

**From:** Springer, Darren [Darren.Springer@state.vt.us]  
**Sent:** Tuesday, May 05, 2015 9:13 PM  
**To:** Christopher Bray  
**Subject:** Re: 2.4 -

If you are applicant and town in 248 provided screening criteria that you thought functionally prohibits solar you would argue to the Board that the criteria should not apply.

If Board agreed that the criteria prohibited solar, they would not apply it. They could apply a modified version that was more reasonable as they can under current law. Town, based on that ruling might choose to modify its criteria to fit within safeguards provided.

If town or developer disagreed with Board on their ruling on this issue either party could appeal directly to the Supreme Court which hears appeals of PSB decisions.

Sent from my iPhone

> On May 5, 2015, at 9:06 PM, Christopher Bray <cbray@sover.net> wrote:

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>> On May 5, 2015, at 8:52 PM, Springer, Darren <Darren.Springer@state.vt.us> wrote:

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>> munis can adopt bylaw or ordinance (that means there are two nearly identical sections added), but they are a condition of CPG unless they trigger one of the safeguards mentioned.

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> So if I'm an applicant and my plan is turned down because of screening that I think is functionally prohibitive, who's my beef with? The town or the psb?