

Good morning, Mr. Chairman-----and honorable members of the committee. Thank you for providing this time so that the pleas of 86+ towns can be heard today. My name is Don Chioffi and I am a constituent of Senators Mullin and Collamore who are also residents of Rutland Town, and Senator Flory, who has also been a strong supporter of much greater local control in matters of Renewable energy Siting. I am presently Clerk of the Rutland Town Select Board and one of the originators of the Renewable energy Resolution that was drafted and sent to all Vermont towns seeking their concurrence in our desire to regain control of local land use decisions.

We all know the issues here, so I will not bore you with redundant information, nor will I attempt to engage in any debate concerning the economics of Renewable Energy. I am here to speak about one issue of main concern to over 86 communities in our state. The hearing process presently used for Renewable Energy is broken. The board that administers the process is appointed, not elected, and its own acronym---PSB---has sadly lost its first, best, and most important letter. The public has been left out of the process, relegated to spectator only, witnessing rubber stamp after rubber stamp of project after project despite strong, vociferous, and well-founded concerns about local land use patterns, aesthetics, agricultural soils, habitat displacement and/or destruction, and noise pollution, among many other concerns.

We have asked before, politely, in last year's session, for a fix to this aberration of local democracy and this insult to the long cherished and highly touted local planning process. That request fell, unfortunately, on deaf ears-----for here we are again-----today.

I am sure that you all, as astute politicians, know the value of grassroots constituent action. What you are witnessing today is a strong coalition----and growing even stronger---- from top to bottom of this proud state. Right now we represent over 86 towns, well over half of the Representative Districts in Vermont, and well over a third of the entire land mass of the state. We are adding town after town daily and as you can see, my handout shows revision right up until yesterday-----I anticipate more today and beyond. These towns are pretty much at the end of silent request. They are pretty sick and tired of being ignored by three appointees, and listening to the governors lament that, and I quote, "if we gave land use approval back to every community, we would never reach our Renewable goal---none would be approved". We view that as a very negative and insulting view of our citizenry who have been making responsible land use decisions since well before the advent of ACT 250 and from then to now. The process has swung the pendulum completely to the other side, so now instead of having any approval rights-----we have NONE. The true art of Politics has always been COMPROMISE. One of the simplest remedies to this imbalance could be that masterful compromise of letting ACT 248 govern the energy concerns----as it was originally intended to do, and letting the land use decisions be governed, as all others have been, by ACT 250. As a most needed part of such a compromise would be the regular determination process concerning whether any project was Major or Minor under the 250 criteria, so that all the smaller projects could go forward without costly delays and expense when not opposed by abutters.

But most importantly, we must, as a government have more faith in our citizenry to work collaboratively with the Renewable Industry to find projects and sites that work to the ultimate benefit of both parties, and it would be foolish, indeed, to think that we are not up to that task.

Right now, the industry need not collaborate with anyone----for they already have all the cards and we are left to see all the aces played. This is not equity----and this is not fair to the citizens of our state. These 86+ towns and their thousands upon thousands of decent Vermonters, thousands of Planning Commissioners, Select Board members, Clerks, Treasurers, Listers and BCA members-----are your constituents-----we are asking-----in a cherished democratic system-----that you listen to us--- and that you take strong and swift legislative action to remedy a wrong that you all know in your hearts is an insult to local democracy. It is neither fair nor democratic to tell us that our voices count for nothing. We're mad as hell and we are not going away.

Let me illustrate just one of the more frustrating ironies of the planning models you have set up for us down in the homeland. In my town we have a vibrant economic center to the south of Rutland City. we have a developer that wants to construct an infill project right in that economic center---a BJs Warehouse, on 10 acres of a 20 acre parcel. This development will by their own estimates, bring the town approximately \$300,000 every year in 1% Local Option Tax revenue---of course the state would get about \$90,000-----think how that might help us both out. this is being fought at appeal level on the 9L criteria----SPRAWL!! Not more than a mile distant, on prime agricultural soils, a Solar project of 9,000 panels, totally encompassing a 20 acre parcel is being developed under protest of the town and landowners for violating the town siting standards, and another developer is applying for a CPG on a 50 acre parcel directly upland of the first one, totally forested land, and plans to clear cut the entire 50 acres-----yet this is somehow not considered Solar SPRAWL. The total of these two is 70 acres and 59,000 panels----and even the Governor has said----"this is too much---not what we want". The total tax revenue to the town from those Solar sites is about maybe \$30,000 annually, about one tenth of the BJs project on three and a half times the acreage. And what are we to do? You have given us no tools to seek equity or land use balance.

In conclusion, I truly believe we are not going to beg any more. We are simply going to VOTE our beliefs, and we hope that you heed that message.

Thank you for your valuable time.