

TOWN OF RANDOLPH, VERMONT

Zoning and Planning Office

zoning@randolphvt.org

802.728.5433 x13

To: Joan B. Allen and Michael J. Binder
1953 Davis Road
Randolph Center, VT 05061
(802) 728-4830
joanbarballen@gmail.com
michaeljbinder@yahoo.com

From: The Town of Randolph
Planning Commission
7 Summer Street, Drawer B
Randolph, VT 05060

Subject: Response to your October 21, 2021 Letter to the Planning Commission of Randolph Vermont, requesting the Planning Commission reconsider and rescind the Town Planning Commission's Preferred Sites approval given to Norwich Solar Technologies, Inc.

The Randolph Planning Commission reviewed your request at our 7 Nov 2021 meeting that you were a party to. As a result of that meeting, we sent a "Notice of Discrepancy in the Davis Road Preferred Site Location for a Solar Array" to Norwich Solar Technologies, Inc. on 10 December 2021 (see Attachment 1.) In our letter the Planning Commission agreed with Mr. Binder's contention that there are some panels on the eastern side of the array that appear to be on slopes greater than 25%. If this proves to be the case then the Town of Randolph may have to rescind our support for this site as being a "preferred" site.

Norwich Solar Technologies, Inc. responded on 13 December stating among other things; "While we all are concerned with the potential erosion from installation of solar panels on slopes greater than 25% slopes, all data presented to date is not site specific. Therefore, prior to installation of the panels, Norwich Technologies will confirm the grade slopes in the area of the solar panels by having a Vermont licensed surveyor set grade stakes for the solar array rows location and document the slopes. The parties have noted specific concern to the terrain on the eastern side of the array, and again, confirmation will be secured before any panels are installed in that location. The array will be arranged so that solar panels within the current limit of disturbance are not installed on slopes greater than 25%. The onsite survey data can be provided to the Town and the Allen/Binders upon request." (see Attachment 2.)

Upon receipt and review of their letter the Planning Commission agreed not to rescind our

support for this site as being a “preferred” site. We also requested from Norwich Solar Technologies, Inc. that the onsite survey data mentioned above be provided to both the Town of Randolph and the Allen/Binders. We further requested to see their final Solar Array plot plan prior to construction. (see Attachment 3.)

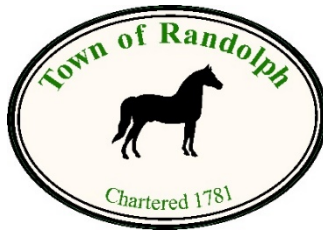
The Randolph Planning Commission wishes to thank Joan B. Allen and Michael J. Binder for bringing this matter to our attention.

Respectfully

//original signed//

George “Sonny” Holt
Chair
Randolph Planning Commission

Attachment 1.



TOWN OF RANDOLPH, VERMONT

Zoning and Planning Office

zoning@randolphvt.org

802.728.5433 x13

To: Norwich Solar Technologies, Inc., 15 Railroad Row, White River Junction, VT 05001
Attn: Martha Staskus

From: The Town of Randolph, Planning Commission, 7 Summer Street, Drawer B,
Randolph, VT 05060

Subject: Notice of Discrepancy in the Davis Road Preferred Site Location for a Solar Array

On 7 December 2021 Joan B. Allen and Michael J. Binder of 1953 Davis Road, Randolph Center, VT came before the Randolph Planning Commission requesting that the Planning Commission reconsider and rescind the Town Planning Commission's Preferred Site located in East Randolph at LAT: 43.904700°N and LONG: -72.568771°W.

Allen and Binder claimed that Norwich Solar Technologies violated the prohibited locations clause in Randolph's Town Plan prohibiting energy facility development in lands over 25% slope. The over 25% slope prohibition is to protect soil erosion from occurring when any construction occurs in those areas. The steeper the slope the greater the erosion, especially with heavy rains.

To bolster their claim Allen and Binder presented a colored map showing, in red, slopes over 25% that covered the majority of the 10 acres allowed for the project. The Planning Commission noted that the map had a disclaimer stating that it is "for general reference only and data layers may or may not be accurate, current, or otherwise reliable."

Slope issues were not addressed at the June 1st 2021 PC meeting with Norwich Solar Technologies when they gained support for their site as being "preferred." A more detailed topographical map (Attachment A.) provided recently by Norwich Solar Technologies with an overlay of the planned placement of solar panels shows that most panels will reside on slopes less than 25%. However, the Commission agrees with Mr. Binder's contention that there are some panels on the eastern side of the array that appear to be on slopes greater than 25%. If this proves to be the case then the Town of Randolph may have to rescind our support for this site as being a "preferred" site.

We ask Norwich Solar Technologies to respond to this letter NLT 13 December 2021.

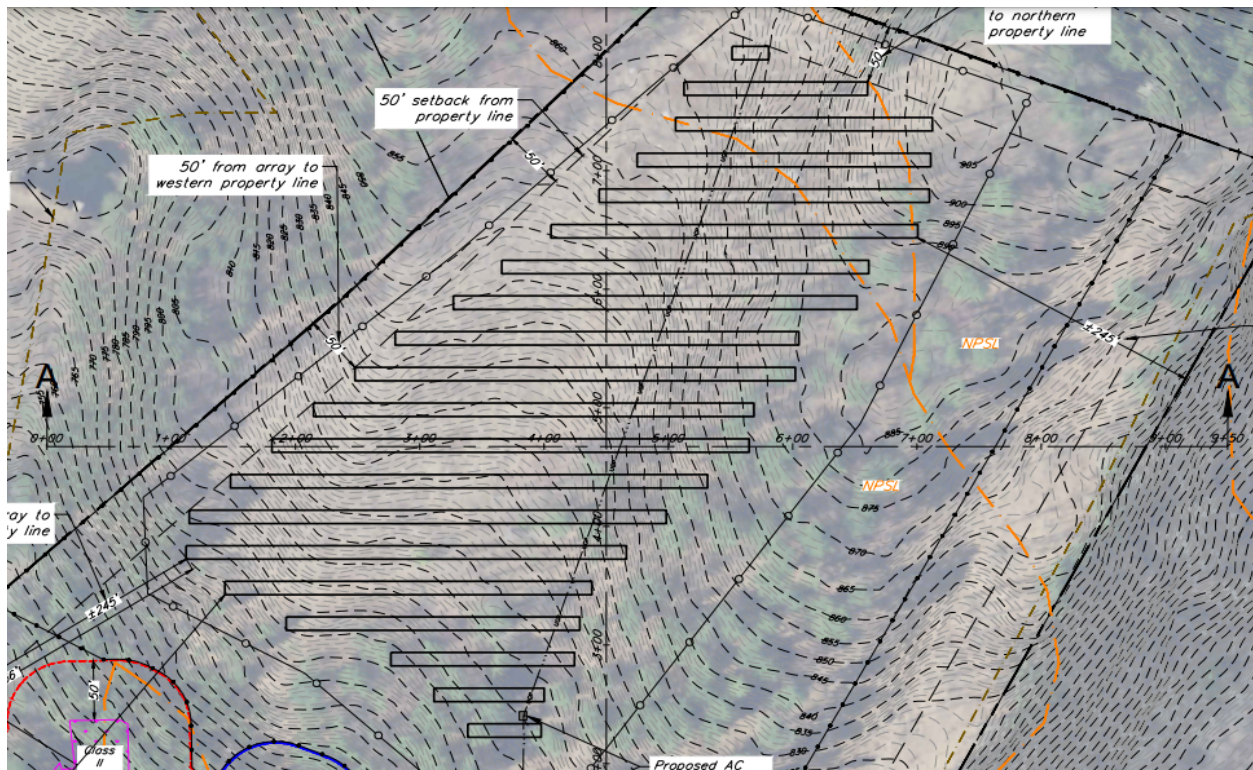
Respectfully

//original signed//

George "Sonny" Holt

Chair, Randolph Planning Commission

Attachment A.



Attachment 2. (note: for the purpose keeping all attachments in Word this has been copied from the original which was in PDF format.)



15 Railroad Row
White River Junction, VT 05001

December 13, 2021

George "Sonny" Holt
Chair, Randolph Planning Commission
The Town of Randolph
7 Summer Street, Drawer B,
Randolph, VT 05060

RE Randolph Davis Solar array proposal

Dear Chair Holt,

Thank you for your December 10, 2021 letter requesting a response to an inquiry from residents Joan B. Allen and Michael J. Binder of 1953 Davis Road. We have made several attempts to contact and respond to Allen/Binder concerns without success. Chairman Holt's letter speaks to the Town's concern of "energy facilities developed on lands over 25% slope to protect soil erosion from occurring when any construction occurs in those areas". Below is information relevant to these concerns and as discussed in more detail below, a Vermont licensed surveyor will verify that the solar array is not installed on slopes greater than 25%.

It is Norwich Technologies' commitment to all interested parties to work in collaboration for advancing Vermont's in-state renewable energy goals safely and responsibly. This includes the deployment and installation of the Randolph Davis solar project.

As noted by the Planning Commission, a map presented by the Allen/Binders had a disclaimer stating that it is "for general reference only and data layers may or may not be accurate, current, or otherwise reliable." The Allen/Binder map Norwich Technologies is aware of is from the Agency of Natural Resources ("ANR") Natural Resource Atlas, which contains the Disclaimer

DISCLAIMER: This map is for general reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable. ANR and the State of Vermont make no representations of any kind, including but not limited to, the warranties of merchantability, or fitness for a particular use, nor are any such warranties to be implied with respect to the data on this map.

The Project Elevations illustrate the ground profile in north-south and east-west orientations. The average slope of the array along A-A is 15.5% (starting at elev. of +/-810' and ending at elev. of +/-870'). The average slope of the array along B-B is 10% (starting at elevation of +/-820' and ending at elevation of +/-850'). These profiles are based upon ground elevations sourced from LiDAR data from Vermont Center for Geographic Information.

The Site Plan, Page 2, specifically addresses Vermont Erosion Prevention and Sediment Control (EPSC) practices regulated by the ANR Department of Environmental Conservation including, among others:

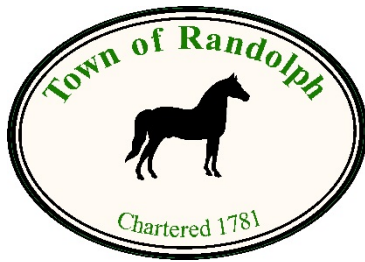
- 1) Erosion prevention and sediment control (EPSC) practices shall be implemented in all areas where there is an increased risk of erosion, and where there is potential for discharge of stormwater runoff (either direct or indirect) to a water body.
- 2) EPSC measures shall be installed prior to any earth disturbing activities within a given drainage area except for land disturbance that may result from accessing the area(s) with equipment in which EPSC measures are to be installed.
- 3) EPSC measures shall be installed pursuant to the construction phase stormwater discharge permit for the project, the filed EPSC plan, the Vermont Standards and Specifications for Erosion Prevention and Sediment Control and the Vermont Erosion Prevention and Sediment Control Field Guide and other relevant project permits.

While we all are concerned with the potential erosion from installation of solar panels on slopes greater than 25% slopes, all data presented to date is not site specific. Therefore, prior to installation of the panels, Norwich Technologies will confirm the grade slopes in the area of the solar panels by having a Vermont licensed surveyor set grade stakes for the solar array rows location and document the slopes. The parties have noted specific concern to the terrain on the eastern side of the array, and again, confirmation will be secured before any panels are installed in that location. The array will be arranged so that solar panels within the current limit of disturbance are not installed on slopes greater than 25%. The onsite survey data can be provided to the Town and the Allen/Binders upon request.

Thank you again for bringing this to our attention.

Regards,
//original signed//
Martha Staskus
Norwich Technologies, Inc
On behalf of Randolph Davis Solar LLC

Attachment 3.



TOWN OF RANDOLPH, VERMONT

Zoning and Planning Office

zoning@randolphvt.org

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To: Norwich Solar Technologies, Inc.
15 Railroad Row
White River Junction, VT 05001
Attn: Martha Staskus

14 December 2021

From: The Town of Randolph
Planning Commission
7 Summer Street, Drawer B
Randolph, VT 05060

Subject: Notice of Discrepancy in the Davis Road Preferred Site Location for a Solar Array

In response to our Notice of Discrepancy (subject as above) the Randolph Planning Commission received your response on 13 Dec 2021 and accepts your guarantee that “prior to installation of the panels, Norwich Technologies will confirm the grade slopes in the area of the solar panels by having a Vermont licensed surveyor set grade stakes for the solar array rows location and document the slopes. The parties have noted specific concern to the terrain on the eastern side of the array, and again, confirmation will be secured before any panels are installed in that location. The array will be arranged so that solar panels within the current limit of disturbance are not installed on slopes greater than 25%. The onsite survey data can be provided to the Town and the Allen/Binders upon request.”

We request that the onsite survey data mentioned above be provided to both the Town of Randolph and the Allen/Binders. We further request to see your final Solar Array plot plan prior to construction.

Thank you for your attention to this matter.

Respectfully

//original signed//

George “Sonny” Holt

Chair
Randolph Planning Commission