TESTIMONY ON SOLAR SITING STANDARDS

Good evening, my name is Tom Terenzini and I have the privilege of representing the Town of Rutland in this historic chamber. I take my responsibility of representing the more than 4000 citizens of Rutland Town very seriously, and if my years of service to my community mean anything, it certainly means to me that I have come to know, respect, and understand a vast majority of my fellow citizens well enough to convey their collective thoughts on serious issues such as we are discussing tonight.

The development and land use planning of any community, certainly ours as well, has been vested for decades to the citizenry of that community and it is they who have for those decades decided what flavor, what ambiance, what viewsheds, and what balance of agricultural, commercial, industrial, and residential development to achieve within their community. Reasonable regulation of all of these categories has always been at the heart of local control and has not only been encouraged, but enhanced by wise state policies such as act 250. The basic problem here is that all of the truly tested protections for local communities and their rights to full standing in the process have been gutted from Act 250 in the application of the Act 248 standards and guidelines for energy projects.

When faced with this new emerging technology and industry, Renewable Energy, we sought to do what any responsible governing body would do in the normal course of any development. Faced with the possibility of a completely changed landscape for our town, we sought out reasonable regulatory language and provisions for development of this industry that we felt would be compatible with our citizens' desires while also attempting to meet the new industry's needs. We researched the topic to find a baseline document, if such was available, that we could modify and adopt as quickly as possible to meet a timeline that was accelerating faster than proper planning should allow. We found such a document from the town of Waitsfield. Within a two week period we made some initial changes and deletions to the document and adopted it immediately as a non-regulatory administrative tool, which we then could offer to the PSB, as our town's collective input to the regulatory process and that was entered by our town attorney in the intervenor stage of the docket on the Cold River Road project. Following that, we submitted that document, The Solar Facility Siting Standards for the Town of Rutland to our Planning Commission for their consideration for adoption as a Town Plan Amendment. Between our two boards, the Planning commission and the Select Board, we have spent over a year in the refinement, modification, and improvement of our Solar Siting Standards and have gained, through the hearing process, input from all segments of our community to finalize a proper and appropriate plan for solar inclusion to our community. After that very deliberative process, our town did adopt those standards as part of our Town Plan.

Rutland Town does not oppose Solar Energy, nor its inclusion in the mix of renewable resources for the benefit of our citizenry. What we do oppose is the thought that any one entity, be it Green Mountain Power, GroSolar, Rutland Economic Development Corporation, or (with all due respect) our own Public Service Board, should have the right to unilaterally determine what our town should look like and what the viewsheds of our residential developments should be. In that regard, I am absolutely sure that an overwhelming majority of our townspeople do not want industrial solar along every by-way and highway near and adjacent to their neighborhoods. Indeed, adhering to reasonable standards

developed by our community as part of a planning process has been the hallmark of both local control and planning policy which have made Vermont the pride of all our citizenry, and the envy of an entire country.

For sure, there is a place for Industrial Solar. As sure as I am of that statement, I am equally sure that it certainly is not the right of the industry to determine where and how that happens. With a clear and specific set of Solar Facility Siting Standards---which are a legitimately adopted part of our town plan---we are certain that we have met the parameters of the "Quechee Analysis" in developing clear guidelines duly adopted by legitimate vote of the only body elected by our citizens to do so.

After all this due deliberative process, even including a site visit by the entire PSB themselves, the Town of Rutland's legitimate concerns were virtually ignored by an insulting decision by appointed officials, the PSB, against the will and wishes of an entire community represented by elected officials, the Select Board. In the final analysis, there was actually no "due deliberation" or any "consideration" whatsoever given to the local municipality----and that is simply incorrect and legally deficient.

That is precisely why there are over 37 communities, and I am providing the list along with my testimony, that have signed on to our resolution demanding that the local communities in Vermont be given the same deference in Act 248 hearings as they presently have in Act 250 proceedings. In short, we simply cannot allow an appointed body of any sort to overrule an elective body that is statutorily responsible for the governance of a municipality. As you will see from the list provided, many of these proud towns are rural, bucolic, scenic mainstays of Vermont. We presume that they, as well as Rutland Town, wish to have a say in whether they remain that way and do not wish to be overruled by an appointed body from afar.

As has been pointed out in the past, and I will restate it here, the mere fact that there has not been even ONE project in the history of applications to the PSB for solar CPGs that has been denied should prove that this is hardly a fair and evenhanded process. If, in the entire history to the present, there has never been even one argument or principle of opposition that has been able to sway the opinion of the PSB in any of these Solar projects, then we must assume that it is far more of a rubber stamp than it is a legitimate deliberative process. It is simply just not possible, by any law of averages, that 100% of these projects can be compatible with the wishes of all communities. It is unfair, at best, for any opponent of these projects, indeed even an entire town, to be asked to waste their valuable time when their arguments are just going to be trumped by ideology rather than listened to as facts.

As the Representative of the Town of Rutland, I respectfully ask you to restore our voice, and the voice of the other 37 plus communities in this state to a process which by any account is out of control and definitely not listening to local input.

Respectfully submitted,

Rep. Thomas Terenzini, Rutland Town