

Zachary Sances
P.O. Box 141
East Montpelier, VT 05651
(415) 895-8646



March 3, 2016

Judith Whitney, Clerk of Board
Vermont Public Service Board
112 State Street, Drawer 20
Montpelier, VT 05620

RE: CPG # 16-0001-NMP Application of BDE East Montpelier Lazar Solar, LLC for a certificate of public good for a 500 kw interconnected group net-metered photovoltaic electric power system in East Montpelier Vermont

Dear Clerk:

Enclosed please find a Motion of Objection to the above Project and Objection to Finding of Public Good with attached Exhibits and a Certificate of Service to all involved parties. Please file these documents with the Public Service Board.

Very Truly Yours,


Zachary Sances

cc: Joslyn Wilshek, Esq, Attorney for BDE East Montpelier Lazar Solar
Evan Meenan, Esq, Agency of Natural Resources
Jean Vissering, East Montpelier Planning Commission
East Montpelier SelectBoard
Green Mountain Power Corporation
Bonne Waninger, Central Vermont Regional Planning
Laura Trieschman, VT Division Historical Preservation

VERMONT PUBLIC SERVICE BOARD

IN RE:

BDE East Montpelier

Lazar Solar, LLC 500 kw Group

Net Metered Solar Array

Located off of Route 2

East Montpelier, VT

NO: CPG#16-0001-NMP

MOTION TO OBJECTION TO PROJECT AND OBJECTION TO FINDING OF PUBLIC GOOD

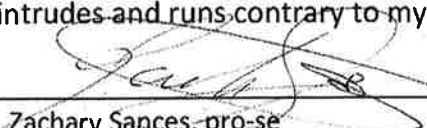
NOW COMES Zachary Sances, appearing pro-se and hereby moves this board for an entry of an Order denying any finding of public good for the above project based on previously submitted documents and on the following as set forth below and further finding that it does not have the authority to render decisions on plans which interfere with my property rights without my consent:

1. I am both an adjoining landowner and a lot owner at 2537 US Route 2, in a subdivision in which Lazar Solar plans to build a solar array. My home is on the State Register of Historic places. It was built in 1824 and was inhabited by Royal Wheeler, one of the earliest settlers in East Montpelier and one of the Town fathers. My home is approximately 140 feet away from the Project property line and approximately 196 feet away from the project fence.
2. The so-called Cassani subdivision consists of 7 lots. I own one and the remaining 6, located behind my historic home, are proposed to be developed for the Lazar Solar project.
3. The location of the proposed power pole, nearest Route 2, and noted on the site plans submitted from Andrew Thomas appears to be on my property and is not located on a limited right of way. (See Ex. 1 and Ex. 2) This is a triangle of property that belongs to me and is not included in any right of way and this is where the project proposes to place a power pole.
4. I withhold any consent from permitting any power pole to be placed any portion of the property belonging to me.
5. I retain an easement as part of the subdivision for a right of access to Lot 6 for a replacement septic system. This easement runs within and close to the southern boundary line of the proposed project. It is where I believe the petitioner proposes

to place underground power to the panels. The project would interfere with my right to this back-up system and is in clear violation of these rights.

6. The proposed project cannot be approved as it stands as the proponent does not have the legal authority to request an approval of a project which runs contrary to and in tension with my property rights
7. In addition, that the project has an undue adverse effect on my property and on the community and it will be next to impossible to mitigate the visual impacts. The project will be offensive to the average person because there is no way that small shrubs or trees could possibly screen the project since it is on a hill, which rises up to 50 feet in elevation above the level of my back yard. This hill will be covered with 8-foot high solar panels. It is virtually impossible to harmonize the project with the existing historical surroundings. My back yard is immediately adjacent to the project with no trees to block the view. It is clear from picture of where I am standing that even a 5 to 6 foot high tree would not screen the project. (see Ex. 3 and Ex. 4)
8. That the sketch drawn up by TJ Boyle and Associates is misleading and that it one looks at a picture of the hill behind my property from the vantage point of my backyard, trees and shrubs as diagrammed in the chart could not reasonably screen or soften the view of any portion of the panels since the trees would be planted at such a low elevation relative to the panels. There are simply too few shrubs and trees and they are too small to reasonably mitigate the views from my home and back yard. The slope of the hill and height of the panels would make be ineffective unless the trees were extremely tall. (Ex. 3 and Ex. 5)
9. I believe that the proposed project will undermine the historic nature of the village of East Montpelier as a whole due to the prominent location of the proposed array and the clear visibility of the project from various points in the Village and the inability to screen the project due to the geographical limitations imposed by the height and slope of the hill.
10. I also believe based on what is outlined above that the proposed project is contrary to the Public Good.

That based on the foregoing, I hereby respectfully request that the Public Service Board review this motion and enter a finding that the project is contrary to the public good and in addition, as it stands the Board is unable to render a decision based in part on the fact that the project as proposed is dependent on a layout which is fatally flawed because it intrudes and runs contrary to my property rights.


Zachary Sances, pro-se

P.O. Box 141

East Montpelier, VT 05651

dated March 3, 2016

VERMONT PUBLIC SERVICE BOARD

IN RE:

BDE East Montpelier
Lazar Solar, LLC 500 kw Group
Net Metered Solar Array
Located off of Route 2
East Montpelier, VT

NO: CPG#16-0001-NMP

CERTIFICATE OF SERVICE

I hereby certify that I have this 3rd day of March 2016, served one copy of my objection to the certificate of public good with attachments, by first class mail , on the following persons or entities:

To: Judith Whitney Clerk of Board,
Vermont Public Service Board
112 State Street, Drawer 20
Montpelier, VT 05620

Attorney Joslyn Wilschek (Atty for BDE East Mont. Lazar Solar)
Primmer Piper Eggleston and Cramer
100 East State Street, P.O. Box 1309
Montpelier, VT 05601-1309

Evan Meenan, Esq.
Agency of Natural Resources
1 National Life Drive, Davis 2
Montpelier, VT 05620-3901

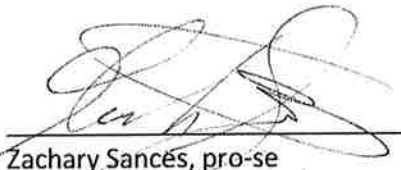
Jean Vissering
East Montpelier Planning Commission Chair
P.O. Box 157
East Montpelier, VT 05651

East Montpelier Select Board
40 Kelton Road, P.O. Box 157
East Montpelier, VT 05651

Green Mountain Power Corporation
163 Acorn Lane
Colchester, VT 05446-6611

Bonnie Waninger, Executive Director
Central Vermont Regional Planning
29 Main Street, Suite 4
Montpelier, VT 05602

Laura Trieschmann, VT Division for Historical Preservation
One National Life Drive, Davis Building, 6th floor
Montpelier, VT 05620


Zachary Sancés, pro-se
P.O. Box 141
East Montpelier, VT 05651
(415) 895-8646

dated: 3/6/16

Summary Table

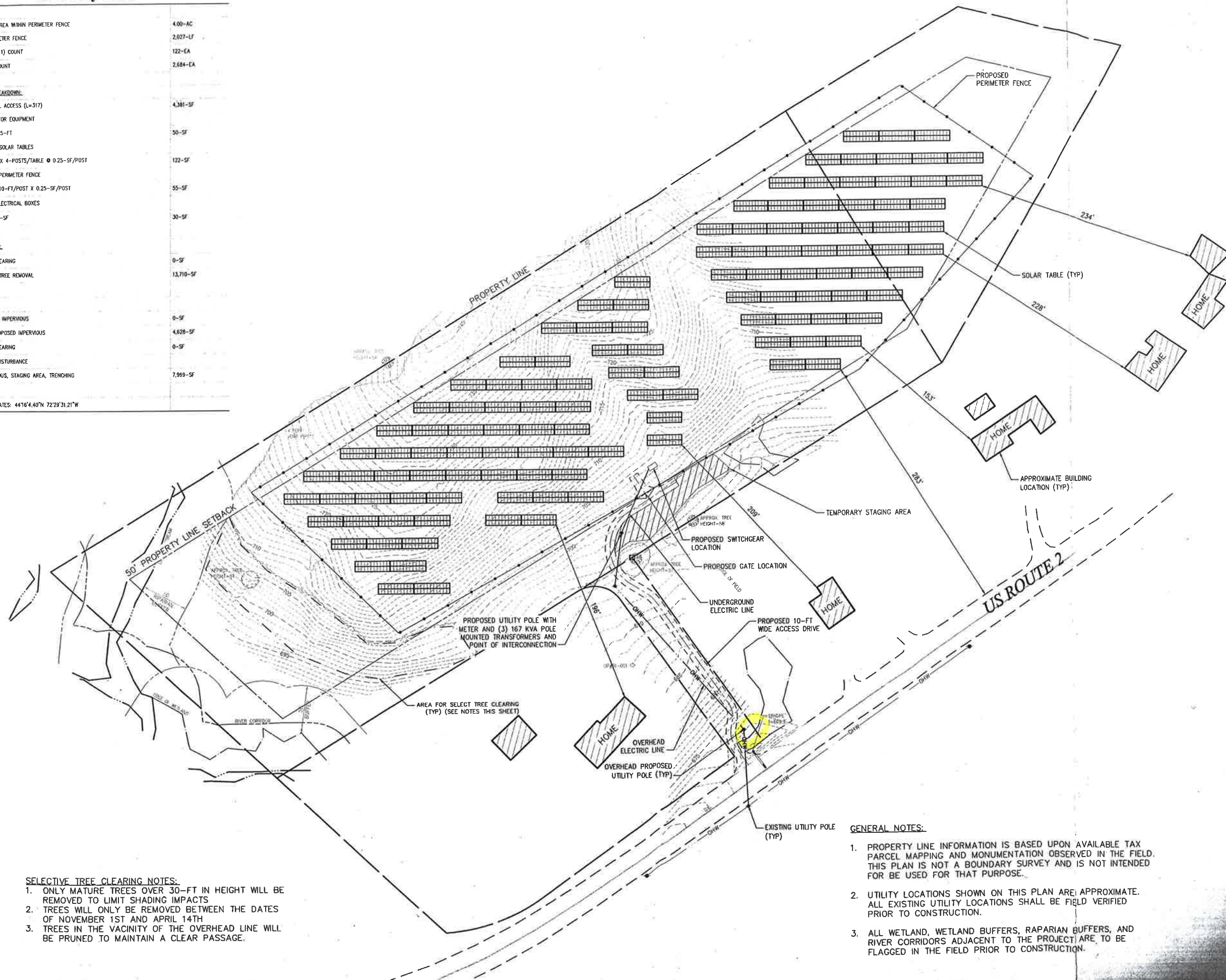
ABRAT SUMMARY:	
TOTAL PROJECT AREA WITHIN PERIMETER FENCE	4.00-AC
LENGTH OF PERIMETER FENCE	2,027-LF
SOLAR TABLE (2x11) COUNT	122-EA
SOLAR MODULE COUNT	2,684-EA

IMPERVIOUS AREA BREAKDOWN:	
PROPOSED GRAVEL ACCESS (L=317)	4,381-SF
CONCRETE PADS FOR EQUIPMENT	
(1) 10-FT X 5-FT	50-SF
DRIVEN POSTS - SOLAR TABLES	
122-TABLES X 4-POSTS/TABLE @ 0.25-SF/POST	122-SF
DRIVEN POSTS - PERIMETER FENCE	
2,027-FT / 10-FT/POST X 0.25-SF/POST	50-SF
MISCELLANEOUS ELECTRICAL BOXES	
12-EA @ 2.5-SF	30-SF

TREE REMOVAL AREAS:	
AREA OF TREE CLEARING	0-SF
AREA OF SELECT TREE REMOVAL	13,719-SF

AREA BREAKDOWN:	
AREA OF EXISTING IMPERVIOUS	0-SF
AREA OF NEW PROPOSED IMPERVIOUS	4,828-SF
AREA OF TREE CLEARING	0-SF
AREA OF EARTH DISTURBANCE	
NEW IMPERVIOUS, STAGING AREA, TRENCHING	7,969-SF

PROJECT COORDINATES: 44°16'4.40"N 72°29'31.21"W



SELECTIVE TREE CLEARING NOTES:

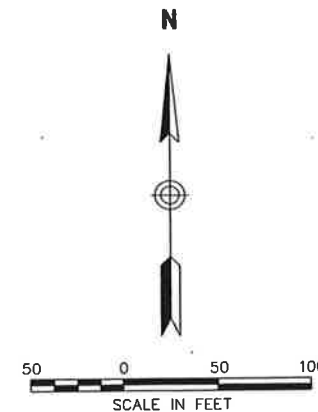
- ONLY MATURE TREES OVER 30-FT IN HEIGHT WILL BE REMOVED TO LIMIT SHADING IMPACTS
- TREES WILL ONLY BE REMOVED BETWEEN THE DATES OF NOVEMBER 1ST AND APRIL 14TH
- TREES IN THE VICINITY OF THE OVERHEAD LINE WILL BE PRUNED TO MAINTAIN A CLEAR PASSAGE

GENERAL NOTES:

- PROPERTY LINE INFORMATION IS BASED UPON AVAILABLE TAX PARCEL MAPPING AND MONUMENTATION OBSERVED IN THE FIELD. THIS PLAN IS NOT A BOUNDARY SURVEY AND IS NOT INTENDED FOR BE USED FOR THAT PURPOSE.
- UTILITY LOCATIONS SHOWN ON THIS PLAN ARE APPROXIMATE. ALL EXISTING UTILITY LOCATIONS SHALL BE FIELD VERIFIED PRIOR TO CONSTRUCTION.
- ALL WETLAND, WETLAND BUFFERS, RAPARIAN BUFFERS, AND RIVER CORRIDORS ADJACENT TO THE PROJECT ARE TO BE FLAGGED IN THE FIELD PRIOR TO CONSTRUCTION.



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



BDE East Montpelier Solar, LLC

2537 Route 2
East Montpelier, Vermont

No. Revision Date Appd.

Prepared by: CPH Checked by: PBS

Issued for: Date: Dec. 29, 2015

248 Permit Filing

Not Approved for Construction

Proposed Conditions
Site Plan

C-2

2 of 2

57746.04

EX 1



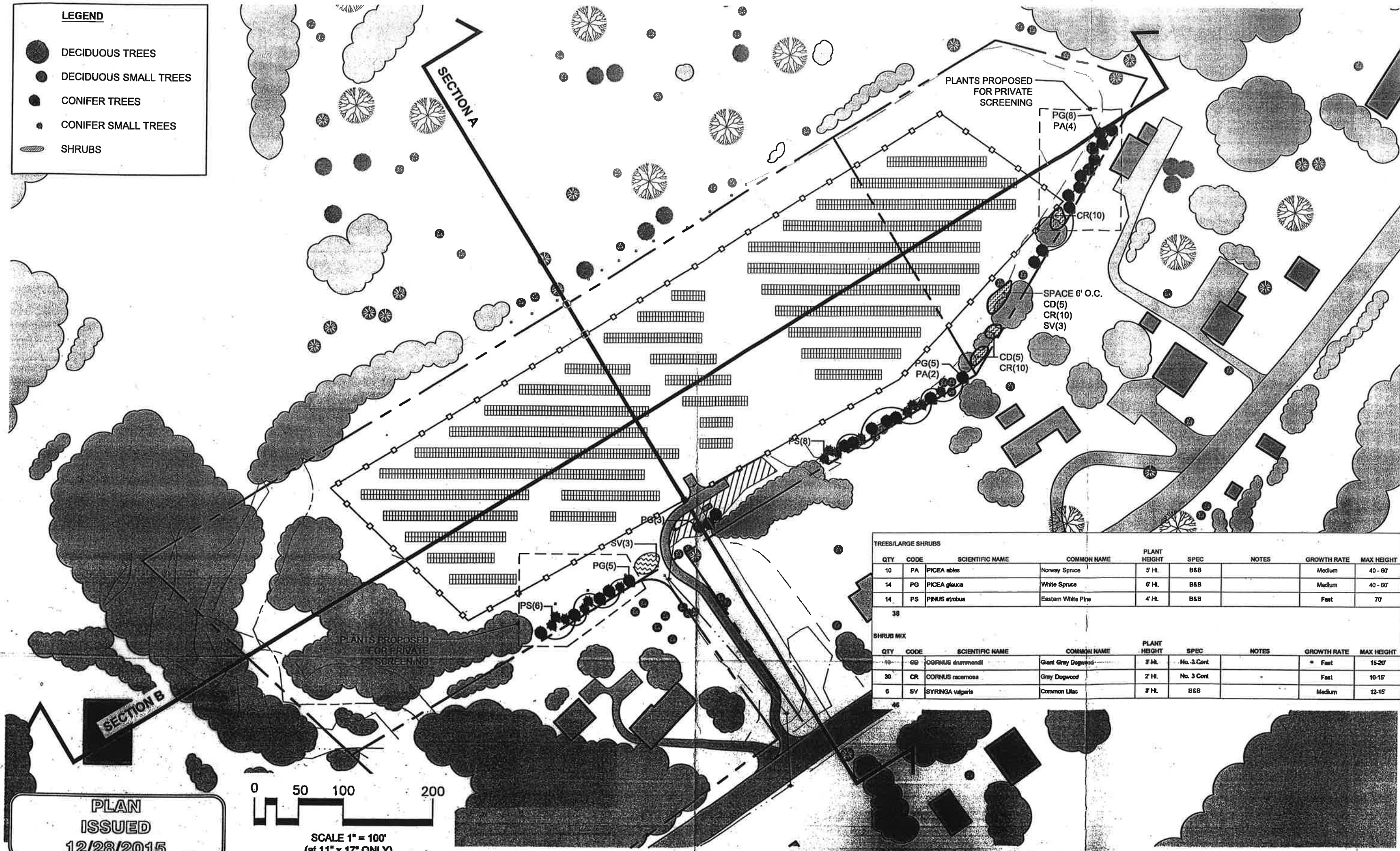
EX 3



Ex 4

LEGEND

- DECIDUOUS TREES
- DECIDUOUS SMALL TREES
- CONIFER TREES
- CONIFER SMALL TREES
- SHRUBS



TREES/LARGE SHRUBS									
QTY	CODE	SCIENTIFIC NAME	COMMON NAME	PLANT HEIGHT	SPEC	NOTES	GROWTH RATE	MAX HEIGHT	
10	PA	PICEA abies	Norway Spruce	5' Ht.	B&B		Medium	40 - 60'	
14	PG	PICEA glauca	White Spruce	6' Ht.	B&B		Medium	40 - 60'	
14	PS	PINUS strobus	Eastern White Pine	4' Ht.	B&B		Fast	70'	
38									
SHRUB MIX									
QTY	CODE	SCIENTIFIC NAME	COMMON NAME	PLANT HEIGHT	SPEC	NOTES	GROWTH RATE	MAX HEIGHT	
10	GD	CORNUS drummondii	Giant Gray Dogwood	2' Ht.	No. 3 Cont.		Fast	15-20'	
30	CR	CORNUS racemosa	Gray Dogwood	2' Ht.	No. 3 Cont.		Fast	10-15'	
6	SV	SYRINGA vulgaris	Common Lilac	3' Ht.	B&B		Medium	12-15'	
46									

**PLAN
ISSUED
12/28/2015**

0 50 100 200
SCALE 1" = 100'
(at 11" x 17" ONLY)

Ex 5