

RANDOLPH PLANNING COMMISSION

Meeting Minutes¹ – **April 11, 2018**

Randolph Town Hall – 7 Summer Street

PRESENT: Members Camden Walters, Gary Clauss, Perry Armstrong, Matthew Chin Miles Hooper, and Michael Tragner and Public Jon Willson (NextEra Energy), Dan Herzlinger, Tory Littlefield and Dee Gish (Two Rivers-Ottawaquechee Regional Commission), Dorothy Wathley, David Silloway, Mary Edson, Larry Hart, Linda and Robert Sivret, Gail Osha, George Mowery, Ken Stevens, Ken Borie, John Mazzucco, Skip Tabor, Kathy Leonard, Joan Allen, Nancy and Bill Rice, Julie and David Tabor, Howard Corey, Gary Dir, Marjorie Ryerson, Sandy Vondrasek (The Herald), Carolyn Lumbra, Jerry Ward, Senator Mark McDonald, Winston Sadoo, Zina Dana, Michael Hildenbrand, Patsy French, Cynthia Quillici, Paul Rea, Pauline Poulin, Reps. Ben Jickling and Jay Hooper, John Pimental, Steph Hoffman and Jacob Clark (VT Dept. of Public Safety), Brooke Dingedine, Jenny Carter, Sam Lincoln, Dan Kinney (Catamount Solar), John Brabant (Vermonters for a Clean Environment), Chris Recchia, and Jessica Taffet.

Chair Walters called the meeting order at 6:35 p.m.

1. **Public hearing on Randolph Center Solar, LLC’s proposal for a 20 MW solar array on East Bethel Road**

Comments were made from the following people at the hearing: Jon Willson, John Pimental, Brooke Dingedine, Miles Hooper, Dan Kinney, John Brabant, Gary Dir, John Mazzucco, Chris Recchia, Cindy Quillici, Carolyn Lumbra, George Mowery, Michael Hildenbrand, Jenny Carter, Skip Tabor, Marjorie Ryerson, Jerry Ward, Bill Rice, Howard Corey, Winston Sadoo, Perry Armstrong, Gail Osha, Sandy Vondrasek, Steph Hoffman, Mark McDonald, and Paul Rea.

Hooper/Armstrong moved to close the hearing. The motion passed 5-0-0.

2. **Public to be heard** – None.
3. **2013 Town Plan Revisions** - tabled
4. **Minutes** - tabled
5. **Old/new business** – None.

The meeting adjourned at 9:06 p.m.

Respectfully submitted,

Approved: as written as edited

Mardee Sanchez

¹ More detailed notes were taken by Dee Gish of Two Rivers-Ottawaquechee Regional Commission and they are appended for reference only – not a part of the official minutes of the meeting.

Randolph public hearing for Randolph Center Solar – 4/12/18

An estimated 36 members of the public were present, including the Randolph Planning Commission.

Jonathan Wilson represented Next Era Energy Resources, who has submitted a 45-day notice for the development of a 20MW solar facility along East Bethel Road in Randolph Center, covering 97 acres. Jonathan reported that the power from the project will go to CT utilities through the sale of RECs. Next Era has contracts with utilities in CT. This is a “regional project,” benefiting ratepayers in ISO New England. Randolph will receive tax revenue and he is willing to discuss other economic development partnerships in Randolph, including Re-Energize Randolph.

Questions and answers followed. Answers were provided by Johnathan or Next Era’s consultant.

1. Q: How can you demonstrate an economic and/or energy benefit of this project to VT?
A: ISO New England is a regional grid, so the project will affect utility prices. Tax benefit to town. Project does not contribute to VTs energy goals.
2. Q: Project is larger than anything currently permitted in VT. NH recently turned down a 10MW project after concerns about soil runoff. What assurance can you give that this project does not permanently degrade ag soils?
A: Currently we are constructing another 20MW project in Ludlow, with a storm water management plan. The NH project was turned down due to local zoning, since the project was considered impervious surface.
3. Q: Was retiring RECs in VT considered?
A: Yes, initially the project was under PURPA, GMP could have bought the RECs, but declined.
4. Q: Would you be offering power to utilities at reduced cost?
A: Can we meet the avoided cost of power to the grid?
5. Q: (Dan Kinney of Catamount Solar) Concerned with the project size going into the local grid. May clog the grid so that homeowners, businesses and farms in the area can’t go solar. Why isn’t the project being built in CT? If VT wants to achieve 90% by 2050, we’ve “got to get on the train.”
A: We are developing projects in CT and are given priority in CT. 20MW projects need adequate interconnection substations and land. Transmission constraints at Sheffield Wind is complicated – a thermal/voltage issue that can be addressed with energy storage.
6. Q: Dan Kinney – need to have a guarantee that this project’s CPG does not shut down local net metering.
7. Q: How does the power move offsite? What upgrades to infrastructure and the grid are necessary?
A: Studies will be done to the impacts of projects with regards to line upgrades, etc. Any costs will be born by Next Era for upgrades. We are working with GMP to use existing poles and building transformers on site.
8. Q: Will you be asking landowners to use GMP easements on their property?
A: Working with GMP first, then will work with landowners.
9. Q: If the town does not support this project, will you go away? GMP has said they will not move projects forward if a town does not support a project.
A: We are hoping to get the support of the town. I can’t “unequivocally” say that if we don’t get a letter of support of the town that we won’t move forward. We are committed to the contracts and will still file the CPG application.
10. Q: What is the public good for the town of Randolph? Will there be studies to determine if/how parcel’s deterioration will affect Hunger Brook?

- A: Dan with TRC Environmental (Consultant) noted that a Natural Resource Assessment report (NRA) is submitted with Sec. 248 applications. Project is outside of wetlands and water bodies and will have a buffer. Project will follow guidelines from VT and a storm water permit will be filed.
11. Q: Chris Rechia: how many acres are prime ag? You claim that the soils will be reclaimed since this project is not permanent. Solar projects should be considered permanent.
A: A prime ag soil expert from UVM will work on the project and will follow VT state guidelines.
12. Q: Dan Kinney: Worried about solar industry if project goes through and there will be 100 acres of panels and soil moved around.
A: Public good is tax revenue and temporary jobs. Some tax revenue goes to the state, some to Randolph.
13. Q: Will the project use piles or blocks?
A: Piles, so don't take away any prime ag soils.
14. Q: Proposed as a "temporary" project, but don't see the demand for power decreasing long-term.
A: Purchase and leases with landowners are at least 25 year lease agreements for PPA. Will still have economic value after 25 years, so can renegotiate PPAs. Also have a restoration bond for decommissioning. The entire parcel envelope is more that 200 acres, but will only build on 97 acres, including set backs.
15. Q: How much active farmland and tree clearing?
A: Buffers aren't leaving, but will clear trees of about 49 acres. Open fields/prime ag are 50 acres. There have not been many studies with regard to property values and there have not been many home sales in the project's area.
16. Q: Process? Encourage town to have legal advice and document concerns in a letter to the PUC. Selling RECs out of state, so won't help combat climate change. Preserving prime ag soils is important in Randolph.
A: RECs will be sold and retired in CT, so still going toward new, renewable resources. Will meet RPS in another state.
17. Q: Are we running our mouths for nothing? Will you still move forward?
A: Next Era will be pursuing a CPG application.
18. Q: Will this project be sold to another company?
A: No, Next Era will be the owner long-term.
19. Q: Jerry Ward – It should be noted that you found willing landowners and there is an adequate substation nearby. How is Randolph Planning Commission going to find suitable sites for Randolph's renewable needs?
20. Q: Gary – Energy Committee had people coming and wanting to put solar, but net metering rules changed.
21. Q: Brooke Dingleline – Original 45-day letter from Ranger said the project will go to meet VTs and Randolph's goals. In the last paragraph of Ranger's letter, dated April of 2016. That is the biggest update, and not noted in your new 45-day notice.
A: The RECs will be sold out of state.
22. Q: Brooke – So this new notice is not consistent with the Town Plan or Regional Plan. Page 2 of the original letter will generate local power "All power generated by this project will be used in Vermont."
A: There are areas of regional need. Read the order of our other project.
23. Q: Brooke - Diminished property values. Middletown project where realtors said some properties would not be sellable since located near a solar project. I will be asking discovery questions about lease holder contracts, since likely will be insufficient compensation.

- A: Next Era will present a tax revenue proposal to the next SB meeting and can provide a redacted version of the PPA.
24. Q: How long has Ranger been in existence?
A: Ranger does not own this project, they sold it to Next Era. Next Era is a Fortune 200 company in existence over 10 years, mostly in CA. There are decommissioning funds available.
25. Q: Chris Recchia – Solar projects should not be considered temporary, so should not think of decommissioning funds. Think of project as permanent, since will likely be recommissioned.
A: We will likely seek recommissioning.
26. Q: Solar farm radiation. Converters generate radio frequency. May have interference problems if use cheap converters. Are your converters FCC approved?
A: We considered 2 inverters and will deliver the specifications to you. There are 2.5 MW per inverter.
27. Q: Will reliability of the substation be affected? Backfeed?
A: Impacts are modeled and impacts are addressed. New equipment will be installed if necessary.
28. Q: Winston Sadoo – Concerned about companies doing business here. Ranger Solar did not have an office address. Is Next Era listed on the NY stock exchange? Do you have a Dunn & Bradstreet rating? Any operating plants in Vermont? Have you considered how the project will affect wildlife?
A: Yes, Next Era is on the NYSE with a D&B rating. We will have a plant in operation in VT next month. The power for this project will be sold to CT with 37,000 MWH annually and dispersed to the grid regionally. The project will be fenced with “wildlife compatible” fencing where small animals can go under.
29. Q: Would you consider a new location?
A: Nothing precluding, but have working relationships with landowners currently.
30. Q: There may be other locations more suitable than prime ag soils, like the landfill.
A: (Town member of the public) Not appropriate to discuss town-owned property as a project location. Landowner that is involved in this process. I am a landowner who has never been approached by a farmer to use my land.
A: Need a lot of land and suitable grid infrastructure. Randolph Center is one of the strongest locations in Vermont.
31. Q: Marjorie Ryerson – how will you keep vegetation down?
A: Open to sheep grazing. Will not use chemicals. Only used mowers. Will be outlined in the operations and maintenance plan.
32. Q: Poles on property need easements. Must build up. We will not be giving you permission to use our poles.
A: We have alternative routes and may be burying lines.
33. Q: Sandy Vandracek of the Herald – What is the timeline?
A: Filed the 45-day notice in February, filing the application likely in June.
34. Q: Steph Hoffman with PUC – petition is posted on the e-PUC website. Intervention status can be applied for. A schedule will be established, filing of testimony, then testimony, discover phases and a site visit. Then the Commission holds hearings. Then can write a legal brief to be considered.
35. Q: Brooke – how many solar projects have ever been denied in VT?
A: Steph – projects of this size, about 10 projects have been denied.
36. Q: Currently the largest project in VT is 5MW. Has there ever been an array with PURPA?
A: Steph – no.
37. Q: What is the town response to the 45-day notice? What is the 40 day response needed?

A: Does not preclude the Town from involvement with the formal application. Feedback is to the petitioner during the 45-day notice, not to the PUC. Town has the right to file comments to PUC, but it is not required. Filing of formal comments has a deadline.

38. Q: What is the deadline for Randolph to file?

A: Steph - No deadline with the PUC.

A: Brooke – Outside the 45-day window now, by agreement of the parties. Can the PC and petitioner set a deadline? PC will get comments to the applicant by XXX date.

A: Steph- yes, fine. Have opportunity in 45 days after application can revise recommendations. But does not preclude future involvement.

39. Q: Mark MacDonald – how will this project be owned?

A: Project is an LLC, a wholly owned subsidiary of Next Era.

40. Q: Mark - Company with no assets other than electricity sales? Example VT Yankee and decommissioning, so need to say remove the panels in the agreement. How can Randolph make sure that the company, that will have no income after the contract is done. Want to ensure decommissioning funds come out of LLC's pocket.

A: will supply an organizational chart and decommissioning bond.

41. Q: Do you have to name it Randolph Center Solar?

A: We can change the name if needed. Next Era Energy Inc. is publicly traded, 6th largest energy company with around \$90 billion. Randolph Center LLC is a subsidiary of Next Era.

42. Q: Is eminent domain in the toolbox?

A: No. We don't have the power of eminent domain.

43. Q: Brooke – System impact study from Ranger was withdrawn. Is there a new study?

A: Inverter models, doing analysis and working with ISO New England on system impacts. Will have a load flow analysis that will be submitted with docket.

44. Q: PC will have comments to Next Era by June 1st.

45. Q: Paul – should RPC be involved?

A: Steph – yes, can be independent, or can work with town.

Public hearing notes by Dee Gish, TRORC. Not official minutes.