



Thomas Hand <thomas@mhgsolar.com>

Richville Road - Solar Project

O'KEEFE, JOHN <j.okeefe@manchester-vt.gov>
To: Thomas Hand <thomas@mhgsolar.com>

Tue, Nov 5, 2019 at 5:32 PM

Will do.

On Tue, Nov 5, 2019 at 7:03 PM Thomas Hand <thomas@mhgsolar.com> wrote:

Hi John,

Can you put me on the schedule for the 26th? I'll send some information in advance so the board can have a look.

Thanks!

On Tue, Nov 5, 2019 at 9:52 AM O'KEEFE, JOHN <j.okeefe@manchester-vt.gov> wrote:
26th

On Tue, Nov 5, 2019 at 12:47 PM Thomas Hand <thomas@mhgsolar.com> wrote:

Hi John,

When is the SB meeting this month? I see a meeting next week 11/12 which I can't make as my wife is traveling for work that week. Is there another meeting in Nov that I could attend?

Thomas

On Wed, Oct 23, 2019 at 1:57 PM Thomas Hand <thomas@mhgsolar.com> wrote:

Hi John,

I'll try to give you a call tomorrow to discuss. Short answer is that any VT solar project not located on a gravel pit/quarry/landfill or rooftop requires town level approval. Usually that means SB and PC. My thought is that proactively screening the site might make it acceptable but that's what I wanted to chat with you about.

Thomas

On Wed, Oct 23, 2019 at 7:09 AM O'KEEFE, JOHN <j.okeefe@manchester-vt.gov> wrote:

Sorry for the late reply. I think this would generate some significant comments from the Green Mt. Estates neighborhood. Can you tell me why the SB and PC would be involved in the process because it's a hay field?

On Mon, Oct 21, 2019 at 11:12 PM Thomas Hand <thomas@mhgsolar.com> wrote:

Hi John,

Just checking back in on this to see if you have any preliminary thoughts.

Thanks,
Thomas

On Tue, Oct 15, 2019 at 1:15 PM Thomas Hand <thomas@mhgsolar.com> wrote:

Hi John,

I just left you a VM as well. I'm working on another project in Manchester and I'm hoping you can provide some preliminary guidance as to whether the SB and Planning Commission might approve of this type of project. The reason I'm reaching out early in the process is because the site would require approval from the SB and PC because its currently a hay field. It would also be highly visible from the road unless its screened. I have no interest in creating an eye sore so my proposal would be to screen the project with trees or a berm to make sure its not an issue for the neighbors and cars driving by.

I'm not sure if you are familiar with the parcel but its located in the floodway so its not well suited to houses or any other type of development that would be impacted by floods. It would work fine for solar

because we can set the solar panels above the flood elevation so that the water can flow through if needed without causing any damage. The foundation go down 8-9 and would be unaffected by floodwaters.

Attached is the preliminary site layout. Note that the trees/berm isn't shown as we don't have it fully designed yet. We would like input from the Town before we get too far down the road on this project.

Please let me know your initial thoughts!

Thomas
802-688-3776

--

John P. O'Keefe, Town Manager
Town of Manchester, Vermont
40 Jeff Williams Way
Manchester Center, VT 05255

P: (802) 362-1313, option 2
F: (802) 362-1314
E: j.okeefe@manchester-vt.gov

--

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Select Board meeting

O'KEEFE, JOHN <j.okeefe@manchester-vt.gov>
To: Thomas Hand <thomas@mhgsolar.com>

Mon, Nov 25, 2019 at 12:49 PM

----- Forwarded message -----

From: **Thomas Hand** <thomas@mhgsolar.com>
Date: Thu, Nov 21, 2019 at 1:58 PM
Subject: Re: Select Board meeting
To: O'KEEFE, JOHN <j.okeefe@manchester-vt.gov>

Hi John,

Please see attached 4 documents for the SB meeting. Note that my intent is to provide this background information and to then have a conversation about what types of fencing / tree planning is desired so that this project doesn't impact the neighborhood or people driving by. This information will be filed with the PUC tomorrow.

1. 45 Day Notice - This is the pre-application notice for a solar CPG. The Notice is sent to a number of state agencies, the town and all adjoining landowners.
2. Project Site Plan. This is a component of the 45 day notice but I'm sending it as a separate file for ease of reference.
3. Pictures of the site. This is a component of the 45 day notice but I'm sending it as a separate file for ease of reference.
4. Preferred Site Letter - This is the document that I'm hoping the Select Board and Planning Commission will sign to demonstrate support for the project. Solar projects larger than residential have to be located on a 'preferred site' which means a landfill/brownfield, quarry, rooftop or a site that the town decides is a 'preferred site'. Absent that support the project is prohibited.

Best,
Thomas

On Thu, Nov 21, 2019 at 6:30 AM Thomas Hand <thomas@mhgsolar.com> wrote:

Yes I'll have it ready in a few hours.

On Thu, Nov 21, 2019, 5:45 AM O'KEEFE, JOHN <j.okeefe@manchester-vt.gov> wrote:

Do you have something that I can distribute to them ahead of time?

On Wed, Nov 20, 2019 at 7:19 PM Thomas Hand <thomas@mhgsolar.com> wrote:

Ah, yes. Tuesday is what I have on my calendar.

Thanks

On Wed, Nov 20, 2019 at 4:12 PM O'KEEFE, JOHN <j.okeefe@manchester-vt.gov> wrote:

I put you on the agenda for the slide board meeting but it's Tuesday at 7 PM

On Wed, Nov 20, 2019 at 6:35 PM Thomas Hand <thomas@mhgsolar.com> wrote:

Hi John,

I'm going to send you the 45 day advance notice tomorrow when we file it with the PUC. Hopefully you can include it in the agenda for the SB meeting on Monday. I'll come prepared to answer questions and also have a discussion around what the SB thinks is the best way to screen the project because we acknowledge that screening will be important for the neighborhood across the road.

Thomas

--

John P. O'Keefe, Town Manager
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--

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4 attachments



Richville Road_Photos.pdf
946K



19-103VT MHG RICHVILLE RD FINAL 45 DAY SP-1.pdf
3598K



2019-11-22 Richville Rd 45-Day Letter.pdf
246K



MHG Solar LLC - Town of Manchester Preferred Site Letter - Richville Road - 11 22 19.docx
15K



Thomas Hand <thomas@mhgsolar.com>

Richville Road solar project

Thomas Hand <thomas@mhgsolar.com>

Wed, Dec 4, 2019 at 2:19 PM

To: "HURLEY, JANET" <j.hurley@manchester-vt.gov>

Cc: "O'KEEFE, JOHN" <j.okeefe@manchester-vt.gov>, Ivan Beattie <eqnxmrgn@vermontel.net>

Hi Janet,

Yes I can attend the meeting on Monday. Is there anything I should prepare in advance or any documents I should review?

Thomas

On Wed, Dec 4, 2019 at 12:14 PM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Yes, Thomas. The Energy Plan is on the agenda, but I think your request for preferred status fits into that discussion. Can you attend. See attached agenda.

Best, Janet

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Wed, Dec 4, 2019 at 3:08 PM O'KEEFE, JOHN <j.okeefe@manchester-vt.gov> wrote:

Hi Thomas,

I've copied Janet Hurley, Planning and Zoning. She says that the Planning Commission is meeting on Monday.

On Wed, Nov 27, 2019 at 10:35 AM Thomas Hand <thomas@mhgsolar.com> wrote:

Hi John and Ivan,

Thank you for your time last night and for considering the project. Our goal is to find a way to make the project fit within zoning requirements and address community concerns regarding visual / aesthetic impact. Last night was a good first step toward that end, at least from my perspective.

John - should I reach out directly to the Planning Commission or were you going to provide a summary to them as a starting point?

Happy Thanksgiving to you both,

Thomas Hand
MHG Solar
802-688-3776

--

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utility facility screening language

HURLEY, JANET <j.hurley@manchester-vt.gov>
To: Thomas Hand <thomas@mhgsolar.com>

Mon, Dec 9, 2019 at 12:42 PM

Here you go.

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Mon, Dec 9, 2019 at 3:36 PM Thomas Hand <thomas@mhgsolar.com> wrote:

Hi Janet,

Is there a draft of the Energy Plan available somewhere? Or could you send me the whole document so I can review it?

Thanks,
Thomas

On Mon, Dec 9, 2019 at 11:50 AM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Section 4.5 | Screening of Energy Generation Facilities

Energy generation facilities in Manchester should be limited in height and screened with natural growth or landscaping to mitigate potential adverse effects on neighboring property or scenic viewsheds, according to the following:

- The height of a ground mounted solar energy generating apparatus must not exceed 30 ft.
- The height of a ground mounted wind energy generating apparatus must not exceed 120 ft.
- An energy generating apparatus mounted on a building wall must not extend beyond the lowest portion of the roof.
- An energy generating apparatus mounted on a building roof must not extend more than 10 ft. above the roof.
- The perimeter of a site housing an energy generation facility must be screened by a landscaped or naturally occurring buffer that is at least 12 ft. wide and contains a minimum of four trees of at least 30 ft. height at maturity and 12 trees or shrubs of less than 30 feet height at maturity per 100 linear feet. The tree requirement may be waived for solar facilities on lots without adequate area to provide large trees without shading the solar panels.

Janet M. Hurley
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 **Manchester Energy Plan, proposed for Second Public Hearing.pdf**
2917K



Thomas Hand <thomas@mhgsolar.com>

One more consideration

HURLEY, JANET <j.hurley@manchester-vt.gov>

Tue, Jan 7, 2020 at 11:40 AM

To: Thomas Hand <thomas@mhgsolar.com>, Jim Hand <jimehand@gmail.com>

Hi Thomas,

One more consideration raised by a Conservation Commissioner: Will there be a way to control any invasive species from taking hold after development of the site? He is a stream ecologist and notes that land disturbance in floodplains often leads to non-native species invasions.

Best, Janet

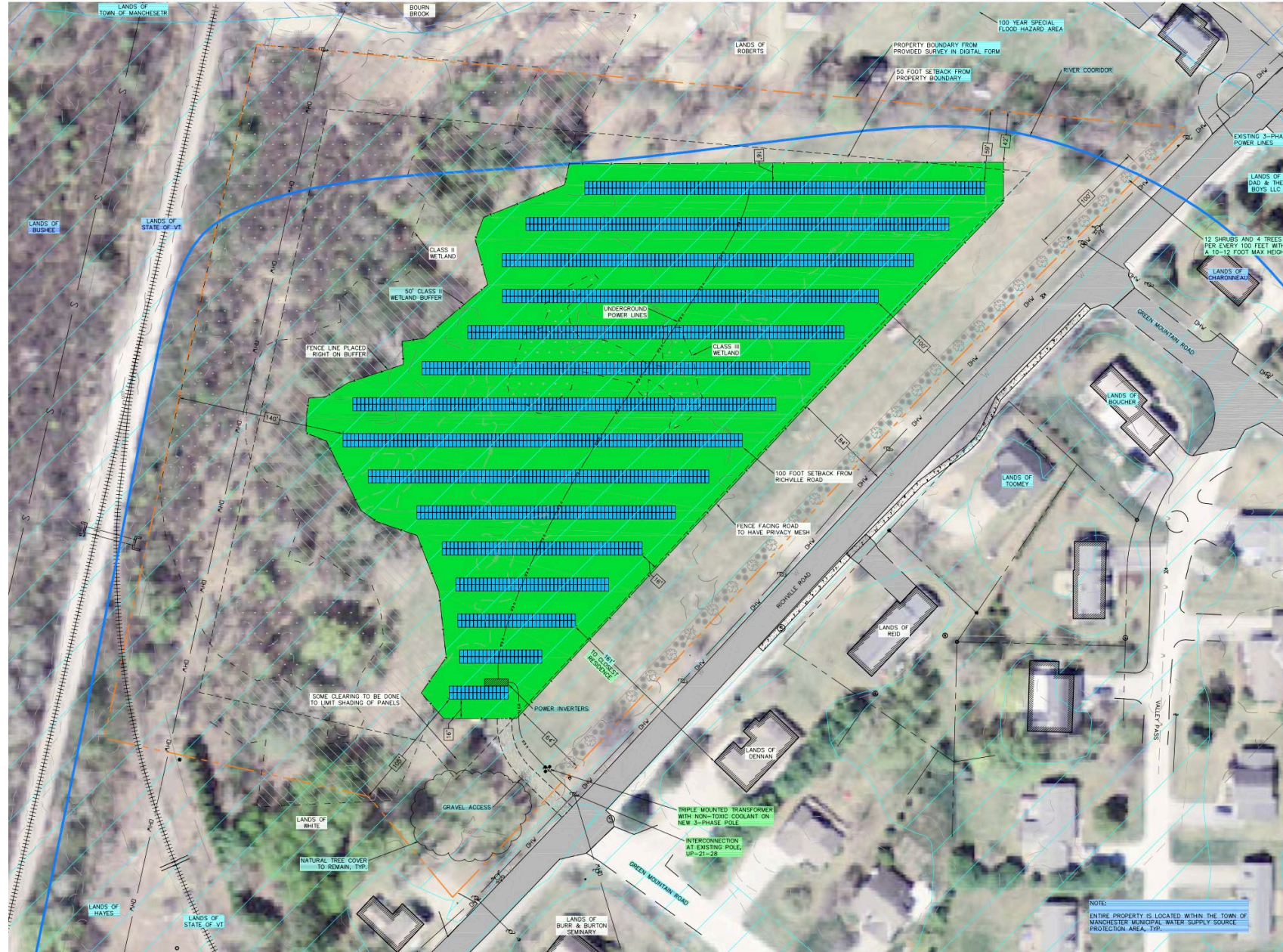
Janet M. Hurley
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MHG SOLAR

RICHVILLE ROAD SOLAR PROJECT – MANCHESTER, VT

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518.321.5675

WWW.MEPPC.COM

rev.	date	description
1.	1/8/20	UPDATED LAYOUT FOR FENCE, ACCESS, POWER, SCREEN

MHG SOLAR, LLC
PROPOSED 500 KW SOLAR PROJECT
RICHVILLE ROAD SOLAR PROJECT
45 DAY NOTICE - OVERALL SITE PLAN

TOWN OF MANCHESTER, BENNINGTON COUNTY, VERMONT

drawn	checked
CMP	JSW
date	scale
11/19/19	1"=40'
project no.	
19-103VT	
sheet no.	
	SP-1

MHG Solar's Richville Road as a Preferred Solar Site

- Town of Manchester Draft Energy Plan:
 - Section 1 states that *"The Town of Manchester is committed to working toward a sustainable energy future in a manner that minimizes environmental impacts and supports the local economy. The 2017 Town Plan includes the following energy mission: **Encourage and support the conservation of energy and the development of renewable energy resources in Manchester.**"*
- Feedback Incorporated into Design:
 - MHG has updated our project design based on feedback from neighbors, the Selectboard and the Planning Commission. See following pages for MHG's adjustments and commitments.
- Beneficial Use of the Land:
 - MHG's project will be a quiet, safe, non-polluting neighbor that will not block views (such as those of Equinox) nor change the long-term usability of the soils on site. MHG's commitment to the Planning Commission's desired vegetative screening helps to further reduce impacts of the project.
- Robust Design:
 - The project will be built to meet all required Local, State and Federal requirements for safety, responsible land use and all environmental constraints/impacts

In the end, MHG Solar's Richville Road project make good use of the land while helping Manchester meet its Energy Plan goals.

Adjustments per Feedback:

- *Electrical Connection and Access Road moved south to create additional 500 feet of separation from river*
- *Removed northernmost row of panels to create additional 30 feet of buffer land to the river*
- *Adopted Screening plan to meet Planning Commission requirements (see following pages)*

Soils

- *No degradation or change in soil quality.*
- *Fixed life of array means land can return to Ag in the future if desired*

Floodplain

- *VT allows solar projects in Floodplains provided that certain criteria are met. MHG will meet or exceed all the requirements to safely install a solar facility in a floodplain. The most important points:*
 - *All electrical gear will be located a minimum of 1ft above flood levels*
 - *State recognizes that steel support piles don't displace any floodwaters and therefore don't impact neighbors or those downstream.*
- *Existing examples such as the Great Bear 500kW project in Windsor have CPGs for solar in floodplains with the same 1ft above flood level design.*

Source Protection

- *MHG has already discussed at length with ANR and has agreed to ANR's standard conditions for SPA solar projects*
- *Existing examples such as a 500kW project in Newfane are operational in SPAs with the same ANR conditions*

DRAFT PREFERRED SITE SCORECARD		
1. Visibility	Score	
Site will be completely screened from adjacent residential use.	4	
Site will fill less than 25% of the field of vision from adjacent residential use.	3	
Site will fill 25-49% of the field of vision from adjacent residential use.	2	2
Site will fill 50-74% of the field of vision from adjacent residential use.	1	
Site will fill more than 75% of the field of vision from adjacent residential use.	0	
2. Access Drive		
Developed access already drive exists.	4	
New access drive of less than 100 feet required.	3	3
New access drive of 101-500 feet required.	2	
New access drive of 501-1500 feet required.	1	
New access drive of more than 5500 feet required.	0	
3. Access to 3-Phase Power Line		
Site is within 100 feet of a 3-phase power line.	4	4
Site is within 101-500 feet of a 3-phase power line.	3	
Site is within 501-1500 feet of a 3-phase power line.	2	
Site is within 1501-3000 feet from a 3-phase power line.	1	
Site is more than 3000 feet from a 3-phase power line.	0	
4. Site Preparation		
No excavation, fill, or tree cutting is required to prepare the site.	4	
Excavation, fill, or tree cutting involving less than 10% of the site area is required.	3	3
Excavation, fill, or tree cutting involving 11-25% of the site area is required.	2	
Excavation, fill, or tree cutting involving 26-35% of the site area is required.	1	
Excavation, fill, or tree cutting involving more than 35% of the site area is required.	0	
5. Suitability for Housing		
The site presents no opportunity for housing development.	4	
The site presents a viable opportunity for housing development of up to 1 unit per 5 acres.	3	
The site presents a viable opportunity for housing development of up to 1 unit per acre.	2	
The site presents a viable opportunity for housing development of up to 4 units per acre.	1	
The site presents a viable opportunity for housing development of 10 or more units per acre.	0	0
Total Score		12
<p><i>The total score must be at least 7 to be considered for preferred site designation by the Manchester Planning Commission.</i></p>		

Additional Considerations

- Will associated development activity occur within any of the categories listed in the table below and as defined and depicted by the Vermont Agency of Natural Resources' online Natural Resources Atlas (<http://anrmaps.vermont.gov/websites/anra5/>)?

Feature	Y/N	Feature	Y/N
Class 1 & 2 Wetlands	N	Deer Wintering Area	N
Vernal Pools	N	Significant Natural Community	N
River Corridor	N	Rare Threatened Endangered Species	N
Floodway	N	Slopes above 25%	N

If any portion of the site contains any of these features, that portion of the site will not be eligible for preferred site status.

- Does the site contain slopes above 15%? **No**

Show how slopes will be stabilized.

- Will the proposed facility with any associated screening impair currently unimpeded views of the Taconic or Green Mountain ridgelines from a town or state maintained road? **No**

If such a significant viewshed is affected, show how the affects will be mitigated.

- Does the site contain soils of agricultural significance or value?

Show how impacts to agricultural soils will be mitigated.

The site contains agricultural soils. MHG has worked with the VT Agency of Ag to ensure soils will not be degraded by the installation.

- Is the site in a FEMA-mapped 100-year flood zone?

If in the flood hazard, show how the development will comply with flood proofing standards.

The site is within the FEMA 100-year flood zone. The site has been designed such that all electrical components will be a minimum of 1 ft above the flood elevation. The steel pile foundations are designed to withstand flood waters and to allow floodwater to pass through the site.

If in the flood hazard, explain how the site will be managed to prevent the establishment of invasive exotic species. *The site will be developed and managed to prevent the establishment of invasive species.*

**Visual simulation of plantings
to be provided Monday**

Richville Road preferred site decision

Thomas Hand <thomas@mhgsolar.com>

Mon, Jan 13, 2020 at 8:55 AM

To: "HURLEY, JANET" <j.hurley@manchester-vt.gov>

Cc: Pete Giese <pete@mhgsolar.com>, Jim Hand <jimehand@gmail.com>

That makes sense. Thanks Janet

On Sun, Jan 12, 2020 at 8:33 AM <j.hurley@manchester-vt.gov> wrote:

Actually, another impediment to housing on the site is that Town sewer is not yet available to it. So maybe a 1 or 2 score is okay. Though, again this is simply a draft scorecard, not yet adopted. Also, the score is just a threshold to see if the site should be considered for preferred status. Your site is being considered.

Sent from my iPhone

On Jan 11, 2020, at 7:36 PM, Thomas Hand <thomas@mhgsolar.com> wrote:

Hi Janet,

I had read the word "viable" in the housing suitability section to be subjective and was guessing at how much housing development would be preferred/desired within the Flood Hazard area. Regardless I have updated it to zero as suggested and added the word draft in 2 places.

Thomas

On Sat, Jan 11, 2020 at 3:55 PM <j.hurley@manchester-vt.gov> wrote:

Couple of comments:

The Town does not yet have an adopted energy plan so you should refer to it as a draft. It does not reflect official Town policy until adopted by the Selectboard.

Your Richville road site is zoned for high density residential, so the housing suitability score should be zero.

Sent from my iPhone

On Jan 11, 2020, at 11:49 AM, Thomas Hand <thomas@mhgsolar.com> wrote:

Hi Janet,

I don't think we are going to have the visual until Monday mid day. I have attached a short presentation that seeks to address the questions and comments received from the PC, SB and neighbors over the last few weeks. We will send over the visual simulation as soon as we have it.

Best,
Thomas

On Fri, Jan 10, 2020 at 2:50 PM <j.hurley@manchester-vt.gov> wrote:

Email as soon as you have the visual and I will forward to commissioners. I have access to email even though I've left work till Monday.

Best, Janet

Sent from my iPhone

On Jan 10, 2020, at 4:44 PM, Thomas Hand <thomas@mhgsolar.com> wrote:

Hi Janet,

I will complete this Scorecard over the weekend.

Do you have any more information on the last question? We have worked on a dozen projects like this and never encountered that question before. We have also reviewed this site with all the state environmental agencies and none of them brought this up either. I'm a little at a loss how to address this question other than to say that we will "monitor and manage the site in a responsible manner".

Is there a Town requirement for non-solar development in flood hazard areas that relates to this question? If you have guidance please let us know.

Thanks,
Thomas

On Fri, Jan 10, 2020 at 1:28 PM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

BTW, here is the latest draft of a scorecard ...

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Fri, Jan 10, 2020 at 4:27 PM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Okay, I'll stay tuned.

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Fri, Jan 10, 2020 at 4:24 PM Thomas Hand <thomas@mhgsolar.com> wrote:

Hi Janet,

We are working on the visual and hope to have it shortly. It is not something we normally do so its taking some time to get it produced. We will address all the other questions at the meeting as they are pretty straight forward.

Thomas

On Fri, Jan 10, 2020 at 1:17 PM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Hello Thomas et al.,

Any information you can share via email in the next 30 minutes so that I can forward to commissioners to consider over the weekend?

Let me know, Janet

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Wed, Jan 8, 2020 at 10:17 AM Thomas Hand
<thomas@mhgsolar.com> wrote:

Ah, yes... now I remember.

Agency of Ag's rules for solar projects are specifically designed to minimize compaction. The prohibition on building when the ground is wet is just for this reason. I'll spare you the multiple pages of pages of rules and regs from Agency of Ag, but the short answer is that compaction is a regulated concern for Ag and any permit issues by the PUC will include Agency of Ag sign off.

Thanks for refreshing my memory.

On Wed, Jan 8, 2020 at 7:07 AM HURLEY, JANET
<j.hurley@manchester-vt.gov> wrote:

Not removal, just compaction. I issued a permit to Homestead Landscaping to position all the plantings for the Taconic Hotel development there during construction. As a result of the trucking back and forth across the site as specimens were brought and removed for planting, the soil became compacted approximately in the area marked with an "X" below. We learn from our mistakes ...

<image.png>

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Wed, Jan 8, 2020 at 9:58 AM Thomas Hand
<thomas@mhgsolar.com> wrote:

Hi Janet, Yes we will add it to the list. Short answer is that the soils won't be degraded in any way. We aren't doing any grading work on the site and won't be removing soils. We have worked with Agency of Ag before and will stay within their construction limits (mostly about not doing construction when its super wet).

I thought you mentioned that there was some soil removal from this parcel at one point. Can you refresh my memory on that topic?

Thomas

On Wed, Jan 8, 2020 at 6:29 AM HURLEY, JANET
<j.hurley@manchester-vt.gov> wrote:

Can you also comment on the effects the panels will have on the underlying prime ag soils. That is, if the solar panels are removed down the road, will the soils

have been degraded by the development in any way?
If so, how might this be mitigated?

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Wed, Jan 8, 2020 at 9:08 AM Thomas Hand
<thomas@mhgsolar.com> wrote:

We will try for Friday.

On Wed, Jan 8, 2020, 7:01 AM HURLEY, JANET
<j.hurley@manchester-vt.gov> wrote:

Thank you, Thomas.

If there is any way to get information to me before
Friday so that commissioners can review it over
the weekend, that would be best!

Best, Janet

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Wed, Jan 8, 2020 at 6:41 AM Thomas Hand
<thomas@mhgsolar.com> wrote:

Hi Janet,

Thanks for all the information and questions.
We are trying to have a visual mock up
produced before the meeting. Our goal is to
come into the meeting with answers to all the
questions. I understand the schedule is packed
and we will try our best to present quickly
and efficiently.

Thank you,
Thomas

On Tue, Jan 7, 2020 at 9:22 AM HURLEY,
JANET <j.hurley@manchester-vt.gov> wrote:
Thomas & Jim,

Recall from the Planning Commission
meeting that commissioners would not want
to see a 30 foot tall screening along there so
as to retain the expansive view of Mount
Equinox. Since the panels will not be above 9
feet tall, landscape screening would not have
to be tall. It should not be monocultural and
should also be planted in a manner that is not
linear but reflects a random or natural
pattern. Would it be possible for you to
provide a simulation of what the site would
look like from Richville Road after panels are
installed and screening is planted?

Also, can you provide an argument as to why it is okay to locate solar panels in the flood hazard (though outside of the floodway and sufficiently far away from wetlands)? That is what the neighbor that expressed opposition based his argument on. And Colchester has decided that any development within the flood hazard is inappropriate. So, it would be helpful for you to explain succinctly that these panels would not be subject to any kind of flood damage (from ice or floodwater), and they would not cause flood damage to be diverted anywhere else.

This would be helpful to have in advance of Monday's meeting. Do you think it possible?

Let me know. Janet

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Tue, Jan 7, 2020 at 11:44 AM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Hello Jim & Thomas,

Sorry I missed you this morning. Was waiting for the post office to open.

In any case, the Planning Commission will take up your request at the beginning of Monday's 7:00 p.m. meeting. Monday's meeting was warned for a public hearing on proposed zoning revisions, so the commission will want to be efficient about making a decision.

Thomas gave a very comprehensive overview of the proposed project at the last meeting. There was one neighbor there opposed. A few others have voiced concerns, though not perhaps opposition. Greg Boshart wanted other neighbors to have a chance to weigh in before the commission made a decision. The Conservation Commission/Energy Committee recommended conferring preferred site status at its last meeting.

In addition, we have done a little work to better understand the rules. This being the first such request, the commission will need to consider the policy precedent that this will render. Should the policy be that any property whose landowner wants a net metered project on it get "preferred site" status. Or, should flood hazard areas be conferred preferred sites? Maybe.

They are looking at information that the Town of Colchester put together as a

guide. See attached.

Best, Janet

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

<Manchester Planning Commission Summary_01 13 20.pdf>

<Manchester Planning Commission Summary_01 13 20.pdf>

Fwd: Flooding video from April 2019

Thomas Hand <thomas@mhgsolar.com>

Wed, Jan 15, 2020 at 2:22 PM

To: "HURLEY, JANET" <j.hurley@manchester-vt.gov>, Greg Boshart <gboshart@mac.com>

Cc: Jim Hand <jimehand@gmail.com>, Pete Giese <pete@mhgsolar.com>

Hi Janet,

As an aside - My father was down on the site today and ran into Glenn, who was walking around the property.

We had not seen that particular video but did find some photos from the Manchester Journal from that flood, which is why we previously moved the gravel access road and the electrical interconnection to the southern side of the project to get it further away from the river. <https://www.manchesterjournal.com/stories/rain-snowmelt-cause-regional-flooding,570923#top-carousel>

I think this video shows that our plan is prudent. What you see is water flowing across Richville road, onto the parcel and dispersing widely across the site. We know its a flood hazard area and our site design incorporates this fact.

What you can also see in the video is a ground mounted solar array directly in the path of the flooding. You can see them at the end of the video. I think this makes the case pretty well that our project, which is designed with flooding in mind will be able to handle flooding just as well as, and likely better than, other existing structures, such solar panels and fences that are in the flood hazard / floodway. Note these panels are mounted ~1 ft off the ground. Our proposed panels would be at least 3ft off the ground and ~200 feet further away from the river.





Thomas

On Wed, Jan 15, 2020 at 12:25 PM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Here is the video taken during the flood event in April 2019. So, no ice, but definitely heavy water flow outside of the FEMA-mapped Floodway. This video is in an Apple format and can be viewed on an Apple device.

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

----- Forwarded message -----

From: **Glenn Cestaro** <GlennCestaro@comcast.net>
Date: Wed, Jan 15, 2020 at 2:08 PM
Subject: Flooding video from April 2019
To: <j.hurley@manchester-vt.gov>

Janet,

Please forward this video to the members of the Planning Commission.
The beginning of the video shows the flooding on the proposed development site.

Thank you,
Glenn Cestaro



Thomas Hand <thomas@mhgsolar.com>

Manchester

HURLEY, JANET <j.hurley@manchester-vt.gov>
To: "Broker-Campbell, John" <John.Broker-Campbell@vermont.gov>
Cc: Thomas Hand <thomas@mhgsolar.com>

Mon, Jan 27, 2020 at 7:27 AM

Hi John,

Thanks for this. I will pass it along to the Planning Commission.

Best, Janet

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Mon, Jan 27, 2020 at 10:18 AM Broker-Campbell, John <John.Broker-Campbell@vermont.gov> wrote:

Hi Janet

The solar site we discussed previously is located within the FEMA Special Flood Hazard Area (SFHA) and is also located in an alluvial setting. The area has a history of flooding and Richville Road is frequently inundated with flood waters during high water events. A solar array in the field north of [3195 Richville Road](#) in Manchester, VT is permissible under the VT Flood Hazard Area and River Corridor (FHARC) Rule however that does not ensure that no flood risk is present. The panels and all associated electrical equipment would need to be elevated to a minimum of 1' above the Base Flood Elevation to allow for the passage of water during the occurrence of the base flood.

The parcel also has ANR mapped river corridor along the northern boundary. The river corridor is not a predictor for future flooding, it is the area the stream will need to maintain a stable equilibrium condition. Given the history of flooding in the area, additional investments should be made cautiously.

The fencing proposed will not obstruct floodwaters during the occurrence of the base flood nor is there ice jam history within the US Army Corps of Engineers database (<https://icejam.sec.usace.army.mil/ords/f?p=101:7:::NO::>). I understand there is antidotal evidence of ice jams; if preferred site status is given, additional regulatory conditions can be considered if warranted during the FHARC permitting process.

If you have any questions, please let me know.

John Broker-Campbell, CFM
Regional Floodplain Manager
Department of Environmental Conservation
Watershed Management Division; Rivers Program
www.watershedmanagement.vermont.gov

100 Mineral Street

Springfield, VT 05156

802/490-6196



Thomas Hand <thomas@mhgsolar.com>

Richville Road preferred site decision

Thomas Hand <thomas@mhgsolar.com>
To: "HURLEY, JANET" <j.hurley@manchester-vt.gov>
Cc: Pete Giese <pete@mhgsolar.com>

Wed, Jan 29, 2020 at 1:44 PM

Hi Janet,

See attached site plan.

Thomas

On Wed, Jan 29, 2020 at 11:05 AM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Hi Thomas,

Maybe just for our digital files then.

Thanks, Janet

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Wed, Jan 29, 2020 at 1:38 PM Thomas Hand <thomas@mhgsolar.com> wrote:

Hi Janet,

I was just going back through old emails and realized I had not responded to this. Do you still need a digital copy? John already had one via our 45 day notice filing.

Thomas

On Wed, Jan 15, 2020 at 12:23 PM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Hello Thomas, Pete & Jim,

Can one of you send me digital copies of the site plans for the proposed solar project that I can share with John Broker-Campbell, the Regional Floodplain Manager. He will comment on the project for the Planning Commission before February 10th.

I will also forward you a video that Glenn Cestaro shared in a subsequent email.

Janet
Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Sat, Jan 11, 2020 at 11:49 AM Thomas Hand <thomas@mhgsolar.com> wrote:

Hi Janet,

I don't think we are going to have the visual until Monday mid day. I have attached a short presentation that seeks to address the questions and comments received from the PC, SB and neighbors over the last few weeks. We will send over the visual simulation as soon as we have it.

Best,
Thomas

On Fri, Jan 10, 2020 at 2:50 PM <j.hurley@manchester-vt.gov> wrote:

Email as soon as you have the visual and I will forward to commissioners. I have access to email even though I've left work till Monday.

Best, Janet

Sent from my iPhone

On Jan 10, 2020, at 4:44 PM, Thomas Hand <thomas@mhgsolar.com> wrote:

Hi Janet,

I will complete this Scorecard over the weekend.

Do you have any more information on the last question? We have worked on a dozen projects like this and never encountered that question before. We have also reviewed this site with all the state environmental agencies and none of them brought this up either. I'm a little at a loss how to address this question other than to say that we will "monitor and manage the site in a responsible manner".

Is there a Town requirement for non-solar development in flood hazard areas that relates to this question? If you have guidance please let us know.

Thanks,
Thomas

On Fri, Jan 10, 2020 at 1:28 PM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

BTW, here is the latest draft of a scorecard ...

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Fri, Jan 10, 2020 at 4:27 PM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Okay, I'll stay tuned.

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Fri, Jan 10, 2020 at 4:24 PM Thomas Hand <thomas@mhgsolar.com> wrote:

Hi Janet,

We are working on the visual and hope to have it shortly. It is not something we normally do so its taking some time to get it produced. We will address all the other questions at the meeting as they are pretty straight forward.

Thomas

On Fri, Jan 10, 2020 at 1:17 PM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Hello Thomas et al.,

Any information you can share via email in the next 30 minutes so that I can forward to commissioners to consider over the weekend?

Let me know, Janet

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Wed, Jan 8, 2020 at 10:17 AM Thomas Hand <thomas@mhgsolar.com> wrote:
Ah, yes... now I remember.

Agency of Ag's rules for solar projects are specifically designed to minimize compaction. The prohibition on building when the ground is wet is just for this reason. I'll spare you the multiple pages of pages of rules and regs from Agency of Ag, but the short answer is that compaction is a regulated concern for Ag and any permit issues by the PUC will include Agency of Ag sign off.

Thanks for refreshing my memory.

On Wed, Jan 8, 2020 at 7:07 AM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Not removal, just compaction. I issued a permit to Homestead Landscaping to position all the plantings for the Taconic Hotel development there during construction. As a result of the trucking back and forth across the site as specimens were brought and removed for planting, the soil became compacted approximately in the area marked with an "X" below. We learn from our mistakes ...

 image.png
Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Wed, Jan 8, 2020 at 9:58 AM Thomas Hand <thomas@mhgsolar.com> wrote:
Hi Janet, Yes we will add it to the list. Short answer is that the soils won't be degraded in any way. We aren't doing any grading work on the site and won't be removing soils. We have worked with Agency of Ag before and will stay within their construction limits (mostly about not doing construction when its super wet).

I thought you mentioned that there was some soil removal from this parcel at one point. Can you refresh my memory on that topic?

Thomas

On Wed, Jan 8, 2020 at 6:29 AM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Can you also comment on the effects the panels will have on the underlying prime ag soils. That is, if the solar panels are removed down the road, will the soils have been degraded by the development in any way? If so, how might this be mitigated?

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov

802-362-1313, option 3

On Wed, Jan 8, 2020 at 9:08 AM Thomas Hand <thomas@mhgsolar.com> wrote:

We will try for Friday.

On Wed, Jan 8, 2020, 7:01 AM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Thank you, Thomas.

If there is any way to get information to me before Friday so that commissioners can review it over the weekend, that would be best!

Best, Janet

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Wed, Jan 8, 2020 at 6:41 AM Thomas Hand <thomas@mhgsolar.com> wrote:

Hi Janet,

Thanks for all the information and questions. We are trying to have a visual mock up produced before the meeting. Our goal is to come into the meeting with answers to all the questions. I understand the schedule is packed and we will try our best to present quickly and efficiently.

Thank you,
Thomas

On Tue, Jan 7, 2020 at 9:22 AM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Thomas & Jim,

Recall from the Planning Commission meeting that commissioners would not want to see a 30 foot tall screening along there so as to retain the expansive view of Mount Equinox. Since the panels will not be above 9 feet tall, landscape screening would not have to be tall. It should not be monocultural and should also be planted in a manner that is not linear but reflects a random or natural pattern. Would it be possible for you to provide a simulation of what the site would look like from Richville Road after panels are installed and screening is planted?

Also, can you provide an argument as to why it is okay to locate solar panels in the flood hazard (though outside of the floodway and sufficiently far away from wetlands)? That is what the neighbor that expressed opposition based his argument on. And Colchester has decided that any development within the flood hazard is inappropriate. So, it would be helpful for you to explain succinctly that these panels would not be subject to any kind of flood damage (from ice or floodwater), and they would not cause flood damage to be diverted anywhere else.

This would be helpful to have in advance of Monday's meeting. Do you think it possible?

Let me know. Janet

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Tue, Jan 7, 2020 at 11:44 AM HURLEY, JANET
<j.hurley@manchester-vt.gov> wrote:

Hello Jim & Thomas,

Sorry I missed you this morning. Was waiting for the post office to open.

In any case, the Planning Commission will take up your request at the beginning of Monday's 7:00 p.m. meeting. Monday's meeting was warned for a public hearing on proposed zoning revisions, so the commission will want to be efficient about making a decision.

Thomas gave a very comprehensive overview of the proposed project at the last meeting. There was one neighbor there opposed. A few others have voiced concerns, though not perhaps opposition. Greg Boshart wanted other neighbors to have a chance to weigh in before the commission made a decision. The Conservation Commission/Energy Committee recommended conferring preferred site status at its last meeting.

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They are looking at information that the Town of Colchester put together as a guide. See attached.

Best, Janet

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3



Thomas Hand <thomas@mhgsolar.com>

preferred site designation

HURLEY, JANET <j.hurley@manchester-vt.gov>
To: Thomas Hand <thomas@mhgsolar.com>

Thu, Mar 12, 2020 at 5:13 AM

You are welcome.

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Thu, Mar 12, 2020 at 7:49 AM Thomas Hand <thomas@mhgsolar.com> wrote:

Thank you!

On Wed, Mar 11, 2020 at 9:14 AM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Hello Thomas,

I am mailing the attached today to Judith Whitney.

I have also emailed this to Jim Sullivan at the BCRC. He will issue a letter as well directly to the PUC on behalf of the regional planning commission.

Best, Janet

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3



Thomas Hand <thomas@mhgsolar.com>

BCRC Preferred Site Letter

Thomas Hand <thomas@mhgsolar.com>
To: Jim Sullivan <jsullivan@bcrcvt.org>
Cc: "j.hurley@manchester-vt.gov" <j.hurley@manchester-vt.gov>

Fri, Mar 13, 2020 at 2:29 PM

Thank you Jim.

Thomas

On Fri, Mar 13, 2020 at 7:47 AM Jim Sullivan <jsullivan@bcrcvt.org> wrote:

Hello Thomas,

I recently received the preferred site letter for the Richville Road project from the Town of Manchester and, after our review and in keeping with our procedures, have prepared a letter (attached) recognizing the proposed project as being located on a preferred site. I couldn't find an open case in ePUC so I will send a hard copy to the PUC Clerk. Please let me know if we can answer any questions as your pursue development of this project.

Sincerely,

Jim

James D. Sullivan

Director

Bennington County Regional Commission

111 South Street – Suite 203

Bennington, VT 05201

802-442-0713 x5

Town Plan

HURLEY, JANET <j.hurley@manchester-vt.gov>
To: Thomas Hand <thomas@mhgsolar.com>

Mon, Mar 1, 2021 at 1:02 PM

Here you go.

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Mon, Mar 1, 2021 at 3:56 PM Thomas Hand <thomas@mhgsolar.com> wrote:

Hi Janet,

Could you send me a copy of the approved Energy Plan?

Thanks,
Thomas

On Mon, Mar 1, 2021 at 12:54 PM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Hi Thomas,

Coincidentally, you submitted your application to the PUC on the day that the Manchester Energy Plan was adopted. I don't recall what date the energy plan was certified by the BCRC, but if it controls in the PUC process, I think you can show that the town determined that you met the screening requirements when you went through the preferred site designation process.

Whatever the case, I think you can show that you are in compliance with both the Town Plan and the Energy Plan. I'd be curious to know if the Energy Plan comes up in the PUC hearing.

Janet

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

On Mon, Mar 1, 2021 at 2:44 PM Thomas Hand <thomas@mhgsolar.com> wrote:

Thanks Janet

On Mon, Mar 1, 2021 at 11:35 AM HURLEY, JANET <j.hurley@manchester-vt.gov> wrote:

Hello Thomas,

I was recently looped into this PUC order by Jim Sullivan and also got a call from Dom Penge about it today. There seems to be some confusion about the term gateway, but I don't think the PUC order is saying that the site is identified as a gateway site, only rather a scenic site with an important viewshed.

I think you submitted screening simulations that showed that your project would not block ridgeline views along Richville Road.

Here is the relevant section from the Town Plan:

Scenic Roads

The Town of Manchester recognizes its scenic roads as important components of our community wellbeing seeks to protect these assets.

Two designated scenic byways run through the Town of Manchester. They are the Shires of Vermont Byway and the Stone Valley Byway. The Shires of Vermont Byway begins in Pownal at the Massachusetts border and runs along Route 7A to Manchester, where it continues on Main Street until turning onto Depot Street and terminating at the Route 7 interchange. The Stone Valley Byway begins at the Bonnet Street intersection with Main Street and courses north along Route 30 all the way to Hubbardton. These scenic byways are recognized officially, protected under state statute, and marketed by the state's tourism department. These roads are often lined by stone walls and sugar maples, and provide especially scenic views, as well as historic sites. Other roads in Manchester also provide such scenic amenities, including Barnumville Road, East Manchester Road, Overlook Road, Richville Road, River Road, West Road and Wind Hill Road. Public or private actions which would impact these roads must be carefully evaluated, and development must be planned to minimize adverse impacts.

In addition to traditional engineering considerations, rural character, natural topography, and scenic corridors should be considered when designing new roads in Manchester. Roads that are wider than necessary cause the destruction of trees, stone walls, and other features integral to the area's rural character. In order to protect the town in the future, appropriate rights-of-ways must be dedicated, and roadbeds constructed, to town specifications. However, the constructed road width should be appropriate to the traffic flow anticipated. The town will reserve or allow sufficient rights-of-way for longer-term future needs, and yet avoid building roads that are wider than necessary and negatively impact the scenic qualities that are essential to Manchester's community well-being.

You are on the phone with me now, so I am going to send this.

Best, Janet

Janet M. Hurley
Planning & Zoning Director
Town of Manchester
j.hurley@manchester-vt.gov
802-362-1313, option 3

