

**VT Real Estate Holdings 1 LLC
58 Commerce Road
Stamford, CT 06902**

December 20, 2022

Via First-Class Mail and Email

Town of Shaftsbury Selectboard
PO Box 409
Shaftsbury, VT 05262

Bennington County Regional Commission
210 South Street
Suite 6
Bennington, VT 05201

Town of Shaftsbury Planning Commission
PO Box 409
Shaftsbury, VT 05262

**RE: VT Real Estate Holdings 1 LLC's Proposed 20 MW Solar Project in Shaftsbury, VT
45-Day Notice of Petition to be filed with Vermont Public Utility Commission**

Dear Selectboard Members and Commissioners,

Pursuant to 30 V.S.A. § 248 and Public Utility Commission Rule 5.402, VT Real Estate Holdings 1 LLC (to be referred to as "Shaftsbury Solar") is pleased to submit the following pre-petition notice concerning its proposed 20 megawatt (MW) solar project ("the Project"), to be sited on two parcels of land adjacent to Holy Smoke Road and Route 7 in Shaftsbury, Vermont. As described further herein, this filing follows considerable outreach by the Project team to local and regional officials.

As many of you know, Shaftsbury Solar engaged in outreach efforts with the Town of Shaftsbury and Bennington County Regional Commission ("BCRC") during the summer and fall 2022 to introduce the Project. Those discussions included the Town Selectboard Chair, a Planning Commission member, the Town Administrator and Zoning Administrator, the BCRC Executive Director and Energy Planner, and other interested members of the public. Through these efforts we have received initial comments on the Project that have enabled us to continue to improve its proposed design in order to be considerate of the interests of the community and region.

I. Introduction

Shaftsbury Solar is preparing to file an application for a Certificate of Public Good ("CPG") with the Vermont Public Utility Commission ("PUC"), requesting approval to install and operate a 20 (+/-) megawatt ("MW") solar electric generation facility in Shaftsbury, Vermont (the "Project"). The Project is designed to provide 38,000 MW hours (+/-) of renewable energy each year to the

New England electric grid, thereby helping to meet the region's electric demand in a cost-effective manner and achieve its carbon reduction goals.

The remainder of this letter briefly describes: (1) Shaftsbury Solar's plans for construction and operation of the Project, including how equipment and materials will be transported to the site; (2) the expected Project benefits; (3) the preliminary assessment of potential impacts; (4) an assessment of on-site alternatives; (5) the expected date a petition will be filed with the PUC; and (6) the rights of entities receiving this notice to comment on the Project under PUC Rule 5.107(B).

II. Project Description and Construction Plans

The 20 MW (alternating current, or "AC") solar electric generation facility will be located within an approximately 85-acre ($\pm$) fenced footprint¹ on two parcels of land that total 191 acres ($\pm$), located off Route 7 in Shaftsbury, Vermont. *See* Location Map/Site Plan – *Attachment A*.

The Project will consist of fixed-tilt solar modules mounted on metal racks, central inverters, electrical collector system components consisting of underground conduit, wire, AC combiner panels, and AC disconnects. The interconnection equipment will include a pad-mounted three-phase transformer to step up the equipment voltage to 46 kV to interconnect with the existing 46 kV transmission line operated by Green Mountain Power ("GMP"), which is located on the Project parcels. A three-breaker ring bus will also be installed to facilitate the interconnection. Additional standard equipment to support operations, such as breakers, revenue meters, and other equipment will also be installed. The Project will require tree clearing/stump grubbing for some portions of the solar array (but limited site grading) as well as some tree clearing/site grading to construct the new interconnection facilities.

A preliminary Site Plan is included as *Attachment A*. It illustrates the anticipated location of the Project's components in relation to the surrounding area. Shaftsbury Solar chose the proposed location and the current design for this solar array based upon its solar exposure, accessibility to existing roads and transmission lines, constructability, its limited visibility, the character of the area, and the ability to avoid/minimize impacts on natural resources (including forest/tree clearing).

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 is expected to 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:

- Shaftsbury Solar anticipates accessing the site using existing local roads within the area, including East Road, Holy Smoke Road, and an approximately 13-foot-wide existing

¹ A total of 100 ($\pm$) acres would be involved during construction activities.

access road into the property. A network of internal road segments totaling 8,750 feet ($\pm$) will be utilized or constructed to reach the arrays and other Project equipment.

As an alternative to the exclusive use of the town roads Shaftsbury Solar is seeking approval for a temporary break in the U.S. Route 7 limited-access right-of-way to the site, to allow for deliveries to the Project site by tractor trailers and oversized vehicles during construction. If approved, this route would significantly reduce potential traffic and road damage impacts to the local community. Shaftsbury Solar has made a formal inquiry in this regard with the Vermont Agency of Transportation (“VTrans”), which will also review the proposal with the Federal Highway Administration (“FHWA”) as both entities would need to approve the Route 7 alternative.

- Construction will be performed in accordance with the Vermont Standards & Specifications for Erosion Prevention and Sediment Control (February 2020).
- Stormwater runoff from Project impervious surfaces will be managed through treatment practices to be included in the final design.
- Shaftsbury Solar anticipates fewer than twenty-five visits to the site per year over the first five years, and fifteen site visits per year thereafter. No on-site septic or water supply systems will be constructed. The Project’s energy production will be monitored remotely and, if any abnormal conditions are detected, technicians will be dispatched as required.
- The solar array for the Project will be enclosed by a perimeter fence that will meet applicable electric safety code standards.

Site Access & Equipment Delivery

Industry-standard trucking methods will be used to transport the panels and other Project components to the site. Typical tractor-trailer and box truck vehicles will be used to transport materials to the site where they will be staged in an approved laydown area(s) for construction. The final location of laydown area(s) will be determined once VTrans/FHWA issue a decision on Shaftsbury Solar’s request for a temporary access from Route 7. Likewise, GMP will access the site from either the Route 7 temporary access or Holy Smoke Road, depending upon approval by VTrans/FHWA. Any overweight loads, e.g., the transformer, will obtain the necessary local and/or state oversized load permits.

Assuming the Route 7 temporary access is approved by VTrans and FHWA, large construction trailers and equipment will enter and exit the site via a short direct access route to U.S. Route 7. The proposed temporary entrance is at a location with very good visibility with respect to other traffic on Route 7. The existing access road coming off Holy Smoke Road will be used for bringing in all other construction-related equipment and machinery. Construction equipment will

likely include a light-duty crane or similar equipment to lift the transformer in place, trucks to move racking around the site, and a small trencher to install underground electrical wiring.

Solar Panels and Electrical Collection System

The Project will utilize top quality bi-facial solar panels mounted on fixed-tilt racking oriented due south. The bottom of the solar panels will be at approximately four feet above existing grade and the top at approximately fourteen feet above grade.

The panels will be arranged in rows running east-west and set out in “arrays” designed to avoid and/or minimize natural resources impacts, soil disturbance and tree cutting. The rows will be connected via a combination of underground and above-ground electrical cable to central inverters, which convert the electricity from DC to AC. From the inverters, the electrical line will run underground to a three-phase transformer. The existing 46 kV transmission line on the eastern portion of the site will be tied into the facility for the interconnection using a three-breaker ring bus.

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

III. Project Benefits

The Project will provide economic benefits including: (i) payment of State educational and municipal property taxes; (ii) purchasing Project equipment from Vermont businesses, when commercially feasible; (iii) employing Vermont businesses for pre-application, construction, and operation and maintenance work, when commercially feasible, and (iv) helping to reduce electricity costs in the New England region. We will also support local agriculture and environmental systems through our development of native, pollinator friendly ground cover under and near the solar array.

In addition to economic benefits, the proposed solar electric facility will also result in important environmental benefits. The solar energy produced by this Project will result in less electricity needed in the New England region from older power plants, many of which currently operate on fossil fuels. The Project will emit no air pollutants (including CO₂) in generating electricity, and thus will help in a measurable way to address climate change. The Project thus also aligns with Section IV (Energy Strategies) of the Bennington County Regional Energy Plan (March 2017), which seeks to develop additional renewable energy resources in the region.

IV. Preliminary Impact Assessment

Based upon the initial review performed by Shaftsbury Solar and its consultants, including review of the State’s environmental databases, the siting of the Project will not cause undue adverse impacts to environmental resources, nor will it create public health or safety concerns. Key elements of our assessment include the following:

- Detailed natural resources assessments and mapping have been completed by the Project's local consultant (VHB) in order to inform site-design considerations.
- The Project array will utilize existing cleared areas where possible, and has been sited to avoid impacts to wetlands, streams, and buffers.
- No rare/endangered plants, animals, or critical wildlife habitat are known to exist within the Project footprint.
- The Project will require tree/forest clearing, which has been minimized to forest margins and hedgerows. As some of the tree clearing areas have been identified by VHB as natural communities, the Project anticipates coordinating further with the VT Agency of Natural Resources to ensure that the Project will not cause any undue adverse impacts.
- 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 preliminary aesthetic review (*Attachment B*) indicates that due to the natural topography and existing dense vegetation surrounding the site, the Project's potential for visibility is generally limited to a few specific areas within a one-mile radius of the site. As a result, landscape mitigation plantings has been proposed to augment the natural screening in several areas (See *Attachment A*). The visual consultant's overall preliminary finding is that the Project will not result in undue adverse visual impacts. A full aesthetics report will be included with the Section 248 petition.

V. Assessment of On-site Alternatives

Shaftsbury Solar and its consultants reviewed various configurations within the parcels in order to avoid and/or minimize environmental, aesthetic, or other impacts while maximizing energy output. The result of that process is the proposed array configuration that utilizes a low impact mounting system, locates the solar array to avoid sensitive environmental resources, and reduces the array footprint to minimize tree clearing.

VI. Expected Petition Filing Date with Vermont Public Utility Commission

Shaftsbury Solar intends to file a Section 248 petition with the PUC soon after the 45-day notice period expires, which would be no sooner than February 2023.

VII. Comments of the Municipal Bodies to the Public Utility Commission

Under 30 V.S.A. § 248(f), the Town and Regional Planning Commissions “shall make recommendations, if any, to the Public Utility Commission and to the petitioner at least 7 days prior to filing of the petition with the Public Utility Commission.” PUC Rule 5.402(A). In addition, the Planning Commissions are entitled to provide revised recommendations “within 45 days of the date on which petitioner has filed a petition with the Commission if the petition contains new or more detailed information that was not previously included in the petitioner’s filing with the municipal and regional planning commissions pursuant to Section 248(f).” PUC Rule 5.402(A)(2).

For additional information regarding this process, including your Planning Commission’s right to participate in PUC proceedings, please refer to the PUC’s website at <https://puc.vermont.gov/public-participation>.

We here at Shaftsbury Solar hope that you will support this Project given the benefits it will provide and its limited impacts. In the meantime, we invite you to contact us with any questions or comments at the contact information below, as we welcome your input and suggestions to make this a successful project.

Sincerely,



Peter Ford

VT Real Estate Holdings 1 LLC
(aka “Shaftsbury Solar”)
Email: info@freepointsolar.com
Phone (610) 984-4755

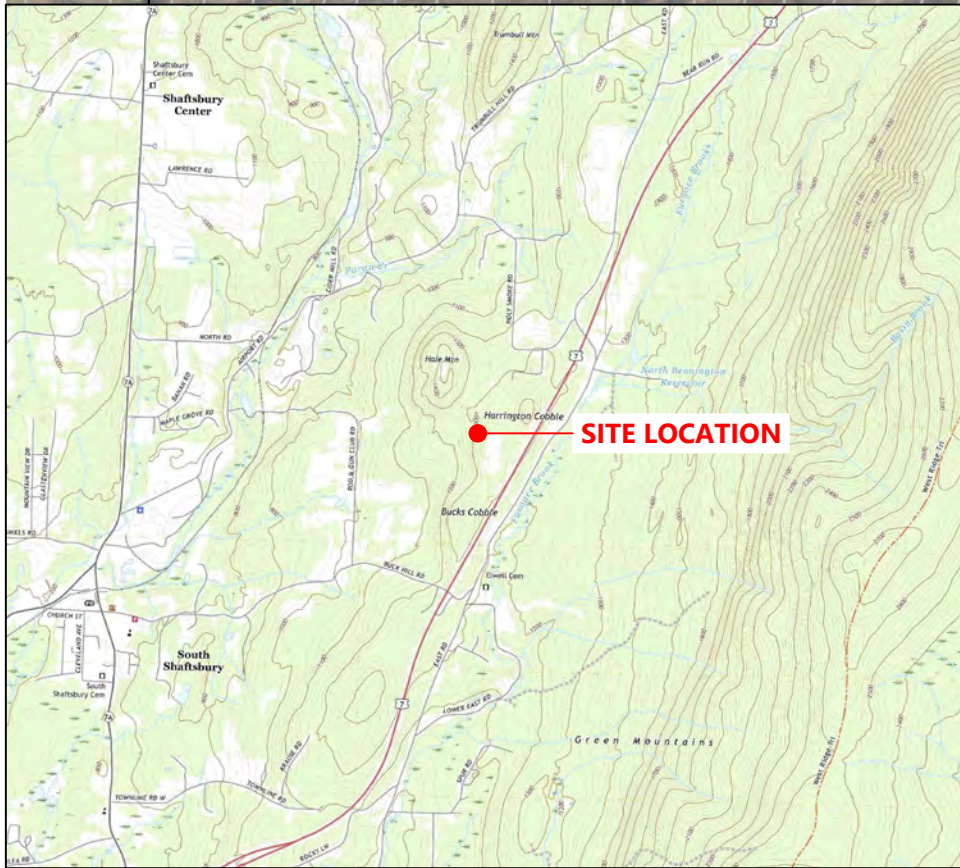
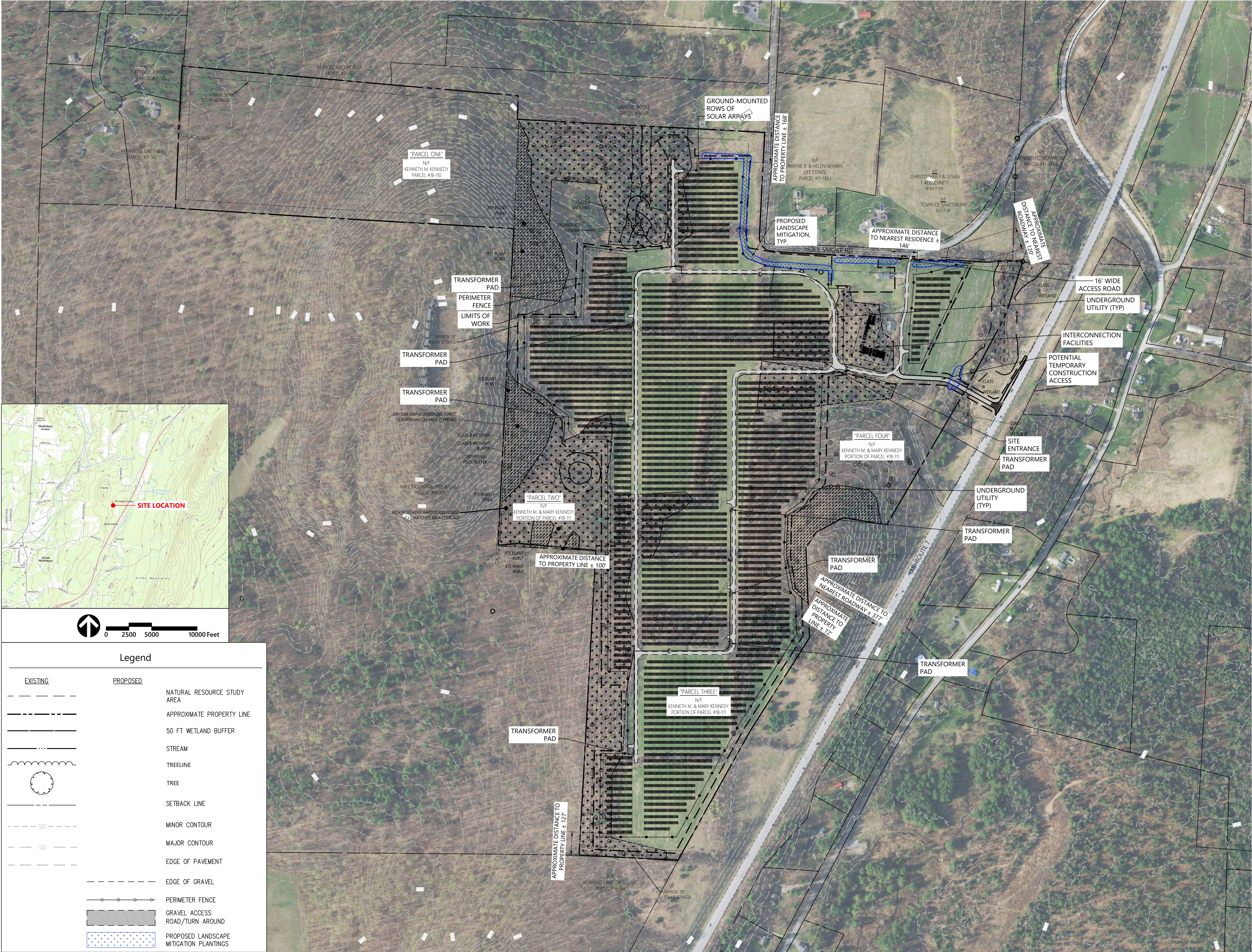
Enclosures:

Attachment A – Location Map and Site Plan
Attachment B – Preliminary Aesthetic Review Memo

cc: Vermont Public Utility Commission (via ePUC)
Department of Public Service (courtesy copy via email)
Agency of Natural Resources (courtesy copy via email)
Division for Historic Preservation (courtesy copy via email)
Agency of Agriculture, Food & Markets (courtesy copy via email)
Green Mountain Power (courtesy copy via email)
Adjoining Landowners (courtesy copy via first class mail)



40 IDX Dr
Building 100 Suite 200
South Burlington, VT 05403
802.497.6100



Legend

EXISTING	PROPOSED	
		NATURAL RESOURCE STUDY AREA
		APPROXIMATE PROPERTY LINE
		50 FT WETLAND BUFFER
		STREAM
		TREELINE
		TREE
		SETBACK LINE
		MINOR CONTOUR
		MAJOR CONTOUR
		EDGE OF PAVEMENT
		EDGE OF GRAVEL
		PERIMETER FENCE
		GRAVEL ACCESS ROAD/TURN AROUND
		PROPOSED LANDSCAPE MITIGATION PLANTINGS



Shaftsbury Solar
VT Real Estate Holdings
1 LLC

Shaftsbury, VT 05262

No.	Revision	Date	Appr'd.

Designed by	WAF	Checked by	SMW
Issued for		Date	Dec. 19, 2022

Review

Not Approved for Construction

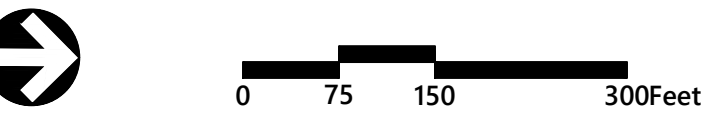
Drawing Title
45 Day Notice Overall Site Plan

Drawing Number

C3.00

Sheet 4 of 15

Project Number
58071.01



**Shaftsbury Solar
VT Real Estate Holdings
LLC**

Shaftsbury, VT 05262

[illegible]

Designed by	Checked by
Issued for	Date
Review	Dec. 19, 2022

Not Approved for Construction

Drawing Title

45 Day Notice Site Plan

Drawing Number

C4.00

15

Project Number
8071.01



To: Vermont Real Estate Holdings 1 LLC
58 Commerce Road
Stamford, CT 06902

Date: December 19, 2022

Memorandum

Project #: 58071.01

From: Michael Willard, PLA

Re: Preliminary Aesthetic Review

Preliminary Aesthetic Review – Shaftsbury Solar

1.1 Project Description

The Shaftsbury Solar Project (the "Project"), being developed by VT Real Estate Holdings 1 LLC (to be referred to as "Shaftsbury Solar"), is a proposed 20 MW (+/-) solar generation facility to be located within an approximately 85-acre fenced footprint located on two separate parcels of land that total approximately 191 acres, located off Route 7 and Holy Smoke Road in Shaftsbury, Vermont. Holy Smoke Road runs in an east-west direction on the north side of the Project for approximately 1,000 feet and then turns to run in a northerly direction towards Trumbull Hill Road. The Project will be located approximately 550 feet west of Route 7 at the northern end of the Project and approximately 375 feet west of Route 7 at the southern end of the Project, and approximately 140-150 feet south and west of Holy Smoke Road. The closest private residence to the Project is located off Holy Smoke Road, approximately 215 feet north of the Project (from the portion of Holy Smoke Road that runs in a northerly direction). There are two additional private residences along Holy Smoke Road, approximately 370-390 feet respectively north of the Project (from the portion of Holy Smoke Road that runs in an east-west direction). See *Attachment A* of the 45-Day Notice Letter.

The Project components are described in detail in the 45-Day Notice Letter. In summary, the Project will consist of fixed-tilt solar modules mounted on metal racks arranged in rows running east-west and set out in arrays, central inverters, and electrical collector system components consisting of underground conduit, wire, AC combiner panel, and AC disconnects. The interconnection equipment will include a pad-mounted three-phase transformer to step up the voltage from 34 kV to interconnect with the existing 46-kV transmission line operated by Green Mountain Power ("GMP") on the Project parcels. See *Attachment A* of the 45-Day Notice Letter.

1.2 Project surroundings

The Project surroundings are rural and largely characterized by rolling hills and dense forested areas. The Project site slopes from north to south with approximately 100 feet of elevation change starting from Holy Smoke Road down to the southern end of the Project. The Project is



Memorandum

proposed in an existing open field with hedge rows. Proposed tree clearing for the Project would include removal of the existing hedge rows and removal of some existing trees along the forest margins.

1.3 Potential Project Visibility

A preliminary visual impact assessment was completed for the Project. The assessment included a desktop review of the existing conditions, review of the proposed Project layout, and use of a computer-based visibility tool to assess the Project's potential for visibility. Due to natural topography and existing dense vegetation surrounding the site, our preliminary findings from the viewshed analysis indicate that the Project's potential for visibility is limited and specific, with the greatest potential visibility occurring within a 1-mile radius of the Project site. Intermittent views were identified along portions of Route 7, however, the Project site is elevated from Route 7 and this natural change in topography along with existing dense vegetation will screen most of the Project from Route 7. The preliminary visibility assessment identified some potential visibility north of the Project site along Trumbull Hill Road. The closest residential houses along Holy Smoke Road will likely have some visibility of the Project during leaf off conditions. As a result, we have recommended and Shaftsbury Solar has agreed to mitigate these views with the introduction of a mixture of evergreen and deciduous trees. The proposed location of landscape mitigation for the Project is identified on the proposed site plans, *See Attachment A* of the 45-Day Notice Letter.

1.4 Summary

Potential visibility of the Project is limited and specific, with a Landscape Mitigation Plan being proposed to augment any natural screening. As a result, and given our initial review of local and regional planning documents, VHB has preliminarily concluded that the Project will not result in undue adverse impacts to the aesthetics, scenic, and natural beauty of the area, and will not violate any town or regional standards pertaining to scenic or open space resources.

VHB will complete a full aesthetic analysis, including an evaluation of the Project under the so-called Quechee Analysis, to be included with the Project's Section 248 Petition for a Certificate of Public Good. That analysis will further examine the scenic resources, any comments received during the 45-day notice period, and the Shaftsbury Town Plan and the Bennington County Regional Plan for criteria that address Scenic Resources. The full aesthetic analysis may also result in amendments to the Preliminary Landscape Mitigation Plan.