Plan](#)
- [Hartford Zoning Regulations](#)
- [Hartford Climate Action Plan](#)
- [Hartford Joint Resolution Declaring a Climate Emergency](#)

Rule 5.100

Under PUC Rule 5.100, the Public Utility Commission specifies that there are four categories of net-metering. Category I Net-Metering System is “a net-metering system that is not a hydroelectric facility and that has a capacity of 15 kW or less.” Category II Net-Metering System consists of a net-metering system that is not a hydroelectric facility that has a capacity of more than 15 kW and less than or equal to 150 kW, and that is sited on a preferred site. Next, a Category III Net-Metering System is defined as “a net-metering system that is not a hydroelectric facility, that has a capacity of greater than 150 kW and less than or equal to 500 kW.” Moreover, it “is sited on a preferred site.” Lastly, a Category IV Net-Metering System is one “that is not a hydroelectric facility, that has a capacity of greater than 15 kW and less than or equal to 150 kW, and that is not located on a preferred site.” These categories are essential, as they determine whether a solar project qualifies for preferred siting, and this can determine how much compensation a solar developer can receive for the power produced.

The most common way to obtain preferred siting is through a joint letter of support from the municipal legislative body and regional planning commission, as specified under PUC Rule 5.103(7).

Relevant Provisions of Town Plan & Climate Action Plan

PUC Rule 5.103(7) gives a definition for preferred sites. Subparagraph 7 allows a project to get a joint letter of support to meet the preferred siting criteria. Rule 5.103(7) does not, however, give direction to the town as to how to come to the determination of whether to issue a joint letter of support. Therefore, we reviewed the Climate Emergency Declaration, the Climate Action Plan, and the Hartford Town Plan to gain an understanding of the importance of renewable energy to Hartford and what reasonable limitations it might want to put on siting.

I. A Joint Resolution Declaring a Climate Emergency

The Climate Emergency Declaration expresses Hartford's citizens' strong commitment to addressing climate change. The Town states that it is committed to reducing greenhouse gas emissions, with a goal of achieving net-zero greenhouse gas emissions by 2030. The joint resolution declares to "make mitigation of global warming and adaptation to the effects thereof a defining focus for planning, funding, and action." The Selectboard is specifically called upon to 'balance the costs of action and inaction on the climate.' To meet the net-zero and fossil-fuel reduction goals, renewable energy must be implemented.

II. Climate Action Plan

Hartford has an interest in granting letters of support for net-metered projects because Hartford's citizens have determined that the changing climate is a crisis, and the town must take action. The transition towards renewable energy production and use will help mitigate the effects of climate change, and it is notably emphasized in Hartford's Climate Action Plan.² The Climate Action Plan puts forth numerous recommendations to address climate change including maximizing new installations for residential and commercial scale solar projects and developing job training programs focused on solar construction.

III. Hartford Town Plan

The Hartford Town Plan assesses the current status of the community and lays out a vision for the future. The guiding principles of the Hartford Town Plan are affordability, inclusion, sustainability, town assets, collaboration, and creativity.³ Regarding solar energy facilities, the Town Plan states, "over the last decade, there has been tremendous growth in solar energy in Vermont. This started with rooftop solar panels and in recent years has resulted in commercial solar arrays in Hartford and throughout the state. *Solar energy facilities should be carefully sited.*" (Emphasis added).⁴ By 2040, Hartford has set a goal of 90% energy production

² Hartford Climate Action Plan 2021, Section 2

³ Hartford Town Plan 2019, p. 2

⁴ *Id.* at pp. 220-221

from renewable sources.⁵ The Hartford guidelines should utilize Hartford's hierarchy of sustainability for net-meter-scale renewable energy siting, at pages 248-249.⁶

Review Protocol Explanation

In order to support new local renewable energy and appropriate siting pursuant to the Climate Emergency Declaration, Climate Action Plan, and the Hartford Town Plan, below is a Hartford specific set of guidelines. To create these guidelines, we consulted the TRORC guidelines for issuance of letters of support, Town Plan, Zoning Regulations, and Hartford Climate Action Plan. The Hartford Review Protocol is similar in structure and content to TROC but supplemented with Hartford specific considerations. This will allow for a consistent process for reviewing net-metered projects.

The Hartford Review Protocol should be used as a rubric to guide discussion of whether to issue a Preferred Siting Letter of Support. We recommend that the Town require the applicant to provide the documents below, to the best of their ability, before making a determination. There are some criteria that you may decide to disqualify a project (such as those in a floodway, wildlife habitat, Class 1 wetland, etc.) from getting a letter of support, because TRORC will disqualify a project based on those criteria. Others you may choose to view in totality to determine whether to issue a Preferred Siting Letter of Support.

In cases that are not "clear cut" we recommend the selectboard and planning commission keep in mind the strong guiding principles and language to address climate change set forth in the Climate Emergency Declaration, Climate Action Plan, and Town Plan.

⁵ *Id.* at p. 239

⁶ *Id.* at pp. 248-249

Review Protocol: Considerations for Issuing a Letter of Support

Please provide a general site map at the town scale, and at the site scale showing the entire parcel and lands/E911 structures within 100 meters. Provide other maps as requested. Maps should use public data when easily available.

ANR Atlas is found at <https://anrmmaps.vermont.gov/websites/anra5/>

Biofinder is found at <https://anrmmaps.vermont.gov/websites/BioFinder/>

FEMA Map Service Center: <https://msc.fema.gov/portal/home>

The developer will complete the following table. The Hartford Selectboard and Planning Commission will review the completed table to come to a determination about whether to issue a joint letter of support.

Name of Project:
Date:
Size of the solar project:
Docket No:
Developer:
Owner:
1) Is the solar facility site located in a preferred location or prime area? Hartford's hierarchy of sustainability for commercial-scale renewable energy siting located on pp. 248-249 of the 2019 Hartford Town Plan has a list of preferred locations and prime areas
2) Is the solar facility site located in an unsuitable area? Unsuitable areas include floodways shown on FEMA Flood Insurance Rate Maps, Class 1 Wetlands as indicated on Vermont State Inventory maps or identified through site analysis, and Wilderness Areas (including National Wilderness Areas). They also include the Hartford Town Forest & Hurricane Forest Wildlife Refuge. Note, TRORC does not issue a preferred site letter of support if located in an unsuitable area.

3) Is the solar facility site located in a constrained area? Table 1 located on pp. 248-249 of the 2019 Hartford Town Plan has a list of potential constraints.
4) Is the solar facility site located on a FEMA Floodway? Provide FIRM map showing FEMA floodway and/or FEMA Special Flood Hazard Area if present. Note, TRORC does not issue a Preferred Site Letter of Support if located on a FEMA Floodway and not on an existing building.
5) Is the solar facility site located in a forest block? Does the solar facility site involve clearing trees? Note, TRORC's policy is to deny a request for a letter of support if there is more than .2 acres cleared per 100kW of nameplate capacity and intrusion into forest should be limited to 300 feet or less. Provide BioFinder map showing forest blocks and habitat connectors, if present.
6) Is the solar facility site located on a river corridor? Describe distance to the top of the bank. Is the river in active movement/site likely to erode? Provide ANR Atlas map of the river corridors.
7) Is the solar facility site located on a wetland? If yes, has a wetland delineation been done? Provide ANR Atlas map of the wetlands in the area.
8) Is the solar facility site a site in active agricultural use? Provide ANR Atlas map of prime agricultural soil in the area
9) How will the solar facility site impact wildlife habitats? Are there any threatened and endangered species/habitats that could be impacted?

10) How will the solar facility site impact the aesthetics of the town? Will the solar facility site be a nuisance? Provide photo(s) from the nearest public road. Is the proposed facility visible from public roads or adjacent owners? Are any dwellings within 100 meters? Describe lighting, traffic, fencing, noise, glare. Describe any ground disturbance and tree cutting.
11) Does the solar facility site adhere to the goals and guiding principles of the Hartford Town Plan?
12) Does the solar facility site aid in Hartford's transition towards renewable energy and help mitigate the impacts of climate change?
13) Will the solar facility owner keep the Renewable Energy Credits (RECs) generated by this project? ⁷ The language in the Town Plan and the Hartford Climate Action Plan regarding renewable energy development seem to recommend keeping RECs.
14) Will the applicant encourage grazing, grassland bird habitat management, or planting of pollinator plant species inside the project area? (Not required, but a positive attribute)
15) Will the plan the applicant submits to the PUC conform to the plans given to the Town?

⁷ RECs represent the environmental attributes of the energy project. If they are relinquished to Green Mountain Power, project owners will not be able to claim that they are using renewable energy & Hartford will not be able to use this project towards meeting its' greenhouse gas reduction goals.

Letter of Support Template

Date

Project Name

Project Address



Re: Preferred Siting Designation under Rule 5.100 - [Project Name]

Dear [Name],

Representatives of [Project Name] have reached out to us and shared information of a proposed [description of project (i.e.: 500kW-AC solar electricity generation)] project on [location: address and coordinates)]. Having made our review, we are hereby providing [Planning Commission/Selectboard] designation of the locations as a “Preferred Site” under Section 5.103 of your Rule 5.100.

Please 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. We also do not waive our right to participate in the PUC proceeding as we see fit based on further consideration of the project.

Sincerely,

[Signed]

Letter of Support

May 11th, 2023

Hartford Braley Solar LLC
15 Railroad Row
White River Junction, VT 05001



Re: Preferred Siting Designation under Rule 5.100 – Hartford Braley Solar

To Whom it May Concern,

Representatives of Hartford Braley Solar LLC have reached out to the Hartford Energy Commission and shared information of the proposed 500kW-AC solar electricity generation project off Braley Dr on Parcel ID: 285-090-10541. Having completed a review aligned with a Preferred Siting Guideline compiled by VLGS Student Taylor Rush [JD '24], we are hereby providing the Planning Commission and Selectboard our recommendation to designate the location as a “Preferred Site” under Section 5.103 of your Rule 5.100.

Please 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 and standardizing the review process. We also do not waive our right to participate in the PUC proceeding as we see fit based on further consideration of the project.

Sincerely,
Jesse Pollard

Jesse Pollard
Chair, Hartford Energy Commission
Approved by Majority Vote [4-2-0] at 5/11/2023 Special Meeting

Section 248 TRORC Review Protocol – Preferred Site Letter of Support

Please provide a general site map at the town scale, and at the site scale, showing the entire parcel and lands/E911 structures within 100 meters. Provide other maps as requested. Maps should use public data when easily available.

ANR Atlas is found at <http://anrmaps.vermont.gov/websites/anra5/>

Biofinder is found at <http://anrmaps.vermont.gov/websites/BioFinder2016/>

FEMA Map Service Center <https://msc.fema.gov/portal>

TRORC will review requests for Preferred Site Letters of Support by completing the following table:

	Name of Project: Hartford Braley	
	Date: 05/09/2023 Size of solar project: 500 kW AC	
	Docket No: No document filed at PUC at this time	
	Developer: Norwich Solar	
	Owner: Hartford Braley Solar LLC	
	Is the solar facility site affecting....	Yes/No
1	Provide FIRM map showing FEMA Floodway, if present. ANR Atlas does not have all FEMA maps, so outside of Windsor County use FEMA Map Service Center.	No
	If yes and not on existing building, TRORC will NOT issue Preferred Site Letter of Support.	
	No applicable floodway within project area.	
2	Municipal letters of support from SB and PC, or in TP mapped preferred site?	
	If site does not have both, TRORC will NOT issue a Preferred Site Letter of Support.	
	N/A - draft for informational purposes	
3	Provide FIRM map showing FEMA Special Flood Hazard Area, if present.	No SFHA
	Describe. If yes, provide estimated lowest elevation of panels/inverters etc., floodproofing measures and BFE.	
4	ANR Atlas review – River Corridors	No River Corridor present
	Describe distance to top of bank. Is river in active movement/site likely to erode?	
5	ANR Atlas review – Wetlands	None present
	Describe: Has a wetland delineation been done?	
Wetland delineation to be completed after preferred site designation received. If any Class II wetlands are identified, the array layout will be outside 50' wetland buffers, within which no disturbance would occur.		
6	ANR Atlas review – Prime Agricultural Soil	None present
	Describe: Is site in active agricultural use?	
	No	
7	BioFinder review – Provide map showing forest blocks and habitat connectors, if present	No habitat connectors or priority forest blocks
	Describe: While not a regulatory review criteria, the project area is not located in a forest block or habitat connector.	

8	Aesthetic/Historic Siting review	
	Provide photo(s) from nearest public road. Is proposed facility visible from public roads or adjacent owners? Are any dwellings within 100 meters? Describe lighting, traffic, fencing, noise, glare. Describe any ground disturbance and tree cutting.	
	See Attachment 1 for narrative response.	
9	Municipal concerns?	
	Describe any issues the town has raised.	
10	ANR Atlas review – Threatened and Endangered Species/significant natural community/deeryards/ critical habitat	No resources identified
	Describe species and provide map.	
	The ANR Atlas review does not identify any records of Threatened and Endangered Species/ significant natural community/deeryards/critical habitat.	
11	TRORC Regional Plan conformance?	
	Describe using Regional Plan and TRORC Energy Implementation Plan:	
	See Attachment 1 for narrative response.	

TRORC will provide a Preferred Site Letter of Support for a renewable energy project when requested by the Town or the developer for projects:

1. That have a level of specificity enough for us to make determinations using the above checklist AND
2. That TRORC has determined there is minimal impact to human and natural resources as illustrated on the checklist AND
3. That have written municipal support from the Selectboard and Planning Commission AND
4. That TRORC finds in conformance with the TRORC Regional Plan

For projects lacking enough detail to make findings, TRORC is not able to issue the Preferred Site Letter of Support.

TRORC will provide a letter of Preferred Site status after completing a review above, finding the project and site in conformance with the Regional Plan, and receiving copies of Preferred Site Letters of Support from the Town SB and PC. Language in the Preferred Site letter will include: "Having made our review, the TRORC wishes to support the Project location as a designated "Preferred Site" under Net Metering Rule Section 5.103 (7). The TRORC does not take a position certifying or approving the Project's compliance with any other applicable provisions of Vermont law. This letter is solely for the purpose of providing support for designating the site as a "Preferred Site" under Net Metering Rule Section 5.103 (7).



Attachment 1 – Section 248 TRORC Review Protocol Additional Narrative - Hartford Braley

Question 8. Aesthetic/Historic Siting review

A viewshed for a one-mile radius surrounding the proposed solar array was conducted, considering existing topography and vegetation. Based on the results, it is anticipated that the solar array will generally be screened from offsite views due to topographic relief and existing vegetation.

Question 11. TRORC Regional Plan conformance?

Describe using Regional Plan and TRORC Energy Implementation Plan:

This location is consistent with the TRORC Energy Implementation Plan in its efforts to 90% renewable energy within its region and increasing electrification for heating and transportation. Based upon the TRORC Appendix C Energy Targets, Hartford's renewable generation target is 55,873- 68,289 MWh by 2050. In the Regional Energy Implementation Plan TRORC Goals, the first Strategy in meeting Goal A of 25% of remaining energy needs to be from renewables by 2025, 40% by 2035 and 90% by 2050 is Strategy A.1: Support the continued development of renewable energy generation that counts toward the goals of the CEP. The first Action identified therein is TRORC will encourage communities and residents to identify areas with the potential for renewable energy generation. As TRORC sets the goal to increase the amount of renewable energy generated in the TRORC region to 163 MW by 2050, Strategy B.1 states: Facilitate new generation projects through state incentives, better mapping, and clearer local and regional policies. The Plan indicates Solar is the most viable source of new renewable electric energy generation in the TRORC region due to the nature of our topography and land cover. Page 48 of the Plan indicates: Preferred locations come in two forms: state preferred areas that are defined as such in 30 V.S.A. § 8005a (Act 174), and specified locations identified by the town. A Joint Letter of Support is commonly used for towns to specify locations as preferred sites for net-metering projects.



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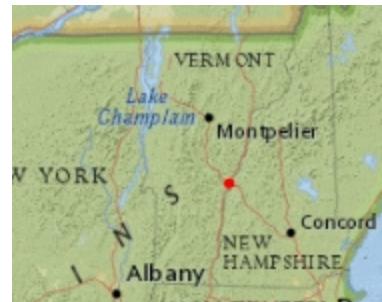
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453.0 Meters

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1" = 744 Ft. 1cm = 89 Meters
THIS MAP IS NOT TO BE USED FOR NAVIGATION

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LEGEND

Rare Threatened and Endangered

RTE Animal
RTE Plant

Deer Wintering Areas

River Corridors (Aug 27, 2019)

.5 - 2 sqmi.

.25-.5 sqmi.

Soils - Hydric

Soils - Prime Agricultural

Local

Local (b)

Not rated

Prime

Prime (b)

Prime (f)

Statewide

Statewide (a)

Statewide (b)

Statewide (c)

Parcels (standardized)

Roads

Interstate

US Highway; 1

State Highway

Town Highway (Class 1)

Town Highway (Class 2,3)

Town Highway (Class 4)

NOTES

20230421 ANR's Natural Resources
Atlas



453.0

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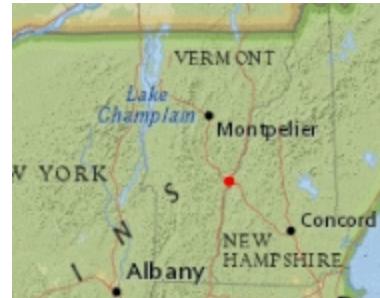
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453.0 Meters

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LEGEND

Rare Threatened and Endangered

RTE Animal
RTE Plant

Deer Wintering Areas

River Corridors (Aug 27, 2019)

.5 - 2 sqmi.

.25-.5 sqmi.

Soils - Hydric

Soils - Prime Agricultural

Local

Local (b)

Not rated

Prime

Prime (b)

Prime (f)

Statewide

Statewide (a)

Statewide (b)

Statewide (c)

Parcels (standardized)

Roads

Interstate

US Highway; 1

State Highway

Town Highway (Class 1)

Town Highway (Class 2,3)

Town Highway (Class 4)

NOTES

20230421 ANR's Natural Resources
Atlas

Review Protocol: Considerations for Issuing a Letter of Support

Please provide a general site map at the town scale, and at the site scale showing the entire parcel and lands/ E911 structures within 100 meters. Provide other maps as requested. Maps should use public data when easily available.

ANR Atlas is found at: <https://anrmaps.vcrmont.gov/websites/anra5/>

Biofinder is found at: <https://anrmaps.vermont.gov/'websites/BioFindcr/>

FEMA Map Service Center: <https://msc.fcma.gov/portal/home>

The developer will complete the following table. The Hartford Selectboard and Planning Commission will review the completed table to come to a determination about whether to issue a joint letter of support in compliance with the Public Utility Commission Rule 5.103 (7) Preferred Siting.

Name of Project: Hartford Braley Solar project

Date: 06/08/2023

Size of the solar project: 500 kW AC

Docket No: N/A

Developer: Norwich Solar

Owner: Hartford Braley Solar LLC

1. Is the solar facility site located in a preferred location or prime area? Hartford's hierarchy of sustainability for commercial-scale renewable energy siting located on pp,248-249 of the 2019 Hartford Town Plan has a list of preferred locations and prime areas.

The “Solar Energy Potential” map in the 2019 Hartford Town Plan provides a generalized overview of preferred/prime areas and areas with constraints. As such, it is difficult to identify the exact location of the proposed Project area on the map. The screenshot of the Solar Energy Potential map shown at Attachment 1 shows the general location of the Project parcel, illustrating that the project could be located within a prime area, and that there are no known constraints within the project area.

All project parcels will undergo a site-specific Natural Resource Inventory in compliance with the PUC environmental criteria and the Agency of Natural Resources. As well, the Agency of Agriculture, Farm and Markets has established specific guidance for ground-mount solar proposals that may impact NRCS prime agricultural soils.

2. Is the solar facility site located in an unsuitable area? Unsuitable areas include floodways shown on FEMA Flood Insurance Rate Maps, Class 1 Wetlands as indicated on Vermont State Inventory maps or identified through site analysis, and Wilderness Areas (including National Wilderness

Areas), They also include the Hartford Town Forest & Hurricane Forest Wildlife Refuge. Note, TRORC does not issue a preferred site letter of support if located in an unsuitable area.

- There is no applicable floodway within the Project area.
- Based on a review of the ANR Atlas, there are no wetlands within the Project area. A wetland delineation will be schedule after a preferred site designation is issued. If a Class II wetland is identified, the array will be designed to avoid the wetland and a 50' wetland buffer.
- The Project is not within the Hartford Town Forest/Hurricane Forest Wildlife Refuge or other designated wilderness area.

3. Is the solar facility site located in a constrained area? Table I located on pp.248-249 of the 2019 Hartford Town Plan has a list of potential constraints.

[There are no known constraints within the Project area.](#)

4. Is the solar facility site located on a FEMA Floodway? Provide FIRM map showing FEMA floodway and/or FEMA Special Flood Hazard Area if present. Note, TRORC does not issue a Preferred Site Letter of Support if located on a FEMA Floodway and not on an existing building.

[The Project area is not located within a FEMA Floodway. See Attachment 2.](#)

5. Is the solar facility site located in a forest block? Does the solar facility site involve clearing trees? Note, TRORC's policy is to deny a request for a letter of support if there is more than .2 acres cleared per 100 kW of name plate capacity and intrusion into forest should be limited to 300 feet or less. Provide BioFinder map showing forest blocks and habitat connectors, if present.

[While not a regulated criterion, the project area is not located in a forest block as identified by the ANR BioFinder. There will be trees cut within the project area for the array and shade management. The parcel has already been disturbed as illustrated by the photographs where large openings and few mature trees are visible. See Attachment 3 for pictures of the Project area.](#)

6. Is the solar facility site located on a river corridor? Describe distance to the top of the bank. Is the river in active movement/site likely to erode? Provide ANR Atlas map of the river corridors.

[There is no river corridor on the parcel. See Attachment 2.](#)

7. Is the solar facility site located on a wetland? If yes, has a wetland delineation been done? Provide ANR Atlas map of the wetlands in the area.

[Based on a review of the ANR Atlas, there are no wetlands within the parcel. A wetland delineation will be schedule after a preferred site designation is issued. If a Class II wetland is identified, the array will be designed to avoid the wetland and a 50' wetland buffer.](#)

8. Is the solar facility site a site in active agricultural use? Provide ANR Atlas map of prime agricultural soil in the area.

The parcel is not in active agricultural use. See Attachment 2.

9. How will the solar facility site impact wild life habitats? Are there any threatened and endangered species/habitats that could be impacted?

The ANR Atlas does not identify any records of Threatened and Endangered Species, significant natural communities or deeryards. See Attachment 2.

10. How will the solar facility site impact the aesthetics of the town? Will the solar facility site be a nuisance? Provide photo(s) from the nearest public road. Is the proposed facility visible from public roads or adjacent owners? Are any dwellings within 100 meters? Describe lighting, traffic, fencing, noise, glare. Describe any ground disturbance and tree cutting.

Due to topographic relief and remaining surrounding vegetation, views of the array will be limited, if any, from public traveled ways. The Project array will meet all PUC regulated setback requirements. Existing vegetation beyond the limits of clearing required for the Project is expected to provide screening. The PV panels will stand approximately 15 feet from the ground at their highest point. Based on the height of the panels and the existing surrounding vegetation, Project visibility from public roads and neighboring properties is expected to be minimal. Solar panels are designed to absorb solar energy and convert it to electricity. As such, solar panels are designed with anti-reflective materials to capture and retain as much of the solar spectrum as possible. Typical solar panels reflect only about 2% of incoming sunlight, which is less than bare soil and vegetation.¹ The Project will not have exterior lighting. The project's installation will involve only short-term, periodic traffic impacts due to deliveries of equipment during installation typical of a small construction project. During operations, the project will be accessed less than once per month unless additional maintenance is required. The Project's design may include an 8- foot-high, wildlife fence with a locked gate. In the event a fence is not required, energized equipment rated for outdoor use will be secured by locked enclosure covers and compliant with NEC code "Guarding of Live Parts." The Project will not cause undue noise. The Project will obtain coverage under the Agency of Natural Resources, Department of Environmental Conservation Stormwater Construction General Permit prior to commencement of installation. Disturbed areas will be seeded and mulched following equipment installation.

11. Does the solar facility site adhere to the goals and guiding principles of the Hartford Town Plan?

The solar facility advances Hartford's 90% renewable by 2040 goal. It also supports the ambitious goal of achieving net-zero greenhouse gas emissions by 2030 set forth in the Joint Resolution Declaring a Climate Emergency. Finally, the Project supports the guiding principles of affordability and sustainability by increasing the supply of renewable, carbon-free power to the distribution grid.

¹Massachusetts Department of Energy Resources, Massachusetts Department of Environmental Protection, and Massachusetts Clean Energy Center. 2015. Questions & Answers: Ground-Mounted Solar Photovoltaic Systems. Available at: <https://www.mass.gov/files/documents/2016/08/rn/solar-pv-guide.pdf>.

12. Does the solar facility site aid in Hartford's transition towards renewable energy and help mitigate the impacts of climate change?

Yes, based upon 2023 US EPA equivalency numbers, the approximately 900,000 kWh/year of electricity that is expected to be generated by the Project equates to 638 metric tons/year of avoided CO2 emissions. This supports the town's goal of generating 56-68 MWh/year of renewable electricity by 2040 and reaching net-zero GHG emissions by 2030.

13. Will the solar facility owner keep the Renewable Energy Credits (RECs) generated by this project?* The language in the Town Plan and the Hartford Climate Action Plan regarding renewable energy development recommend keeping RECs.

The Renewable Energy Credits generated by this project will be transferred to the interconnecting utility (Green Mountain Power) and retired. The RECs support the state's greenhouse gas reduction requirements established in the Vermont Global Warming Solutions Act of 2020.

14. Will the applicant encourage grazing, grassland bird habitat management, or planting of pollinator plant species inside the project area? (Not required, but a positive attribute).

The Applicant will welcome opportunities to encourage sheep grazing or planting of pollinator plant species.

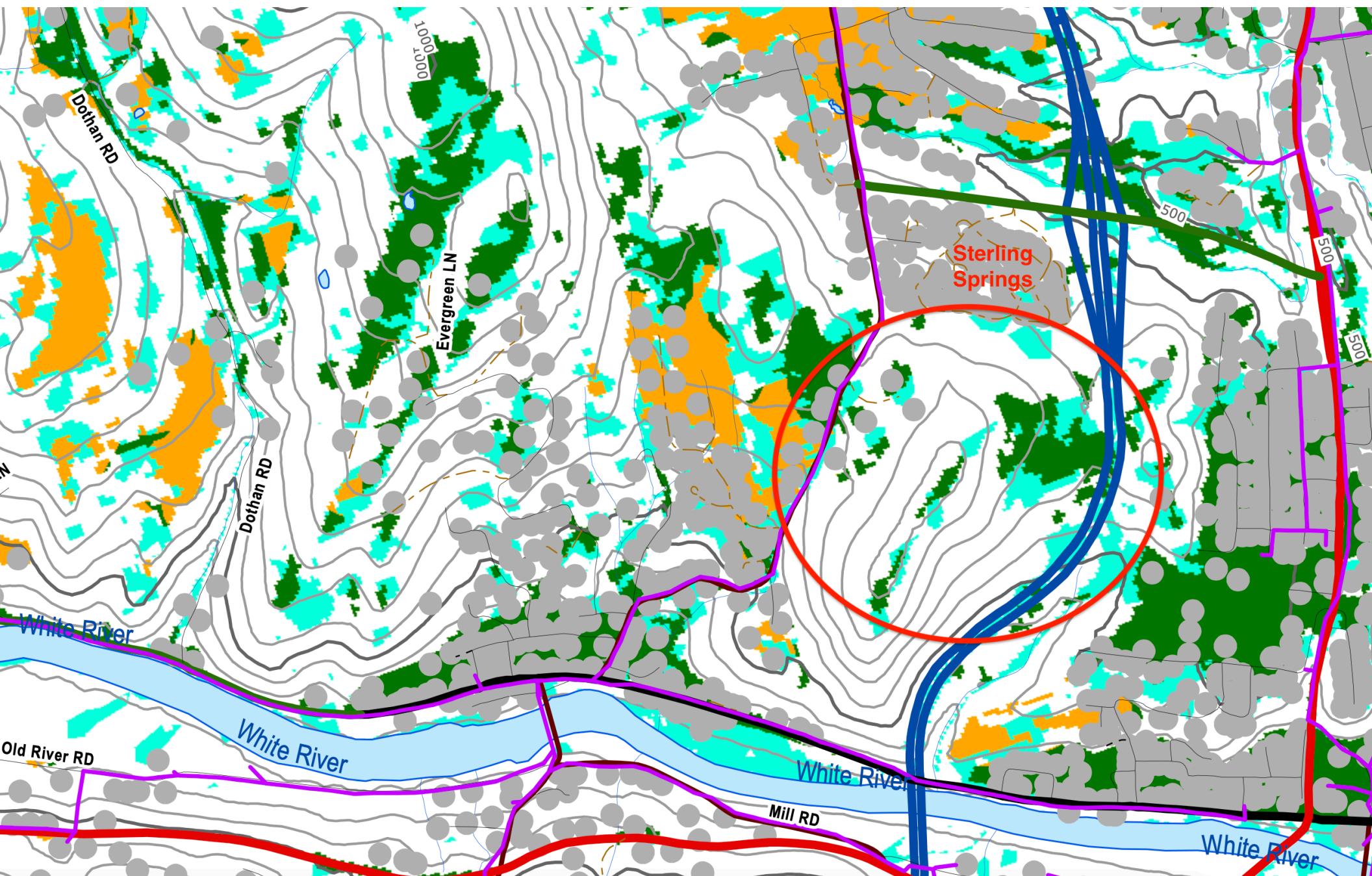
Norwich Solar has experience with agrivoltaics and has worked with farmers to graze sheep within the array, and has planted pollinator plant species within projects. Norwich Solar will support opportunities for agrivoltaics or pollinator plantings provided all conditions of the CPG can be met.

15. Will the plan the applicant submits to the PUC conform to the plans given to the Town?

The preliminary conceptual plan provided to the Town is based on the best, publicly available data. Based upon review of the ANR Atlas, the Project does not anticipate a substantial change to the preliminary conceptual plan at this time. Following a preferred site designation from the Town and TRORC, the Project will complete a site-specific natural resource inventory of state regulated environmental criteria. This site-specific assessment could identify elements that necessitate a modification from the preliminary conceptual plan. A final design will be included in the PUC application for a Certificate of Public Good. the Town will automatically have the opportunity to have party status in the review, participate and comment on the final design.

*RECs represent the environmental attributes of the energy project. If they are relinquished to Green Mountain Power, project owners will not be able to claim that they are using renewable energy & Hartford will not be able to use this project towards meeting its' greenhouse gas reduction goals.

Attachment 1





Hartford Braley Property

Vermont Agency of Natural Resources

vermont.gov



453.0

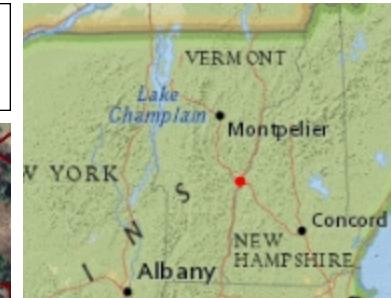
0

226.00 453.0 Meters

WGS_1984_Web_Mercator_Auxiliary_Sphere
© Vermont Agency of Natural Resources

1" = 744 Ft. 1cm = 89 Meters
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.



LEGEND

Rare Threatened and Endangered

- RTE Animal
- RTE Plant

Deer Wintering Areas

River Corridors (Aug 27, 2019)

- .5 - 2 sqmi.
- .25 - 5 sqmi.

Soils - Hydric

Soils - Prime Agricultural

- Local
- Local (b)
- Not rated
- Prime
- Prime (b)
- Prime (f)
- Statewide
- Statewide (a)
- Statewide (b)
- Statewide (c)

Parcels (standardized)

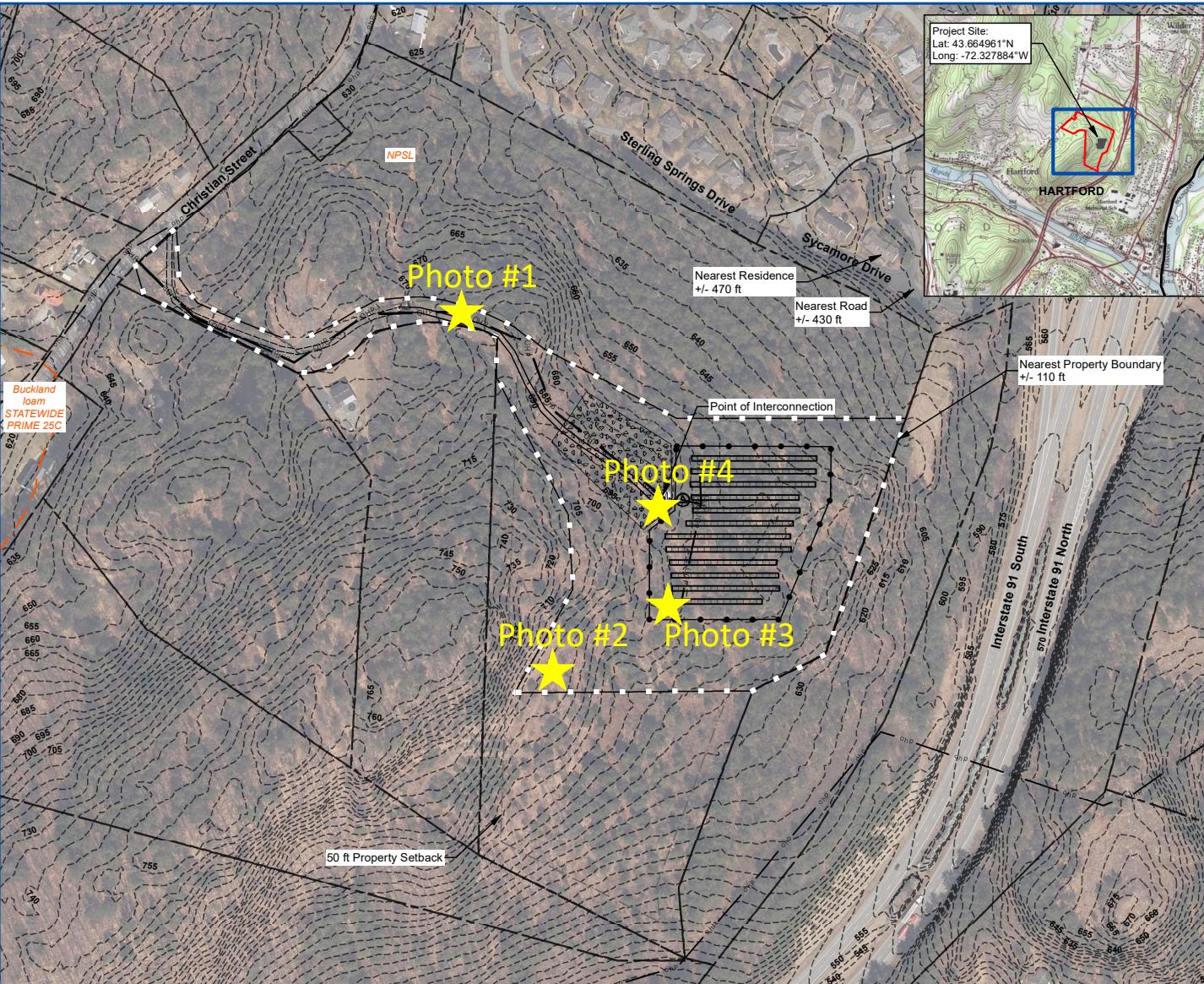
Roads

- Interstate
- US Highway; 1
- State Highway
- Town Highway (Class 1)
- Town Highway (Class 2,3)
- Town Highway (Class 4)

NOTES

20230421 ANR's Natural Resources
Atlas

Location of on-site photos



PRELIMINARY DRAFT
Hartford Braley Solar



Legend



- Proposed Solar Array**
- Proposed Site Access**
- Existing Site Access**
- Proposed Perimeter Fence**
- Proposed Temporary Staging Area**
- Point of Interconnection**
- AC Disconnect Pedestal**
- AC Combiner Pad**
- Proposed GMP Line Extension**
- Proposed Underground Power**
- Limit of Disturbance**
- Existing Overhead Power, VCGI**
- Approximate Streams, VCGI**
- Deer Wintering Areas, VCGI**
- Primary Agricultural Soils, VCGI**
- Approximate Property Lines, VCGI**
- 50 ft Property Setback**
- 5 ft Elevation Contours, VCGI**

0 125 250 500
Feet

Notes:

1. Array sizing for 500 kW AC.
2. The approximate solar array footprint is 2.4 acres.
3. The approximate total limit of disturbance is 12.6 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).

Photo #1 – Existing Access



Photo #2 – Looking northeast towards Project area



Photo #3 – Looking northeast/east towards Project area



Photo #4 – Looking east/southeast towards Project area

