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PROJECT REVIEW COMMITTEE MEETING MINUTES

Wednesday, January 8th, 2024

The meeting of the Project Review Committee was held remotely. H. Garrett called the meeting to order at 6:04 PM.

ATTENDANCE:

Commission: Scholten, Marietta ; Demars, Howard ; Buermann, Robert ; Irwin, William ; Garrett, Harold ; Neal Speer ; Julian Callan ; Yvon Dandurand ;

Staff: Emily Klofft.

Guests: Sam Carlson (Encore Renewable Energy- Reservoir Road Solar), Taegen Kopfler (Encore Renewable Energy- ER Dunsmore LLC), and Owen Dartley (Encore Renewable Energy).

Changes or Additions to the Agenda:

E. Klofft suggested that the review of the Regional Public Participation Plan should be moved to the end of the agenda for the benefit of the applicants attending. The Committee agreed to move it to the end of the agenda.

Minutes

B. Buermann motioned to approve the minutes of the November meeting. J. Callan seconded. The motion carried with 1 abstention.

Public Comment

None.

Project Reviews:

Section 248- ER Dunsmore, LLC

Project Details: 45-day notice for 5 MW solar located at 2642 Dunsmore Road, St. Albans Town.

E. Klofft presented on the site plan and draft project review sheet. The project is a new 45-day notice, but the Committee had previously reviewed the project in 2022. At that time, the questions the Committee had were about the decommissioning plan and screening. E. Klofft stated that the project would likely require a decommissioning plan, although it was not included in the 45-day notice. The updated 45-day notice states that no new screening is proposed. The project will use an existing access road that crosses a river corridor.

T. Kopfler stated that the project would have a decommissioning plan which will include a bond to the state that will be updated every few years to address the cost of inflation. T. Kopfler noted that the final aesthetics analysis would be included in the full application.

1 H. Garrett asked if the project would include pollinator species. T. Kopfler stated that Encore has a
2 commitment to dual use when possible, whether that be planting pollinator species or sheep grazing.
3 Contracts for sheep grazing are generally considered further in the development process.
4

5 B. Buermann stated that he did not have major concerns with the aesthetics given the project's location. H.
6 Demars asked if the project would be visible from Lake Champlain. T. Kopfler stated that the initial aesthetics
7 analysis did not consider that, but it could be addressed in the full application. H. Garrett stated that it was
8 unlikely to be visible from the lake given the topography of the area.
9

10 H. Demars asked about the presence of wetlands on the site. T. Kopfler stated that the project was in the
11 process of getting state permits for crossing the Jewett Brook across the existing access road. The modules are
12 located over some Class 3 wetlands, no Class 2 wetlands will be impacted.
13

14 H. Demars asked if the applicant had met with the Town. T. Kopfler stated that she planned to meet with the
15 town.
16

17 H. Garrett asked about the width of the project ROW. It was clarified that the ROW is an existing farm road. H.
18 Demars asked if there was any chance the electrical lines would be buried underground. T. Kopfler stated that
19 for this project it was unlikely given that the road crosses Jewett Brook.
20

21 **Section 248- Reservoir Road Solar**

22 *Project Details: 2.375 MW solar located at 640 Reservoir Road, Berkshire.*
23

24 E. Klofft presented on the site plan and draft project review sheet. She noted that the Committee's main
25 concern from the 45-day notice was potential impacts to the source water protection area for the Village of
26 Enosburg Falls water source. The project will include transformers which will use biodegradable oil and include
27 a secondary containment system. The solar panels will be located more than 200' from the existing wellheads,
28 some construction will occur within 200' with grading trucks. The project will include a decommissioning plan
29 and fund.
30

31 S. Carlson noted that the Village of Enosburg Falls was the oftaker of the electricity as well as one of the
32 property-owners, and had worked closely with Encore to ensure that there are no negative impacts to the
33 water supply.
34

35 H. Demars asked what percentage of the Village's electrical needs this project would meet. S. Carlson stated
36 that he was unsure but that it would help the Village meet its legal requirements for renewable energy
37 generation. E. Klofft noted that it would be supplemental to the main source of renewable energy for the
38 Village which comes from the dam. H. Demars asked what the kWh rate would be. S. Carlson stated that the
39 final PPA was still being negotiated but it would likely be between 8 and 12 cents/kWh.
40

41 S. Carlson noted that project would replace the access road culvert. The Village is planning on removing the
42 dam from the reservoir which is no longer used, the project is designed to accommodate changes to the
43 stream flow that would occur if the dam is removed.
44

1 J. Callan asked if the project would involve pollinators or sheep grazing. S. Carlson stated he was unsure which
2 would be used, if sheep grazing is utilized it will be in coordination with the Village to ensure the water supply
3 is not affected.
4

5 The Committee discussed whether or not the project would be considered a substantial regional impact. E.
6 Klofft noted that the definition of substantial regional impact includes projects that “affect the existing or
7 potential capacity to provide essential or required public services by one or more municipalities”. B. Buermann
8 stated that he felt it should be of substantial regional impact given its impact on Enosburg Falls and Berkshire.
9 H. Demars agreed that it had impacts on more than one municipality.
10

11 *H. Demars motioned to find that the project was in conformance with the Regional Plan and had a substantial*
12 *regional impact. J. Callan seconded. The motion carried.*
13
14

15 **Act 250- Malone 75 Swanton Road Properties, LLC**

16 *Project Details:* Subdivision of parcel and construction of a 2,450 square foot coffeeshop with drive-thru.
17

18 E. Klofft noted that the project had originally been submitted in December. After a conversation with VTrans it
19 was determined that the project would require a traffic impact study. Staff submitted a request for extension
20 of comment period until after the traffic study, the NRB staff decided to mark the application as incomplete
21 until the traffic study is added.
22

23 E. Klofft reviewed the project site plan and draft project review sheet. The project is a coffeeshop located in
24 the Regional Growth Center. The project does not include any proposed EV chargers. The main potential
25 concerns regarding the project are traffic and complete streets. The project includes sidewalks along Franklin
26 Park West but not along Route 7. The Town is currently in the process of planning for a multi-use path,
27 although it has not yet been decided which side of the road it would be located on. The project includes full
28 access from Franklin Park West along with a right-turn in only lane on Route 7. Part of the complete streets
29 policy for the Growth Center is “access to the roadway shall be minimized”.
30

31 B. Buermann asked if the stormwater system fed into the overall Franklin Park West system which had
32 previously been a concern. E. Klofft stated she was not sure but would follow-up.
33

34 B. Buermann stated that he was not concerned about the lack of sidewalk along Route 7 as it made sense to
35 coordinate with the Town’s efforts on the multi-use path.
36

37 H. Garrett stated that he was concerned that travelers coming from Swanton would make an illegal left-turn
38 into the right-turn lane.
39

40 J. Callan asked how long the multi-use path would take to develop. E. Klofft stated that she was unsure but
41 could follow up with the Town.
42

43 The Committee agreed to wait until the traffic study was complete for further comments.
44
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46

1 **Staff Reviews**

2
3 **Section 248a- T-Mobile 248a (10 Island Circle, Grand Isle) & Section 248a-T-Mobile/248a (243 Gore Road,**
4 **Highgate)**

5 E. Klofft stated there were two applications for addition of new equipment on existing cell towers. In both
6 cases the equipment would be placed below the current highest level of the tower and have minimal visual
7 impact. The projects are not of substantial regional impact.

8
9 **Review Regional Public Participation Plan**

10 E. Klofft stated that staff are reviewing the public participation plan adopted by the Regional Commissioners
11 with each committee to determine how the committee’s work fits into the plan. E. Klofft stated that she
12 believed most of the work of the Project Review Committee fell within the inform and consult levels with the
13 main actions being warning meetings and public comment. B. Buermann noted that the Committee may act at
14 the involve level for some projects.

15
16 **Updates**

17 None.

18
19 **Commissioner Announcements**

20 None.

21
22 **Adjourn**

23 *H. Demars motioned to adjourn. The motion carried. The Committee adjourned at 7:22 PM.*