

From: Springer, Darren [Darren.Springer@state.vt.us]
Sent: Thursday, April 30, 2015 2:37 PM
To: asavage@allearthrenewables.com; Warren Coleman
Subject:

Warren, Andrew,

Below I capture change on property boundary, change to setback from highway center, allow town to agree to less setback, move screening to PSB process, and change effective date to not be retroactive to filed CPGs. Any further thoughts, suggested changes? I tried to draw from our conversation and REV draft too.

Thanks,
Darren

In seventeenth instance of amendment
(s)(1) change property boundary to 25 feet for greater than 15 kW to 150 kW, and 50 feet for exceeding 150 kW

change to setback from highway center instead of right of way

allow town to agree to less length of setback if it wants to

In seventeenth instance of amendment, amend sec 26c:

30 VSA 248 is added to read:

Solar plants; screening. Notwithstanding any contrary provision of
2 section 4413 of this title or 30 V.S.A. chapter 5 or 89, a municipality may
3 adopt a freestanding bylaw to establish screening requirements that the **Public Service Board**
shall apply

4 to a **ground-mounted plant greater than 15 kW** that generates electricity from solar energy, and **such requirements shall be a condition of an applicant's Certificate of Public Good under 30 V.S.A. 248, unless** these requirements:

- prohibit or have the effect of prohibiting the installation of such a plant; **or**
- have the effect of interfering with its intended functional use, or
- are more restrictive than screening requirements applied to other land development in the municipality under 24 VSA 4414 or 10 V.S.A. chapter 151.

In this section, “plant” shall have the same

10 meaning as in 30 V.S.A. § 8002 and “screening” includes landscaping,

11 vegetation, fencing, and topographic features.

In eighteenth instance of amendment, to not interfere with projects that have already filed a CPG and create legal issues there, apply these screening and setback sections upon enactment to all projects that have not yet filed for a CPG (but including 45 day notice)

Sent from my iPad