

TOWN OF CASTLETON
PLANNING COMMISSION MINUTES
Tuesday, July 13, 2021
Zoom Virtual Public Meeting

PRESENT: Joe Bruno, Chair; Robert Franzoni, Member; Liz McKay, Member; Frank Johnson, Member; Jonas Rosenthal, Zoning Administrator; Eliza LeBrun, Recording Secretary; Peter Giese, Owner of MHG Solar

ABSENT: Michael Holden, Alternate

CALL MEETING TO ORDER

Mr. Bruno called the meeting to order at 7:00pm.

APPROVAL OF MINUTES

Minutes were not available for approval.

MHG SOLAR – PETER GIESE

Mr. Giese introduced himself to the Planning Commission and shared some background information about MHG Solar. The project to be discussed today is 15 acres of solar panels at RMG Stone Site. The Town of Castleton was sent a 45day notice. They have not yet applied for their Certificate of Public Goods yet as they are gathering questions so that they can address them.

Mr. Giese shared a copy of a colored site plan map to show the Commission where they would like to make a change and move the project North towards the internal boundary lines, however, they will need a waiver. MHG would like to put a fence on the boundary line and place the panels 25feet from the boundary line rather than at the 50foot setback. The reason for the move is to better utilize the space and stay away from the shade.

It was noted that the original project was proposed as a 500KW project but MHG did not receive a preferred site designation from the Town of Castleton. As the Preferred Site Status was not granted, the project was increased to a 2.2MW project as Preferred Site Status is not necessary and the substation can support it.

Mr. Bruno shared that he did not like the location and size as the site has been used as an agricultural site in the past.

Mr. Giese noted that the site is zoned for industrial and the landowner is agreeable to the project. MHG would like to work with the Town as much as possible, however, the larger size of the project does not require the Town's approval.

Mr. Rosenthal asked about tree/view mitigation on the East side of the project site. Mr. Giese explained that the document provided is just a proposal, the trees that are currently present is already 30-40 feet tall. MHG may need to "fill-in" some spots to reduce visibility.

There is a house indicated on the map, house of Brown, that is believed to be a camp and is very secluded so they may see the solar array when they drive in, but may not see it from the camp.

Clarification was made that a Class 3 Wetland still needs a permit from the State of Vermont, but can be built on.

The planting plan for the original site will consist of deciduous trees and low growing trees. Natural mitigation is preferred, 20-30% deciduous trees and 20-30% low growing trees.

Mr. Giese explained that although the map indicates that are some trees that may need to be trimmed, but that is there as a just in case, they will most likely not need to trim them.

The site will not be visible from the East Hubbardton Road, there may be some visibility from the South side of the project but they have indicated that they will have view mitigation in those locations.

No more panels can be added to this location as the interconnection capacity in the substation this location is using is full.

MHG will be responsible for removal of the solar panels at the end of the contract. There will not be any changes to the ground, no concrete foundations will be used. MHG will also be responsible for vegetation control and will have a mowing plan. Currently, MHG is looking into grazing with sheep but has not found a large enough sheep operation in the area, the idea is that the land stay as good or better farm land as it was when the panels were placed. Invasive species of vegetation will be removed.

The Town of Castleton will benefit from this project through the uniform property tax that is paid annually, which may be between \$10,000 to \$20,000 annually. The Solar Project will pay a tax, \$4 a kw installed ~ \$9,000 plus an assessed value multiplied by the Town's Mill rate. The property should not be reassessed for property taxes to the owner. MHG will fight for the property owner if this happens and if it is not resolved, MHG will pay the difference. There are no solar credits available to the owner, only the lease payment.

This project is already before the Rutland Regional Planning Commission, there has not been a date set for when the project will be reviewed.

The requested setback agreement waiver is not a part of the permitting process. Rather this is a local zoning request. If an agreement is made, it can be added to the project.

Mr. Giese asked that if there are any questions regarding the project that they be sent to MHG so that they can be addressed.

Mr. Rosenthal will make a recommendation to the Select Board and the Select Board will then send their decision to the Rutland Regional Planning Commission.

EXECUTIVE SESSION

Mr. Franzoni made a motion to enter Executive Session for the purpose of discussing the zoning for the setback agreement MHG Project at 7:50pm. Mrs. McKay seconded the motion. All were in favor and the motion passed.

Mr. Franzoni made a motion to exit Executive Session with no action taken. Mrs. McKay seconded the motion. All were in favor and the motion passed.

Mr. Franzoni made a motion to delay the decision regarding the setback request for MHG Solar until the next Planning Commission meeting pending information on Act 431, information on tax assessments and whether or not a requirement for insurance, a bond or escrow for solar panel removal can be added. Mrs. McKay seconded the motion. All were in favor and the motion passed.

ADJOURN

Mr. Franzoni made a motion to adjourn the Planning Commission Meeting at 8:15am. Mrs. McKay seconded the motion. All were in favor and the motion passed.

Respectfully submitted; Eliza LeBrun, Recording Secretary