



## **TOWN OF MILTON, VERMONT 05468**

### **Department of Planning and Zoning: Planning, Zoning Administration, and Development Review**

## **Preferred Sites Policy for Solar Facilities**

### **Purpose**

If utility projects are considered public or will be net-metered to the grid, then they fall under the authority of the Vermont Public Service Board and are therefore exempt from local regulations and review. Act 174 of 2016 was established to create the framework for a new set of municipal and regional energy planning standards. In accordance with rules established by the Public Utility Commission, net-metering projects, other than hydroelectric facilities, that are large enough to produce more than 150 kilowatts, must be built on “preferred sites”.

### **What is a preferred site?**

According to the Vermont Public Utility Commission, the entity that governs the terms upon which any electric company offers net-metering service within its service territory, a preferred site means one of the following:

- (1) A new or existing structure whose primary use is not the generation of electricity or providing support for the placement of equipment that generates electricity;
- (2) A parking lot canopy over a paved parking lot, provided that the location remains in use as a parking lot;
- (3) A tract previously developed for a use other than siting a plant on which a structure or impervious surface was lawfully in existence and use prior to July 1 of the year preceding the year in which an application for a certificate of public good under this Rule is filed. To qualify under this subdivision (3), the limits of disturbance of a proposed net-metering system must include either the existing structure or impervious surface and may not include any headwaters, streams, shorelines, floodways, rare and irreplaceable natural areas, necessary wildlife habitat, wetlands, endangered species, productive forestlands, or primary agricultural soils, all of which are as defined in 10 V.S.A. chapter 151;
- (4) Land certified by the Secretary of Natural Resources to be a brownfield site as defined under 10 V.S.A. § 6642;
- (5) A sanitary landfill as defined in 10 V.S.A. § 6602, provided that the Secretary of Natural Resources certifies that the land constitutes such a landfill and is suitable for the development of the plant;
- (6) The disturbed portion of a gravel pit, quarry, or similar site for the extraction of a mineral resource that was in lawful operation on January 1, 2017, provided that all activities pertaining to site reclamation required by applicable law or permit condition are completed prior to the installation of the plant;
- (7) A specific location designated in a duly adopted municipal plan under 24 V.S.A. chapter 117 for the siting of a renewable energy plant or specific type or size of renewable energy plant, provided that the plant meets the siting criteria recommended in the plan for the location; or a specific location that is identified in a joint letter of support from the municipal legislative body and municipal and regional planning commissions in the community where the net-metering system will be located.



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- (8) A site listed on the National Priorities List (NPL) established under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. chapter 103, if the U.S. Environmental Protection Agency or the Agency of Natural Resources confirms each of the following that the site is listed on the NPL;
- (9) On the same parcel as, or directly adjacent to, a customer that has been allocated more than 50 percent of the net-metering system's electrical output. The allocation to the host customer may not be less than 50 percent during each of the first 10 years of the net-metering system's operation.



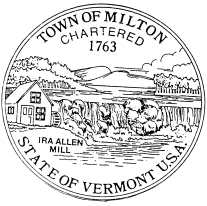
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### Site Selection Criteria

The following site selection criteria provides a framework for determining the suitability of proposed sites for developing a net-metering project, as required by the State of Vermont. The purpose of this process is to prevent limitations to pre-identified sites for energy generation and to reduce any additional hurdles renewable projects may face in the planning process. The Town of Milton will assess the following constraints:

	Constraint	Impact?
State Known	FEMA Floodways	<input type="checkbox"/> None on site <input type="checkbox"/> Present on site but appears not to be impacted by project <input type="checkbox"/> Appears to be impacted by project
	State-significant natural communities and rare, threatened and endangered species	<input type="checkbox"/> None on site <input type="checkbox"/> Present on site but appears not to be impacted by project <input type="checkbox"/> Appears to be impacted by project
	Class 1 and 2 wetlands (VSWI)	<input type="checkbox"/> None on site <input type="checkbox"/> Present on site but appears not to be impacted by project <input type="checkbox"/> Appears to be impacted by project
State Possible	Agricultural Soils and Hydric Soils	<input type="checkbox"/> None on site <input type="checkbox"/> Present on site but appears not to be impacted by project <input type="checkbox"/> Appears to be impacted by project
	FEMA Special Flood Hazard Areas	<input type="checkbox"/> None on site <input type="checkbox"/> Present on site but appears not to be impacted by project <input type="checkbox"/> Appears to be impacted by project
	Highest Priority Wildlife Crossings	<input type="checkbox"/> None on site <input type="checkbox"/> Present on site but appears not to be impacted by project <input type="checkbox"/> Appears to be impacted by project
	Deer Wintering Areas	<input type="checkbox"/> None on site



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		<input type="checkbox"/> Present on site but appears not to be impacted by project <input type="checkbox"/> Appears to be impacted by project
Milton Known	Land Use (Harvesting of more than 100 trees and/or affecting more than one (1) acre of land for a project is viewed as a silvicultural operation and is best avoided for net-metering projects)	<input type="checkbox"/> None on site <input type="checkbox"/> Present on site but appears not to be impacted by project <input type="checkbox"/> Appears to be impacted by project
	Flood Hazard Overlay District	<input type="checkbox"/> None on site <input type="checkbox"/> Present on site but appears not to be impacted by project <input type="checkbox"/> Appears to be impacted by project
	Town Forest and Municipal Natural and Rec Areas with Management Plans	<input type="checkbox"/> None on site <input type="checkbox"/> Present on site but appears not to be impacted by project <input type="checkbox"/> Appears to be impacted by project
	Habitat Blocks 8-10	<input type="checkbox"/> None on site <input type="checkbox"/> Present on site but appears not to be impacted by project <input type="checkbox"/> Appears to be impacted by project
	Social Impact (The proposed site avoids proximity to cultural heritage sites such as historical structures and cemeteries.)	<input type="checkbox"/> None on site <input type="checkbox"/> Present on site but appears not to be impacted by project <input type="checkbox"/> Appears to be impacted by project