

**Town of Bristol, Vermont
Selectboard Meeting Minutes of
Thursday April 23, 2020**

Selectboard members present: Chair Michelle Perlee, Ian Albinson, Joel Bouvier, Peeker Heffernan, Darla Senecal.

Staff present: Town Administrator Valerie Capels.

Others present: Nils Behn (Aegis), Sally Burrell, Richard Butz, Peter Carothers (Acorn Solar), Rich Carpenter (Acorn Solar), Susan Kavanaugh, Josh Crandle, Pete Diminico, Tom Dunne, John Elder, Shawn Kimball (NEAT TV), Porter Knight, Benjamin Marks (Acorn Solar), John Moyers, Greg Pahl (Acorn Solar), Eric Phaneuf (Aegis), Katie Raycroft-Meyer, Matt Sharpe.

I. Call to Order.

Michelle Perlee called the meeting to order at 7:00 p.m. Review agenda for addition, removal, or adjustment of any items per 1 V.S.A. §312(d)(3)(A). There are no additions, removals, or adjustments.

II. Proposed Solar Array on the Capped Bristol Landfill.

This is a special Selectboard meeting to receive more information and hear the views and concerns of citizens about a 500-kW net-metered solar facility proposed to be located on part of the closed municipal landfill off of Pine Street. Acorn Energy Co-operative of Middlebury, in partnership with Aegis Renewable Energy of Waitsfield, is proposing to develop a ballast-mounted solar array on approximately 3.5 acres of the 12.3-acre property. Richard Butz explained that the Energy Committee has been looking at this project for a couple years to meet the State's energy goals and to provide something for Bristol residents now and in the future. The capped landfill is a premier location for a solar installation. They were drawn to Acorn over other firms for many reasons.

Rich Carpenter provided an overview of the Acorn non-profit organization and the proposed project with a short presentation. Acorn was founded in 2008 as a spin off from ACORN (Addison County Relocalization Network) and is focused on promoting renewable energy and energy efficiency for members. Currently there are two successful projects. The first was started in 2011 in Middlebury and the other was started in 2020 in Shoreham. This array would be around 847,000 kW DC in array with 1,862 panels. Each panel is about 400 watts. This would be located over 3 acres of land on the site of the former Bristol landfill. Contracted partner is Aegis Renewable Energy which is in Waitsfield, Vermont. The total cost of the project is \$1.75 million. Asked what effort is being made by Acorn to get investors of residents outside of Selectboard presentations, Rich Carpenter said Acorn usually sends notifications by mail and then have gatherings for questions and answers. Since COVID-19 however they may have to be online. It is too soon in the process to know what the financials will look like. Next step is for the Memorandum with Acorn to be done and then a lease agreement once it is agreed upon if it will move forward so Acorn can proceed with the paperwork, permitting, etc.

Someone asked the question if any issues come about of the landfill decomposing waste will that have any impact of the owners of this project or will it be the problem for the Town. Benjamin Marks said this will be in the lease currently under negotiation. Since the trash was placed there

by the Town then this would not have an impact to Acorn. Michelle Perlee said the Town will continue the monitoring of the well levels and landfill, but if the panels are unbalanced and would need to work with Acorn to see who is responsible for it. Peeker Heffernan said how he understood it was if there was any affect to the landfill that was affected by the array, was the responsibility of Acorn not the Town. If anything happened outside of the array on the landfill, then it is the responsibility of the Town. Valerie Capels said the flow of stormwater will be affected by the arrays, so the Selectboard will need to talk about how the impact will be managed and issues will be handled. There are still quite a few steps to be done. The MOU is just the beginning. Nils Behn said nothing that Acorn installs will penetrate the landfill cap.

A question was asked if an environmental assessment was done to better understand the risk to install an array on top of a landfill. Nils Behn said this is part of the process to get expert opinions to do those assessments.

Joel Bouvier said he has a few concerns one being the monthly rate that Acorn would pay to the Town of Bristol. Another concern is the settlement over the 25 years on the landfill. Rich Carpenter said typically inflation is included in the monthly amount that is paid to the Town of Bristol. Series A investors are typically from Vermont but cannot always 100% count on that. The state sends someone to assess the property and that value the taxes paid by Acorn would be based on would be the same throughout the 25 years of the project. Acorn would not pay school taxes, only municipal taxes.

John Elder asked where the project would stand after the 25 years. Benjamin Marks said the reason why it is 25 years, and not more is because once you go over 25 years it is looked at more as a sale than a lease. The Public Utility Commission (PUC) website all the information regarding this project will be there for anyone to review as this project moves along.

Nils Behn said the environmental assessment is done for certificate of public good/permit would be paid by Acorn. The transformer will be tied in by the Green Mountain Power lines and the building will be at the bottom of the access road.

John Moyers asked if the shares can be transferred to a new owner if a building is sold. Ben Marks explained that the building would need to maintain its GMP account; the short answer is yes.

Katie Raycroft-Meyer said this project does align with ACRPC Regional Plan and the Bristol Town Plan, but they did not discuss it in a Planning Commission meeting. Porter Knight said the project will not have any negative impact on the Bristol Trail Network trails in the area.

Sally Burrell conveyed Pete Diminico's support for the project and questions regarding stormwater runoff and impact on the management of methane being produced by the landfill. Valerie Capels said the Town completes annual testing and monitoring of the wells and does not anticipate that would change.

Ian Albinson reported that the Town has spent \$26,000 in 2016, \$8,000 in 2017, \$7,000 in 2018, \$7,000 in 2019, and about \$2,700 this year on the landfill for monitoring, repairs, and inspections.

Rich Carpenter invited citizens to send any other questions to Acorn by e-mail. It was noted that the Energy Committee will also be maintaining and updating information on the Bristol Web site.

III. Adjourn.

At 8:25 p.m. the Selectboard adjourned the meeting.

Respectfully submitted,

Tasha Bouvier, Board Clerk

Valerie Capels, Town Administrator