

## MINUTES OF PLANNING COMMISSION MEETING

MAY 16, 2018

Present: Planning Commission members: Carole Duquette, Cherry Hopson, Edgar Corey, Joy Brewster, Sharon Corey

Also: Thomas Hand, Pete Giese

Meeting was called to order by Vice Chair Carole Duquette at 7:03 p.m. It was a special meeting for the purpose of discussing and voting on a proposal for MHG Solar, LLC, to install solar panels on quarry land owned by Newmont Slate in Wells. The proposal, map, and photographs are attached to these minutes.

Minutes of the March 28 meeting were read and approved. Motion by Edgar. 2nd by Joy. Passed unanimously.

Pete Giese and Thomas Hand from MHG Solar explained the proposal and the permitting process, which may be accomplished through state or local channels. They are using the local option, which requires approval from the Wells selectboard, the Wells Planning Commission, and the Rutland Regional Planning Commission.

Mr. Giese and Mr. Hand answered questions from the commission. The project will not be visible from any public road or highway and will not affect anyone's view. There is no danger of electrocution from casual contact with the panels, but trespassing will be prevented by gates, fences, and a long private drive. The idea for the project came from MHG Solar, and they presented the proposal to John Williams of Newmont Slate, who was interested in doing it. The permitting process should be completed this year and the work will probably be done next year. The town will collect taxes on the site, and the project should help to lower some electrical bills.

Cherry made a motion to designate the site shown on the map as a Preferred Site for the installation of solar panels as described in the attached paperwork and to authorize Carole to sign the Preferred Site Designation Letter on behalf of the Planning Commission. 2nd by Edgar. Passed unanimously. Carole signed the letter, and a copy will be sent to the town clerk.

Joy made a motion to adjourn at 7:40 p.m. 2nd by Cherry. Passed unanimously.

MHG Solar, LLC  
PO Box 1169  
Manchester Center, VT 05255

**TO:** Persons and Entities Entitled to Notice Pursuant to Public Utility Commission Rule 5.107(B) (See Enclosed List)

**RE:** MHG Solar, LLC's Proposed Net-Metering Solar Project in Pawlet and Wells, VT  
45-Day Notice of Application to be filed with Vermont Public Utility Commission

**DATE:** April 6, 2018

Dear Interested Persons and Entities,

Pursuant to 30 V.S.A. §§ 8010 and 248 and Public Utility Commission Rule 5.107(B), MHG Solar, LLC ("MHG") is pleased to submit the following pre-application notice concerning its proposed 500 kilowatt (kW) group net-metered solar project ("the Project"), to be sited on a parcel of land located off of Route 149 in Pawlet and Wells, Vermont.

**I. Introduction**

MHG is preparing to file an application for a Certificate of Public Good ("CPG") with the Vermont Public Utility Commission ("Commission"), requesting approval to install and operate a 500 kW alternating current ("AC") solar electric generation facility in Pawlet and Wells, Vermont (the "Project"). The Project would be located on land that is currently part of Newmont State Co.'s slate quarry operations.

The Project will be a group net-metered facility connected to the Green Mountain Power ("GMP") electric distribution system. As such, the solar project will produce power to offset the electricity requirements of its group members (GMP electric customers).

The remainder of this letter briefly describes: (1) MHG's plans for construction and operation of the Project, including how equipment and materials will be transported to the site; (2) the expected benefits of the Project; (3) the preliminary assessment of impacts; (4) the expected date an application will be filed with the Commission; and (5) the rights of persons and entities receiving this notice to comment on the project plans in accordance with Commission Rule 5.107(B).

## **II. Project Description and Construction Plans**

MHG has leased 7 acres (±) of an approximately 98-acre parcel of land at 720 VT Route 149 in Pawlet and Wells, Vermont from the Williams John Milton Trust (Newmont Slate Co.). The Project would occupy approximately 4 acres of the leased land, which is currently used as a depository for slate tailings from Newmont Slate Co.'s quarry operation. The Project site will be accessed via the same access road off of Route 149 that is used by Newmont Slate Co. See Site Location Map and Site Plan, *Attachment A*. The top of the current slate tailings pile will be leveled prior to construction of the Project.

By virtue of the construction of a quarry-related building in 1999, the Project parcel is subject to Act 250 Land Use Permit No. 1R0836.

The 500 kW solar electric generation facility will consist of solar modules mounted on fixed metal racks, string inverters, electrical collector system components consisting of underground conduit, wire, AC combiner panel, and AC disconnects. The interconnection equipment will include a pole-mounted 500 kW three phase transformer (comprised of three individual 167 kVA single phase transformers), low side metering, and a GMP high-side disconnect. The Project will connect to the existing GMP distribution line located on the Project parcel, as depicted on the Site Plan.

A preliminary Site Plan is included in *Attachment A*. It illustrates the anticipated location of the Project's components in relation to the surrounding area. MHG chose the proposed location for this solar array because it is a "Preferred Site" under the Commission's rules for net-metering (Rule 5.103). In addition, the site was chosen based upon its solar exposure, accessibility to existing roads and distribution lines, and its minimal impacts on natural resources and the character of the area.

While the attached site plan represents the current preferred layout, the layout that will be contained in the final application may vary somewhat based upon further engineering, environmental, or other siting considerations. The final layout will be within the overall site area where environmental and other impacts have been evaluated for the purposes of this 45-day notice. The basic parameters of the site plan include the following working assumptions:

- Access to the solar site will make use of the existing roads within the area, including Route 149 and the existing 20-foot-wide (±) access road that is currently used as part of the slate quarrying operation.
- The solar panel support frame structures will be held in place by concrete ballasts. Ballasts eliminate the need for grading and require no pile driving.

- Construction will be performed in accordance with the Vermont Standards & Specifications for Erosion Prevention and Sediment Control (2006).
- Year-round daily access to the array is not required. Therefore, no on-site septic or water supply systems will be constructed. The solar project's energy production will be monitored remotely and, if any abnormal conditions are detected, technicians will be dispatched as required.
- The solar project will be enclosed by a perimeter fence and or gate that will meet applicable state and electric safety code standards.

#### Site Access & Equipment Delivery

Standardized trucking methods will be used to transport the panels and other project components (e.g. racking, wire, conduit, and construction materials) to the site. Typical tractor-trailer and box truck vehicles will be used to transport materials to the site for construction. The Project will not require any oversized loads. The existing access road coming off of Route 149 will be used for bringing in all construction-related equipment and machinery. Construction equipment will likely include bulldozers to grade the site, light duty crane or similar equipment to lift the panels in place, trucks to move racking around the site and concrete trucks to deliver the ballast material (concrete). A small trencher will be used to install underground electrical wiring.

#### Solar Panels and Electrical Collection System

The Project will utilize 2,160 Canadian Solar solar panels (330 watts each) or the equivalent, mounted on 180 racks (12 modules or panels per rack). The solar arrays will be set on concrete ballasts (foundations) which will hold the solar panels at a fixed angle of 30 (±) degrees, to maximize solar radiance collection. The bottom of the solar panels will be at approximately 3 feet above existing grade and the top at approximately 9 feet above grade.

The array will be arranged in approximately 9 rows running east-west, with each row ranging from approximately 310 feet in length to approximately 500 feet in length. The rows will be connected via underground electrical cable in conduit to string inverters, which convert the electricity from DC to AC. From the inverters, the electrical interconnect line will run underground to GMP's three pole-mounted 167 kVA transformers.

The final selection of all equipment will be made after a CPG is issued and contractors and vendors are selected.

### III. Project Benefits

The benefits that the Project will provide include, but may not be limited to:

- Energy cost savings for net-metering group members.
- Payment of State educational and municipal property taxes.
- Purchasing project equipment from Vermont businesses, when commercially feasible.
- Employing Vermont businesses for pre-application, construction, and operation and maintenance work, when commercially feasible.
- Reuse of a disturbed site that has been used as a slate tailings pile for many years. The exact date of first disturbance is unknown as this area has been actively quarried since the late 1800's.

In addition to these economic benefits, the proposed solar electric facility will also result in important environmental benefits. The 2016 Vermont Comprehensive Energy Plan set a goal for the State to receive 90% of its energy from renewable resources by the year 2050, and solar power is needed to meet that goal. The solar energy produced by this Project will result in less electricity needed in the New England region from plants that likely use fossil fuel or nuclear energy. It will emit no air pollutants (including CO<sub>2</sub>) in generating electricity, and thus will help in a small but measurable way to reduce CO<sub>2</sub> emissions, acid rain, and the negative public health effects associated with the use of fossil fuel and the waste storage challenges presented by nuclear energy production.

### IV. Preliminary Impact Assessment

Based upon the initial review performed by MHG and its consultants, including the use of the State's environmental databases, the Project's location on a site used for quarry operations will avoid undue adverse impacts to environmental resources, and will not create public health or safety concerns. Key elements include the following:

- The Project has been sited to avoid wetlands and streams and other sensitive environmental resources.
- No rare/endangered plants, significant natural communities, or critical wildlife habitat have been discovered within the Project footprint.

- The Project will be designed to meet electric safety and utility interconnection standards for safe and reliable operation of solar electric facilities.
- The Project will require no new municipal services and will not pose undue burdens on town fire, police, or water/sewer services. The Project will not impact the ability of the town to provide educational services.
- The Project site is currently used as a depository for slate tailings and the addition of the Project will not adversely affect aesthetics.

With respect to aesthetic impacts, the Project will be located in the middle of an 18 acre (±) pre-existing pile of slate tailings. The Project's height will be similar to the pre-construction height of the slate tailings and will be surrounded by other slate quarry operations. Additionally, installation of the Project will result in no future increases in the height of the tailings pile. In addition, a berm will be kept on the eastern side to minimize the Project's visibility from VT Route 30 to the east. Photographs taken from the Project site and the surrounding area are provided in *Attachment B*.

Given this context, the Project is not expected to have an undue adverse effect on the view from adjacent areas and roads, and accordingly, aesthetic mitigation measures beyond the above-mentioned existing berm are not needed for the Project.

MHG's visual consultant will conduct a complete aesthetics assessment and their findings and recommendations will be included in the final application.

**V. Expected Petition Filing Date with Vermont Public Utility Commission**

MHG intends to file a Section 8010 application and supporting materials with the PUC soon after the 45-day notice period expires, approximately late-May 2018.

**VI. Comments and Inquiries Concerning the Project**

At this juncture, if you have any questions or comments concerning the Project please feel free to contact MHG as follows:

Thomas Hand  
MHG Solar, LLC  
PO Box 1169  
Manchester Center, VT 05255  
thomasjhand@gmail.com  
802-688-3776

We here at MHG hope that you will support this Project, given the benefits it will provide to net-metering customers, the town and the State, and given its extremely limited impacts. You will have an opportunity to file comments with the Public Utility Commission once the application for a certificate of public good is filed. In the meantime, I invite you to contact me with any questions or comments you have, as we welcome your input and suggestions to make this a successful project.

Sincerely,



Thomas Hand  
MHG Solar, LLC

Enclosures:

List of Persons and Entities Receiving Notice  
Attachment A – Site Location Map and Site Plan  
Attachment B – Photographs from Project



**MHG Solar, LLC - Newmont State - Proposed Solar Project in Pawlet and Wells, VT**  
**List of Persons and Entities Receiving 45-Day Notice of the Application**

**By ePUC:**

Vermont Public Utility Commission  
112 State Street, 4th floor  
Montpelier, VT 05620-2701  
*(1 hard copy via first class mail)*

Natural Resources Board  
1 National Life Drive  
Montpelier, VT 05602

Vermont Public Service Department  
Commissioner's Office  
112 State Street, 3rd Floor  
Montpelier, VT 05620-2601

Vermont Division for Historic Preservation  
1 National Life Drive, # 6  
Montpelier, VT 05620

Vermont Agency of Natural Resources  
Secretary's Office  
1 National Life Dr., Davis 2  
Montpelier, VT 05620-3901

Vermont Agency of Agriculture,  
Food and Markets  
116 State Street  
Montpelier, VT 05602

Green Mountain Power Corporation  
68-70 Merchants Row  
Rutland, VT 05701

**By Certified Mail:**

Town of Pawlet Selectboard  
P.O. Box 128  
Pawlet, VT 05761

Town of Wells Planning Commission  
P.O. Box 585  
1064 Vermont Route 30  
Wells, VT 05774

Town of Pawlet Planning Commission  
P.O. Box 128  
Pawlet, VT 05761

Rutland Regional Planning Commission  
P.O. Box 965  
Rutland, VT 05702

Town of Wells Selectboard  
P.O. Box 585  
1064 Vermont Route 30  
Wells, VT 05774

Williams John Milton Trust  
720 Vermont 149  
Pawlet, VT 05761

**Adjoining Landowners (by certified mail):**

Deer Flats Farm, LLC  
1290 VT Rt 30  
West Pawlet, VT 05775-9707

Lavern Jr and Emma James  
1202 Button Falls Road  
West Pawlet, VT 05775

Kenneth R. and Jacquelyn Perry  
1066 Button Falls Road  
West Pawlet, VT 05775-9706

Nelson G. and Kimberly Dunster  
P.O. Box 138  
Middle Granville, NY 12849

Suburban Propane LP  
Energy Propane LLC  
P.O. Box 206  
Whippany, NJ 07981

David P. Pelton  
285 Taber Ridge Road  
Stowe, VT 05761

James Sheldon Jr and Samantha Sheldon  
P.O. Box 267  
Pawlet, VT 05761

Taran Brothers, Inc.  
2522 VT Rt 30  
Poultney, VT 05764

John Clark  
459 Western Avenue  
Brattleboro, VT 05301

May 16, 2018

Ms. Judith C. Whitney, Clerk  
Vermont Public Utility Commission  
112 State Street  
Montpelier, VT 05620-2701

Re: MHG solar, LLC - Proposed Route 149 solar Project Designation as  
"Preferred Site" under Rule 5.103

Dear Ms. Whitney:

MHG Solar LLC ("MHG Solar") has proposed a 500 kW net-metered solar array to be sited on 7 acres (±) of an approximately 98 acre parcel of land located at 720 VT Route 149 in Wells, Vermont ("the Project"). Toward that end, MHG Solar has requested that the Wells Selectboard, the Wells Planning Commission and the Rutland Regional Planning Commission provide a letter of support identifying the Project site as a Preferred Site in accordance with the Vermont Public Utility Commission's Net Metering Rule 5.103.

MHG Solar issued its 45 Day Notice letter for the Project on April 7, 2018, and presented the proposed Project at a Selectboard meeting on May 1, 2018 and at an RPC meeting on May 15, 2018.

The definition of a "Preferred Site" under PUC Rule 5.103 (7) includes "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."

We have considered MHG Solar's request and the information it has provided, and, hereby provide our joint letter of support identifying the Project site as a "Preferred Site" under Net Metering Rule 5.103.

Please note that in making this determination, the Wells Selectboard, the Wells Planning Commission and the Rutland Regional Planning Commission do not take a position certifying or approving the Project's compliance with any other applicable provisions of Vermont law. Our sole

# Photos from Project Site

Attachment B



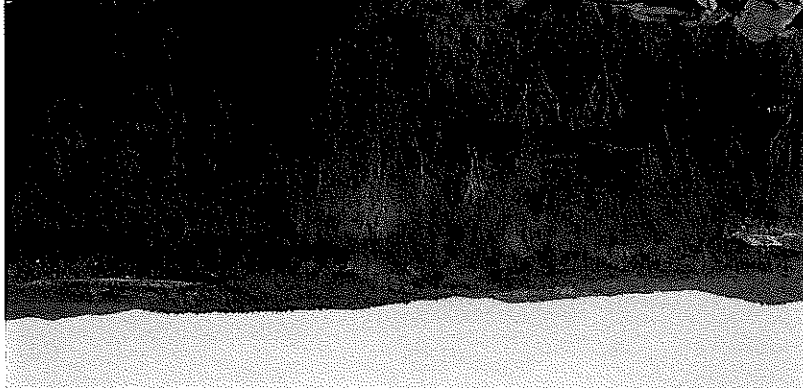
View to the East from the Project Site



View to the West from the Project Site



View to the South from the Project Site



View to the North from the Project Site