

Pittsford Planning Commission Meeting
September 30, 2021

Board Members Present: Mark Winslow, Kevin Blow, Rick Conway, Mark Pape, Mike Norris, Robb Spensely, Chuck Charbonneau, Derek Blow, Donna Wilson

Others Present: Jeff Biasuzzi, George Yan – NextEra Energy, Adam Crary, Michael Willard

Present on Zoom: Joslyn Wilschek, Caity Hines – Encore Renewable Energy

1. Call to order

The meeting was called to order at 7:00PM by Mark Winslow – Chair.

2. Approval of Meeting Agenda

A motion was made by Rick Conway and seconded by Kevin Blow to approve the agenda, as amended. **The motion passed unanimously.**

Addition of Board Announcements after Public Comment

3. Approval of Minutes

. August 26, 2021 – Planning Commission Meeting

A motion was made by Kevin Blow and seconded by Mark Pape to approve the minutes of the August 26th meeting. **The motion passed unanimously.**

4. Public Comments

There were no public comments.

5. Board Announcements

Mark Winslow reported the Select Board has moved Robb Spensely to an active position on the Planning Commission and Mike Norris will now be Alternate #1. Donna Wilson was also nominated by the Select Board to be the second Alternate to the Planning Commission. Mr. Winslow noted this is a great board and thanked all for participating.

6. Adams Road Solar – George Yan/NextEra Energy

George Yan provided the Committee [information on the proposed Adams Road solar project](#). The experts in the areas of environmental and permitting were also present. There is a plan for a 2.2-megawatt solar project to be located at 574 Adams Road in Pittsford that will be 17.5 acres, with 16.2 acres utilized in the middle of the field. Currently the area is zoned rural with 53 acres of agricultural use. The plan will be submitted under the VSA 248 for a Certificate of Public Goods. There will be an access road built from Adams Road and the project will not be visible on any of the four borders to any neighbors and will not affect the wetlands. They will have setbacks and will not affect the stone walls. There is a trail route, and the layout will not affect the trail and there will be a fence that separates the project from the trail. The design is at about 90% complete and Robb Spensely asked what areas are subject to change. Mr. Yan advised there are no changes planned, unless the Town or CPG request changes. Mike Norris asked what the delta topography would be for the project and if there were future plans for battery storage. It was noted that it would be a +/- 28-foot grade change from east to west, with no future plans for storage. Mr. Yan stated it is not necessary to have battery storage in the contract that was signed with GMP. Mr. Yan advised the State has purchased 100% of the power and the recs will stay in the State. It was noted this will be one of the largest solar projects in the State. There is a lease agreement with the landowner and if the land ownership changes, it will not affect the project. There is a decommissioning plan after 25 years and an agreement with the landowner that the land will be brought back to the original state. The project will be a one axis tracker system with ground screws. Mr. Norris asked the total height of the array and if each row has a single panel across. Mr. Yan noted it would be double panels and would be just over 7 feet with approximately 6500 panels. Mark Winslow asked how many projects the company has done, and Mr. Yan advised they are one of the largest developers in the U.S. and have done about 7000 megawatt projects in all the states. In Vermont, there is one other project in the development stage in St. Albans and this project will be the second one in the State. The 45-day notice had been submitted and the CPG application will be submitted within the next few weeks. They have also executed the interconnection agreement with GMP. Rick Conway stated Pittsford has a guidance form for solar projects that indicates all projects should have a written decommission plan with funds set aside and a decommissioning bond. It was noted that projects are required to submit information on a decommissioning plan and bonding as part of the petition to the CPG and the Planning Commission will receive this information at the time it is submitted. Mark Winslow advised in order to do a letter of support; the Planning Commission would require party status. Mr. Conway asked if this is one of the preferred sites that has been determined by the State and it was noted this site is in the secondary zone. Mr. Norris noted that having the project in a preferred site and providing a letter of support from the Planning Commission would be like giving them a variance. It was noted this project is not subject to the net metering rules and 100% of the power will be going in-state. Mr. Winslow advised the Planning Commission will need the items previously noted before providing a letter. Mark Pape noted concern with the walking trail and a review of the project in relation to the trail was provided. Mr. Winslow thanked Mr. Yan for providing the presentation on the project.

7. Kendall Hill Solar Presentation #2 – Joselyn Wilschek and Caity Hines – Encore Renewable Energy

Joselyn Wilschek, attorney for the Kendall Hill project, and Caity Hines of Encore Renewable Energy were present to provide information on the project. Ms. Wilschek advised she attended the Select Board meeting in December when the project was first presented and noted the CPG materials requested were resent to John Haverstock and Mark Winslow for this meeting that included the site plan, site location and decommissioning plan. Ms. Hines stated the application for the Certificate of Public Goods was submitted in accordance with Title 30. There needs to be historic site information provided and testimony from GMP, and once filed there will be a record deemed complete by the PUC. When received, this notice will be sent to the Planning Commission. The next step is the scheduling conference with the hearing officer. The Planning Commission was asked to provide a letter of support as it is believed the project complies with the Town Plan. Ms. Hines provided a review of the map of the project. There will be environmental protection items in place and screening will be in place with all aesthetics to remain intact. They have worked with ANR to assure there will be no environmental impact. This project will be 10 to 12 acres and just under 7000 panels total. Jeff Biasuzzi asked about the access as he received a call from Consolidated Communications regarding excavation construction. The road is a farm road and does not have a town access permit and is not included as an exemption under 248. The highway foreman will review it and approve the access and then it will go to the Selectboard. Mr. Biasuzzi can provide an E911 response address once this is complete. Mike Norris asked about the total delta topography of the area as it is facing Kendall Hill. Ms. Hines stated it is relatively flat and they try not to do a lot of clearing, grading or cutting of trees. Ms. Wilschek stated the aesthetic expert supplied a cross section of elevation drawings and was provided in the file sent to the Commission. Mr. Norris also asked if there are present or future plans for a power storage building. Ms. Hines noted not to her knowledge as they are limited with the wetlands. Ms. Wilschek would assume there is no storage as it was processed under the Vermont Standard Offer program. She noted storage is not needed at every location and right now there are no plans for storage. The land is under a long-term lease with the landowner for the project's life. For historical artifacts, Ms. Hines advised this was part of the CPG package. There are two parts to the historic sites and the project will not impact any of the above-ground historic sites. With the below-ground artifacts, UVM found some areas that might have artifacts and they are now doing a Phase 2 process and will work with Historic Presentation to be sure an investigation is done in accordance with State standards. Encore will commit to follow all guidance by Historic Preservation if an artifact is found. It was also questioned if there will be substantial screening from the road. Ms. Wilschek advised they also provided landscape mitigation plans to the Committee and it is recommended screening in a couple of spots on the parcel. The project will be visible for a short section of Kendall Hill, and it is suggested there be mitigation in that area and there is a residence south of the roadway and Encore proposes to put trees in that area. Ms. Wilschek stated there is a law that requires solar developers to maintain the landscaping for the project's life. Rick Conway asked if the renewable energy credits will remain in state or be transferred. Ms. Wilschek stated as part of the Vermont Standard Offer Project, GMP will get the electricity and the renewable energy credits. Under this program, all Vermont

utilities will each get a share of the electricity. The decommissioning plan has also been shared and is also a requirement, with the PUC having specific requirements. A letter of credit is also required and when the Certificate of Public Goods is received, the developer must file the documents signed by the bank to the PUC. There is a spreadsheet that includes an estimate and for this project is around \$84 thousand and increases with inflation through the project's life. Ms. Wilschek noted the PUC has rights to call in the money if a developer does not follow through and it is an irrevocable line of credit and acts like a bond. Mark Winslow advised that before providing a letter of support, the Planning Commission is asked to be given party status. Ms. Wilschek stated the Planning Commission would get automatic party status when they provide a letter to the PUC requesting party status. Ms. Wilschek noted their primary contact is through John Haverstock but when filing party status, make clear who the point person will be as that person will get all the information from the PUC and that is who Ms. Wilschek will contact to provide any changes. Mr. Winslow thanked Ms. Wilschek and Ms. Hines for attending the meeting to provide additional information.

Mark Winslow requested Committee input on the two presentations provided. Mike Norris stated he likes solar, but these are large projects, and the Town is becoming known as a solar-friendly town. Chuck Charbonneau stated landowners are getting benefits from the projects and there will also be taxpayer benefits with \$20 to \$30 thousand to the tax base times two projects and will be income to the Town. It looks like very minimal burden on the Town and Mr. Charbonneau thought they are prime areas for solar. Mr. Charbonneau noted the Committee is representing the tax base and the projects meet the criteria. Mr. Norris note they the letters of support being requested are needed and there are a lot of towns that do not provide the support. He is supportive of the projects but noted the fields in the area could be filled up with solar and nothing can happen to the fields for another 30 years. Regarding the tax base, the first 50kw are not included, it is a fixed tax rate and is exempt from the education tax, which is about 85 to 90% of the tax rate. One could put two houses on the Kendall Hill project and get the same amount of tax that would be provided by the solar project. The only thing they are subject to is the increased rate of the town tax, so the revenue is not that much. From a tax revenue point it looks good now, but it may not look good for the future. Mr. Pape noted concern that if the property is sold, the trail system will be gone. Mr. Charbonneau noted building houses on the properties would up the tax value, but it will also up the impact to the Town. Mr. Norris noted concern there may be property tax implications for the property owners if the property value is increased for the larger projects as revenue-making property. Mr. Winslow noted both companies provided good presentations and asked if the Committee wished to act on the two requests.

A motion was made by Mark Pape and seconded by Derek Blow to approve the Adams Road Solar project and to provide a letter of recommendation, following receipt of the information requested of the developer. **The motion passed unanimously.**

A motion was made by Derek Blow and seconded by Mike Norris to approve the Kendall Hill Solar project and to provide a letter of recommendation, following receipt of the information requested of the developer. **The motion passed unanimously.**

8. Other New Business

There was no other new business.

8. Old Business

Mark Winslow advised Mike Norris has provided a draft checklist for sending to solar developers that will be forwarded to all Committee members for review and action at the next Planning Commission meeting.

Rick Conway provided an update on the bridge replacement and road redesign. An Act 250 hearing has been set for October 27th and Mr. Conway noted there is still time for communication prior to the hearing. Mr. Conway has contacted the supervisor of the Vermont representative that attended the Select Board meeting and noted there does not seem to be continuity. They have reached to John Haverstock asking for a position from the Select Board. This discussion will take place at the October 6th Select Board meeting and Mr. Conway encouraged Planning Commission members attend the meeting. There was a consensus that the Select Board was not on board with the changes to the project as there are concerns with emergency vehicles and the entrance to Oxbow Road. Mr. Conway stated the Planning Commission has party status at the Act 250 hearing and the Commission will need to send them a letter to request involvement at the hearing. The State supervisor noted above was not aware of the letter the Planning Commission had previously sent. Mr. Conway has requested maps for clarity as there was discussion about reducing the shoulder widths more.

A motion Chuck Charbonneau and seconded by Derek Blow for the Pittsford Planning Commission to provide representation at the Act 250 hearing for the bridge and road changes. **The motion passed with one abstention – Rick Conway.**

Mike Norris and Robb Spensely volunteered to be the representatives at the Act 250 hearing to present a document that Mark Winslow will draft and forward to all Planning Commission members for review prior to the meeting. The RRPC is also a party to this project and Donna Wilson will send Ed Bove an email concerning this item.

Donna Wilson reported Rick Conway and she are working on the historic marker, and they will be filling out the application for submission. Rick Conway reported he has reached out to the Historic Coordinator and head Preservation Officer and is waiting to hear back from them.

9. Schedule Date/Agenda for Next Meeting

October 28, 2021 @ 7:00PM – Planning Commission Meeting

10. Adjournment

A motion was made by Rick Conway and seconded by Derek Blow to adjourn the meeting at 8:43PM. **The motion passed unanimously.**

Respectfully submitted,

Charlene Bryant
Recording Secretary

Approved by,

The Pittsford Planning Commission