

## **NOTICE OF PUBLIC HEARING**

The Town of Baltimore Planning Commission will hold a public hearing in accordance with 24 V.S.A. §4384 on **October, 10, 2018 at 7:00 p.m.** at the Baltimore Town Office in Baltimore, Vermont to receive comments regarding amendments to the Municipal Plan.

Additional copies of the proposed Municipal Plan can be obtained from the Town Clerk, whose office is located in the Town Office, during normal business hours.

Loreen Billings, Chair

## Planning Commission Reporting Form for Municipal Plan Amendments

This report is in accordance with 24 V.S.A. §4384(c) which states: *“When considering an amendment to a plan, the planning commission shall prepare a written report on the proposal. The report shall address the extent to which the plan, as amended, is consistent with the goals established in §4302 of this title.”*

A public hearing by the Planning Commission on the proposed Solar Siting Amendment to the 2016 Baltimore Municipal Plan will be held at \_\_\_ PM on October 10, 2018 in the municipal office located at 1902 Baltimore Rd in Baltimore, Vermont.

The Planning Commission has prepared a draft Solar Siting Amendment to the Municipal Plan for the Town of Baltimore. The proposed amendment is intended to establish standards for the development of solar facilities within the Town of Baltimore to be consulted by developers, property owners, and the Public Utility Commission (PUC) in section 248 proceedings (30 VSA §248).

The proposed 2018 Solar Siting amendment to the Baltimore Municipal Plan includes the following policies and standards:

Solar development should be consistent with the Vermont Comprehensive Energy Plan, the Vermont Long-Range Transmission Plan, and utilities Integrated Resource Planning.

Demonstrated statewide need will outweigh adverse impacts to local residents and resources.

Allowances must be made for facility decommissioning.

Solar facilities shall not be sited in locations that adversely impact scenic views, roads, or other areas or scenic attributes including: views across open fields, prominent ridgelines or hillsides, and scenes that include important contrasting elements such as water.

Solar facilities larger than 10 acres, individually or cumulatively, are prohibited.

Solar facilities smaller than 10 acres must provide landscaping and screening to hide them from view.

Solar facilities shall be sited in Preferred Areas and excluded from Prohibited Areas as defined in the Amendment

A proposed Solar Siting Map indicates areas of town where solar development may be acceptable.

*If the proposal would alter the designation of any land area, the report should cover the following points:*

1. *The probable impact on the surrounding area, including the effect of any resulting increase in traffic, and the probable impact on the overall pattern of land use.*

The standards are drawn-up in such a manner as to preserve the existing pattern of land use to the greatest extent possible.

2. *The long-term cost or benefit to the municipality, based upon consideration of the probable impact on:*

## Proposed 2018 Baltimore Solar Siting Amendment

*(A) the municipal tax base; and*

Future solar projects that meet the policies and standards of the Amendment would likely result in increases in tax revenue for the town without unduly impacting significant cultural, natural, and scenic resources.

*(B) the need for public facilities;*

Standards being proposed are not anticipated to have a substantial impact on the need to provide public facilities.

3. *The amount of vacant land which is:*

*(A) already subject to the proposed new designation; and*

Potential solar siting areas have not been designated within Baltimore previously.

*(B) actually available for that purpose, and the need for additional land for that purpose.*

In addition to the land identified as potential solar siting areas on the map, rooftops and naturally screened areas that do not include prohibited areas are classified as preferred areas for solar development.

4. *The suitability of the area in question for the proposed purpose, after consideration of:*

*(A) appropriate alternative locations;*

The identified areas are deemed the most suitable in the town given the existing policies and standards in other sections of the town plan (i.e. land use, scenic resources). As noted above, rooftops and naturally screened areas that do not include prohibited areas are appropriate alternative locations.

*(B) alternative uses for the area under consideration; and*

The potential solar siting areas are identified as Forest/ Wildlife Habitat in the Future Land Use Map of the Town Plan, and are expected to remain in this use unless solar development takes place.

*(C) the probable impact of the proposed change on other areas similarly designated.*

There are no other areas specifically designated as solar siting locations. Other areas within the Town may be considered for solar development if they meet the standards established in the Solar Siting Amendment.

5. *The appropriateness of the size and boundaries of the area proposed for change, with respect to the area required for the proposed use, land capability and existing development in the area."*

There are no significant changes to the future land use designations. The policies and standards proposed in the Amendment encourage the preservation of existing scenic resources both within and outside of preferred solar siting areas. The proposed preferred solar sites indicate where solar projects are best located with respect to the goals and policies established in the Town Plan.

# 7/17/18 DRAFT

## Proposed Baltimore Town Plan Language for Solar Electricity Generation and Transmission Siting

The term "solar facility" shall have the following meaning: a solar electricity generation and transmission facility with a 150kW(AC) or greater capacity, including all on-site and off-site improvements necessary for the development and operation of the facility.

The Town of Baltimore has developed community standards and siting standards for the development of solar facilities for reference by facility developers and local property owners and for consideration in Section 248 proceedings (30 VSA §248). These standards are set forth below. In addition, The Baltimore Planning Commission, in consultation with the Southern Windsor County Regional Commission, will identify and map those areas of Baltimore that are most suitable for commercial solar facility development based on facility siting requirements and municipal energy, conservation and development policies and objectives set forth in the Baltimore Town Plan, and the Baltimore Land Use and Development Regulations (Map 5).

Pursuant to 30 VSA Sec. 248, prior to the construction of a solar facility, the VT Public Utility Commission (PUC) must issue a Certificate of Public Good. A Section 248 review addresses environmental, economic, and social impacts associated with a particular project, similar to Act 250. In making its determination, the PUC must give due consideration to the recommendations of municipal planning commissions and its respective plan. Accordingly, it is appropriate that Baltimore's Town Plan address these land uses and provide guidance to town officials, regulators, and facility developers.

The Town of Baltimore may participate in the Public Utility Commission's review of new and expanded generation facilities as necessary to ensure that local energy, resource conservation and development objectives are identified and considered in proposed utility development. This may include joint participation in collaboration with other affected municipalities and the Southern Windsor County Regional Commission for projects that may have significant regional impact. H.40, passed in 2015, gives the host municipality automatic party status in the PUC permitting process. It is acknowledged that the PUC's prime focus is on administering state public policy and regulating actions that are directed at ensuring that utility services promote the general good of the state.

The Planning Commission, in consultation with the Baltimore Select Board, should develop guidelines to direct local participation in Section 248 proceedings for the review of solar facilities

located in Baltimore or in neighboring communities which may affect the town. The guidelines should reflect levels of participation or formal intervention in relation to the type, location, scale, and magnitude of a proposed project, and its potential benefits and impacts to the community.

### **Community Standards**

The following community standards are to be considered in undertaking municipal solar electricity projects and programs, in updating Baltimore’s Land Use and Development Regulations to address commercial solar facilities subject to local regulation, and in the review of new or upgraded commercial solar facilities by the Town of Baltimore and the Public Utility Commission (Section 248 review).

**Plan Conformance:** New commercial solar facilities and proposed system upgrades should be consistent with the Vermont Comprehensive Energy Plan, the Vermont Long-Range Transmission Plan, and utilities Integrated Resource Planning (IRP).

**Benefits:** A demonstrated statewide public need that outweighs adverse impacts to local residents and resources must be documented for municipal support of new solar facilities located within or which may otherwise affect Baltimore. Facility development must benefit Town of Baltimore and State residents, businesses, and property owners in proportion to the impacts of the proposed development.

**Impacts:** New solar facilities must be evaluated for consistency with community and regional development objectives and shall avoid undue adverse impacts to significant cultural, natural and scenic resources identified by the community in the Baltimore Town Plan.<sup>1</sup> When evaluating impacts of a solar facility under the criteria set forth in this Town Plan, the cumulative impact of existing solar facilities, approved pending solar facilities and the proposed solar facility shall be considered. It is explicitly understood that a proposed solar facility that individually may not have an adverse impact may have an adverse impact when the cumulative impacts of the proposed solar facility and existing solar facilities and pending approved solar facilities are considered.

**Decommissioning:** All facility certificates shall specify conditions for system abandonment and decommissioning, including required sureties (bonds) for facility removal and site restoration to a

---

<sup>1</sup> Section IX: Natural and Cultural Resources (17-21)

safe, useful, and environmentally stable condition. All hazardous materials and structures, including foundations, pads and accessory structures, must be removed from the site.

### **Solar Facility Siting**

Baltimore supports responsibly sited and developed solar facilities within its boundaries. It recognizes that financial considerations require projects to be located in proximity to electric power lines capable of transmitting the load proposed to be generated and easy access from major transportation networks for construction. However, the town desires to maintain the open landscape and scenic views important to Baltimore's sense of place, tourism economy and rural cultural aesthetic. The same desires inform Baltimore's Natural and Cultural Resource Goals and Policies,<sup>2</sup> Land Use Goals and Policies,<sup>3</sup> and Zoning Bylaws, which apply to all potential commercial and other development. The following criteria are consistent with those governing all commercial development within Baltimore. Not all commercial or community scale solar facilities proposed can meet this standard. Projects must meet the following criteria in order to be supported by this Town Plan:

**Siting Requirements:** New solar facilities shall be sited in locations that do not adversely impact the community's traditional and planned patterns of growth, surrounded by a rural countryside, including working farm, open fields and forest land. Solar facilities shall, therefore, not be sited in locations that adversely impact scenic views, roads or other areas identified in the Scenic Resources Inventory,<sup>4</sup> nor shall solar facilities be sited in locations that adversely impact any of the following scenic attributes identified in the Scenic Resource Inventory: views across open fields, especially when those fields form an important foreground; prominent ridgelines or hillsides that can be seen from many public vantage points, such as our town roads, and thus form a natural backdrop for many landscapes and scenes that include important contrasting elements such as water.

**Preferred Areas:** The following areas are specifically identified as preferred areas for solar facilities, as they are most likely to meet the siting requirements:

- Roof-mounted systems;
- Systems located out of view of the following scenic roads.
  - Baltimore Road
  - Harris Road

---

<sup>2</sup> Section IX: Natural and Cultural Resources (17-21).

<sup>3</sup> Section X: Land Use Planning (21-25).

<sup>4</sup> Section IX: Natural and Cultural Resources (17-21), Map 4: Future Land Use.

- Gould Road
- Proximity to existing hedgerows, forest growth or other topographical features that naturally screen the entire proposed array;
- Areas specifically identified as suitable for solar facilities on a map approved by the Select Board (Map 5).

**Prohibited (Exclusion) Areas:** In addition to those areas that do not meet the siting requirements set forth above, solar facilities shall be excluded from (prohibited within), and shall not be supported by the town in the following locations:

- Floodways shown on Flood Insurance Rate Maps (FIRMs) - none identified within Baltimore at this time;
- Class II and III wetlands;
- A location that requires fragmentation of Baltimore's working landscape, including certain areas of undeveloped forestland and primary agricultural soils (as defined in Act 250 and as mapped by the U.S. Natural Resource Conservation Service);
- Ridgelines: (Hawks Mountain)
- Steep slopes (>25%)
- Surface waters and riparian buffer areas (except for stream crossings);
- Areas specifically identified as unsuitable for solar facilities on a map approved by the Select Board;
- Topography that causes a facility to be visible against the skyline from common vantage points from public and private vantage points such as roads, homes and neighborhoods;
- A site in proximity to and interfering with a significant view shed identified in the Scenic Resource Inventory;
- A location where a site cannot be screened from the view of neighbors and thus prohibits them from exercising the peaceful enjoyment of their property;
- Open fields that are adjacent to or in view of our town roads.

### **Mass and Scale**

New solar facilities larger than 10 acres, individually or cumulatively, cannot be adequately screened or mitigated to blend into the municipality's landscape and are, therefore, explicitly prohibited. Solar facilities smaller than 10 acres are expected to provide the same level of

landscaping and screening that is required of all commercial and industrial uses and of mobile home parks in Baltimore.<sup>5</sup>


















---

<sup>5</sup> Baltimore's Zoning Bylaws require commercial and industrial uses and mobile home parks to provide landscaping/screening consisting of a strip of land at least 15 feet in width to be maintained as a planted buffer. Plant material for this purpose is to be deciduous and/or evergreen trees and shrubs indigenous to the area.



# Solar Siting Map (PROPOSED)

## Baltimore Town Plan 2016 - Effective Date: DRAFT

-  Solar Siting Area
-  Town Office
-  Residential
-  Camp
-  Farm
-  Commercial
-  Other
-  100ft Contour Line
-  VT State Highway
-  Class 2 & 3 Town Highway
-  Class 4 Town Highway
-  Legal Trail
-  Private Road
-  Rivers and Streams
-  Lakes and Ponds
-  Conserved Lands
-  Town Boundary

**DRAFT**

Data Sources: Solar Siting (Town/ SWCRPC 2016 DRAFT), Buildings (E911 July 2015 and Town/RPC 2015), Contours (20ft, VCGI/ USGS 2012), Conserved Lands (ANR 2012), Waterbodies (VHD 2008), Road centerline (VTrans 2015), Town Boundary (VCGI 2012), Aerial (NAIP 2014).

VT State Plane, Meters, NAD 83  
 Data depicted on this map are for planning purposes only and are based on best available information. Some of the data do not line up.



P.O. Box 320, Ascutney, VT 05030  
 802-674-9201 www.swcrpc.org

For planning purposes only  
 Not for regulatory interpretation  
 DRAFT Drawn July 29, 2016

