

*Chris Violette*

*1.20.16*

House and Senate Committee on Natural Resources and Energy

January 20, 2016

Thank you for this opportunity to sit before you today and offer some of the experiences that we've had in Barre Town with regard to the siting of solar energy plants.

Currently Barre Town has two 500kW solar plants. One of those plants is fully operational and sits on Town owned land and is benefiting the Town of Barre. The second one has been constructed and just about to go online, that one is located in the Wilson Industrial Park and is benefiting the landowner's property in Randolph. In addition to the two of those, Barre Town currently has four other 500kW plants as well as a 150kW community plant before the PSB but have yet to be granted Certificate of Public Good. We are also in close proximity (approx. 1 mile) to a proposed 4.99MW plant in neighboring Williamstown.

It seems like these large scale solar projects have developed overnight. It also seems like every month we are being handed another PSB application for a solar project. Our Planning Commission has done very little in the last several months other than trying to deal with these applications. I'd like to add "trying" is the operative word.

The Planning Commission has reviewed each solar project that has been presented and even met with some of the developers. The Planning Commission has sent letters of concerns and pointed out facts to the PSB and largely have been ignored. For example, when the Planning Commission reviewed the Wilson Industrial Park project there was at least one glaring issue and a few other significant concerns and the PSB dismissed them. The Petitioner had noted that the project setbacks to all property lines were at least 20 feet. In fact, the project was proposing to be built on three separate parcels of land completely ignoring the interior boundary lines. Setback in this case equaled zero. In their decision, the PSB states "The Planning Commission appears to be correct in its assertion that that project will not contain setbacks relative to the projects interior lot line. Nonetheless, we find no basis to conclude that the lack of setbacks between the interior lot lines on the project site or the fact that the project exterior setbacks are 20 feet as opposed to 25 feet, raises a significant issue under any of the section 248 criteria applicable to the project. No other project in Barre Town or most other Town's would be allowed to just completely ignore long standing regulations regarding setback and structures crossing boundary lines. The Petitioner presented it incorrectly, the Planning Commission point it out, the PSB be dismissed it.

In addition, the Planning Commission felt very strongly that building a solar project of this magnitude inside one of our most important economic development centers with all of the expense involved around creating it, was contrary to our Town Plan goals, the PSB dismissed it

stating the portions of the Town Plan cited by the Planning Commission were too broad regarding economic development in the Wilson Industrial Park.

Finally, while taking note, after the Planning Commission pointed it out, of the fact the project was going to consume most of the land it was going to be built on, they dismissed the concern raised by the Planning Commission. The fact of the matter is that the Planning Commission felt that while they were heard, there was very little they could do to influence the project for the betterment of the Wilson Industrial Park and the Town of Barre as a whole. While the Planning Commission may have wanted to ask for a hearing on this Petition the process was confusing and time was limited to even attempt to go further with the process. Working with the PSB process is daunting and intimidating at best and really requires the service of legal counsel.

The take away from our experience so far with these commercial solar projects is that while we have input and regulatory control over how our Town is going to be developed, we have very little say when it comes to projects that are much larger in a lot of ways than some of our biggest commercial or industrial uses.

I'd like to relay one other thing with regard to the Wilson Industrial Park project. When the developer came to a joint meeting between the Planning Commission and the Selectboard, the Planning Commission raised many issues and they were in a very suggestive way told by the attorneys for the developer that we don't have to follow your rules. This attitude left a very bad taste in the mind of the public officials in Barre Town.

Other significant concerns that we have been faced with over the last several years regarding solar siting include.

- Over burden. A limit should be placed on how much solar any single Town should be expected to contribute to the overall solar built-out or limit how much solar can be developed over a certain period of time. Help prevent Town's from the undue burden that solar could bring.
- What kinds of impact does solar development have on property values? Things are happening so fast it is hard to know at this point. Some limits would allow time to get a real sense of the impact.
- Town's should have more input as to the best locations for solar development. This could be done with solar zones and or overlay districts.
- More weight to individual concerns over aesthetics needs to be allowed, not just community wide.

- Unless proposed by the municipality, solar projects should not be allowed in industrial parks or tax increment financing districts (TIF) especially ones that have already invested in infrastructure. Industrial Parks and TIF districts are intended to boost municipal economic development and job creation. Land for this purpose is limited and solar development does very little to support the goals of either.
- Allow special case proximity solar development. In other words, if a site makes sense and there is little to no opposition, the site should not be limited to the number of projects it can have. The site mentioned earlier that the Town of Barre is hosting is a prime area to host another one or two projects but can't because of the first project. This site has limited visibility, its use is limited, and has very good access to three-phase power. I encourage the committee's to view this project.
- Allow a local benefit. Neighbors and the municipality should be able to realize the benefit of hosting a solar project nearby instead of power going entirely somewhere else.
- Decommissioning is a major subject that we have heard little about. What happens to the solar arrays once its useful life has passed is a major concern. Decommissioning must be part of the permitting process and included as part of the Certificate of Public Good. The public good is certainly not served in the future if these worn out panels are not removed and disposed of properly. Hazardous materials contained within the panels needs special handling just like any other potentially dangerous substances not to mention what an eye sore old and unused panels would be.
- Frankly one of the most disturbing aspects of hosting a solar facility is the inability for municipalities to tax the projects as they would other real or personal property. The discounted cash flow approach which was written in to state law provides a minimum 70% discount for solar projects which when combined with all the other town restrictions is alarming for communities facing this issue. This is a significant exemption enjoyed by solar developers at the expense of local taxpayers.

Again, thank you for your time and consideration.