



# RUTLAND REGIONAL PLANNING COMMISSION

## RRPC REGIONAL COMMITTEE

TUESDAY, APRIL 15, 2025, 6:00 PM

### MEETING DETAILS

Virtual: [Teams Meeting](#), ID: 224 634 587 902, Pass: dBEdSy | Call: 1-802-440-1368, ID: 641 278 173#

In-Person: 16 Evelyn Street, Second Floor, Rutland, VT 05701

### MEETING AGENDA

6:00 CALL TO ORDER & INTRODUCTIONS

6:02 APPROVAL OF APRIL 15<sup>TH</sup> AGENDA

6:04 APPROVAL OF MARCH 18<sup>TH</sup> MINUTES

6:05 OPEN TO PUBLIC

6:10 ACT 250

[1R0961-1](#) The application is submitted to bring the project into compliance with Notice of Alleged Violation, Case 2024\_047, dated 07/15/24, extend the extraction deadline, and amend the permitted extraction limits. The project is a sand and gravel quarry located at East Wells Road in the town of Wells.

6:30 ACT 250 AND SECTION 248(a) REVIEW

6:55 ADJOURN

Questions? Need special accommodations?  
Contact: Devon Neary at [devon@rutlandrpc.org](mailto:devon@rutlandrpc.org) or (802) 775-0871.

## Substantial Regional Impact

State statute requires that RRPC define in this Plan what kinds of development would constitute “substantial regional impact”. This is the threshold for precedence of this Regional Plan as the primary planning document to consider in Act 250 proceedings if a ‘conflict’ exists between the Town Plan and Regional Plan. A conflict means when one plan allows for the project but the other doesn’t. When town and regional plans do not conflict, a project will be reviewed for its conformance with both plans. Meeting the “substantial regional impact” threshold means the nature of the development is likely regional in scope. For instance, a commercial complex located in one town will result in increased employment opportunities for the area, thus stimulating the demand for housing in neighboring towns. Another example is a resort that draws tourists from outside of the region, which may then have impacts on existing highways beyond the border of the town where the resort is located.

If a development proposal meets any of the criteria listed below- and therefore may have benefits or negative impacts beyond the borders of the host municipality-- the regional plan will take effect.

### \*2/3 Section [Substantial Regional Impact Criteria]

A development, or series of affiliated or planned developments, that either in totality or cumulatively:

1-will contribute to a reduction in the peak hour level of service (LOS) on a state highway, or a town highway of 5,000 AADT from D to E or from E to F;

2-will contribute five percent or more traffic volume to the peak hour LOS D on a regionally significant local or state highway in or immediately adjacent to Planned Growth Area FLUA or LOS C on regionally significant local or state highways in Rural Areas;

3-will contribute five percent or more to the annual volume or tonnage of solid waste of the host municipality;

4-will necessitate public capital improvements, such as but not limited to widening or signalization of Class II local highway or any state highways, additional sidewalks, expansion of public sewer or water supply systems, additional public safety resources, or expansion of schools;

5-will demand five percent or more of the average load of electrical energy on distribution lines during peak hours;

6-will necessitate capital electrical grid improvements such as extension, upgrading, or enlargement of electrical transmission or distribution infrastructure; ;

7-will generate new direct employment equal to or greater than 1% of the Region’s existing employment level (*this is 291 People as of Dec 2024*)(*would be 10<sup>th</sup> biggest in region*);

8-is located in or directly adjacent to areas of special flood hazard, highest priority forest blocks or critical natural resources, Class 1 wetlands, areas identified with threatened or endangered species, source protection areas, or in two or more municipalities;

9-impairs the continued function of regionally significant facilities such as Rutland Southern Vermont Regional Airport; Rutland Regional Medical Center; Vermont State

University at Castleton; any bridge, dam, school, or airport; any state or national recreational facility or any recreation facility in the Resource Based Recreation Area FLUA;

10-will entail residential construction where the total proposed housing units exceeds five percent of the total housing count of the host town;

11-will entail commercial or industrial construction within a single or multiple buildings, of 10,000 square feet or more of gross floor area outside of a Planned Growth Area or 20,000 square feet or more of gross floor area inside such area;

12-will construct public, private, or nonprofit facilities or utilities meant to serve multiple towns within one mile of a municipal boundary;

13-effects the existing or potential capacity to provide essential or required public services by one or more municipalities adjacent to the municipality where the proposed development is located due to direct and indirect impacts;

\*2/3 Section [Substantial Regional Impact Criteria]

Any one or combination of the above criteria shall characterize a development proposal having a substantial regional impact.

## **Siting Criteria for Section 248a**

The Rutland Regional Planning Commission (RRPC) will use the following criteria to review Certificate of Public Good (CPG) applications as they pertain to the Public Utility Commission (PUC) Section 248a approval process. These criteria establish a consistent and transparent review process in accordance with the obligations and authority of the RRPC Board of Commissioners. The criteria are universal and applicable to all telecommunications projects.

1. Telecommunications are prohibited within 1500 feet of neighboring structures.
2. Telecommunications facilities siting shall include a balloon scenic impact tests in all rural future land use areas designated in this plan.
3. Telecommunications facilities are prohibited in highest priority forest blocks, directly adjacent to Class I and II wetlands, special flood hazard areas, river corridors, in protected airspace around Rutland Southern Vermont Regional Airport, and in areas with critically endangered species, or areas above XXX’.
4. Developers of any proposed telecommunications facility must hold community outreach meetings to investigate and propose solutions to reasonable community concerns.
5. Telecommunications facilities should primarily serve permanent residents in communities that are unserved or underserved, with particular priority given to locations where improved public safety communications or wireless accessibility is needed.
6. In rural future land use areas designated in this plan, telecommunications towers that exceed the height of the surrounding tree line should be designed to mimic natural features, blending into the landscape to the greatest extent possible.

## Siting Criteria for Section 248

The RRPC will use the following criteria to review Certificate of Public Good (CPG) application as they pertain to the Public Utility Commission (PUC) Section 248 approval process. These criteria will be used to provide a consistent review process related to the obligations and authority of the the RRPC Board of Commissioners. The criteria are divided between Universal (pertains to all energy projects) and technology specific requirements. \*Below are the review criteria used by the Public Utility Commission for assessing CPG applications. We have highlighted criteria that pertain to both Regional and Municipal authorities to influence renewable energy generation siting. \*

\*EEP-24A [PUC 248 Review Criteria]

### **Renewable Energy Certificates**

Renewable Energy Certificates associated with proposed generation must count towards meeting Vermont's Renewable Energy Standard to be in conformance with the Regional Plan.

### **Biomass**

All biomass facilities are considered not in conformance with the Regional Plan due to significant air quality issues.

### **Geothermal**

All geothermal development that meets state and federal regulations will be considered in conformance with the Regional Plan

### **Hydro**

All Facilities certified through the Low Impact Hydro Institute will be considered in conformance with the Regional Plan.

### **Natural Gas**

Natural Gas service connections are considered not in conformance with the Regional Plan.

All Natural Gas and BioGas infrastructure must be located no less than 1000 feet from residences, businesses, and human-occupied locations.

### **Solar**

Forest fragmentation and wildlife passage criteria shall not apply to development on roof tops, parking lots, gravel pits, quarries, Superfund sites, and brownfields.

#### **Utility (>20 acres or 5MW)**

RECs must count towards meeting VT RES.

Developers must hold community outreach meetings to investigate and propose solutions to reasonable community concerns

Must not cause forest fragmentation and habitat loss

Must allow for wildlife passage through development

**Commercial ( $\geq 5$  acres or 0.5MW &  $\leq 20$  acres or 5MW)**

RECs must count towards meeting VT RES.

Developers must hold community outreach meetings to investigate and propose solutions to reasonable community concerns.

Must not cause forest fragmentation and habitat loss

Must allow for wildlife passage through development

**Residential ( $< 5$  acres or 0.5MW)**

All residential scale energy development that meets state and federal regulations will be considered in conformance with the Regional Plan.

**Wind**

**Utility  $> 150$ kW**

Not in conformance with Regional Plan

**Commercial  $> 50$ kW and  $\leq 150$  kW**

Not in conformance with Regional Plan

**Residential  $\leq 50$ kW**

All residential scale energy development that meets local, state, and federal regulations will be considered in conformance with the Regional Plan