



Apple Hill Homeowner's Association

Bill Knight, President Ken Swierad, Treasurer Dan Malmborg, Secretary

AFFIDAVIT OF BILL KNIGHT, PRESIDENT OF APPLE HILL HOMEOWNER'S ASSOCIATION

As the President of the Apple Hill Homeowner's Association I have been involved in the Chelsea/Apple Hill Solar project from the beginning. From the start of the project in 2013 Ecos Energy was deceitful and not open to us on what their plans were for the proposed solar project. Ecos Energy did not come to us in a professional manner informing us of their intent to build a solar project adjoining our neighborhood.

In the Spring of 2013 neighbors at the end of Russet Drive called me informing me that there was heavy equipment and trucks at the end of their street. They did not know what was going on. I went to the scene, identified myself, and asked the man on the big earth mover what he was doing. He said he was going to make a road through the end of Russet Drive to a solar project. I told him he was in the wrong place. He made a phone call. He never said anything to me and left. I thought it was just a mistake.

In July of 2013 I was on vacation in Indiana. I received a phone call on a Thursday from Maple Leaf Reality. They told me land in Apple Hill had been sold and I had to sign a "Certificate of Public Good" by Saturday for the closing of the sale. I said I had never signed a Certificate of Public Good before. They said it was because the land was going to be for Commercial use. I asked the real estate agent what the commercial project was and she told me she did not know. I told her I was not going to sign the document because all the land in Apple Hill was residential and could not be for commercial use. She warned me that if I did not sign the document there could be legal action. Once again the solar people were not being honest. They were trying to hide their intent to build a project.

When I got home from vacation I talked to Peter Lawrence, an attorney who lives in our Association, about the intent of Ecos using our residential roads as commercial. He informed me that 2 neighbors adjoining the proposed solar site had gotten letters informing them of the project. I got the name of the company and arranged a meeting with Ecos and our Association to find out what Ecos Energy was planning to do.

At the first meeting, Brad Wilson, the Project Manager for the Chelsea/Apple Hill Solar project, informed us that they had bought 5 acres of land in our Association that would adjoin their project. Their intent was to build the solar project adjoining our Association. They were going to clear 27 acres of trees. They said that since they had bought land in the Association they could use our roads as commercial and use the road to clear the 27 acres of trees and construct the solar project. We obviously felt intimidated, angry and stressed at the thought of our peaceful neighborhood to be turned upside down with all the traffic on our roads

endangering our children and elderly walking on the normally safe roads. There would also be increased wind and noise from the clearing of the 27 acres of trees. We were suddenly on the defense to save our little community at the hands of big city lawyers who owned the solar company.

After the meeting we talked with Dan Monks, the Planning Director of Bennington, Jim Sullivan, the Bennington County Regional Commission, and Stu Hurd, the Town Manager. The Association developed a list of concerns and demands that we wanted Chelsea Solar to answer. At our next meeting with Brad Wilson we presented our concerns and demands to Brad Wilson to take back to his supervisors. State Representatives Mary Morrissey and Brian Campion attended many of our meetings to lend support to our Association.

We had many meetings with our Association members to discuss our concerns. Peter Lawrence, Rick Carroll, Libby Harris, and I went to Montpelier to speak to the Public Service Board (PUC) about not allowing the solar project to go forward. In October of 2014 we had a site visit with the PUC and Brad Wilson. There were also members from the Agency of Natural Resources. That same night we had a meeting with the Public Service Board (PUC) and the Select Board to make our concerns known about the solar project. We had many more meetings with the Select Board to try and stop the solar project.

We also had several meetings with Annette Smith, the director of Vermonters for a Clean Environment. We sent a Testimony to the Vermont Senate and House Natural Resources and Energy Committee Hearing on Renewable Siting. The proposed solar project is in a Rural Conservation Zone which should not allow a solar project of the kind Chelsea is proposing. If built, this project would be one of the biggest deforestation in Bennington County to create an aesthetic nightmare at one of the towns pristine gateways. The project can be seen from the Bennington Monument and new Welcome Center. It also destroys wildlife habitat.

After several meetings with Brad Wilson we had narrowed our concerns down to Chelsea not using our roads for commercial use and the issue of wind and noise that would greatly be higher if the 27 acres of trees were cut down.

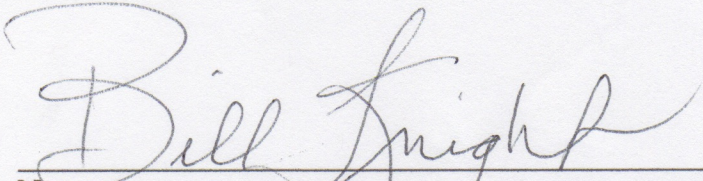
Libby Harris, who has intervener status, had asked for a reputable firm to conduct a noise and wind study at her adjoining home but Ecos would not do so and used their own firm. The firm said the noise and wind would increase hardly at all. This we know is not true.

After dozens of meetings, phone calls, and emails, we did not think the Town of Bennington nor the Public Service Board (PUC) were going to be able to help us stop the project completely. As much as we did not want to see the solar project go through we as an Association decided to sign a Memorandum of Understanding on March 2, 2015 with Chelsea Solar. The MOU stated that Chelsea would not use our roads for clearing of 27 acres of trees or construction of the solar project. They would only use our roads for maintenance and emergencies. The MOU also stated they would never connect Willow Road and Apple Hill Road. At least we would not have to endure the constant use of big trucks tearing up our roads and creating a safety and noise hazard.

Chelsea has now applied to the PUC for a one year extension of the Standard Offer contract. This is totally ridiculous. This project proposal has gone on for four and a half years. Chelsea started out from the beginning being deceitful about their intention to build the project and has tried to circumvent our residential zoning. They are trying to build their project in a Rural Conservation Zone and also turn the view from the Bennington Monument into an eye sore. Enough is enough. The residents of Apple Hill are tired and stressed out over the proposed project that should have never started in the first place. Please no extension. The Apple Hill residents and the town of Bennington do not deserve these big city lawyers coming into town for their gain with no consideration for the hard working tax paying Vermonters.

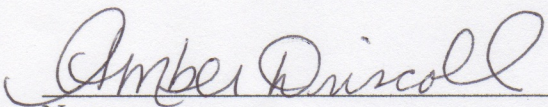
Dated this day of November, 2017

Bill Knight
President
Apple Hill Homeowner's Association



Name
Date: 11/11/2017

Subscribed and sworn to before me:



Name:
Notary Public Vermont
My Commission Expires: 2/10/19

