

Emergency Management Coordinator	1 year	March	Pete Mantello
Emergency Management Director	1 year	March	Mike Jones
Fence Viewer (1/3)	1 year	March	Joseph F. Bruno, Jr.
Fence Viewer (2/3)	1 year	March	Michael Finnegan
Fence Viewer (3/3)	1 year	March	vacant
Lumber/Shingle & Wood Inspector	1 year	March	Thomas Etori
Overseers of Historic Cemeteries (1/3)	1 year	March	Ray Ladd
Overseers of Historic Cemeteries (2/3)	1 year	March	<i>Kenneth Flowers</i>
Overseers of Historic Cemeteries (3/3)	1 year	March	Jon Pintello
Rutland County Solid Waste Rep	1 year	March	Jim Leamy
	1 year	March	Timothy Gilbert
Town Attorney(s)	1 year	March	Theodore Parisi
	1 year	March	Lois Vandenberg Baldwin
	1 year	March	Merril Bent
Tree Warden	1 year	March	Scott Welch
Deputy Tree Warden (appointed by Tree Warden)	1 year	March	
Bank Designation		March 2019	People's United Bank
Newspaper Designations		March 2019	Lakes Region Free Press Rutland Herald

What is the Standard Allowance?

On January 6, 2022, Treasury issued its long-awaited Final Rule (overview found [HERE](#)) which guides the use of ARPA funds. It contains many changes, among them the treatment of revenue loss.

"The Final Rule offers a standard allowance for revenue loss of \$10 million, allowing recipients to select between a standard amount of revenue loss or complete a full revenue loss calculation. Recipients that select the standard allowance may use that amount – in many cases their full award – for government services, with streamlined reporting requirements." (Overview page 4)

This would be "a one-time, irrevocable election to utilize either the revenue loss formula or the standard allowance." (Final Rule page 240) This election must be made during the April 30, 2022 reporting period.

TOWN OF CASTLETON, VERMONT
ROADWAY CRACK SEALING FY 2022 - 2023

Bid Number # 2022-03-11
11 March 2022

BID FORM

Per Above-Described Services and Enclosure 1:

Bid Total:

~~\$ 47,450.00~~

By submitting this proposal, the Contractor agrees to do and perform all the necessary work and labor and to furnish all equipment and appurtenance to comply with and conform to these Contract Documents.

The contractor is hereby notified that actual number of roads/areas may vary from estimates and the Town of Castleton reserves the right to increase or decrease requested services at any time during the contract period.

The undersigned further declares that he/she (they) has the authority to bind the entity listed below as the "Company" to the bid price and that they have read and completely understand this Contract and hereby agrees to perform said work at the above Bid Price and Per each road / area found in Enclosure 1.

The Contractor understands that the Town of Castleton, Vermont reserves the right to waive any informalities in, or reject any and all bids, to make a partial bid award, or accept any bid deemed to be in the best interest of the Town of Castleton.

This Proposal is submitted by: Shayd Pecor
Title: General Manager Signature: Shayd Pecor
Company: Freshcoat Asphalt Phone: 802-798-2885
Address: P.O Box 7270 Barre Vt. 05641

ENCLOSURE 1

ROADWAY CRACK SEALING FY 2022 - 2023

Bid Number # 2022-03-11

11 March 2022

Name	From	To	Cost
Johnson Spooner Rd.	All	All	\$ 4,400.00
Float Bridge Rd.	All	All	\$ 2,250.00
Blissville Rd	All	All	\$ 4,500.00
Rice Willis Rd.	All	All	\$ 4,400.00
Creek Rd.	Route 4A	Green Dump	\$ 8,100.00
West Castleton Road	Green Dump	Coreyell Road	\$ 9,000.00
Sand Hill Rd.	Suncrest Terrace	South Street	\$ 4,300.00
North Rd.	Stables Loop Rd.	Route 30	\$ 2,000.00
North Rd.	Castleton River Bridge	Route 4 Overpass	\$ 2,000.00
Corey Lane	All	All	\$ 500.00
Eagles Nest	All	All	\$ 500.00
Woodard Way	All	All	\$ 500.00
Farr Drive	All	All	\$ 500.00
Parking Lot - Town Office	All	All	\$ 1,125.00
Parking Lot - Fire/Police Department	All	All	\$ 1,125.00
Parking Lot - Crystal Beach	All	All	\$ 1,125.00
Park & Ride - Route 4A/East Hubbardton Rd	All	All	\$ 1,125.00

TOWN OF CASTLETON, VERMONT
ROADWAY CRACK SEALING FY 2022 - 2023

Bid Number # 2022-03-11
11 March 2022

BID FORM

Per Above-Described Services and Enclosure 1:

Bid Total: \$60,107.00

By submitting this proposal, the Contractor agrees to do and perform all the necessary work and labor and to furnish all equipment and appurtenance to comply with and conform to these Contract Documents.

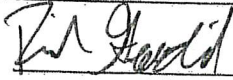
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The undersigned further declares that he/she (they) has the authority to bind the entity listed below as the "Company" to the bid price and that they have read and completely understand this Contract and hereby agrees to perform said work at the above Bid Price and Per each road / area found in Enclosure 1.

The Contractor understands that the Town of Castleton, Vermont reserves the right to waive any informalities in, or reject any and all bids, to make a partial bid award, or accept any bid deemed to be in the best interest of the Town of Castleton.

This Proposal is submitted by: Sealcoating, Inc. d/b/a indus, Richard L. Goodick

Title: Vice President

Signature: 

Company: Sealcoating, Inc. d/b/a indus

Phone: (781) 428-3400

Address: 825 Granite Street, Braintree, MA 02184

ENCLOSURE 1

**ROADWAY CRACK SEALING FY 2022 - 2023
Bid Number # 2022-03-11**

11 March 2022

Name	From	To	Cost
Johnson Spooner Rd.	All	All	\$ 4,851.00
Float Bridge Rd.	All	All	\$ 2,605.00
Blissville Rd.	All	All	\$ 7,045.00
Rice Willis Rd.	All	All	\$ 5,801.00
Creek Rd.	Route 4A	Green Dump	\$ 10,568.00
West Castleton Road	Green Dump	Coreyell Road	\$ 12,805.00
Sand Hill Rd.	Suncrest Terrace	South Street	\$ 4,613.00
North Rd.	Stables Loop Rd.	Route 30	\$ 2,962.00
North Rd.	Castleton River Bridge	Route 4 Overpass	\$ 1,713.00
Corey Lane	All	All	\$ 1,056.00
Eagles Nest	All	All	\$ 1,227.00
Woodard Way	All	All	\$ 1,109.00
Farr Drive	All	All	\$ 573.00
Parking Lot – Town Office	All	All	\$ 769.00
Parking Lot – Fire/Police Department	All	All	\$ 1,001.00
Parking Lot – Crystal Beach	All	All	\$ 1,051.00
Park & Ride – Route 4A/East Hubbardton Rd	All	All	\$ 358.00

ENCLOSURE 1

ROADWAY CRACK SEALING FY 2022 - 2023

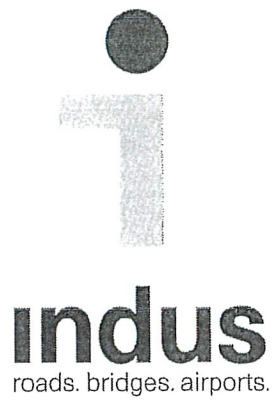
Bid Number # 2022-03-11

11 March 2022

ALTERNATE BID - using PCRM Crack Sealing

Name	From	To	Cost
Johnson Spooner Rd.	All	All	\$ 4,442.00
Float Bridge Rd.	All	All	\$ 2,385.00
Blissville Rd	All	All	\$ 6,450.00
Rice Willis Rd.	All	All	\$ 5,312.00
Creek Rd.	Route 4A	Green Dump	\$ 9,676.00
West Castleton Road	Green Dump	Coreyell Road	\$11,724.00
Sand Hill Rd.	Suncrest Terrace	South Street	\$4,223.00
North Rd.	Stables Loop Rd.	Route 30	\$ 2,712.00
North Rd.	Castleton River Bridge	Route 4 Overpass	\$ 1,568.00
Corey Lane	All	All	\$ 967.00
Eagles Nest	All	All	\$ 1,123.00
Woodard Way	All	All	\$ 1,016.00
Farr Drive	All	All	\$ 525.00
Parking Lot – Town Office	All	All	\$ 704.00
Parking Lot – Fire/Police Department	All	All	\$ 917.00
Parking Lot – Crystal Beach	All	All	\$ 962.00
Park & Ride – Route 4A/East Hubbardton Rd	All	All	\$ 328.00

Total: \$55,034.00



Random Crack Sealing by Rubberized Method References

Connecticut Department of Transportation (District #2)
(Customer since 2013)
171 Salem Turnpike
Norwich, CT 06360
Contact: Gary Belina, Administrative Manager
Ph: (860) 594-3099, Fx: (860) 594-3370
Email: Gary.Belina@ct.gov
Job #02-18-0150, Start Date: 9/11/18
Completion Date: 10/24/18, Contract Amount: \$189,551.00

Vermont Agency of Transportation (Customer since 2010)
Statewide STP Crack (38) Southern Region
133 State Street
Montpelier, VT 05633
Contact: Daryl Bassett, Engineer
Ph: (802) 828-2641
Job #02-19-0228, Start Date: 7/22/20
Completion Date: 08/26/20, Contract Amount: \$666,584.79

Brewster, MA; Town of (Customer since 2002)
Department of Public Works
201 Run Hill Road
Brewster, MA 02631
Contact: Patrick Ellis, Superintendent
Ph: (508) 896-3212, Fx: (508) 896-4540
Email: pellis@brewster-ma.gov
Job #02-19-0129, Start Date: 5/30/19
Completion Date: 06/01/19, Contract Amount: \$29,217.00

Town of Somers, CT (Customer since 2017)
P.O. Box 308
600 Main Street
Somers, CT 06071
Contact: Todd Rolland, Director of Public Works
Ph: (860) 763-8238
Email: trolland@somersct.gov
Job #02-20-0051, Start Date: 4/01/20
Completion Date: 04/10/20, Contract Amount: \$90,868.20

MDOT Highway Division (District #1) (Customer since 1996)
270 Main Street
Lenox, MA 01240
Contact: Mike Fabiano
Ph: (413) 637-5735, Fx: (413) 637-0309
Email: Michael.fabiano@state.ma.us
Job #02-17-0248, Start Date: 9/11/17
Completion Date: 10/13/17, Contract Amount: \$287,753.80

City of New Bedford, MA (Customer since 2009)
Department of Public Works
133 William Street
New Bedford, MA 02740
Contact: Manny Silva, Deputy Commissioner
Ph: (508) 979-1400, Fx: (508) 979-1735
Email: msilva@newbedford-ma.gov
Job #02-18-0224, Start Date: 9/28/18
Completion Date: 10/03/18, Contract Amount: \$24,374.28

Town of Hampton, NH (Customer since 2002)
DPW Garage/Yard
14 Cherry Road.
Hampton, NH 03842
Contact: Chris Jacobs, Director of Public Works
Ph: (603) 929-5925, Fx: (603) 929-1913
Email: cjacobs@town.hampton.nh.us
Job #02-19-0301, Start Date: 8/16/19
Completion Date: 09/24/19, Contract Amount: \$35,674.16

City of Rutland, VT (Customer since 2017)
P.O. Box 969
52 Washington Street
Rutland, VT 05702
Contact: James Rotondo, City Engineer
Ph: (802) 773-1813
Email: jimr@rutlandcity.org
Job #02-20-0310, Start Date: 09/23/20
Completion Date: 09/24/20, Contract Amount: \$19,988.24



Castleton Zoning Administrator

From: Andy Raubvogel <araubvogel@dunkielsaunders.com>
Sent: Tuesday, April 5, 2022 2:20 PM
To: Castleton Zoning Administrator
Cc: 'thomas@mhgsolar.com'; Paul Quackenbush
Subject: RE: Stone Mill Solar
Attachments: 2022-04-04 Castleton SMS Agreement.docx

Jonas,

As we just discussed, attached is a short agreement to memorialize the understandings of Stone Mill Solar and the Town PC concerning the landscaping plan and a few other issues mentioned during last week's conversations. Please let us know if you wish to discuss.

Best,

Andy

Andrew N. Raubvogel, Esq.

Dunkiel Saunders Elliott Raubvogel & Hand, PLLC
91 College Street
P.O. Box 545
Burlington, VT 05402-0545
802.495.5413 direct line
802.860.1003, ext. 107
araubvogel@dunkielsaunders.com

Dunkiel
Saunders

ELLIOTT RAUBVOGEL HAND

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From: Castleton Zoning Administrator <zoning@castletonvt.org>
Sent: Tuesday, April 5, 2022 9:21 AM
To: Andy Raubvogel <araubvogel@dunkielsaunders.com>
Cc: 'thomas@mhgsolar.com' <thomas@mhgsolar.com>; Paul Quackenbush <pquackenbush@dunkielsaunders.com>
Subject: RE: Stone Mill Solar

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Andy,

I have received the information from Lucy Thayer.

The Planning Commission's next meeting is April 12th.

Let me scan the information to the PC and see if they can respond to the information that was just provided.

Jonas

From: Andy Raubvogel <araubvogel@dunkielsaunders.com>
Sent: Monday, April 4, 2022 4:58 PM
To: Castleton Zoning Administrator <zoning@castletonvt.org>
Cc: 'thomas@mhgsolar.com' <thomas@mhgsolar.com>; Paul Quackenbush <pquackenbush@dunkielsaunders.com>
Subject: Stone Mill Solar

Hello Jonas,

Thanks for your (and the Planning Commission's) time the last Thursday. We thought the site visit was particularly useful to understand the landscaping to address views Route 4. As promised, our landscape architect has reviewed her plan and prepared the attached memo and revised Landscaping Plan for the Planning Commission's consideration. As you will see, she explains her choice of plantings, and has added some additional trees and different species. Please discuss with the Planning Commission and let us know if you have any comments.

Also, please note that next Monday the 11th is the deadline at the PUC by which we would need to file any revised Landscaping Plan that the PC would want to have incorporated into a PUC decision. I can provide you with a simply two page agreement that would address this as well as several other issues mentioned by PC members ((decommissioning, taxes, preservation of agricultural soils).

Thanks, and looking forward to hearing back.

Andy

Andrew N. Raubvogel, Esq.
Dunkiel Saunders Elliott Raubvogel & Hand, PLLC
91 College Street
P.O. Box 545
Burlington, VT 05402-0545
802.495.5413 direct line
802.860.1003, ext. 107
araubvogel@dunkielsaunders.com

Dunkiel ▪
Saunders
ELLIOTT RAUBVOGEL HAND

Commitments by Stone Mill Solar, LLC to the Town of Castleton Planning Commission

Background

The Town of Castleton Planning Commission ("Castleton PC") and Stone Mill Solar, LLC ("SMS") have discussed the proposed Stone Mill Solar Project to be located off East Hubbardton Road ("the Project"), and the Castleton PC has expressed certain concerns related to: the Project's potential visibility and the landscape mitigation plan; decommissioning after the Project ceases operating; property taxes; and preservation of the site's agricultural potential.

SMS acknowledges the Castleton PC's important interests in maintaining and enhancing the Town's scenic beauty, tax base, and natural resources. While SMS understands the Castleton PC may have wished that the subject land be used for other purposes, the Town acknowledges that the land can be lawfully used for a solar project provided its potential impacts are addressed.

In consideration of the Town's concerns, SMS is making the commitments outlined below. In return, the Castleton PC agrees to inform the PUC that SMS's filings (including the Revised Landscaping Plan) are acceptable and as such it will not be participating any further in the PUC proceedings.

I. Landscaping

1. SMS shall submit the revised Landscape Mitigation Plan (dated 4/4/22) to the PUC, under which:
 - a. The number of trees to be planted will increase from 46 to 58 trees.
 - b. the variety of species to be planted will increase, to now include, in addition to white pine, white fir, Scots pine, red maple, and red oak.
2. Consistent with the PUC's rules, SMS shall maintain the landscaping mitigation as follows:
 - a. For three years after the Project is operational, SMS will conduct an annual inspection to determine the health, vigor, and continued effectiveness of the landscaping. SMS will file with the PUC and other parties (including the Town) an annual certification documenting the results of the inspection and any corrective actions taken.
 - b. For the life of the Project, replace any dead or dying plants as necessary.

II. Decommissioning. As provide for by PUC Rule 5.900:

1. When the Project permanently ceases to operate, SMS will implement its Decommissioning Plan to restore the site to its condition prior to installation of the Project, to the greatest extent practicable.
2. Prior to commencing construction of the Project, SMS will provide the PUC with a bank-issued Letter of Credit, or another alternative form of financial security, in the amount of \$107,500 which represents the estimated cost of decommissioning. The PUC will be the sole beneficiary of the Letter of Credit, and the Letter of Credit will be adjusted for inflation every three years.

III. Taxes

1. SMS shall pay municipal property taxes annually to the Town based on the value of the solar project per the formula provided at 32 V.S.A. § 3481(1)(D) and as explained by the Vermont Department of Taxes at <https://tax.vermont.gov/municipal-officials/solar-plant->

April 4, 2022

3



Dear Chair Bruno and Other Members of the Castleton Planning Commission,

Although I was unable to attend the Stone Mill Solar site visit and public hearing on March 30th, Thomas Hand has given me a summary of the issues that members of the Planning Commission (PC) raised concerning the Project's visibility.

My aesthetics report and proposed landscaping plan were based on visiting the site and surrounding area (I also grew up nearby in Wallingford), and on my education and experience as a Landscape Architect. This has given me a good understanding of how visible the project might be, and what types of supplemental landscape would work to further reduce the project's visibility. My original Landscape Mitigation Plan took a number of factors into account:

- The location, density, and health of existing tree buffers along Route 4, including many mature white pines, as well as other evergreens and deciduous species. Given the height and thinning of the evergreen hedgerow south of the Project's east side, the plan proposed trees to be located where they will fill in gaps;
- Intervening topography that obscures the Project from most nearby public locations;
- From Route 4 there will not be direct, head-on views of the Project, because Route 4 runs parallel to the site and viewers will be travelling at highway speeds; and
- Site conditions – sun and wind exposure, soil type, drainage, urban pollutants (i.e. road salt, exhaust, etc.). The soils types are well-drained and there is full sun exposure which is generally good for evergreens. In addition, there is a good buffer between Route 4 and the existing tree line (approximately 140').

I selected white pine because it is native, grows quickly and should do well at this site due to full sun exposure and well-drained soils, similar to other white pines growing on the site. In addition, white pines can retain a full, rounded, bushy form for many years that can provide a more effective screen compared to other evergreens like firs and spruces.

While I believe the original plan would have worked well, in order to take the PC's concerns into account I have revised the plan as follows:

- The # of trees to be planted has increased from 46 to 58, a 26% increase;
- Several different tree species have been included in this plan: the majority would be evergreen (48 in total) – white pine, Scots pine, and white fir; the remainder would be deciduous trees (10 in total) – red maple and red oak.
- The revised Plan allows for flexibility in the final layout of species to incorporate the Town's preference and location for planting within the identified planting zones.

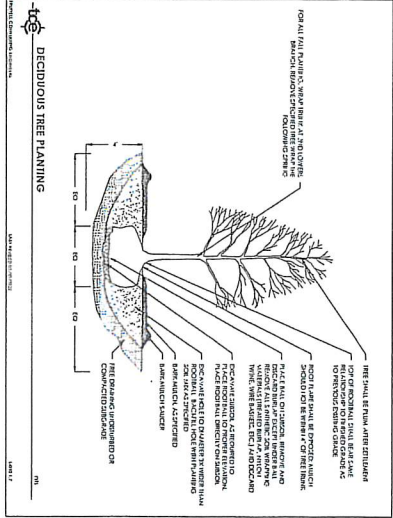
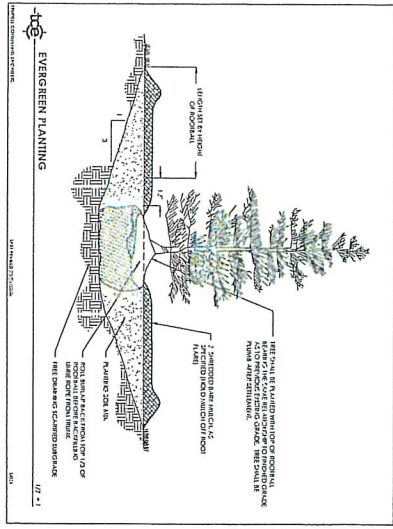
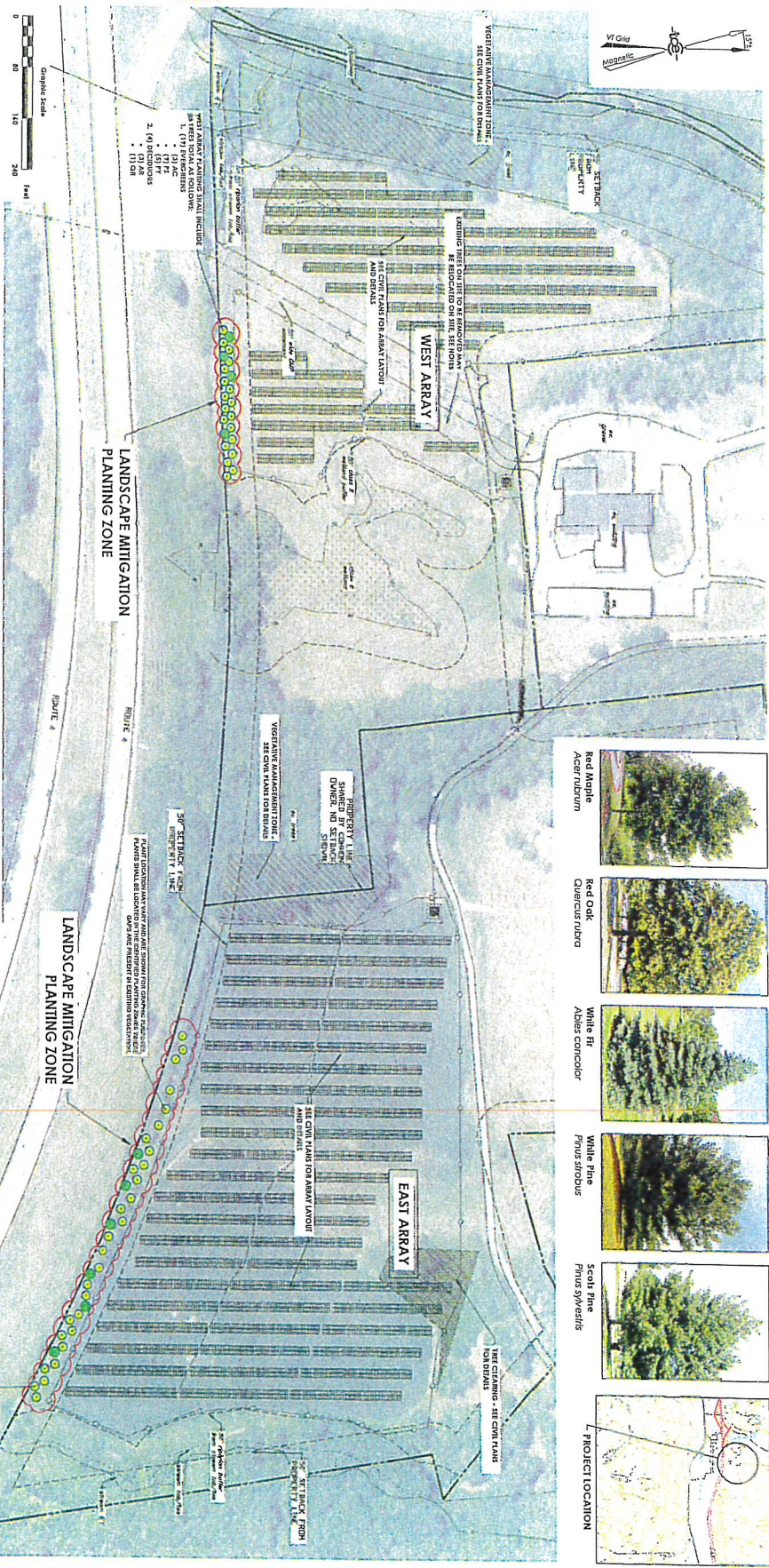
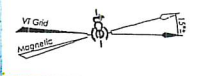
Please let us know if you have any questions or suggestions concerning this revised plan.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lucy Thayer', written over a white background.

Lucy Thayer, PLA

DRAFT



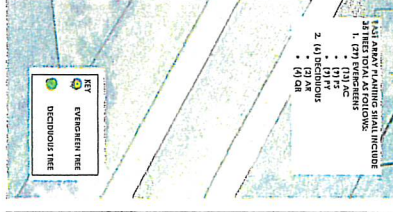
3M	QTY	SCIENTIFIC NAME	COMMON NAME	INSTALL TIME	COMMENTS
AC	16	Abies concolor	White Fir	6-8 HT	Noted
AR	5	Acer rubrum	Red Maple	7' COK	Noted
FS	18	Pinus strobus	White Pine	5-6 HT	Noted
PV	14	Pinus sylvestris	Scotch Pine	6-8 HT	Noted
OR	5	Quercus rubra	Red Oak	7' COK	Not Noted

PLANT SCHEDULE

THESE TREES SHALL BE PLANTED IN THE LANDSCAPE MITIGATION STRATEGY ZONES AS SHOWN ON THE PLAN. THE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF THE COMMENCEMENT OF CONSTRUCTION. THE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF THE COMMENCEMENT OF CONSTRUCTION. THE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF THE COMMENCEMENT OF CONSTRUCTION.

NOTES:

1. THE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF THE COMMENCEMENT OF CONSTRUCTION.
2. THE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF THE COMMENCEMENT OF CONSTRUCTION.
3. THE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF THE COMMENCEMENT OF CONSTRUCTION.
4. THE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF THE COMMENCEMENT OF CONSTRUCTION.
5. THE PLANTING SHALL BE COMPLETED WITHIN 90 DAYS OF THE COMMENCEMENT OF CONSTRUCTION.



Stone Mill Solar, LLC
East Hubbard Road
Caledonia, VT

Landscape Mitigation Plan

LA-01

For Permitting Only

DRAFT

1. The undersigned hereby certifies that the information contained herein is true and correct to the best of my knowledge and belief, and that I am a duly licensed professional engineer in the State of Vermont.

2. I am not providing this information for any other purpose, and I am not responsible for any use of this information for any other purpose.

3. I am not providing this information for any other purpose, and I am not responsible for any use of this information for any other purpose.

4. I am not providing this information for any other purpose, and I am not responsible for any use of this information for any other purpose.

ENGINEERING SURVEYING PLANNING - ENVIRONMENTAL

100 STATE STREET, SUITE 100
ST. ALBANS, VT 05478
PHONE: 802.244.1234
WWW.TCE-ENG.COM

TCE-ENG

Castleton Zoning Administrator

From: Andy Raubvogel <araubvogel@dunkielsaunders.com>
Sent: Monday, April 4, 2022 4:58 PM
To: Castleton Zoning Administrator
Cc: 'thomas@mhgsolar.com'; Paul Quackenbush
Subject: Stone Mill Solar
Attachments: 2022-04-04 Memo to Castleton re Landscape Mitigation Plan.pdf; LA-01 Landscape Mitigation Plan_Rev 2022 0404.pdf

Hello Jonas,

Thanks for your (and the Planning Commission's) time the last Thursday. We thought the site visit was particularly useful to understand the landscaping to address views Route 4. As promised, our landscape architect has reviewed her plan and prepared the attached memo and revised Landscaping Plan for the Planning Commission's consideration. As you will see, she explains her choice of plantings, and has added some additional trees and different species. Please discuss with the Planning Commission and let us know if you have any comments.

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Andy

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4

STATE OF VERMONT
PUBLIC UTILITY COMMISSION

CASE NO. 21-4664-PET

PETITION OF STONE MILL SOLAR LLC REQUESTING
A CERTIFICATE OF PUBLIC GOOD, PURSUANT
TO 30 V.S.A. SECTION 248, AUTHORIZING THE
INSTALLATION AND OPERATION OF A 2.2 MW
SOLAR ELECTRIC GENERATION FACILITY IN
CASTLETON, VERMONT --

March 30, 2022
7 p.m.

Via GoToMeeting

Public Hearing held before the
Vermont Public Utility Commission, via GoToMeeting and in
person, on March 30, 2022, beginning at 7 p.m.

P R E S E N T

HEARING OFFICER: Michael Tousley, Staff Attorney

CAPITOL COURT REPORTERS, INC.
P.O. BOX 329
BURLINGTON, VERMONT 05402-0329
(802) 863-6067
EMAIL: info@capitolcourtreporters.com

S P E A K E R S

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Liz McKay-----	6
Mike Holden-----	7
Dave Brown-----	9
Joe Bruno-----	11
Mary Lee Harris-----	13
Robert Spaulding-----	14
Jonas Rosenthal-----	16
Nicholas Lanko-----	16
Vickie Lanko-----	18

1 MR. TOUSLEY: All right. We will go
2 ahead and begin now.

3 Good evening, and thank you, everybody,
4 for being here. This is a Vermont Public Utility
5 Commission public hearing in Case No. 21-4664-PET
6 which is the petition of Stone Mill Solar LLC
7 requesting a Certificate of Public Good pursuant to
8 30 V.S.A. Section 248 authorizing the installation
9 and operation of a 2.2 megawatt solar electric
10 generation facility in Castleton, Vermont.

11 My name is Mike Tousley. I'm a staff
12 attorney with the Public Utility Commission and have
13 been assigned as the hearing officer in this case.
14 As you've seen from the information session there are
15 representatives of Stone Mill Solar that are here as
16 well as a representative from the Vermont Department
17 of Public Service, Benjamin Civiletti.

18 I think what I would like to do -- I do
19 see a couple names -- a couple of folks who are in
20 the virtual form here. Mr. Porter and Mr. Smid or
21 Mr. Whitcomb. Would you like to speak as part of the
22 public hearing? Please log in -- if you plan to
23 speak, just unmute yourself, tell me one way or the
24 other.

25 MR. PORTER: Mr. Tousley, I'm not going

1 to speak. I'm just listening.

2 MR. TOUSLEY: Mr. Porter, if it's the
3 same Jim Porter I'm thinking of --

4 MR. PORTER: It's the same one. I'm
5 just watching tonight. But thank you.

6 MR. TOUSLEY: Mr. Porter, you're on.
7 Do you know if Jim was going to attend tonight? This
8 must be a different Jim Porter.

9 MR. CIVILETTI: No. I think it was
10 him. I think he's just observing.

11 MR. TOUSLEY: The folks that are logged
12 in are just listening.

13 MR. WHITCOMB: I was going to say, I'm
14 just listening.

15 UNIDENTIFIED SPEAKER: A quick
16 clarification. I know this meeting is not being
17 recorded at the moment.

18 MR. TOUSLEY: We are on the record
19 right now. So did you have something? It's okay.

20 UNIDENTIFIED SPEAKER: I just meant on
21 the actual GoToMeeting.

22 MR. TOUSLEY: Oh no. We don't use
23 that. We use the court reporter for that purpose.

24 Okay. If you look in the Coast -- the
25 Public Utility Commission's website, you can find

1 what's called a Public Participation Guide which
2 tells you how we do what we do and how you can
3 participate. So if you're interested in further
4 participation, you can do that and that's at WWW --
5 sorry. Dot Vermont.gov. Puc.vermont.gov.

6 The purpose of tonight's hearing is to
7 provide you with an opportunity to be heard. The
8 comments received at this hearing will become part of
9 the public record in this case. You can also provide
10 written comments using the commission's electronic
11 document management system, ePUC, or by direct mail
12 or email. And again, you can find that contact
13 information from PUC's website.

14 You can also subscribe to the case if
15 you're very interested, so that by subscribing to
16 ePUC, which is the tool that we use to -- I don't
17 have any paper anymore, which is why I didn't come
18 with anything. We do everything electronic now, and
19 that's accessible to the public as well in a
20 subscription format if you're interested.

21 Tonight's hearing will be transcribed
22 by the court reporter. This transcript, along with
23 all other comments and all the other comments that
24 might be received by the commission, become part of
25 the case's public file so that the commission

1 members, staff, participants can consider the
2 comments.

3 Although public comments do not become
4 part of the formal evidence in this case they can be
5 helpful in raising new issues or perspectives that
6 the commission should consider. So we look forward
7 to hearing your input.

8 Does anybody have any questions before
9 we get started about the general proceeding? Not
10 about the project itself. That was the last one.

11 (No response)

12 MR. TOUSLEY: Okay. We will go ahead
13 and get started. We will go ahead and go down the
14 list I have in front of me and start with Ms. Liz
15 McKay.

16 MS. MCKAY: So glad to speak to you.
17 So people -- I'm speaking for the large handful of
18 people that I've spoken with about having solar
19 projects in Castleton. And the consensus that I got
20 from the people that I spoke with is that Castleton
21 needs to really work hard to preserve their land
22 that's in view of coming in, coming out, driving
23 around, because we are a town that is a desirable
24 town, and we want to keep it desirable. And we want
25 to encourage growth. And if it starts looking -- the

1 solar panels are not that attractive, and it isn't
2 something that will encourage the growth of our town.

3 So I just want to make sure that our
4 land is preserved, and the beauty of it is, where we
5 can see it.

6 MR. TOUSLEY: Great. Thank you, Ms.
7 McKay.

8 MS. MCKAY: You're welcome.

9 MR. TOUSLEY: Mike Holden.

10 MR. HOLDEN: My concern is the same. I
11 have been driving for 38 years of my life. I'm a
12 commercial driver. I really don't want to see -- and
13 I have been in this town for 58 years. Really don't
14 want to drive across Route 4 and come into Castleton
15 and see solar panels like I see every day of my life
16 when I drive between here and Buffalo, New York, or
17 down into Boston. It's just getting ridiculous.

18 I think that they're the ugliest things
19 in the world. I would rather see a wind tower over
20 solar panels any day of the week. And when you get
21 down to the end of it, the other thing that scares me
22 with this is they say the life expectancy is 25
23 years. I'm not going to be here to see it in 25
24 years, but I'm just afraid that in 25 years what kind
25 of a mess are we going to be leaving for somebody

1 else to try to clean up with the parts of all the
2 solar panels? We know the panels are going to go to
3 hell.

4 MR. TOUSLEY: During the information
5 session did you at all talk about the decommissioning
6 process?

7 MR. HOLDEN: We did.

8 MR. TOUSLEY: So there is money for
9 that; a substantial amount of money.

10 MR. HOLDEN: There is money, but is
11 that going to be available?

12 MR. TOUSLEY: Yes. Money is actually
13 accessible by the commission. That's what that money
14 is for, is for -- first, the developer is responsible
15 to take care of that. But if they don't, that's like
16 an insurance policy that allows the commission to
17 fund the decommissioning of the activity. So that,
18 you know, that's based on state law too, so your
19 legislators have taken care of that.

20 MR. HOLDEN: We don't -- nobody has led
21 the government. We don't know what's going to happen
22 in 25 years. Nobody has taken one of these apart.
23 So it's just -- I'm really scared of what could
24 happen in the 25 years.

25 Yes, they got laws, but to get them

1 enforced could be another whole breed of cats. We
2 all know that. That's one of my biggest concerns. I
3 don't believe we need to look at them coming into
4 Castleton. Welcome to Castleton. We have solar
5 panels.

6 MR. TOUSLEY: Thank you, Mr. Holden.
7 Dave Brown.

8 MR. BROWN: Yes, my name is Dave Brown.
9 I have a bit of a special interest in this situation
10 for the PUC that goes way back 30-plus years with the
11 landowner of this project.

12 Back when we were young my wife and I
13 bought these 13 acres that these panels will now be
14 in our front yard. And we are -- we live closest to
15 the panels. This system is delaying my right of way
16 this spring again. I have gone to Dave Socinski
17 requiring an easement for power which I've --
18 multiple times I have asked the gentleman for power,
19 and that I would pay him for it, et cetera, et
20 cetera.

21 This spring he made me aware of this
22 system going in. And I have been waiting for this
23 all to happen. Besides the fact -- the aesthetics of
24 this for my property.

25 Also to another point Jonas brought up

1 about the unavailability of housing and job creation,
2 et cetera, et cetera. My property is subdividable
3 into two-acre lots. I have one home site, another
4 one proposed, documented, et cetera, et cetera, which
5 could be something for others to enjoy. The view is
6 astonishing.

7 And in lieu of another point, the
8 developers brought up that they weren't disrupting
9 any game from this area. The Vermont Fish and Game
10 Wildlife just held meetings recently. They are
11 proposing a game management plan for the blueberry
12 escape western section, eastern section, and center
13 section. They have also claimed that these areas are
14 declared wildlife migration for the Taconic state
15 mountains from the south to the north. Isn't that a
16 little meadow that is spoken of, practically
17 everybody in Rutland County enjoys whatever they can
18 see there; deer, bear, turkey, elk, mountain lions,
19 you name it, has been seen traveling through the
20 Taconics there that they will be disrupting.

21 Also this development certainly will
22 not help my assessment on my property. I feel I'm
23 unique in this, and it is certainly going to hurt the
24 value of my property. And I oppose this whole
25 situation. Thank you.

1 MR. TOUSLEY: Thank you. Mr. -- what's
2 your last name?

3 MR. BRUNO: Bruno. B-R-U-N-O.

4 MR. TOUSLEY: Yours was the only one I
5 couldn't read.

6 MR. BRUNO: Sorry. Hi. I'm Joe Bruno
7 I just want to make it very clear that we are not
8 opposed to renewable energy. I am personally -- I
9 don't think anybody on the Planning Commission is.
10 But what we are opposed to is developing open land.

11 I know that the State of Vermont has
12 made it difficult for these solar developers to seek
13 out other parcels that have trees on them because
14 they don't want to cut trees anymore.

15 I wasn't around then, but I have been
16 told that Vermont at one point was 75 percent pasture
17 land, 25 percent forest. We have gone completely the
18 other way. We are 75 percent forest now, 25 percent
19 pasture. So I believe that there are places for
20 solar panels, but not on open land, prime land that
21 can be used for agriculture.

22 I understand that this is industrial
23 zoned land. However, there's been a farmer up there
24 for approximately 10 years that has maintained that
25 property and grown corn on it. And I know that

1 before he got there there was brush, there was a
2 motor cross trail there, rocks. The guy spent a lot
3 of money clearing that property. And now it's going
4 to be taken away from him, and the solar array is
5 going to arise.

6 I'm just -- I brought it up at the
7 other meeting about the historical Castleton. The
8 history of Castleton. Not too far from that site was
9 Fort Warren, and if anyone of you know our history,
10 there was quite a battle fought right there. And
11 there is a monument down by the Park & Ride. And you
12 can't see it from this site, but it's less than a
13 quarter of a mile. Probably more like 500 yards.

14 I just think there is places for it. I
15 know that quarries, old gravel pits. Even we have --
16 we had approved a couple small arrays in town. And
17 you can barely see them where they are. And I think
18 that's -- those are the areas that these developers
19 need to seek out. And the state needs to cut the
20 strings and let these guys develop areas where they
21 are not so visible and use up some of these quarries.

22 I know we have been talking about
23 endangered species, and there is habitat for wild
24 animals. But I think Mr. Brown spoke very well about
25 that property. I don't know how many times I have

1 been by there and seen a flock of turkeys out there
2 and deer. I have yet to see an elk out there. It's
3 possible. It's a prime area. And that blueberry
4 reservation there it's a good wildlife habitat, and
5 it's going to go away; disappear.

6 One more thing I want to say is the
7 Planning Commission has been trying to encourage and
8 invite people to come to Castleton to start
9 businesses. We have three designated areas in
10 Castleton that are industrial zoned. That's one of
11 them. And that property will never be used for
12 anything other than solar panels. We all know that.

13 And Mr. Holden said he's probably not
14 going to be here, and I probably won't be either
15 unless I live to be a hundred. I think that we need
16 to take a good look at where these solar arrays are
17 popping up across our state, and there needs to be
18 some sort of regulations put on taking up open land.

19 I don't see a problem with cutting a
20 few trees, if they can put them on a site out of
21 sight.

22 So I guess I won't ramble on anymore.
23 Thank you for your time.

24 MR. TOUSLEY: Thank you, Mr. Bruno.

25 Ms. Harris.

1 MS. HARRIS: Mary Lee Harris, and I'm a
2 select person, but I'm not speaking as a select
3 person. I'm a farmer. And as a farmer we have gone
4 out and rented other farms that have gone out of
5 business and whatnot. And we are having a very hard
6 time finding properties that we can go and plant our
7 corn or our hay. And I think this is killing the
8 farmer.

9 When I came here in '64, there were 34
10 working farms in this area. There is two now. And I
11 think you're killing the farmer.

12 MR. BRUNO: And you're one of them.

13 MS. HARRIS: And we're one of them.

14 MR. TOUSLEY: Thank you, ma'am. Mr.
15 Spaulding.

16 MR. SPAULDING: Robert Spaulding. I'm
17 also a select board member. I'm not speaking as a
18 select board member. I'm speaking as a resident of
19 Castleton, Bomoseen.

20 I would have to agree with all the
21 folks sitting at this table. I cry when I go up and
22 down the road now. You can't find farms like when I
23 was growing up. They are just not there. And at
24 least solar panels are going to come in and take farm
25 land away. That's just another strike against you

1 guys, and they don't need any more strikes against
2 them.

3 On the same token, when the solar
4 panels went up on Sand Hill, I was one of the few
5 that don't agree dictating to the landowner what they
6 can do with their land. I don't feel that's correct.
7 The landowner wants to put solar panels up there, I
8 feel that they should be able to do that. I don't
9 agree with dictating to the landowner what they can
10 and can't do with their land. That's on that side of
11 the story.

12 But I'm also a commercial driver. I
13 drive all over the northeast. And these solar panels
14 are not pretty. It seems that the solar companies
15 don't really worry too much about hiding the solar
16 panels. You drive down Route 4 in Whitehall, that's
17 all you see on the side hill. They are very, very
18 ugly. They are not even flat down there. They go
19 like a wave, wavy distance. And I just don't agree
20 with them.

21 I know we have to go green. And they
22 have got to be put someplace. I agree with Mr. Bruno
23 there is other places you can put them where they are
24 out of sight. I'm hoping these folks get the solar
25 panels, end up up there. They shield it like they

1 said they would as much as possible. Of course, I
2 don't know in the wintertime when all the foliage
3 drops off the trees.

4 That's all I have to say.

5 MR. TOUSLEY: Thank you, sir.

6 MR. SPAULDING: Thank you.

7 MR. TOUSLEY: Mr. Jonas Rosenthal.

8 MR. ROSENTHAL: Yes. Jonas Rosenthal,
9 zoning administer.

10 First of all, I want to thank all the
11 parties involved, allowing us to have the site visit,
12 the public hearing, the informational meeting,
13 because I filed late. And nobody objected. And I
14 appreciate that to the Hands and the solar company.

15 Having said that, I will take Mr. Hand
16 up as a zoning administrator and perhaps the Planning
17 Commission would like to participate in the working
18 with the landscape architect on developing a plan or
19 an alternative plan that's been presented and so on.
20 But we welcome the opportunity to participate. Thank
21 you.

22 MR. TOUSLEY: Thank you, Mr. Rosenthal.
23 Can we make a couple chairs for Mr. and Mrs. Lanko.

24 MR. SPAULDING: Absolutely.

25 MR. LANKO: Hi. Nicholas Lanko. Well

1 just real quick, these projects are supposed to be
2 for the environment, the healthy environment. And
3 you've got a piece of land there that's pasture and
4 some of it farmed. I just can't say how you're going
5 to take a piece of land that's farmed state or its
6 natural state and develop it and say that it's for
7 the environment. Normally if you were going to be
8 for the environment, you would want to take down a
9 dilapidated building, return it back to its natural
10 state, not develop it.

11 Okay. And if you talk about power
12 generation, and it's going to, you know, we are going
13 to burn up because of global warming, you know, we
14 all know we have been coming out of an ice age for
15 20,000 years. A project on 20 acres is not going to
16 do a thing for it.

17 I just think it looks horrible. And I
18 just oppose the project one hundred percent.

19 MR. TOUSLEY: Ms. Lanko.

20 MS. LANKO: Hi. I'm Vickie Lanko. I
21 have been a resident of Castleton for 25 years. I
22 now am at the state where I'm fighting wind turbines
23 on one side of me and the solar farms on the other
24 side of me. As the other gentlemen have said, we do
25 live in a wildlife corridor set by ANR. It's been

1 like that forever. We have wildlife everywhere, and
2 as a resident I have to sit here night after night
3 and either fight wind or fight solar.

4 I've got one on each side of me. And I
5 just -- it's not going to do anything. It's not
6 going to save the environment. It's going to degrade
7 the wildlife. It's going to degrade our property
8 values. It's going to degrade our lives. And I just
9 -- I strongly oppose it.

10 MR. TOUSLEY: Thank you, Ms. Lanko.
11 Does anyone else who hasn't spoken already or someone
12 who has spoken already want to speak again?

13 (No response)

14 MR. TOUSLEY: Okay. Well thank you.
15 It's now 7:30, and we are finished. Public hearing
16 is adjourned.

17 (Whereupon, the proceeding was
18 adjourned at 7:30 p.m.)
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C E R T I F I C A T E

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2
3 I, Kim U. Sears, do hereby certify that I
4 recorded by stenographic means the Public Hearing re:
5 Case No. 21-4664-PET, via GoToMeeting and in person, on
6 March 30, 2022, beginning at 7 p.m.

7 I further certify that the foregoing
8 testimony was taken by me stenographically and thereafter
9 reduced to typewriting and the foregoing 18 pages are a
10 transcript of the stenograph notes taken by me of the
11 evidence and the proceedings to the best of my ability.

12 I further certify that I am not related to
13 any of the parties thereto or their counsel, and I am in
14 no way interested in the outcome of said cause.

15 Dated at Williston, Vermont, this 1st day of
16 April, 2022.

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19 *Kim U. Sears*
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<p style="text-align: center;">0</p> <p>05402-0329 - 1:22</p> <hr/> <p style="text-align: center;">1</p> <p>10 - 11:24 11 - 2:4 13 [2] 2:4, 9:13 14 - 2:5 16 [2] 2:5, 2:6 18 [2] 2:6, 19:9 1st - 19:15</p> <hr/> <p style="text-align: center;">2</p> <p>2.2 [2] 1:5, 3:9 20 - 17:15 20,000 - 17:15 2022 [4] 1:7, 1:11, 19:6, 19:16 21-4664-PET [3] 1:2, 3:5, 19:5 248 [2] 1:5, 3:8 25 [8] 7:22, 7:23, 7:24, 8:22, 8:24, 11:17, 11:18, 17:21</p> <hr/> <p style="text-align: center;">3</p> <p>30 [5] 1:5, 1:7, 1:11, 3:8, 19:6 30-plus - 9:10 329 - 1:21 34 - 14:9 38 - 7:11</p> <hr/> <p style="text-align: center;">4</p> <p>4 [2] 7:14, 15:16</p> <hr/> <p style="text-align: center;">5</p> <p>500 - 12:13 58 - 7:13</p> <hr/> <p style="text-align: center;">6</p> <p>6 - 2:2 64 - 14:9</p> <hr/> <p style="text-align: center;">7</p> <p>7 [4] 1:8, 1:11, 2:3, 19:6 75 [2] 11:16, 11:18 7:30 [2] 18:15, 18:18</p> <hr/> <p style="text-align: center;">8</p> <p>802 - 1:22 863-6067 - 1:22</p>	<p style="text-align: center;">9</p> <p>9 - 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