TOWN OF EAST MONTPELIER, VERMONT PLANNING COMMISSION

Jean Vissering, Chair 40 Kelton Rd, P.O. Box 157 East Montpelier, VT 05651-0157

eastmontadmin@comcast.net (802) 223-3313 x 204 Fax: (802) 223-4467

March 17, 2016

Vermont Public Service Board Judith Whitney, Acting Clerk of the Board 112 State Street Montpelier, VT 05620-2701

Re:

CPG #16-0001-NMP

BDE East Montpelier Lazar Solar, LLC PSB CPG Proceedings

Dear Ms. Whitney

This letter is in response to the letter dated March 9 from Joslyn Wilschek on behalf of BDE East Montpelier Solar (CGP# 16-0001-NMP) in response to the East Montpelier Planning Commission's comments.

The Planning Commission continues to have concerns regarding 248(b)(1) Orderly Development, as noted in earlier correspondence, in which we requested findings by the Public Service Board on this issue.

On the issue of Aesthetics 248(b)(5), we feel the petitioner has addressed the majority of our concerns. However, there are two areas that require clarification.

First, in item #2, we feel that landscaping should be certified by a landscape architect or independent landscape professional following completion of the project. The written certification should state that the plantings were installed according to the plan and in accordance with ANSI A300 standards. This certification should be sent to the PSB and to all parties. After 3 years following completion of the project, the same qualified landscape architect or landscape professional should certify that the plants are in good health and demonstrate growth and vigor. A report outlining any required replanting or necessary maintenance to ensure the health of the plants should be made to the PSB and to all parties. Plants will be maintained for the life of the project. Any dead or dying plant material shall be noted upon annual project inspections and replaced within 30 days.

Finally, any statements made by the East Montpelier Planning Commission should not negate any concerns expressed by neighbors to the project.

Respectfully yours,

Jean Vissering

Chair, East Montpelier Planning Commission

cc: Certificate of Service

STATE OF VERMONT PUBLIC SERVICE BOARD

CPG #16-0001-NMP

Application of BDE East Montpelier Lazar Solar,)
LLC for a certificate of public good for a 500 kW)
interconnected group net-metered photovoltaic)
electric power system in East Montpelier, Vermont)

CERTIFICATE OF SERVICE

On behalf of the Town of East Montpelier's Planning Commission, I hereby certify that I have this day served one copy of the foregoing March 17, 2016 East Montpelier Planning Commission response to March 9, 2016 BDE East Montpelier Lazar Solar, LLC filing, by first class U.S. mail, on the following persons or entities:

Judith Whitney, Acting Clerk Vermont Public Service Board 112 State Street Montpelier, VT 05620-2701

Evan Meenan, Esq. Agency of Natural Resources 1 National Life Drive, Davis 2 Montpelier, VT 05620-3901

Jeannie Oliver, Esq.
Department of Public Service
112 State Street - Third Floor
Montpelier, VT 05620-2601

Zachary A. Sances P.O. Box 141 East Montpelier, VT 05651

BDE East Montpelier Lazar Solar, LLC Joslyn L. Wilschek, Esq. Primmer Piper Eggleston & Cramer PC 100 East State St., PO Box 1309 Montpelier, VT 05602

DATED at East Montpelier, Vermont, this 18th day of February, 2016

Town of East Montpelier Planning Commission

By:

C. Bruce Johnson

East Montpelier Town Administrator

On behalf of:

Jean Vissering

Chair, East Montpelier Planning Commission

40 Kelton Road, PO Box 157

East Montpelier, VT 05651